Synopsis of

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Council Room, Tippecanoe County Court House at 9:00 a.m., then postponed until 1:00 p.m., Feb. 2, 1971.

PRESENT AT Meeting	Those present at the meeting were: Bruce Osborn, Chairman, Dale Remaly, Vice Chairman, Edward Shaw, Member, G. Richard Donahue, Atty., and Gladys Ridder, Sec'y. Also present at the meeting were farmers interested in the Berlovitz Ditch reconstruction including Peter Keiser, Wilbur Brunton and Francis Albreghts. Mr. Bill Martin of the SCS came to explain his Departments interest and suggestions on this project.
Berlovitz Ditch	After a lengthy discussion by all conserned, the decision was to try to handle this reconstruction financially between the owners involved and the SCS and then if trouble arose, they would again appeal to the County Drainage Board for help.
Elmer Thomas Ditch	Specifications and needs were spelled out on "Plan of Operations" supplied by the SCS but until a final figure is supplied no action can be taken.
AREA PLAN	It was brought to the Boards attention that new SubDivision developers sometimes disregard the distance they must stay from existing Drains. G. Richard Donahue volunteered to take this information to the Area Plan and ask for their co-operation in seeing that all developers are well informed of this fact.
Attended Session at Tipton	Bruce Osborn and Gladys Ridder reported that they had driven to Tipton to attend an all day session of their Drainage Board and that they found the time spend very educational. Tipton has had their Drainage Board in operation since 1966. Larry Clerget of the surveyor's office also attended.
Meeting Adjourned	On motion made by Bruce osborn, seconded by Dale Remaly and made unanimous by Edward Shaw the meeting adjourned.

Bruce Osborn, Chairman

Dale Remaly, Vice Chairman

Edward Shaw, member

ATTEST: Gladys Ridder
Gladys Ridder, Secretary

Synopsis of

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

Present at Meeting

Bruce Osborn, Chairman and Edward Shaw, Board member, Dan Ruth, Engineer, G. Richard Donahue, Atty., Gladys Ridder, Sec'y., John Garrott, Surveyor, and Larry Clerget, Deputy Surveyor, Ken Raines, Reporter, Bill Martin, Conservationist along with many interested taxpayers.

Minutes Approved

It was moved by Bruce Osborn, seconded by Edward Shaw to approve the minutes of the Regular meeting of March 2, 1971.

Absalom Miller Ditch

Mr. Spencer Congram, farm manager from Purdue National Bank spoke for a group of people involved with the reconstruction of a headwall on the Absalom Miller ditch. The original headwall built in July of 1967 proved an inadequate construction for the flood water washed around it and left it useless. The group took action by requesting the services of the Tippecanoe County Soil and Water Conservation District to rebuild the headwall on a cost sharing plan. Herbert Crum was the contractor (No bid was let) and the bill was paid by Mr. William Nesbitt, who at the time of this meeting, has not received any part of his money. A call was placed to the State Board of Accounts during the meeting as to the chances of the County paying this bill and were informed that the county could not pay the bill for it was not handled in the only legal way that county collection could be made. (See letter in file from the State).

John L. Hoffman Ditch

Mr. David Knopp and Mr. C. J. Baker appeared before the Board to alert them of all the problems with broken tile, etc. on the Hoffman Ditch. The Engineer volunteered to walk the ditch with them and try to decide the best course to take. Mr. Bill Martin suggested a joint meeting with the two other counties involved, namely Carroll and Clinton, for he felt this would be a reconstruction job. It was asked for consideration in establishing a maintenance fund also.

ElmerThomas Ditch

Mr. Robert Buker brought slides of the pond that stands as the result of improper drainage on the Elmer Thomas Drain. Mr. Bill Martin submitted plans drawn by the Soil and Water Conservation Dep't. on reconstruction of this drain. Mr. Ruth offered to contact the State Highway Department on problems concerning the right-of-way drainage.

Public Meeting at Fair Grounds

Mr. Bruce Osborn suggested a public meeting at the Fair Grounds strictly to inform the public and perhaps answer some questions people might have as to the duties and responsibilities of this Board. The date set was Monday, April 19th, 1971 at 8:00 p.m. Mr. Martin was asked to help the Board conduct the meeting and to show how the two offices work together.

Ditches referred to Engineer

The motion made by Bruce Osborn and seconded by Edward Shaw to refer the following ditches for the Surveyor and Engineer's consideration: Anson-Delphine, Parlon, McFarland, Berlovitz, Andrew P. Brown and Absalom Miller. All of these to be set up for Maintenance.

Purchase of Camera

Mr. Ruth asked permission to buy a polaroid camera for it would prove so helpful in his work. Permission granted.

Minutes of the April 6, 1971 meeting (Continued)

Meeting Adjourned

Upon motion made by Mr. Bruce Osborn and seconded by Mr. Edward Shaw the meeting adjourned.

Bruce Osborn, Chairman

C. Dale Remaly, Vice Chairman

ATTEST:

Edward Shaw, Member

Synopsis of
Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioner's Room in the County Court House at 8:30 a.m., on Tuesday, June 1,1971.

Present at Meeting

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

Minutes Approved

Upon motion made by Dale Remaly and seconded by Bruce Osborn, the minutes of the May 4th, 1971 meeting were approved as read.

Ditch Referral

Upon motion made by Dale Remaly and seconded by Bruce Osborn the Board referred the following ditches to the Engineer: Carl K. Crist (Perry Twp.), Chris Fassnacht (Perry Twp.), John McLaughlin (Lauramie & Perry twps.), H. B. Wallace (Jackson Twp.), H. F. Beutler (Shelby and Wabash Twps.).

Absalom Miller Ditch Hearing

At 9:00 a.m., there was a hearing on the maintenance report for the Absalom Miller ditch. Mr. Spencer Congrum, William Nesbitt and P. L. Crouse attended this hearing. A remonstrance by Floyd Martin against the amount of acreage that he had in the water shed area was read and upon recommendation of the Engineer, the Board voted to change his acreage from 62.50A to 32.50A. (A private tile services the water in this area.) Upon motion by Dale Remaly and seconded by Bruce Osborn the Board declared the Absalom Miller maintenance fund established.

James Parlon Ditch Hearing

Mr. Lee Shirley and Mr. Homer Todd attended this hearing. They both expressed their approval of the .75 per acre assessment on the Parlon ditch but asked the Board to consider a correction on their acreage in this water shed area. Upon recommendation of the engineer, the Board changed Mr. Shirley's acreage from 12.13A to 8.13A and Mr. Todd's acreage from 40A to 18Acres. Upon motion by Dale Remaly and seconded by Bruce Osborn, the Board declared the maintenance fund on the James Parlon ditch, with correction in acreage, now established.
Secretary's Note:
If all hearings went as smoothly and with as much good humor as this one did, the Drainage Board's job would certainly be a pleasure!

Julius Berlovitz Ditch Hearing

At 11:00 a.m., the hearing on the maintenance report for the Julius Berlovitz ditch was heard. Fred Ritenour, Francis Albregts and Richard Shoemaker attended this hearing. Three changes on acreage in form of remonstrances were read.(F. C. Ritenour, Frances Rosanova and Mary L. Fassnacht constituted the three.) Upon recommendation of the Engineer, the Board declined the appeals. This hearing was set up originally with the information that this ditch would be reconstructed some time in the spring. Because this reconstruction has been postponed until

possibly August, the Board decided to continue this maintenance hearing in their regular meeting in September. Upon motion by Dale Remaly and seconded by Bruce Osborn, the Board moved to continue this in the fall.

John A.McFarland Ditch Hearing

At 1;00 p.m., the hearing on the maintenance report of the McFarland ditch was heard. Those attending this meeting were: Roland Halleck, Harold Reed, Cecil Turner, Mark Briar, Delmar Gard, Ralph Boes, Audley Oshier and Catherine Turner. Members attending were informed that because of a large branch of private ditch having been built and constructed so that it empties into the main branch of the McFarland ditch, it now must be made a part of the main branch of the McFarland ditch. Legal procedures to make it a part of this ditch are now in operation. Most landowners made mention of Little Pine Creek being so badly in need of cleaning as it was full of willow trees. A motion by Dale Remaly seconded by Bruce Osborn was to continue this hearing in the regular meeting on August 3, 1971.

Train Coe Informal hearing

At 2:00 p.m., an informal meeting was called to see how the landowners in the Train Coe water shed area felt about reconstructing this drain. The Engineer reported that this ditch was in far too bad a shape to consider maintenance, that it either had to be reconstructed or abandoned. Those attending the meeting were Roy Smith, R. Leonard, F. R. Grimes, C. Merritt, Larry Summer, Martha Logan, Edith Skinner, Everett Hart, Vernie Hart, Ethel Hanger, James M. Davis, Icy Funkhouser, Mary Sherwin, Marshall Davis, Ione Davis, Dan Barker, Bob Macy, P.D. Kirkpatrick, William Sattler, and Mr. and Mrs. L. W. Crull. Those supporting reconstruction were Roy A. Smith (for Venrich property) F. R. Grimes and C. Meritt(for Purdue property) Mr. & Mrs. Marshall Davis, R. C. Leonard (for F. Grimes property) Everett Hart and Ethel Hanger but some specified that they already have an open ditch on their farms and if a new open ditch was the final decision, they did not want the ditch relocated. Those in favor of abandonment were Mary Sherwin and Mr. & Mrs. L. W. Crull. The cost of both open and tile ditches was discussed but no definite answers could be given until more information was acquired. Mr. Dale Remaly moved and Mr. Bruce Osborn seconded the motion to hold another informal meeting before any definite steps would be taken.

Order and Findings & Certificates

The Board then signed the Order and Findings and the Certificate of Assessments for the Absalom Miller and the James A. Parlon ditches.

Upon motion by Bruce Osborn and seconded by Dale Remaly the meeting was adjourned.

Bruce Osborn, Chairman

Dale Remaly, Vice Chairman

Edward J. Shaw

Edward Shaw, Board Member

ATTEST:

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD MAY 3, 1972.

Present at Meeting

The Tippecanoe County Drainage Board held it's regular monthly meeting on Wednesday, May 3, 1972 at 9:00 o'clock a.m., in the County Commissioner's Room in the Court House. Those attending the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, A. D. Ruth, J. Frederick Hoffman, John Garrott and Gladys Ridder.

Many problems needed to be discussed at the regular meeting: (1) Alberta Taylor Bennett's problem on the Jacob Taylor ditch. The Board told Mrs. Bennett that her problem, broken tile on a private tile drain that empties into the Jacob Taylor ditch, was a personal problem and that she should contact her neighbors whose water empties onto her farm and ask them for help in repairing those tile. Also the Board's Attorney told Mrs. Bennett that he would prepare a petition for her to carry to make it possible for her to come before the Board and ask them to accept the private tile ditch as a part of the Jacob Taylor ditch.
(2) SCS has built an open ditch of considerable length onto the N. W. Box Ditch. Should we treat it the same as we did the Oshier branch of theMcFarland ditch and what procedures can we follow to get the SCS office to not tie into a legal drain without the knowledge of the Drainage Board.
(3) A maintenance fund was established on the Berlovitz Ditch to be put on the tax duplicate only after the reconstruction was completed. The attorney said he felt we could consider the reconstruction completed only after the SCS office had accepted the work and paid their cost sharing part.
(4) Mr. Lester Bloyd had brought his tax statement in saying he did not drain into the Shepherdson ditch. He had not attended the hearing or come into the office to object before the hearing. The attorney cited the law that says if a landowner has failed to comply with the law in coming in before the hearings with his objections or does not attend the hearings, he has forfeited his right to any consideration.

9:30 a.m. Hearing on the Jeremiah Edwards Ditch

The Engineer opened the hearing on the Jeremiah Edwards Ditch by reading his report and making his recommendations to the Board. He said that this ditch could never work effectively until Little Pine Creek had been dredged. Those attending the hearing were Mr. & Mrs. George Purcell and Mr. & Mrs. Paul Kerker. Those in attendance felt they would rather put a maintenance fund assessment on the ditch and try to keep it in the best repair that could be done under the circumstances than to just drop it, so Mr. Ruth said he would come out and take some elevations to determine how much good a maintenance fund would do them and suggested that the Board table this hearing until next month giving him enough time to get a few answers for them.

Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw the Board tabled this hearing until the June 7, 1972 regular meeting.

10:30 a.m. Hearing on the Mary McKinney Ditch

The Engineer opened the hearing on the Mary McKinney ditch by reading his report and recommendations to the Board. Those in attendance were: Dale Brooks, Cletus A. Rush, Leroy Ade, Mr. and Mrs. Paul Kerker, Mr & Mrs. George Purcell and Oscar Gephart.
Again the Engineer informed the Board that none of the ditches in this area namely the Edwards, McKinney, Morris or Box) would ever work efficiently until the Little Pine Creek could be dredged. Those on the McKinney felt their ditch did still serve some purpose and that they would rather see the Board establish a maintenance fund than to drop it. The Engineer assured them that as the money built up, it would not be spent foolishly but only on repairing those things that were most necessary. The correction in acreage were:

Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, a maintenance fund of $1.00 per acre was established.

11:30 am Hearing on the Mark B. Morris Ditch

At 11:30 a.m., the Engineer opened the hearing on the Mark B. Morris Ditch by reading his report and making his recommendations to the Board. Those in attendance were: Mr. & Mrs. H. T. Siefers, Mr & Mrs. Clarence Van Schepen, Jerry L. Rooze for Matilda Pfeifer, Mr. & Mrs. George Purcell, Mr & Mrs. Clayburn Dixon and Mr. & Mrs. Robert H. Hayworth. With Little Pine Creek's being dredged as the only way this ditch can work, all in attendance were much in favor of not establishing a maintenance fund on this ditch but asked the Board to consider an indefinite postponement of establishing a maintenance fund. The Engineer said that in the future, if it were at all possible, he would make every effort to clean and dredge Little Pine Creek.

1:30 p.m. Hearing on the Fannie Devault Ditch

At 1:30 p.m., the Engineer opened the hearing on the Fannie Devalut Ditch by reading his report and making his recommendations to the Board. Only two people attended this hearing, Mrs. Mabel McDill Andrews and an Attorney for Harlan Tyner. The Attorney said he or his client had no objection but was here to get some answers. Mrs. Andrews said shw was in favor of the assessment so Burce Osborn moved to so establish a maintenance fund of $1.00 per acre on the Fannie Devault Ditch. The move was seconded by Edward Shaw and made unanimous by Dale Remaly.

Upon motion by Dale Remaly, seconded by Edward Shaw, the Board adjourned.

Bruce Osborn, Chairman

Dale Remaly, Vice Chairman

Edward Shaw, Board Member

ATTEST:

Gladys Ridder, Exec. Secretary

THE REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD MARCH 7, 1973.

The regular meeting of the Tippecanoe County Drainage Board was held in the County Council Room in the Tippecanoe County Court House at 9:00 a.m., on Wednesday, March7, 1973. Present at the meeting were: Edward Shaw, Robert Fields, Bruce Osborn, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

Minutes Approved

Upon motion by Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields, the Board approved the minutes of the February 7, 1973 meeting as read.

Ditches Referred

The Board referred the follwing ditches to the Engineer for Maintenance Fund set up: Brady vs Nash, Wea Twp., John Brose, Shelby Twp. in Tipp. County and Round Grove Twp. in White County, Cochran VS Holms, Wea Twp., Jesse A. Cripe, Washington Twp., County Farm, Wabash Twp. & Alonzo Taylor, Jackson & Wayne Twps.

Other Business

Mr. Hoffman reported to the Board that Mr. Floweres had called and complained about water backing up after the repairs to the Elliott ditch had been made. He said he had contacted Mr. Donahue who in turn informed his client and the situation was now being taken care of. He asked Mr. Ruth to please contact Mr. Flowers and inform him of same.

Mr. Ruth told the Board he had met with John Tse. His plan for thelakes on the McClure ditch were far in the future and Mr. Ruth felt the hearing should be set for a maintenance fund on McClure ditch possibly May 6, 1973.
Mr. Francis Albregts discussed the possiblity of placing a breather in the side ditch of I-65 and Fellbaum branch of the Berlovitz ditch to alleviate a ponding there. Board granted permission and said if the breather created trouble elsewhere it could always be removed.

9:30 a.m. Hearing on Alexander Ross Ditch

The Engineer opened the hearing on the Alexander Ross ditch by reading his report and making recommendations. Those in attendance were: Walter Pendleton, Pete Keiser, George Hatke, Frances Albregts and Dick Smith.

Mr. Keiser reported that water was standing on top of the Ross ditch on the o'Ferrall land and this situation had only began since I-65 was built. Mr. Ruth siad he would look into the situation and if the problem was created by the State Highway, he would notify them of same and they would have to correct it.

Mr. Pete Keiser said the acreage in Sec. 25 of 5.22 A that he had sold VanMeeter was assessed on the Berlovitz ditch but that before he had sold it, he had placed new tile on that land and drained that acreage to the Alexander Ross ditch. He suggested removing the acreage from Berlovitz and placing it on the Alexander Ross Ditch. The Board agreed and instructed the Secretary to do so.

Discussion followed among those present as the amount of per acre assessment. As the majority felt $.75 per acre would be adequate, the Board moved to establish a $.75 per acre assessment.

10:30a.m. Hearing on John VanNatta Ditch

The Engineer opened the hearing on the John VanNatta Ditch by reading his report and making his recommendations. Those in attendance were: Charles R. VanNatta, Charles R. VanNatta, Jr., M.P. Plumlee, Ward W. Smith and Douglas McGill.

The Engineer read a letter from Mr. Plumlee, Don Brown, Ted Hunt and Charles VanNatta. The point being they had taken such good care of the ditch they felt $.35 would be adequate. They asked for a portion of the tile ditch be made into a grass waterway. They also said they would continue to take care of their ditch even though a maintenance was established.

Because of their great concern for each other's needs and perfect cooperation, the Board moved to establish a $.35 per acre assessment as requested.

11:30 a.m. Hearing on Joseph Sterrett Ditch

The Engineer opened the hearing on the Joseph Sterrett ditch by reading his report and making his recommendations to the Board. Those in attendance were: Charles R. VanNatta, Harry W. Hampton, Douglas McGill, and Charles R. VanNatta, Jr.
Mr. Ruth read a letter from Mr. Charles Van Natta and Harry Hampton stating that this drain was so well designed and installed that their maintenance over the years had been very small. They asked for a $.25 per acre assessment. Mr. Ruth said he felt this was too small. The landowners present said if it proved too small, they would gladly consent to a new hearing for the purpose of raising the amount.

Mr. Charles VanNatta said in Sec. I out of a 175A tract only 50A drained instead of 80A as assessed. The Board asked Mr. Ruth to check and correct the acreage after elevations were taken. The final decision was A.

After a bit of a discussion the Board moved to establish a $.35 per acre assessment.

Order & Findings and Certificate of Assessments

After establishing a maintenance fund on the Alexander Ross, the John VanNatta and the Joseph Sterrett ditches, the Board signed the Order and Findings and the Certificates of Assessments.

Upon motion made and carried the Board adjourned.

Edward J. Shaw

Robert Fields

Bruce Osborn

ATTEST:

Gladys Ridder, Exec. Secretary

THE REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD SEPTEMBER 5, 1973.

The meeting oftheTippecanoe County Drainage Board was held in the County Council Room on September 5, 1973 at 9:30 a.m. with the following memberspresent: Robert F. Fields, Edward Shaw, Dan Ruth, Fred Hoffman, and Gladys Ridder.

Signing of Minutes

Upon motion by Edward Shaw seconded by Robert Fields, the minutes of the August 1 and 27th, meetings were approved as read.

Business Meeting

In the business meeting, the Board was shown the claim of the Riehle Construction Company for work done on the Berlovitz Ditch. The Surveyor reviewed his feelings about the amount of charge per hour for labor and wanted their opinions. The Board recommended we pay 20 hours @ $20.75 per hour and an additional $50.00 for additional labor or $465.00 total.

30th Street Drainage

The matter of the 30th Street drainage was brought to the attention of the Board with no decision being made.

Friendly Village

Mike Norris and Dick Fidler came before the Board with their plans to discuss the needs to complete Friendly Village Mobile Home Park drainage to the satisfaction of the requirements imposed by this Board. A new description of the re-routing of the branch of Elliott done by Mid-States was required.

A portion ofMr. Wendell Flowers ground was still in trouble and Mr. Fidler said with only a .12% grade it would probably be caused by silt settling and they would flush the pipe in that area to help that situation.

When everything is finished, Mid-States need to provide the County with an easement for the newly routed branch and theCounty will need to provide an easement for a crossing of Elliott ditch with city water mains etc.

S. W. Elliott Ditch

The Engineer opened the continued hearing on S. W. Elliott Ditch by explaining the reasons for a second hearing. The Pipers Glen area had been omitted in the first hearing and according to the drainage law to add to the assessment role a new hearing had to be called.

Those in attendance were Paula Chrisman and Rita Lasley, both in the Piper Glen area. Each one had questions on why they pay city sewage and have to pay on Elliott too, so Mr. Ruth explained the difference between Storm Sewers and City Sewage.

The Board so moved to establish a .75¢ per acre assessment on S. W. Elliott ditch.

E. F. Haywood Ditch Continued Hearing

The engineer opened the continued hearing on theE. F. Haywood Ditch by reading the minutes of thelast meeting, held September 1972. Those in attendance were: Jerome Rund, Mabel McDill Andrews, Kettie and Robert W. Kirkpatrick, Robert J. and Jane Moore and O. J. Leibenguth. Mr. Robert Leader had telephoned and wanted to cast his vote by phone to be in favor of a maintenance fund. Jerome Rund and O. J. Leibenguth both spoke out in favor of a maintenance fund. Mr. Kirkpatrick and Mr. Moore both spoke vehemently against a maintenance fund and in favor of doing the work themselves.

Mr. Ruth and Mr. Fields advised them to establish a maintenance fund, Mr. Shaw favored postponing the hearing for one more year. Mr. Moore said if those that were in favor should have attended the hearing that he had driven from Indianapolis to protest.

Mr. Shaw made a motion to postpone one year and Mr. Fields seconded the motion.

Order & Findings

After establishing a maintenance fund on the S. W. Elliott ditch, the Board signed the Ording and Findings and Certificate of Assessments.

Upon motion made and carried the Board adjourned.

Edward J. Shaw
Edward J. Shaw

Robert Fields
Robert Fields

Bruce Osborn
Bruce Osborn
(This signature belongs on page 77)

ATTEST:
Gladys R. Ridder
Gladys Ridder, Exec. Secretary

-REGULAR-MEETING-OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JULY 6, 1977

The regular meeting of the Tippecanoe County Drainage Board was held in the Tippecanoe County Office Building at 9:30 a.m., on July 6, 1977 with the following members present: Bruce V. Osborn, William Vanderveen, Robert F. Fields, Robert L. Martin, Ronald Melichar, Kenneth A. Miller and Gladys Ridder.

Upon the reading of the minutes of the May 18th, 1977 meeting (no meeting held in June) Bruce Osborn moved to accept the minutes as read and that motion was seconded by William Vanderveen. Robert Fields made the motion unanimous. Minutes

William Vanderveen opened the hearing of the Alfred Burkhalter ditch by asking for any remonstrances. He read a letter from Ervin Larson and one from Everett Miller. Mr. Larson against and Mr. Miller in favor of the increase in assessment. Those in attendance were: Glenn Skiles and wife, Anna L. & Ervin R. Larson, Ever-ett and Raymond Miller.

Kenneth Miller was asked to comment on the work that has been done to this point and he explained where the work has been done and who has done the work as well as his opinion of the condition of the ditch now. He explained that the headwall had been the most expensive thing that had been done but that now their ditch was in pretty good shape.

Ervin Larson said his tile must be full of mud for it does not drain quickly when there was lots of rainfall. Mr. Miller said he would check into it. 9:30 a.m. Increase in Maintenance on A. Burkhalte Ditch

Mrs. Skiles said when Fauber Construction had built the headwall, there was lots of rain and it had been quite a mess and had done quite a lot of damage to their farm. It has been taken care of now and Mrs. Skiles thanked Mr. Martin for his part in getting the headwall rebuilt.

Mr. Vanderveen explained how much money is now due the General Fund because of all of this maintenance work being done and informed them that that was the reason for this new hearing.

Some thought the $2.00 proposed assessment was too high. Mr. Osborn asked them if they could live with $1.50 per acre assessment and Glenn Skiles said he felt sure they could.

Bruce Osborn made the motion to establish a $1.50 per acre assessment on the Alfred Burkhalter ditch. That motion was seconded by William Vanderveen and made unanimous by Mr. Robert Fields.

Mr. William Vanderveen opened the hearing on the Julius Berlovitz ditch by reading the remonstrances from Francis Rosanova, Charles Kennedy and M. S. Allman for the Shaw Farms.

Those in attendance were: Francis Parker, Fran Albregts, M. S. Allman, Howare and Sarah Ayers, and Dean Jones.

Frannie Albregts said there had been many breakdowns on the Fellbaum branch of the Berlovitz ditch and some on the Sha w Farms. Repairs had been done to several tile on the Richard Smith farm also on the Albregts farm. 10:30 a.m. New Hearing on J. Berlovitz Ditch

Mr. Allman, speaking for the Shaw farms, said Mr. Shaw did not agree to the proposed rate. His feelings were that a dollar an acre should take care of any of their needs and if the money was spent well and the jobs well supervised. He felt work orders should be given by the Surveyor's office and the work should be

well inspected before payment made.
Mr. Martin agreed that more careful supervision was necessary and said now that Mr. Miller was with us, it would be checked better.

Francis Parker said he knew how much prices have jumped in the last few years and he felt the original fifty cents per acre was too low. He said he favored any increase that was reasonable.

Berlovitz continued

Dean Jones said his greatest complaint in this watershed was with the Indiana State Highway Department. He said when I-65 was built damage was done to this ditch for it has not worked right since that highway was built. He also knew they would have to sue to get the needed relief and needed full support of the neighbors to do so.

The Board felt the increase of only fifty cents more would be inadequate and Mr. Osborn asked Howard Ayers if he could live with a seventy five cent increase. Mr. Ayers said yes, he felt sure they could live with that.

Upon motion of William Vanderveen, seconded by Bruce Osborn and made unanimous by Robert Fields, the Board decided unanimously to establish a $1.25 per acre assessment on the Julius Berlovitz ditch.

Mr. Lyndal Morarity was the spokesman for the Tippecanoe School Corporation when they appeared before the Drainage Board. He represented the firm of Fanning and Howey, Architects.

In attendance were: Donald McKee, Rolland Stokes, Richard Harlow, Ann Heimlich, Anne DeCamp, Floyd Kowalski, Lloyd Mikesell, Doyle Newton and Lyndal Morarity.

Tippecanoe School Corporation

Mr. Morarity had sketches of the proposed new Battle Ground Junior High School with the architects suggested drainage. The size of tile around the building and the information where it would empty into the Harrison Creek. He explained the need to go to Harrison Creek rather than Burnett's Creek. The price was $45,000.00 in comparison to $75,000.00. All present expressed their desire to keep the building costs down for it is taxpayers money being spent.

Mr. Osborn said he surely shared their concern in keeping the building costs at a minimum but that the Board was charged with the responsibility of controlling an excessive amount of water being dumped into any watershed. This would also result in a change in the watershed and that would call for a new hearing. Ron Melichar said he thought the change in watershed would require State's approval but he would have to check the statutes further.

A comment on whether the School Board had considered a detention pond was discussed and Mr. Morarity said because those things are a common nuisance and always require maintenance that the architect had not even considered one.

The Board informed the School Corporation that when the answers to all of these questions were found, they would set up another meeting.

11:30 a.m. New Hearing on J.Amstutz Ditch

William Vanderveen opened the new maintenance hearing on the John C. Amstutz ditch by asking for the remonstrances. None had been filed!

Those present at this hearing were: Ralph Wise, Levi Huffman, Richard L. Welch, Clarence Behringer, and Dale Remaly (his property sold on contract to Louis Brubaker).

Clarence Behringer asked about the headwall and a pipe under a driveway at the headwall.He feared that if the individual living there should want to change his pipe under his driveway, it would interfere with the headwall. Robert Martin said he was aware of the situation and when the time came to change the pipe, he would supervise the construction for it definitely would affect the headwall.

Ralph Wise stated he would be in favor of the proposed assessment to get the ditch out of the red. Richard Welch asked the Board if at this time they increased the assessment would the Board hold another hearing and lower the assessment when their balance got in the black. Mr. Osborn assured them they would.

Upon motion of Bruce Osborn and seconded by William Vanderveen the Board moved to establish a $3.00 per acre assessment on the John Amstutz ditch. Robert Fields abstained because he had property in this watershed.

O & F forms and C of A forms signed

With the establishment of three new maintenance assessments, the Board signed the Order and Findings forms and the Certificate of Assessment forms for the Alfred Burkhalter, Julius Berlovitz and the John Amstutz ditches.

With the days business completed, William Vanderveen moved to adjourn. That motion was seconded by Robert Fields and made unanimous by Bruce Osborn.

William Vanderveen, Chairman

Robert F. Fields, Vice Chairman

Bruce V. Osborn, Board Member

ATTEST:

Gladys Ridder, Exec. Secretary

The Tippecanoe County Drainage Board met in the Community Meeting Room on July 21, 1982 at 9:30 a.m., with the following members present: Bruce V. Osborn, Sue M. Reser, Eugene R. Moore, Fred Hoffman-Attorney, Michael Spencer-Surveyor, and Natalie Cronin-Secretary.

Orchard Heights Part III

Mr. Bill Abbott of 533 North Creasy Lane was before the drainage board. Mr. Abbott had been to the meeting held November 4, 1981. At that time PSI, instructed by Mr. Gunstra, had cut his tile. The board told Mr. Abbott, at that time, it was a mutual drain and the board had no jurisdiction, but they would talk to Bruce Gunstra and PSI.

Today Mr. Abbott would like to know the action the drainage board can take in order to help clear up his drainage problem. Mr. Abbott has hooked onto the city sewer, but it has not solved the problem.

Jerry Withered, an attorney representing Mr. Abbott, told the board it is a public drainage problem, and we

would hope that the board would take some action to clear up the drainage in the area.

Bruce Osborn mentioned it was a mutual drain; the drainage board has no jurisdiction over the drain. Mr. Osborn told Mr. Abbott they could petition the drainage board to put in a new legal drain. Orchard Heights

West County Line Road

The drainage board moved a motion be made to grant approval to the Highway Department to pay one half the cost of pipe and installation on the West County Line Road where the Darby Ditch crosses.

MOTION: Sue Reser made the motion that the Highway Department pay one half the cost of pipe and installation on the West County Line Road where the Darby Ditch crosses between 750 N and 900 N. West County Line Road

Eugene Moore: Seconded the motion.

Bruce Osborn: Unanimous.

MOTION: Sue Reser made the motion that the Highway Department pay the total cost of pipe and installation on County Road 900 W between 750 N and 900 N.

Eugene Moore: Seconded the motion.

Bruce Osborn: Unanimous.

#211 General Drain Fund

Mike Spencer explained to the board that on the drainage board budget for 1983 a new line item #225 has been added to include an appropriation of $200,000.00 to the General Drain Fund. General Drain Fund

Elliott Ditch

Mike Spencer presented to the drainage board a bill for labor of the Elliott Ditch for over $5,000.00. The reason for the increase in the cost was due to quick sand.

The board declared an emergency for the Elliott Ditch. Elliott Ditch

The board granted approval to pay $5,389.10 for labor on the Elliott Ditch to Fauber's Construction.

Felbaum Branch of the Berlovitz Ditch

A petition to reconstruct the Felbaum Branch of the Berlovitz Ditch was submitted to the drainage board. Felbaum Branch

Treece Meadows

Mike Spencer reminded the board they are meeting with the property owners on the Treece Meadows Drain in order to get more right-of-way. Treece Meadows

Ilgenfritz Ditch

Mr. Bob Lahrman was before the drainage board in regards to the Dismal Ditch, which is not a legal drain.

Mr. Lahrman was asking the board to grant Mike Spencer the permission to survey the Dismal Ditch. The survey would give the people an idea of the cost involved in cleaning out the Dismal Ditch. Ilgenfritz Ditch

Mr. Lahrman would like to see a clean out of the Ilgenfritz Ditch regardless of what is done to the Dismal Ditch.

Fred Hoffman suggested that they file a petition to the drainage board to extend the Ilgenfritz Ditch down to the Wea Creek, what is now the Dismal Ditch. The petition would include a clean out for the whole ditch.

MOTION: Eugene Moore made the recommendation for Mike Spencer to survey from the Wea Creek to the outlet of the Ilgenfritz along the Dismal.

Sue Reser: Seconded the motion.

Bruce Osborn: Unanimous.

Elliott Ditch

Mr. Elliott and Mr. Witz were before the drainage board requesting that their drainage problem on the Elliott Ditch receive immediate attention.

A stretch of pipe downstream, put in in 1974, is a foot higher than the pipe that the County just put in. The water is flowing; it just has to go uphill to get out. Elliott Ditch

Bruce Osborn instructed Mike Spencer to check the grade through the sod farm and inform the drainage board of his findings.

The Elliott Ditch is approximately $40,000.00 in the red. The assessment needs to be raised in order order for the ditch to get money to operate.

MOTION: Eugene Moore made the motion to start procedures to raise the assessment to $5.00 per acres, and $10.00 per lot.

Sue Reser: Seconded the motion.

Bruce Osborn: Unanimous.

MOTION: Eugene Moore made the motion to adjourn.

Sue Reser: Seconded the motion.

Bruce Osborn: Unanimous.

SPECIAL MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD ---- Held July 21, 1982

Motion made and carried, meeting adjourned.

Bruce Osborn

Bruce V. Osborn, President

Sue M. Reser

Sue M. Reser, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST: Natalie J. Cronin

Natalie J. Cronin, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
Regular Meeting
September 4, 1985

The Tippecanoe County Drainage Board met, Wednesday, September 4, 1985 at 8:30 A.M. in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Eugene R. Moore, Vice Chairman called the meeting to order with the following present, Eugene R. Moore Vice Chairman, Sue W. Scholer Board Member, Michael J. Spencer Surveyor, George Schulte Drainage Engineer, and Maralyn D. Turner Executive Secretary, others in attendance are on file.

McCarty Lane Industrial Subdivision

MCCARTY LANE INDUSTRIAL SUBDIVISION

Pat Cunningham representing developer presented final drainage plans, no changes have been made in the previous plans presented. Project consists of 21.5 Acres, parts drain to the Kepner ditch and the majority drains to the Layden Ditch a branch of the Elliott Ditch. To the east drains to two(2) 24" catch basins. One catch basin sets on the north side of McCarty Lane and the other one is on south side of McCarty Lane. Two corrugated metal pipes run under McCarty Lane which act as equalizers. Subdivision Part I has 9 Lots and Part II is undevided, as lots are sold they will be allotted at that time. Drainage pattern of subdivision drains to the south and east. Developer intends to put in new street and improve the existing Navco Drive to City Standards. Curb guttering, catch basin, and alignment changes will be made to improve the ditch situation along McCarty Lane, at this time there is no pipe under Navco Drive, but a new corrugated pipe will be installed under Navco Drive. City will be improving ditch from property line down to the Kepner ditch. Release rate will be 15.3 cfs, storage capacity will be 2.5'. Sue W. Scholer moved to give McCarty Lane Industrial Subdivision final drainage approval, seconded by Eugene R. Moore, motion carried.

Croxton Woods Sub Div

CROXTON WOODS SUBDIVISION

Robert Grove representing developer of Croxton Woods which consists of 17 Lots on Poland Hill road off of Teal Road. Mr. Grove has met with Michael J. Spencer surveyor on site to make study of original plans. Project was approved September 1980 before the drainage ordinance was adopted. At that time designer wanted to store water in the street and outlet pipe would discharge into the ravine. Proposed outlet was on top of the hill, hill is extremely steep. Mr. Grove wants to continue working with the surveyor and stay in line with the ordinance without losing approval of plans. Ravine system is very fragile, as the outlet is behind Flower Shop. Developer doesn't want to change figuration of lots, but designate a lot as an out lot for a detention basin on the flat,discharge through a velocity dissipator. Mr. Grove will continue with original construction plans, but will come back with modified plans of the original for approval by the board.

Felbaum Branch of Berlovitz Ditch

FELBAUM BRANCH OF BERLOVITZ DITCH

Michael J. Spencer surveyor has talked with property owners in the area of Felbaum Branch of the Berlovitz ditch. A petition was received in 1982 from property owners to reconstruct the branch. Survey has been done, plans are 90% completed. George Schulte has looked at the plans. Property Owners want to have a hearing. Rough Cost of the project which has 468 Acres in the watershed is $62,255.97, $133.00 an acre. Board gave approval to have a Reconstruction Hearing. A special meeting will have to be held as a 30 day notice has to be sent and for the next meeting of the Drainage Board time would be an element. An Attorney will be needed at the hearing, if Mr. Hoffman is not available the board will ask Mr. O'Connell to set in on the hearing.

There being no further business the meeting adjourned at 9:10 A.M.

Sue W. Scholer
Board Member

Eugene R. Moore
Vice Chairman, Acting Chairman

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

TIPPECANOE COUNTY DRAINAGE BOARD
Regular Meeting
October 2, 1985

The Tippecanoe County Drainage Board met Wednesday, October 2, 1985 at 8:30 A.M. in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana. Chairman Bruce V. Osborn called the meeting to order with the following present and others are on file. Chairman Bruce V. Osborn, Eugene R. Moore, Board Member, Michael J. Spencer Surveyor, George Schulte, Drainage Engineer and Maralyn D. Turner Executive Secretary.

Buckridge Subdivision

BUCKRIDGE SUBDIVSION

Robert Grove engineer for the developer and David Kovich developer presented as built plans. The board accepted the as built plans for review, after reviewing the surveyor will submit a letter to Area Plan, Highway Department, and the Board of Health.

Croxton Woods

CROXTON WOODS

Robert Grove engineer representing developer stated that at last months meeting it was discussed to revise over all drainage plans for the Croxton Woods, the plan was approved in

1980. Mr. Grove submitted Preliminary Plan. In two weeks he will submit Construction Plans Discussion again on the biggest problem is the ravine right behind the Flower Shop, there has to be a pipe to get the water away as there is no water standing. No good outlet. There is 6.5 Acres in the development with 17 single family lots, one which is to be used for a storm water detention basin. The runoff for a 10 year storm for the undeveloped condition is 7.5 cfs, for 100 year storm event is 16.21 cfs. The area of controlled runoff which is routed throught the detention basin is 3.80 acres. The uncontrolled runoff is mostly lawn area and some street which is 5.37 cfs. The allowable discharge from the basin for 100 year runoff 5.37 cfs which leaves 2.13 cfs allowabe discharge from the basin. The developer has agreed to give up a lot(triangle shape lot) at the top of the ravine for a detention basin. Development is not in the City. Question as to who would maintain. Mr. Grove stated that they were hoping the Developer and Commissioners could come to an agreement after approval, but Mr. Hoffman stated that the system would have to be a legal drain for the Commissioners to take it. George Schulte's main concern is the maintnenance of the Detention Basin. A Legal Drain would take care of the problem, but where to stop is questionable. The Board accepted Preliminary Plans as presented.

Prairie Oaks Subdivision

PRAIRIE OAKS SUBDIVISION

John Fisher, engineer and developer David Lux of Prairie Oaks Subdivision next to McCutheon Heights, the area is on top of the hill north of McCutheon School overlooking Wea Creek Valley. Original plans were to have a detention area in the ravine, would like to change route of the surface water runoff down into the lower grounds, create an open swale along southern side of proposed lots of undeveloped portion of Prairie Oaks continue elongated storage area or expand the ditch section. Mr. Fisher has a drawing that he did not bring with him that shows the Flood Hazard elevation, if the basin is in the Flood Hazard area, only the storage above the 100 year flood elevation will be counted. There is no detention area at this time in Prairie Oaks. Like to make Legal Drain for maintenance. Mr. Fisher ask if it would be possible to create Legal Drain with Subdivision, there would be no control of outlet after it leaves the property. Mr. Hoffman stated they would have to hook into another legal drain. Mr. Fisher will get drawing to the surveyor's office for review and action will be taken at the next Drainage Board meeting.

Felbaum Branch of Berlovitz

FELBAUM BRANCH OF THE BERLOVITZ

Hearing will be October 16, 1985 for the Felbaum Branch of the Berlovitz ditch. Mr. Hoffman ask the board to get another attorney as he can not advise the board officially. The board ask the secretary to send a letter to Lawrence O"Connell asking him to set in on the hearing. Letter was sent October 2, 1985.

Waddell Branch of Berlovitz Train Coe Ditch

WADDELL BRANCH OF THE J.B.ANDERSON DITCH - TRAIN COE DITCH

Chairman Bruce Osborn read the following ditches as having no activity in the past two years. These ditches have gone through the five year collection period for reconstruction or construction, no activity for two years we should ask the Auditor to transfer funds to Drain Maintenance Account. Waddell Branch of the J.B. Anderson Ditch $1,004.50 and Train Coe Ditch 2,531.61. Eugene R. Moore move to send a letter to the Aduitor requesting the Auitor to tranfer the money for the Waddell Branch of the J.B. Anderson ditch and the Train Coe ditch to Drain Maintenance of the resepctive ditches. Motion carried.

Ditches for the years of 1987 will be Michael Binder Ditch and 1988 John Saltzman Ditch . This is for the records.

Hoffman Ditch

HOFFMAN DITCH

Chairman Bruce V. Osborn ask the surveyor what has been done in regards to the Hoffman Ditch. Michael is waiting for the crops to be harvested and work will be done in digging holes for elevation findings.

Gosma Ditch

GOSMA DITCH

Mr. Hoffman ask what is happening on the Gosma Ditch? Michael stated two meetings have been attended. White County is working on assessments they will send them to Tippecanoe County before next hearing, to this date Michael has received no correspondence.

There being no further business to come before the board, the meeting was adjourned at 920 A.M.

Bruce V. Osborn
Bruce V. Osborn, Chairman

Absent
Sue W. Scholer, Board Member

Eugene R. Moore
Board Member

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

PUBLIC HEARING FELBAUM BRANCH OF THE BERLOVITZ
October 16, 1985

The Tippecanoe County Drainage Board met Wednesday, October 16, 1985 for the Public Hearing of the Felbaum Branch of the Berlovitz ditch for the reconstruction of said ditch.

Chairman Bruce V. Osborn called the meeting to order at 9:00 A.M. in the Community Meeting Room of the Tippecanoe County Office Building.

Those present were: Chairman Bruce V. Osborn, Eugene R. Moore and Sue W. Scholer Board Members, Michael J. Spencer Surveyor, Lawrence O'Connell Acting Drainage Board Attorney, Fred Hoffman Attorney,and Maralyn D. Turner Executive Secretary. The following property owners or representatives were present and remain on file: Ruth and Nick Crisan, Donald and Marie Phillips, Francis Albregts, Nancy Potter, Lewis J. Beeler, Margaret Mullins, William Bull, Judith Pence representing Halderman Farm Management and W. Kelley Carr.

Two letters of remonstrance were read by Lawrence O'Connell Acting Attorney for Drainage Board. Letter dated September 26,1985 and received in County Surveyor's office September 27, 1985 from Ruth and Nick Crisan property description Pt E½SE¼,Sec.30, Twp 23, Rge.3, 39.99 Acres benefitted Acres 20.00, the other letter dated October 5, 1985 and received in the Surveyor's office October 7, 1985 from Nancy J. Potter, description of property Pt W½NW¼, Sec.29, Twp 23. Rge 3. 79.50 Acres, 20.00 Acres benefitted, W½NW¼, Sec/32,Twp23,Rge.3,80.00 Acres and 80.00 Acres benefitted.

Michael J. Spencer surveyor, stated that he had met with both property owners and had answered alot of their questions and concerns, no changes have been made in the plans presented to the property owners. The proposal is to install a new tile from Interstate 65 through the Richard Shaw property following the old line of the Felbaum Branch, tile would be larger.

Mr. Nick Crisan felt proposal had not been explained properly, he felt that 75% of surface water was going to come from the south on their property and 25% would set there like a swamp and has been for fourty years. He stated that no elevation had been taken. Their property is on a low spot. Felt it would be a waste of money, there is a tile on property that has never been cleaned,no service. Catch basin is the Crisan's concern. Michael J. Spencer stated, that elevation has been taken.
Lewis Beeler ask if it was going to hook into an existing tile, answer yes. Tile is in good shape, approximately three years old.

Mr. Francis Albregts stated that his landlord, Richard Shaw a property owner would like to have the decision postponed for a few weeks. He would like for a decision to made soon.

Walter Potter husband of Nancy Potter property owner, ask how long would the construction last and when would construction work start. Tile would have a life of 50-75 years. Mr. Potter ask how long has the existing tile been in? Mr. Albregts felt that it had been installed in the 1940's.

Michael J. Spencer stated he had been out to the project on Monday, October 14, 1985, and was at the Crisan property on the south fence line, the catch basin was 2/3 full of water, catch basin near 550 East was dry. Mrs. Crisan stated it had not worked for years.

Mrs. Nancy Potter wanted to know how the propety owners will know if it will be kept opertable. Previous project that assessments have been made is unopertable, she wants to feel certain that this one will work. Mr. Spencer stated he had been surveyor for 6 years, in the six years he does not remember getting any complaints on the tile not working,except for Mrs. Marie Phillip's she ask to put a new catch basin in, what they found was not in good shape. Pressure is the only thing making the water go through the tile. Mr. Spencer stated the only alternative would be to go a different route, put a bigger tile in that would carry 100% of the surface water.

Mrs. Potter ask if a decision was made could the project be started this fall? Mr. Spencer stated that bids could be taken this fall and stipulate that project has to be completed by a certain date, her concern was crop damage,etc.

Decision is up to the property owner as it is their money.

Petition was presented in 1982 signed by Marie M. Phillip's, Richard H. Shaw, W. Kelley Carr.

Mr. Osborn ask for raise of hands for and also those against, those present were undecided.

Mr. Hoffman attorney, stated that Richard H. Shaw and W. Kelley Carr had alot of questions, Mr. Carr had talked with Mr. Hoffman, he wants some time to think it over as he does not like the design. Should the project go with the design presented Mr. Carr may oppose it, if change in design Mr. Shaw may oppose it.

Mr. Potter ask why the property owners who are opposing the project not here, it was pointed out that Mr. Shaw and Mr. Carr would be assessed on 51% of the project.

Mr. Beeler ask the same questions. Mr. Crisan stated the same feeling.

Mr. Hoffman was representing Mr. Shaw, he stated that changes were being made in the course of a legal drain, not reconstructing the original drain, it is stopping on the east side of the road and Mr. Shaw has a drainage problem on the west side of the road, the reconstruction is not going to help on the part that is on the legal drain as it is designed. Mr. Shaw has been charged for the legal drain which is on both sides of the road, Michael Spencer stated that he is not charged for the west side, he will be charged for maintenance fund, but not for the reconstruction. Mr. Crisan stated that they all are assessed now, he is the catch basin. Mr. Spencer agreed to the statment of Mr. Crisan.

Mrs.Potter ask if the two property owners would be here as some of the property owners had traveled a distance and now the board is asking them to return in three weeks.

Mr. Osborn agreed with the property owners that the two owners not present, Mr. Carr being a local resident should have been here, but basing it on the fact that Mr. Shaw and Mr.Carr have 50% of the property they have the right to be heard.

Eugene R. Moore moved to continue the hearing Wednesday, November 6, 1985 at 9:00 A.M., seconded by Sue W. Scholer, motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD
November 6, 1985

The Tippecanoe County Drainage Board met for the regular meeting, Wednesday November 6, 1985 at 8:30 A.M. in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana 47901.

The Chairman Bruce V. Osborn called the meeting to order with the following in attendance and others on file: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer Board Members, Michael J. Spencer Surveyor, Lawrence O'Connell Acting Drainage Board Attorney, and Maralyn D. Turner Executive Secretary.

PAINTER COMMERCIAL BUILDING

Patrick Cunningham representing Floyd Lux Owners and Judith Painter. Steve Northfleet is the builder. He stated he was not coming before the board for approval, but to give an idea of what can be expected in a worse situation for the proposed construction of commercial building, a drainage plan will be presented later for the project. The only thing Mr. Cunningham is asking for at this time is for the board to agree upon an amount for a bond. Property is located South of Beck Lane in Lafayette Plaza South which consists of 8.5 acres, Lehnen Furniture has 1.5 acres, and the Painter Commercial .8 acres. Mr. Cunningham presented preliminary calculations and ideas based on what is going through the detention pond now and what will be going through when developed. He is just using the existing maps, based on materials,it appears the pond was designed alittle small, all was done before Drainage Board Odinance. Outlet for the area is a 15" culvert under State Road 43 which drains down Beck Lane under a 24" tile under Beck Lane into a 27" storm sewer then into a ravine behind church into Durkees Run. Detention Pond is owned by Floyd Lux. Outlet for pond is 600' 12" storm sewer, outlet daylights into 15" road culvert, daylights again then down ditch to 24" tile which goes into 27" storm sewer down around church into big ravine. In 1979 it was determined that 15" pipe under State Road 43 had 9 cfs capacity, current load 7 cfs. The project gives a release rate of .9cfs of 17%, capacity of .9cfs. He stated they are not changing any release rate of or any configuration at this point, can't do anything with it unless a bigger storm sewer is put in. There is a road off 43, Lehnen Furniture drains under road into 15" tile over to pond. Painter Commercial is .8 acres, will drain to a 15" tile into detention pond. Area is being changed from pasture to hard surface area, consequently increase storage area is needed. Pond is 500 cu. yds short. After development with Painter and assuming size pond would be looking at 850 cu. yds. of additional storage area. Increase pond by 20' to the west, the entire length of pond. Actual storage capacity of the pond is from normal pool elevation to 2' above. Not changing release rate, adding more storage to handle 100 year storm event. Need to increase 500 yards to bring pond up to standards. After much discussion. Eugene Moore moved to set bond at $2,000.00 seconded by Sue W. Scholer, Unamious. Board instructed Steve Northfleet to proceed and establish a $2,000.00 bond to correct past mistakes on holding pond, plus increase storage area.
Bond should be made payable to the Drainage Board, taken to the Auditor's office and they in turn should issue 2 (two) recipts, one for record in the surveyors office and one for the builder.

There being no further business the board adjourned the regular meeting to reconvene the Felbaum Branch of the Berlovitz ditch hearing.

Bruce V. Osborn
Chairman

Sue W. Scholer
Board Member

Eugene R. Moore
Board Member

ATTEST: Maralyn D. Turner
Executive Secretary

FELBAUM BRANCH OF THE BERLOVITZ -HEARING
Continued Meeting November 6, 1985

Bruce V. Osborn chairman called the continued meeting for the hearing of the Felbaum Branch of the Berlovitz ditch to order at 9:00 A.M. with the following in attendance who are on file.

Michael J. Spencer surveyor, stated that this meeting was continued to give all property owners a chance to be present for the hearing, all owners present. Mr. Spencer opened meeting up for questions.

Walter Potter husband of Nancy Potter ask what will the ditch do for the property owner as far as the run off, drainage, and how much water it will carry and what the options are. The proposal was for a 16" tile on .16 grade, currently there is a 12" tile that has been there since 1895 at least that is what is shown in the surveyor's records some old cuts, tile has dirt in it at the north line on the Car property where the existing catch basin is. Mr. Spencer stated that Mr. Crisan was concerned if the tile was going through the low ground on his farm. Nancy Potter stated she would like to know why the plan being proposed is going to be adequate, she stated she wanted Michael to sell the propety owners on the proposed plan. She had had conversation with Hugh Pence and he had suggested another plan and Mr. Pence had told her why he felt his system would be adequate for the property ownrs. She wants the facts.

Mr. Osborn ask basically what is the problem at the present time? Mr. Spencer stated the tile currently in there has either a belly in it or dirt, at least there is standing water in the tile, creating water ponds on the property of Crisan, Phillips, Carr,and part of the Potter property.

Mr. Crisan felt he had been paying maintenance of the ditch for 34 years, but the board assured him that the maintenance was not set up on the ditch until 1971, Mr. Spencer felt the maintenance they had paid for was work done by people in the watershed area, not through the county.

W. Kelly Carr stated he would like to see the ditch improved, he doesn't want to spend money and the system not work. He too wanted Michael to explain why this proposed system will work. He has had discussion with Hugh Pence, Mr. Pence has indicated the cost is fairly high and to have an adequate size tile it needs to be larger than what has been proposed, tile works fairly well through the Shaw Farm area, as soon as it reaches the Crisan property the tile no longer works well, the Bull Brothers have a small area at the north end which a 10" tile exists, his mother's propety(Edith Carr) no longer has a need for the system, to sum it up Mr. Carr feels the proposed system is a problem. Mr. Carr stated that if he finds that the new system would be desirable it is obvious to him that the property owners would have to maintain the old system which is on the Shaw Farm. Michael said this is true unless the old system was petitioned to be vacated.

Mr. Potter ask Michael Spencer to draw a diagram and explain the system. Mr. Osborn told the property owners they are paying the money and that it is their ditch and with some legal restrains the board would like to please as many of the property owners as possible as well as get the job done, it's up to you the property owners.

Fred Hoffman attorney, on behalf of the Shaw Farms ask are you replacing the one branch with a new branch or are you letting the old branch be a part of the new branch in reconstruction? Mr. Crisan ask if the proposal was to go under the Interstate? Answer-NO. What is draining on the other side of I-65? Are they on a maintenance fee? Michael stated they are not getting drainage on this tile, they are using the existing tile there.

Francis Albregts stated that every body west of I-65 was assessed for reconstruction(the Berlovitz) at that time built from Interstate East very little work was done on the west side of the Interstate, they had a right as they were working a main tile. Could more people be on the Berlovitz assessment? Michael stated that the people on the main tile should not be assessed. Mr. Albregts felt in 40 years the open ditch has never been cleaned out.

Marshall Allman farm manager for the Shaw Farms, stated he has concern of the two 16" pipes one the new the other the old, he realizes that there is grade, but concerned in a heavy rain.

Mr. Osborn ask what crosses I-65? Michael stated a 24" tile goes under I-65 from old records existing 30" tile at the outlet on a .2 grade and the rest is on a .10 grade. Bruce ask would it have any merit to increase the size of the proposed new pipe and do away with the old pipe? Michael stated the only problem with it would be that a portion of the main to carry the extra water. Bigger tile could make an adverse effect on the people up stream.

Mr. Bull - Surface water, overflow - Parker ditch. There is blow outs in the Parker ditch possibly from the over flow.

Mr. Potter ask why do we want to put money into a project that won't do the job?

Mr. Hoffman said the Shaw's and Carr's had met last evening and they want to come up with something that will satisfy everybody in the area, he felt the proposal does not satisfy every body in the area. He felt that Michael should go back to the drawing board and set down with the people involved discuss the pro and cons of the ditch and then come back for a hearing.

Mr. Osborn stressed that the surveyor is going to do what you want, however, it is going to get into each property owners pocket book, any way you go you are going to have ponding. Petitions had be presented and this is the reason we are having this hearing. It is prohibitive to tile for huge storms. He ask the propety owners to let the surveyor know what they want.

Richard Shaw spoke on behalf of himself and his sister stating that they will cooperate on any feasible kind of construction either with new tile or possible new maintenance under reconstruction of old tile, he stated he had had discussion with Dr. Carr and other property owners, they feel there are problems, he suggested that the owners who are the most interested get together in study sessions and learn what they want to do and put their in put in at that time. The Shaw Farms would be opposed to going over the hill, as it would not benefit them at all. Maintenance problems is biggest thing with the proposal. He felt that getting together would get a more mutual benefit,then come back to the board. The only benefit would be at the edge of the Shaw property line stop the old 16" tile it would give them exclusive access to the capacity of that tile. Mr. Pence stated there is direct and indirect benefits to the plan, if you take a load off the Berlovitz drain on the west side of I-65 indirect would help all those people because there would be no more water in that drainage area, be more water in their outlet. Michael has concern of going through the hill as this would use up all the drainage those people have, until the other water is gone (Felbaum Branch of the Berlovitz). Michael feels that the proposed plan is a reasonable plan.

Marshall Allman ask Michael to consider reconstruction up to the open ditch, increase size of tile, as the proposal is putting a new ditch into an old ditch that is not getting the job done, open ditch is good and is getting it's job done. Michael ask would there be an objection to digging an open ditch than putting a larger tile. Told Michael to bring plans back to that effect and they will study it to see what it will do to them.

Mr. Bull - 30" tile - Berlovitz.

Mr. Hoffman stated that a new petition would not be necessary. Mr. Osborn said the board is willing to go along with the property owners in the suggestion of Mr. Marshall Allman and W. Kelly Carr and their requests as it is what they would like.

W. Kelly Carr said he was no expert, he is just asking Michael to give them leadership as he is the expert.

After much discussion, it was decided to meet with Michael being the leader and the property owners discuss amongst themselves and return back to the Board, the board recess to a later date. Letters of notifications will be sent to property owners in regards to reconvened meeting.

Regular Meeting
January 8, 1986

The Tippecanoe County Drainage Board met in regular session on Wednesday, January 8, 1986 at 8:30 A.M. in the Tippecanoe County Office Building, Community Meeting Room, 20 North Third Street, Lafayette, Indiana.

Chairman Bruce V. Osborn called the meeting to order. Those in attendance were: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer, Board Members, Michael J. Spencer Surveyor, Fred Hoffman Drainage Attorney, and Matalyn D. Turner Executive Secretary.

Chairman Osborn turned the meeting over to Attorney Fred Hoffman for the election of officers.
Mr. Hoffman ask for nominations from the floor for President of the Board, Eugene Moore nominated Bruce V. Osborn President of the Board, seconded by Sue W. Scholer, there being no other nominations, Sue Scholer moved the nominations be closed, seconded by Eugene Moore. Mr. Osborn was unanimously elected President of the Drainage Board for 1986.
Bruce Osborn ask for nominations for Vice-President, Sue Shcoler nominated Eugene R. Moore Vice-President, unanimoulsy approved that Eugene Moore serve as Vice President.

January 8, 1986 Regular Meeting Continued

Sue W. Scholer was nominated by acculmation as Secretary of the Board. Sue W. Scholer moved to appoint Maralyn D. Turner Executive Secretary, Mr. Fred Hoffman Drainage Attorney, and George Scholte Drainage Engineer. Unanimously approved by the Board.

986 SSESS- ENTS

1986 ASSESSMENTS:

Fred Hoffman attorney read the list of 1986 Ditch Assessments for approval.
Those to be made active are Charles Daughtery, Thomas Haywood, F.E. Morin, William Walters, Luther Lucas ditch to be assessed two consecutive years (1986&1987). Those that will continue to be active are:Jesse Anderson, E.W. Andrews,Julius Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.W. Box, A.P. Brown, Buck Creek(Carroll County) Orrin Byers, County Farm, Darby Wetherill(Benton County)Marion Dunkin,Christ Fassnacht, Martin Gray, E.F. Haywood, Harrison Meadows,Lewis Jakes, Jenkins, James Kellerman, Frank Kirkpatrick, John A. Kuhns, Calvin, Lesley, Mary McKinney, Wesley Mahin,Samuel Marsh(Montogmery County) J. Kelly O'Neal Emmett Raymon(White County) Arthur Richerd,John Saltzman,Abe Smith,Mary Southworth, William A. Stewart,Gustaval Swanson,Treece Meadows, Lena Wilder,Wilson-Nixon(Fountain County), Simeon Yeager, S.W. Elliott,and Dismal Creek.
Sue W. Scholer moved that the ditch assessment list for 1986 be approved as read, seconded by Eugene R. Moore, Unanimous approval given. A letter to the Auditor with attached list of 1986 Ditch Assessments will be forwarded.

ODRIDGE UTH

WOODRIGE SOUTH

Michael Spencer surveyor, presented the drainage plans for the Woodridge South,at the December 4, 1985 board meeting it was decided that the landowners would take care of the detention basin behind the two lots and they they would check into increasing the release rate from a 10 year storm event to 25 year storm to make the basin smaller. George Schulte has looked at the plans and finds the plans in order, Michael Spencer recommended the board give final approval to the detention area for Woodridge South. Eugene Moore made motion to give final approval to Woodridge South, seconded by Sue W. Scholer, Unanimous approval.

Sue W. Scholer ask the board to review Allen County's proposed section pretaining to Subdivisions in their Drainage Ordinance, the board members agreed to study.

AMES RKPAT- CK CH

JAMES KIRPATRICK DITCH

Need to assess landowners within the James Kirpatrick watershed in order to get back $6,000. 00 spent for the drainage study in 1981, December. State Board of Accounts requested this be done.

AUGHLIN IN CH

MCLAUGHLIN, JOHN DITCH

A letter needs to be sent to Montgomery Countyrequesting total amount of expenses to date on the John McLaughlin ditch so that we can collect our share of expenses in Tippecanoe County.

IOTT CH

ELLIOTT DITCH

A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

There being no further business, meeting adjourned at 8:50 A.M.

Bruce V. Osborn
CHAIRMAN

Sue W. Scholer
BOARD MEMBER

Eugene R. Moore
BOARD MEMBER

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

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

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

MEETING TIME CHANGE

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

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce V. Osborn, Chairman

Sue W. Scholer, Boardmember

Eugene R. Moore, Boardmember

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

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

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

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

QUAIL RIDGE SUBDIVISION

QUAIL RIDGE SUBDIV ISION

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

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

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

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

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

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

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

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

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

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

MCCUTCHEON HEIGHTS SUBDIVISION PART II

MCCUTCHEO N_S.D. PART II

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

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

PURDUE INDUSTRIAL PARK PART II PHASE II

PURDUE INDUSTRIAL PARK PART II PHASE II

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

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

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

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

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

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

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

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

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

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

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

Presentation of sub-drainage was given.

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

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

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

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

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

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

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

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

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

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

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

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

500 East, State Road 26 East/200 South

500 East State Road 26 East 200 South

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ROAD 38/US 52 TO ELLIOTT DITCH

STATE ROAD 38/US 52 to Elliott Ditch

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Report is on file.

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

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

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

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

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

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

Mr. Thompson stated all inlets would be located.

Orchard Park Heritage Bank

ORCHARD PARK/HERITAGE BANK

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

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

Drainage Ordinance

DRAINAGE ORDINANCE

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

in regards to power lines.

CUPPY/MCCLURE-DEMPSEY BAKER

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

Cuppy
McClu
Demps
Baker
Ditc

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

Chairman

Board Member

Board Member

ATTEST: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, 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.

HOFFMAN DITCH

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

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

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

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

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

ATTEST: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 8, 1992

The Tippecanoe County Drainage Board met Wednesday, January 8, 1992 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order for the re-organization of the board, she then invited J. Frederick Hoffman Drainage Board Attorney to preside.

Those present were: Nola J. Gentry, Keith E. McMillin, 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.

Mr. Hoffman asked for nominations from the floor for board chairman. Nola Gentry nominated Keith McMillin for chairman, seconded by Hubert Yount

Keith McMillin nominated Nola Gentry for vice-chairman, seconded by Hubert Yount.

Nola Gentry nominated Dorothy Emerson as executive secretary, seconded by Keith McMillin.

Mr. Hoffman asked if there were any other nominations.

There being no further nominations, Mr. Hoffman asked for the vote. The officers were unanimously elected.

The first item on the agenda was to approve to the minutes of the meeting for the last Drainage Board meeting on December 3, 1991. Nola Gentry moved to approve the minutes, seconded by Hubert Yount. Unanimously approved.

Hire the Attorney

Nola Gentry nominated Fred Hoffman as attorney the Drainage Board, seconded by Hubert. Yount. Motion carried.

Hire the Engineer

Nola Gentry nominated Christopher Burke Engineering & Associates, seconded by Hubert Yount. Motion carried.

Active and Inactive Ditches

Mike Spencer, County Surveyor stated that a special meeting would be set to establish the active and inactive ditches for 1992.

Drainage Board Meeting Schedule for 1992

SCHEDULE OF 1992 DRAINAGE BOARD MEETINGS

The Tippecanoe County Drainage Board meets the first Wednesday of each month at 8:30 A.M. in the Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana. The year 1992 will have two exceptions, the January meeting will be held Wednesday, January 8, 1992 and the July meeting will be held Wednesday, July 8, 1992.

Should there be a need for a special meeting it will be posted on the County bulletin board.

January 8, 1992

February 5, 1992

March 4, 1992

April 1, 1992

May 6, 1992

June 3, 1992

July 8, 1992

August 5, 1992

September 2, 1992

October 7, 1992

November 4, 1992

December 2, 1992

Nola Gentry moved to approve the 1992 Drainage Board meetings dates, seconded by Hubert Yount. Motion carried.

SHEPHERDS POINT

Bob Grove representing Buckley Homes requested from the Drainage Board final approval on Shepherds Point Part II. Mr. Grove presented his construction plans.

Discussion followed.

Hubert Yount moved to approve the drainage plans on Shepherds Point Part II, seconded by Nola Gentry. Motion carried.

PINE VIEW FARMS

Roger Kottlowski of Wetzel Engineers Inc. and Tom Stafford of Melody Homes Construction presented their drainage plans for Pine View Farms

Discussion followed.

Ken Baldwin expressed his concerns and explained the drainage problems already existing in the area.

Jim Johnson, owner of adjacent property asked if they had considered all the possibilities.

Discussion followed.

John Tse of 2103 Tecumseh Park Lane, West Lafayette, Indiana 47906, read a letter written to the Drainage Board.

2183 Tecumseh Park Lane
West Lafayette, Indiana 47906
January 8, 1992

Tippecanoe County Drainage Board
Lafayette, Indiana

Dear Sirs: Re: Proposed Storm Sewer Overfall
Pine View Farms Subdivision
Wabash Township

I have received a letter dated December 31, 1991 from Wetzel Engineers, Inc. on behalf of Pine View Farms Subdivision on a proposed 24-inches pipeline from the planned subdivision eastward across the front of Sagamore Village Estates (Mobile Home Parks) to my land east of Sagamore Village.

This letter is written for myself as well as on behalf of members of my family who own properties across the highway from Sagamore Village on the north side of U.S. 52.

All the properties owned by me and members of my family referred to in this letter are in the Cuppy McClure Drainage Ditch area.

The proposed Pine View Farms Subdivision is in a drainage ditch area west of the Cuppy-McClure Ditch, and the ridge dividing the two drainage ditch areas is at the entrances of Sagamore Village Estates.

To bring the storm water from Pine View Farms to a different drainage ditch area and to dump the water onto our land will be in violation of Indiana Drainage Law. It is interesting to note that in order to solve the drainage problem along Lindberg Road in West Lafayette, the shortest distance and the least cost way would be to connect the low area with a pipe west to Black Bird Pond along Lindberg Road. I had been told that this could NOT be done because the pipe would have to cut through a ridge dividing the Cuppy-McClure Drainage Ditch area, which starts in the south at Lindberg Road, with Black Bird Pond drainage area, which is a different drainage area. The City of West Lafayette, this county and the State of Indiana are now spending hundreds of thousands of dollars, just for designing a system to take this water north to Hadley Lake along the Cuppy McClure Drainage Ditch in a distance many more times the distance to Black Bird Pond.

I should also point out that the highway right of way part of U.S. 52 in front of our properties are owned by the property owners, not the public. Easement right must be obtained first from the owner of each property before the installation of any pipe line even when it is constructed within the highway right of way.

If the water is allowed to be dumped into the 5 X 10 culvert of Cuppy-McClure Ditch along U.S. 52 in front of my property, it will become surface water flowing across properties owned by me and my family on the north side of U.S. 52, a water we have not had in the past.

For these reasons, I must respectfully ask the Board to turn down the plan of Pine View Subdivision to pipe its storm water east to us as suggested by the developer's engineer.

Thank you very much.

Sincerely yours,

John Y. D. Tse

Discussion followed.

John Scmidt of Maples Park confirmed that Mr. Baldwin does have flooding in his office.

Discussion followed.

Hubert stated that there are more problems than can be dealt with at this time. He moved to continue the hearing until the February meeting, seconded by Nola. Motion carried.

CCC SUBDIVISION

George Schulte of Ticen, Schulte & Associates updated the Board of the problems with CCC Subdivision.

Mike Spencer stated that he and George had met with the Monsignor to discuss the subdivision plans. They discussed the possibility of a shared storage area.

Discussion followed.

Mr. Lorine Roth of 320 Elston Rd. Lafayette, Indiana expressed concerned about the open ditch.

Discussion followed.

Helen Clark of 2311 Old Romney Road, Lafayette, Indiana stated to the board that at this point the landowners in the area do not have any problems with the drainage and they do not want to see any created.

Hubert stated before any decisions are made let the engineers finish there study and then decide.

Nola moved to table the CCC Subdivision, seconded by Hubert. Motion carried.

US 231 RELOCATION (RIVER CROSSING)

Ilene Dailey of Chris Burke Engineering stated that all of the information needed for approval has not been received. Ilene said by next month all of the information should be received.

Ilene explained the plans to the Board.

Discussion followed.

OTHER BUSINESS QUOTES FOR THE BERLOVITZ DITCH

Mike asked the board if quotes were needed for Engineering Services for the Berlovitz Ditch.

Nola stated that it needed to be determined if notices needed to be sent out or if it needed to be published.

Mike also stated that he wanted to amend an ordinance to require 3 sets of plans be submitted instead of two. So that the Highway Department also be submitted with a set of plans.

Nola Gentry motioned for Mike Spencer to meet with Drainage Board Attorney, Fred Hoffman on adding one more copy to be sent to the County Highway Department on drainage plans. Seconded by Hubert Yount. Motion carried.

Being no further business, Nola Gentry moved to adjourn the Drainage Board meeting. Seconded by Hubert Yount. Meeting adjourned.

The regular scheduled Drainage Board meeting is February 5, 1992.

Keith E. McMillin

Keith E. McMillin, Chairman

Nola J. Gentry

Nola J. Gentry, Member

Hubert D. Yount

Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson

Dorothy M. Emerson, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 5, 1992

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

DRAINAGE BOARD ASSESSMENT LIST

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

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

Hubert Yount, seconded. Motion carried.

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

Keith E. McMillin

Keith E. McMillin, Chairman

Nola J. Gentry

Nola J. Gentry, Member

Hubert D. Yount

Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson

Dorothy M. Emerson, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JUNE 3, 1992

The Tippecanoe County Drainage Board met in regular session held on Wednesday, June 3, 1992 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.

Those present were: Nola J. Gentry, Vice Chairman and Hubert Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, John Stoltz, 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 Drainage Board meetings on May 6 and May 18, 1992. Hubert Yount moved to approve the minutes, seconded by Nola Gentry. Unanimously approved.

ASHTON WOODS

Robert Gross, Ticen Schulte & Associates requested final approval for the on-site drainage plans and construction plans for Ashton Woods.

Discussion followed.

Fred Hoffman, Drainage Board Attorney asked if the detention was off-site.

Mr. Gross said yes.

Mr. Hoffman asked if it would be part of a legal drain.

Mr. Gross stated they were proposing for it to be a county regulated drain.

Mike Spencer, County Surveyor informed the board that this would be a new county regulated drain.

Discussion followed.

Hubert Yount, Commissioner moved to approve the Ashton Woods Drainage and Construction plans subject to them filing a petition to make this a public drain. Nola Gentry, Commissioner seconded. Motion carried.

VACATION OF THE ORTMAN DRAIN

Mark Smith, John E. Smith Enterprises Inc., requested that the board vacate a portion of the Ortman Drain.

Discussion followed.

Surveyor Spencer read the 5 conditions to vacate a legal drain:

1) a new drainage system be installed, approved and functioning
2) all field tiles from off-site be properly connected
3) certified as-built drawings be submitted
4) letter from city indicating approval and acceptance for maintenance
5) the drain will be completed and approved before final plat can be recorded

Surveyor Spencer stated that all conditions have been met.

Discussion followed.

Commissioner Yount moved to approve the vacation of the Ortman Drain for Twyckenham Phase II Section 3 & 5. Commissioner Gentry seconded. Motion carried.

A copy of the minutes from the Board of Works meeting for May 19 and 26, 1992 is on file in the County Surveyors' Office

OTHER BUSINESS

CONTRACT DRAINAGE BOARD ATTORNEY

The Board advised Mr. Hoffman to review his contract and decide if any changes need to be made.

DRAINAGE ORDINANCE CHANGES

Surveyor Spencer stated that he had some proposed drainage ordinance changes for Mr. Hoffman to look at and review for language. Some of the main body of the ordinance is being changed.

STATE REGULATION ON EROSION CONTROL

New regulations for erosion control has been received from the State.

BERLOWITZ DITCH

Surveyor Spencer stated that he had received a draft report on the Berlowitz Watershed Area.

PARKER DITCH

Surveyor Spencer announced that the subsoiling has been completed on Parker Ditch.

Commissioner Yount moved to adjourn the Drainage Board meeting. Commissioner Gentry seconded. Motion carried.

The next regular schedule Drainage Board meeting is July 8, 1992.

A B S E N T
Keith E. McMillin, Chairman

Nola J. Gentry, Member

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

Number	Names
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

Number	Names
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
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS
Mr. Hoffman asked nominations for the President of the Tippecanoe County Drainage Board. Commissioner Haan nominated Commissioner Gentry, seconded by Commissioner Yount. Unanimously approved.

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

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

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

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

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

-MEETING DATES FOR 1994-

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

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

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

CAPILANO BY THE LAKE LOT 5

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

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

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

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

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 1, 1995

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

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

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

ACTIVE AND INACTIVE DITCH LIST 1995
Mr. Luhman read the active ditch list into the minutes.

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

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

Mr. Luhman read the inactive ditch list into the minutes

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

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

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

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

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

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

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

OTHER BUSINESS

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

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

DRAINAGE BOARD MINUTES FEBRUARY 1, 1995 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JUNE 7, 1995

The Tippecanoe County Drainage Board met Wednesday, June 7, 1995 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with William D. Haan calling the meeting to order.

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

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held May 3, 1995. Commissioner Gentry moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

CREASY LANE III

Bill Davis, Hawkins Environmental, presented the Board with final drainage plans for Creasy Lane III. Mr. Davis refered to the May 5, 1993 Drainage Board Minutes, which approved Creasy Lane II with the condition Creasy Lane III would not increase the release rate. Creasy Lane III will replace the two lane roadway and connect with the existing four lane roadway from State Road 26 North to Greenbush. The discharge rate pre-developed is 172.82 cfs and the post-developed discharge will be 167.02 cfs which is a decrease in the discharge. The velocity of flow into the ditch has been reduced from 2.98 fps to 2.3 fps. Mr. Davis presented the Board with letters approving the partial filling of the Potters Hollow ravine. Those letters are on file in the Surveyor's Office.

Commissioner Gentry asked if a permit was needed from DNR to partially fill the ravine.

Mr. Davis stated no approval from DNR is needed.

Commissioner Gentry moved to grant final approval of Creasy Lane III, seconded by Commissioner Jones. Motion carried.

STONEWICK & THORNHILL SUBDIVISIONS

Dan Lee, Ticen Schulte & Associates, presented the Board with proposed final drainage plans of Stonewick and Thornhill Subdivisions located at the corner of County Road 300 South and 50 East, downstream from the regulated Elliott Ditch. Stonewick and Thornhill subdivisions are split by a high ridge running from Northeast to Southwest. Stonewick is proposed as a single family 44 lot development on 16. 2 acres and Thornhill is proposed as a two family 47 lot development on 20.9 acres. Mr. Lee asked for a waiver on the requirement of an onsite detention facility explaining the site has natural swales which can handle the runoff to the Elliott Ditch after being caught by the storm sewer system. Mr. Lee concluded in a 100 year storm event the peak for the subdivisions is 1.23 hours and in a 100 year storm event the peak for the Elliott Ditch is 19.02 hours, therefore giving ample time for the water from the subdivision to escape before upstream water would reach the proposed subdivisions.

Mr. Stolz recommended final approval with these conditions.

1. A typical lot drainage detail has been supplied which references some of the lots. However, more information concerning side-yard swales must be supplied. Either, typical lot drainage details for all lots must be provided or additional spot grades must be shown in the side-yard swales to ensure drainage to the storm sewer structures. In addition, the emergency flow path for Stonewick Subdivision in the vicinity of lots 9-11 must be clarified. It appears that these lots would be significantly impacted during a low frequency event.

2. The provided profiles of the storm system do not include all of the lateral pipes. Although the size for these pipes are shown on the ILLUDAS computations, the materials, sizes and inverts must also be shown on the plans.

3. The final set of plans need to be certified.

Commissioner Gentry moved to grant final approval of Stonewick and Thornhill Subdivision subject to the three conditions, seconded by Commissioner Jones. Motion carried.

DUNBAR HIGHLANDS/HIGHLAND MEADOWS

Dale Koons, Civil Engineering, presented the Board with preliminary drainage plans of Dunbar Highlands/Highland Meadows Subdivision, located at the Northwest corner of County Road 550 East and 50 North. Originally the two Subdivisions were one, but were divided as a result of negotiations with surrounding home owners. The two subdivisions combined consist of approximately 35 acres, Area 1 consist of 19.1 acres and drains to an existing 15" culvert under County Road 550 East, Area 2 consist of 9.2 acres draining by a swale to the Wildcat Creek, Area 3 consist of 1.7 acres draining by tributaries to the South Fork of the Wildcat Creek, Area 4 consist of 5.1 acres which sheet flows westerly to the flood plain of the Wildcat Creek and Area 5 consist of 1.0 acres and drains to a culvert under County Road 50 North. A retention pond is proposed at the Southeast corner of the site which will retain runoff from the entire site except for 4.85 acres of Area 4 will continue to sheet flow to the Wildcat Creek and .5 acres of Area 5 will continue to drain to in the road right-of-way along County 50 North. The retention pond will discharge into a 15" outlet pipe as part of the new storm drainage system and the existing 15" pipe under County Road 550 East will provide an emergency outlet. Mr. Bob Adams is an adjacent landowner that has agreed to provide a drainage easement for the proposed site starting at County Road 550 East to the flow line of a tributary ravine of the South Fork Wildcat Creek. The system will be designed to handle a portion of Mr. Adams property as part of the agreement. Mr. Koons asked the Board to determine the easement widths.

Mr. Hoffman suggested making the width of the easement 50 feet, 25 feet either side of the ditch. Also, before final approval is granted the Board needs a written statement from Mr. Adams agreeing to the easement and the possibility of the ditch becoming a regulated drain.

Mr. Spencer recommended preliminary approval.

Commissioner Gentry moved to grant preliminary approval of Dunbar Highland/Highland Meadows Subdivision, seconded by Commissioner Jones. Motion carried.

SADDLEBROOK SUBDIVISION

Bill Davis, Hawkins Environmental, asked the Board for final approval of the drainage plans for Saddlebrook Subdivision. Brookfield Farms Subdivision is to the North, County Road 500 East is to the West of the site which consist of approximately 52.98 acres. Currently Area A drains west into a side ditch along County Road 500 East the Berlovitz Ditch, Area B drains east to the Southeast corner and is intercepted by the Berlovitz Ditch, and Area C drains north by existing swales along the South boundary of Brookfield Farms Subdivision eventually draining to the Alexander Ross Ditch. After development storm water will drain into swales along the South and East property lines which will allow the flow to enter an open channel. The Berlovitz Regional Detention Basin will serve as the detention storage area and the developer has agreed to contribute the portion of the basin which the development requires.

Mr. Spencer recommended preliminary approval until further information is received on the development of the Berlovitz Regional Detention Basin.

Commissioner Gentry moved to grant preliminary approval of the drainage plans for Saddlebrook Subdivision, seconded by Commissioner Jones. Motion carried.

LEWIS JAKES DITCH HEARING

Mr. Spencer called for this hearing to propose making a portion of the Lewis Jakes Ditch an open channel, starting at County Road 750 North to a part of the ditch that is blown out and will be observed in the video shown.

Mr. Spencer stated the video tape is of the downstream portion of the Lewis Jakes Ditch were broken tile have created an open channel effect. After the video had been shown Mr. Spencer asked Mr. Hoffman to give his legal opinion as to whether or not maintenance money could be used for a temporary open channel instead of a tile.

Mr. Hoffman explained whenever a tile drain goes to an open drain it is considered to be a reconstruction. The maintenance money that is in the Lewis Jakes ditch is only to be used to minor repairs such as moving obstruction, repairing small portions of tile and spraying.

Mr. Spencer stated he would be willing to file a reconstruction report, get a set of Engineering drawings and cost estimate, then arrange the necessary public hearings to get the project started.

Paul Neulieb, 7606 North 250 West, opposed the open channel feeling it would degrade his back yard.

Mr. Spencer replied a reconstruction does not mean it has to be an open channel it could be the installation of a larger tile or a combination of both.

Charles R. Vaughan made a recommendation to the Drainage Board requesting them to ask the Surveyor to file a reconstruction report.

Commissioner Gentry moved to instruct the County Surveyor to file a reconstruction report, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

US 231 RELOCATION - update

Jon Stolz reported on a meeting between the State Highway Department and Christopher B. Burke Engineering on the US231 relocation. Mr. Stolz stated the

first question asked was: "What is the pre-developed and post-developed conditions for the site?" The State still showed the post-developed figures higher by 25% because of the lack of restricting the flow. Options were discussed on how to restrict the flow, holding the water in the road side ditches, installing a smaller pipe or by creating a retention pond. Mr. Stolz felt the State was willing to agree to one of the options.

Commissioner Gentry requested Mr. Spencer and Mr. Hoffman put together a letter to the State Highway Engineer indicating the 25% increase is significant and the Board still requires the pre-developed and post-developed conditions to be the same.

Mr. Stolz explained on structure 55 the State claims the size of pipe was determined by a Court case in a property settlement.

Commissioner Gentry suggested asking for a copy of the court case in the letter to the State Highway.

SHEPERDS POINT SUBDIVISION

Mike Gipson, 47 W 500 N in Sheperds Point Subdivision, explained his property is located adjacent to the detention pond for the subdivisions and wanted to let the Drainage Board know the conditions he has to put up with because he feels the detention pond is not working properly and would like the Board to request the developer to fix it.

Commissioner Gentry requested Mr. Spencer to write the developer, asking him to regrade the pond so that water will flow out of the pond.

Mr. Hoffman stated the Board will also hold the bond until the pond has been regraded.

ROMNEY STOCK FARM DITCH

Mr. Spencer presented the Board with a letter from Montgomery County Surveyor's Office explaining the Romney Stock Farm Ditch was discussed in their Board meeting and it was decided that Paul Dickson and Don Hester would serve on the joint board for this project.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the joint board with Montgomery County and requested Mr. Spencer to appoint the fifth member.

TWYCKENHAM SUBDIVISION

Mr. Spencer explained that he has received several phone calls from landowners in Twyckenham Subdivision complaining about the detention pond in the subdivision and stating they were referred to him by the City Engineer's Office. In the covenants it states the Tippecanoe County Drainage Board may perform maintenance and any other acts necessary to correct any drainage problems.

Commissioner Gentry stated the Board needs to formally inform the City the Subdivision is in the City limits and request the City to enforce the regulations.

Being no further business Commissioner Gentry moved to adjourn until July 12, 1995, seconded by Commission Jones. Motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JULY 12, 1995

The Tippecanoe County Drainage Board met Wednesday, July 12, 1995 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, and Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney Pro-Tem Thomas H. Busch; Engineering Consultant Dave Eickelberger and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held June 7, 1995. Commissioner Gentry moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

SADDLEBROOK ESTATES SUBDIVISION
Todd Warrix, Hawkins Environmental, presented the Board with final drainage plans for Saddlebrook Estates Subdivision, located South of Brookfield Farms Subdivision off County Road 500 East. Mr. Warrix proposed a 12 inch low flow drain along the existing County easement will outlet 1600 feet downstream, which will prevent any restriction of flow from upstream. Mr. Warrix explained at the June 7, 1995 meeting more information on the construction of the Berlovitz Regional Retention Basin was needed before final approval could be considered. Mr. Warrix stated Crossman Community Partnership plans to develop the regional retention basin as Saddlebrook is being developed, but Hawkins has included in their plan for Saddlebrook an interim detention facility located at the southeast corner of County Road 550 East and 50 South, which will handle the runoff from their development if the regional retention basin is not developed.

Mr. Eickelberger explained the comments in the review memorandum for the interim detention facility were made as if the facility was to be a permanent structure, but since the structure is only temporary, he felt it would be sufficient.

Commissioner Gentry suggested adding to the approval of Saddlebrook a time limit for the use of the interim detention facility. After the time limit and if the pond was still in use, the developer would have to appear before the Board and the detention facility would have to meet the requirements of the Dainage Ordinance.

Mr. Busch agreed with Commissioner Gentry's suggestion.

Commissioner Gentry moved to grant final approval of Saddlebrook Estates Subdivision subject to after one year if the interim pond is still in use and the regional retention basin has not be constructed, the developer will return with plans for the detention facility that will meet the Drainage Board Ordinance requirements, seconded by Commissioner Jones. Motion carried.

LAFAYETTE MARKET PLACE
Paul Couts, C & S Engineering, presented the Board with final drainage plans for Lafayette Market Place, located north of State Road 38 East and west of US 52

South. Mr. Couts presented Mr. Spencer recorded easements of the Kepner Drain and a certificate indicating the drain is in the easement. The proposed drainage system is designed to connect the McCarty Lane ditch, the LUR Ditch and the Kepner Ditch into the Wilson Branch which will outlet into the regional retention basin. Adjustments were made to the original plan to improve the performance of the Kepner Drain by using a 42 inch pipe west of the existing 48 inch Kepner Drain.

Commissioner Gentry asked if there was adequate capacity in the Wilson Branch?

Mr. Spencer stated there is adequate capacity, Christopher B. Burke Engineering reviewed this project because they did the original study of the Elliott Ditch and have been updating the Wilson Branch capacity as developments are constructed.

Commissioner Gentry moved to grant final approval of the release of runoff from Lafayette Market Place into the Wilson Branch of the Elliott Ditch, seconded by Commissioner Jones. Motion carried.

SAGAMORE POINTE SUBDIVISION
No representatives appeared before the Board.

OTHER BUSINESS

US 231 - RELOCATION
Mr. Spencer and Mr. Eickelberger agreed the final submittal, June 16, 1995, of the relocation of US231 meets the requirements for the County Drainage Ordinance. Mr. Spencer stated if US231 has another phase, it will also have to meet the Drainage Board requirements.

Commissioner Gentry moved to approve final drainage plans of US231 relocation, also to submit a bill to RQAW for engineering review fees in excess of 10 hours, seconded by Commissioner Jones. Motion carried.

Cuppy-McClure - update
Mr. Spencer reported to the Board of a meeting with Marty Maupin from IDEM, the discussion was about the changes IDEM required before approval of the Water Quality Permit could be granted. Mr. Spencer explained to Mr. Maupin the changes were made and submitted in July of 1994, Mr. Maupin acknowledged the changes and stated a memo of his approval for the Water Quality Permit would be submitted.

Being no further business, Commissioner Gentry moved to adjourn until August 2, 1995, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES JULY 12, 1995

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. Motioned 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 KUHNS, 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 that 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 therfore 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'Ferral 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
APRIL 3, 1996

The Tippecanoe County Drainage Board met Wednesday, April 3, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

The first item on the agenda was to approve the minutes of the Drainage Board Meeting held March 6, 1996. Commissioner Haan moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

ARLINGTON COMMONS/BRIDLEWOOD SUBDIVISION
Jennifer Bonner, Hawkins Environmental, presented the Board with final drainage plans for the Arlington Commons/Bridlewood Subdivision located between County Road 500 East and 550 East, south of Saddlebrook Subdivision. Ms. Bonner explained there is no onsite detention facility planned for the site due to the Berlovitz Regional Detention Basin, which will be build before or along with the development of Arlington Commons/Bridlewood Subdivision. Arlington Commons runoff will mostly be collected by inlets in the street then directed east to a culvert under the proposed South Brookfield Drive to a lake located in the center of Bridlewood Subdivision. The lake will not hold the runoff from the two subdivision, but serve as a collection point and then outlet into the Berlovitz Regional Detention Basin through a 2'x 4' RCP box culvert under County Road 550 East.

Mr. Spencer asked Ms. Bonner why stop logs where being used in the development?

Ms. Bonner stated the reason for the stop logs are to adjust the water level down to enable cleaning of the pipes.

Mr. Spencer recommended final approval with conditions:

1. The Berlovitz Regional Detention Basin must be build and completed along with the completion of Arlington Commons/Bridlewood Subdivision.

2. Clarification of calculation are needed for the pond outlet capacity.

3. Clarification of calculation for the regional basin.

Commissioner Haan moved to grant final approval of Arlington Commons/Bridlewood Subdivision with the three condition set by the Surveyor, seconded by Commissioner Jones. Motion carried.

COUNTY ROAD 350 SOUTH - Phase IV
Brian Litherland, Bernardin, Lochmueller and Associates, presented the Board with final design plans of County Road 350 South, Phase IV which will be located

from U.S. 231 to the new U.S. 231. Mr. Litherland explained a portion of the road will drain directly to wetland areas, and portions directly to Elliott Ditch. The new U.S. 231 has incorporated the new 350 South in the design of the new highway by providing an approach and a culvert. Side ditches will drain toward the new U.S. 231 and the plans for the highway have made provision for these ditches.

Mr. Spencer recommended final approval with two conditions:

1. Copies of the final certified plan, Corps of Engineers permit and Department of Natural Resources permit must be provided.

2. A revised copy of Sheet 9 must be provided.

Commissioner Haan moved to grant final approval of County Road 350 South, Phase IV with the conditions set by the Surveyor, seconded by Commissioner Jones. Motion passed.

OTHER BUSINESS

Cuppy McClure - update
Mr. Spencer stated he had a discussion with Hans Peterson, RUST Environment and they are putting together the bid documents for the Cuppy McClure Ditch. The bid documents should be ready next week.

Romney Stock Farm Ditch
Mr. Spencer stated he has received the information needed from the Montgomery County Surveyor and the project is moving forward.

Being no further business, Commissioner Haan moved to adjourn until May 1, 1996, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES APRIL 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
MAY 1, 1996

The Tippecanoe County Drainage Board met Wednesday, May 1, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

The first item on the agenda was to approve the minutes of the Drainage Board Meeting held April 3, 1996. Commissioner Haan moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

BERLOVITZ REGIONAL DETENTION BASIN
Mr. Spencer stated Hawkins Environmental requested a continuance of the Berlovitz Regional Detention Basin. Mr. Spencer mentioned Hawkins Environmental expressed some interest in presenting the plan at the special Drainage Board Meeting May 15, 1996, but they have not requested to be on the agenda.

Commissioner Haan moved to continue the Berlovitz Regional Detention Basin hearing, seconded by Commissioner Jones. Motion carried.

BRENTWOOD COMMUNITY
Mr. Spencer stated he spoke with Alley and Associates, the developers of Brentwood Community and explained to them Christopher B. Burke Engineering suggested continuing the discussion of their development. Alley and Associates asked Mr. Spencer to ask the Board for a continuation of Brentwood Community.

Mr. Mark Luebker, Indiana Creek Homeowners Association, asked if a review has been done on the most recent plan, if so what were the results?

Mr. Spencer stated after the first review a memorandum was issued to the developer on conditions that must be met before final approval. The developer re-submitted a plan but did not address all the conditions, therefore Christopher B. Burke Engineering consultant's recommendation was to continue until the plans comply with the drainage ordinance.

Mr. Spencer presented the Board with letters he received concerning Brentwood Community. Mr. Spencer also, informed Mr. Luebker that Rick Roethke, owner of the development, is willing to have a meeting with the surrounding landowners before the plan is heard by the Drainage Board.

Mr. Luebker stated the only time available for him to meet with the developer would be May 12th through May 18th.

Commissioner Haan moved to continue Brentwood Community, seconded by Commissioner Jones. Motion carried.

BRINDON WOODS DEVELOPMENT, PHASE I
Andy Slavens, Vester and Associates, asked for preliminary approval of Brindon Woods Subdivision located at the southwest corner of McCormick Road and US52 and

includes 25 acres. The southern portion of the development will consist of apartments and the northern portion a commercial development. There will be access from both McCormick Road and US52, there is an exsisting box culverts under US52 for the storm drainage to be routed. The offsite portion of the watershed will be picked up in the storm system at the southeast corner of the development. A wet bottom detention facility is planned to restrict the flow and release it at the current rate into the culvert under US52.

Mr. Spencer stated the capacity of the culvert must be determined to show it is adequate to handle the flow. Mr. Slavens needs to obtain a Corps of Engineers permit for the development because it appears to be within a wetland indicated on the National Wetland Inventory Map.

Commissioner Haan moved to grant conceptual approval of Brindon Woods Development, Phase I, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

WAL-MART POND - State Road 26

Commissioner Gentry asked Mr. Spencer if the fence surrounding the pond located at the Wal-Mart site off State Road 26 would be the responsibility of the County or the City of Lafayette to repair?

Mr. Spencer stated when the area was being developed the pond was designed to be a dry bottom facility and the County did not require the fence. On the south side of the pond the fence was taken down to do some grading when the site was being further developed. Mr. Spencer suggested asking the City to write a letter along with the County writing a letter asking them to follow up on the status of the pond.

CUPPY-MCCLURE - update

Mr. Spencer stated the bids for the Cuppy-McClure project will be received Monday, May 6, 1996 at 11:00 a.m.. There was a pre-construction meeting on the project April 29, 1996 and three out of the six contractors who picked up a set of plans were at the meeting.

Mr. Spencer stated both DNR permits for the project have expired. Paul Elling of RUST Infrastructure has re-applied for the permits. The Corp of Engineers permit was extended for two more years and the IDEM permit is still valid.

Being no further business Commissioner Jones moved to adjourn until May 15, 1996, seconded by Commissioner Haan. Motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD
SPECIAL MEETING
MAY 15, 1996

The Tippecanoe County Drainage Board met in a special session, Wednesday, May 15, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana.

O'FERRALL BRANCH OF THE ALEXANDER ROSS DITCH HEARING
Those present were: Tippecanoe County Commissioners Nola J. Gentry, Gene Jones and William D. Haan; Tippecanoe County Surveyor Michael J. Spencer; and Drainage Board Secretary Shelli Muller. also in attendance were: Walter Fassnacht, 5091 State Road 26 East; Patrick Cunningham, Vester & Associates; Francis Albregts, 3901 East 100 South; and Joseph Gaskill, 4228 East 100 South.

Mr. Spencer asked the Board to accept the petition of the O'Ferrall Branch as part of the Alexander Ross Ditch. No additional assessment will be implemented since the O'Ferrall Branch is located within the Alexander Ross Watershed area. The branch includes the new detention basin located west of the Meijer Store and the outlet structure. There were several phone calls concerning the notification, but after an explanation there were no objections to the petition.

Mr. Albregts asked if Mr. Spencer had received any plans for the proposed development west of the interstate.

Mr. Spencer stated he has seen a plan of Park East which is located west of the interstate. The Alexander Ross Ditch Watershed study includes two detention facilities one on the east and west side of the Interstate 65.

Commissioner Haan moved to accept the O'Ferrall Branch as part of the Alexander Ross Ditch, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to recess until 9:30 a.m., seconded by Commissioner Jones. Meeting recessed.

Commissioner Gentry called the meeting to order at 9:30 a.m..
Thomas H. Busch of Hoffman Luhman and Busch joined the meeting.

Commissioner Haan moved to approve the minutes from the May 1, 1996 regular Drainage Board Meeting, seconded by Commissioner Jones. Motion carried.

BERLOVITZ REGIONAL RETENTION BASIN
Robert Foley, Hawkins Environment presented the Board with the plans of the Berlovitz Regional Retention Basin located in the southeast corner of County Road 50 South and 550 East. Mr. Foley asked the Board for final approval which will satisfy the last condition before the construction of Saddlebrook Estates Subdivision, Arlington Commons and Bridlewood Subdivision.

Mr. Spencer stated the 30 inch concrete tile that will pass under the proposed basin is in good condition and there is no plan to make any connection to the tile from the basin. The basin is currently planned to be a dry bottom pond, but in the future it will become a wet bottom basin as other developers are allowed to widen the pond to create storage for their developments. There will be a 2'x 4' box culvert under 550 East and a new road crossing under 50 South with a new box culvert which needs further discussion between Mr. Spencer and Mr. Murray.

Mr. Albergts asked what the depth between the top of the tile and the bottom of the basin will be.

Mr. Spencer stated the plans do not show what the elevation is, but he would find out and get back with Mr. Albergts.

Mr. Spencer recommended final approval with the condition of County Highway Department and the County Surveyor approval of the box culverts.

Commissioner Haan moved to grant final approval with the condition of both box culverts be studied and approved by the County Highway Department and the County Surveyor. seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

ELLIOTT DITCH WATERSHED STUDY
Mr. Spencer stated there is money available through the Department of Natural Resource to do some watershed mapping. Mr. Spencer presented the Board with a letter draft requesting assistance in the form of aerial topographic mapping, surveying or technical guidance from the DNR. Mr. Spencer stated the money would be used to further update the Elliott Ditch Watershed study done in 1987.

RUST Environment & Infrastructure - work agreement
Mr. Spencer presented the Board with a letter from RUST Environment and Infrastructure, Inc. stating the two IDNR permits had expired and must be renewed this additional work will increase the contract by $1,500.00 above the current contract amount of $99,985.00. RUST asked that an agreement for the additional work to be performed be signed by the Tippecanoe County Board of Commissioners.

Commissioner Gentry agreed to sign the agreement at the next Commissioners meeting.

Cuppy McClure - update
Mr. Spencer stated copies of the bids for the Cuppy McClure project were sent to the West Lafayette Engineer for his review. Mr. Spencer expects to hear from West Lafayette by the end of the week.

Valley Forge Subdivision
Mr. Spencer informed the Board of a drainage problem in Valley Forge Subdivision. The situation was viewed by the Commissioner last summer where a catch basin outletted in Mr. Roden's back yard which he disliked. Another landowner in Valley Forge Subdivision contacted Mr. Spencer complaining of water backing up in her back yard. When Mr. Spencer investigated the complaint he found the catch basin full of rock, concrete pieces and debris that was larger than the grate size on the catch basin. The County Highway Garage removed the debris and will fasten the grate down so that it cannot be lifted.

Being no further business Commissioner Haan moved to adjourn, seconded by Commissioner Jones. Motion carried.

Nola J. Gentry, President

Gene Jones, Vice President

William D. Haan, Member

ATTES: Shelli L. Muller, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
July 3, 1996

The Tippecanoe County Drainage Board met Wednesday, July 3, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

The first item on the agenda was to approve the minutes of the Drainage Board Meeting held June 5, 1996. Commissioner Haan moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

BUCKINGHAM ESTATES SUBDIVISION
Dale Koons, Civil Engineering, asked the Board for final approval of Buckingham Estates Subdivision located south of County Road 400 South and east of the proposed relocation of U.S. 231. The project consist of 129 single-family lots on approximately 55 acres. Mr. Koons stated the temporary detention facility on Buckingham property and the detention facility for Stratford Glen Subdivision will be eliminated. The developer is proposing to replace the offsite drainage structure under the first driveway north of Buckingham with a 4' X 7' box culvert. There are two structures located at County Road 400 South, the first structure is located at the intersection of County Road 400 South and Old Romney Road. This structure conveys a portion of the Old Romney Road side ditch flow to Wea Creek through a 30" corrugated metal pipe, the flow continues to the second structure located at County Road 400 South, that is a 24" RCP culvert west of Old Romney Road. The first structure will be replaced with a 48" RCP culvert and the south side ditch of County Road 400 South will be regraded. Mr. Koons requested a variance to permit no on-site detention.

Mr. Spencer recommended final drainage approval with three conditions:

1) The applicant should provide construction plans for the off-site construction and written agreements from the applicable land-owners.
2) Drainage easements should be provided for the on-site ditch that will convey the on and off site 100 year frequency discharge through the site.
3) The Typical Street Cross Section should be revised to eliminate the conflicting cross slopes indicated.

Commissioner Haan moved to grant the variance to wave the requirement for on-site detention, seconded by Commissioner Jones. Variance granted.

Commissioner Haan moved to grant final drainage plans for Buckingham Estates subject to the three condition read by Mr. Spencer, seconded by Commissioner Jones. Motion carried.

PINE VIEW FARMS PHASE II
Mr. Pat Sheehan, Schneider Engineering, asked the Board for a continuance of Pine View Farms Phase II.

Commissioner Haan moved to continue Pine View Farms Phase II, seconded by Commissioner Jones. Continuance granted.

ELLIOTT INDUSTRIAL
Mr. Bill Davis, Hawkins Environmental, asked the Board for final approval of Elliott Industrial located at the southeast corner of Concord Road and Brady Lane.
Commissioner Haan and Mr. Tom Busch excused themselves from the discussion of Elliott Industrial at 9:20 a.m.

Mr. Davis stated the National Wetland Inventory Map indicates the site is not within the wetland, also per the Flood Insurance Rate Maps the site does not lie within the limits of the 100 year flood plain. The application for a permit has been submitted to IDNR for construction in the floodway of Elliott Ditch. Mr. Davis stated the adjacent landowners have been notified of the re-routing of the existing 36-inch RCP.

Mr. Spencer recommended final approval with three conditions.

1. The applicant request a variance for the pond depth from the maximum allowable depth of 4 feet for a dry detention pond for the north pond, which has a maximum depth of approximately 6.8 feet.

2. The applicant should supply a detail of the emergency spillways for the proposed detention ponds, correct the size of the orifice on the detail for the south detention pond, Include the 100 year elevation of the proposed detention ponds on the site development plans and revise the pipe sizes on the site development plans to match the calculations for the pipe segments downstream of structure MH-H2 to the pond, as necessary.

3. The applicant should obtain approval from the adjacent land-owner to re-route the existing 36-inch RCP and should obtain permits from IDNR for construction in a floodway.

Commissioner Gentry moved to grant a variance for the north pond in Elliott Industrial to exceed the maximum 4 foot depth requirement for a dry bottom detention basin to be a depth of approximately 6.8 feet, seconded by Commissioner Jones. Variance granted.

Commissioner Gentry moved to grant final approval of Elliott Industrial subject to the three conditions, seconded by Commissioner Jones. Motion carried.

Commissioner Haan and Mr. Busch returned to the meeting.

OTHER BUSINESS

HADLEY MOORS SUBDIVISION - vacation of easement
Mr. Spencer presented the Board with a letter from Mr. & Mrs. Tyree Harris which requests vacation of an easement on lot 145 in Hadley Moors Subdivision. They are wanting to vacate the drainage easement on the west side of their property to add a 15' x 15' enclosed deck to the northwest corner of their home. Mr.

Spencer stated instead of vacating the easement the Board could grant an encroachment into the drainage easement. Mr. Harris submitted along with the letter, signatures from property owners within 100 feet of his lot which shows their consent of the easement vacation. They also received letters from Tipmont REMC, American Suburban Utilities, Inc., Cox Communications, and GTE Telephone Operations. These letters contain no objections to the construction of the deck over the easement with the understanding if the need arises at a future date to access the easement, the current lot owner would be liable for any dismantling.

Mr. Busch stated the encroachment will have to be recorded.

Mr. Spencer stated he will contact Mr. Harris to ask him to have his attorney write an encroachment permit and submit it to the Drainage Board.

CUPPY MCCLURE - Up-date
Mr. Spencer stated he has not received the permits for Cuppy-McClure, but they have been granted.

Commissioner Gentry stated Mayor Margerum informed her West Lafayette will not be contributing to the project.

Mr. Spencer stated when he receives the DNR permits he will bring them to the Commissioners Meeting to be signed. Atlas Excavating had the lowest alternate bid of $312,767.00.

BERLOVITZ REGIONAL DETENTION BASIN
Mr. Spencer stated he received a letter from Deluxe Homes stating if the existing Berlovitz tile drain is disturbed or damaged in any way by the construction of the detention basin they will immediately correct or repair the damage. They will construct a clay liner 1' thick and 20' wide centered on the existing Berlovitz drain tile in the detention basin.

ELLIOTT DITCH WATERSHED STUDY UPDATE PROPOSAL
Mr. Spencer asked to be placed on the July 8, 1996 Commissioners Meeting for the approval of the proposed Elliott Ditch Watershed Study update by Christopher B. Burke Engineering, LTD. A letter has been written to the DNR asking them to be involved in the study.

WILSON BRANCH OF THE ELLIOTT DITCH
Mr. Spencer received the dedication of the relocated portion of the Wilson Branch of the Elliott Ditch on the south side of Maple Point Drive between US52 and State Road 38.

ROMNEY STOCK FARM DRAIN
Commissioner Gentry spoke with Marvin McBee and he asked since Montgomery County has waved the right to a joint board what is the next step?

Mr. Spencer stated the next step would be to compile an assessment list. He needs from Montgomery County the acres that drain north into the ditch. The Montgomery County Treasurer can tax the landowners in the watershed area and send the money to the Tippecanoe County Treasurer for collection.

Commissioner Gentry presented an article from Prairie Farmer entitled "Drainage Boards power extended to private drains" which discusses the new Indiana law which gives the County Drainage Boards the authority and responsibility to arbitrate when private landowners can't resolve disagreements about drainage.

The County Surveyor will have the authority to enter onto private property to investigate drainage disputes and the Drainage Board will hear the case and have the power to act. The Drainage Board may have the problem fixed and the cost distributed to the various owners involved based upon how much each owner should benefit. County Drainage Boards were given authority to hear cases involving "natural surface watercourses". In those situations property owners could block water out allowing the flow onto a neighbor's property. The new law will not allow the flow to be blocked.

Being no further business Commissioner Haan moved to adjourn until August 7, 1996, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES JULY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
NOVEMBER 6, 1996

The Tippecanoe County Drainage Board met Wednesday, November 6, 1996 in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana.

Those present were: Tippecanoe County Commissioners Nola J. Gentry, Gene Jones and William D Haan; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney pro-tem Thomas Busch; and Drainage Board Secretary pro-tem Anna Rumble.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held October 2, 1996. Commissioner Haan moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

BRINDON WOODS SUBDIVISION Phase I
Andy Slavens, Vester and Associates, introduced a new employee to Vesters, Tim Byer. Mr. Slavens requested final approval of Brindon Woods Subdivision located off US52 near McCormick Road and consists of 12.3 acres.

Mr. Eichelberger stated after the review the following comments were:

1. The hydrologic calculation submitted in support of the detention requirements.

a.) Time of concentration calculations received on October 10, 1996 indicate that sheet flow areas were grassed. The current submittal appears to indicate a cultivated soil, with resdidual cover less than 20%. The applicant should clarify the sheet flow land cover and verify the roughness coefficient.

b.) The applicant should provide a watershed map showing all off-site subareas, along with the flow paths assumed in the time of concentration calculations.

c.) The applicant does not appear to follow the required methodology for the shallow concentrated flow regime. As specified in the Ordinance, the applicant must use the methodology outlined in the TR-55 Manual. It should be noted that the applicant did use the correct TR-55 methodology for this flow regime in pervious submittals.

d.) The applicant has used three off-site subareas for the allowable release rate analysis, while only tow are used in the detention analysis. The hydrologic characteristics of all off-site subareas should remain constant between the tow models.

e.) The TR-20 analysis used a rating curve with maximum elevation 669.0. The provided detention analysis indicates a peak 100-year water surface elevation of 669.13 for the 4-hour event. The applicant should extend the proposed detention pond rating curve so that the calculated peak 100-year water surface elevation does not exceed the last point of the curve.

f.) The principal outlet for the pond is a 2-foot by 4-foot reinforced concrete box culvert and a 10-foot wide concrete weir. Based on the analysis supplies by the applicant, there would only be 0.17 feet of freeboard between the calculated peak 100-year water surface elevation and the berm

overtopping elevation. The applicant should increase the minimum berm elevation to provide at least 1.0 feet of freeboard.

2. A channel conveys off-site water through the site under existing conditions. The applicant proposes to convey this off-site runoff via a 36-inch ADS pipe placed at 0.5% slope. The following comments are related to the applicants proposed conveyance system.

a.) Any system intended to convey off-site water should be contained in an easement. This affects both the pipe network and proposed detention facility.

b.) The applicant states that the 36-inch ADS has capacity of 62.6 cfs, with a peak 100-year discharge , to the pipe, of 62. 5 cfs, as determined by the provided TR-20 analysis for the 54.6 acre off-site tributary area. The applicant should provide a hydraulic grade line analysis to demonstrate that the proposed 36" ADS mainline has capacity for the 100 year event. The analysis should be based on the RT-20 critical duration additions of the 10-year flows along the 36" ADS pipe for the on-site flows, based on rational method analysis. The beginning tailwater elevation should be no lower than the top of the pipe at the 36" outfall to the proposed detention facility. This analysis should account for losses at all manholes, losses due to change in alignment, exit losses, entrance losses, as well as frictional losses. It should also be noted that this analysis may be affected by the response to comment number 1.

3. The applicant should provide a detention pond safety ramp on the plans, as required by the ordinance.

Commissioner Haan moved to grant final approval of Brindon Woods Subdivision, Phase I, subject to the condition stated by Mr. Eichelberger, seconded by Commissioner Jones. Motion carried.

WATKINS GLEN SUBDIVISION, Phase IV, Part II
Mr. Slavens presented the Board with the proposed Watkins Glen Subdivision, Phase IV, Part II drainage plan located west of County Road 400 East and consist of approximately 6 acres. Mr. Slavens asked for final approval of the proposed drainage plan.

Mr. Spencer stated a memo was not written for this project because the submittal was received after the deadline. He recommended continuing Watkins Glen Subdivision, Phase IV, Part II until next month Drainage Board Meeting.

Commissioner Gentry asked Mr. Slavens why the Osco Drugs drainage system is not working adequately?

Mr. Slavens stated he is aware of the situation and has been in contact with Findly Drilling who will help to get the drainage system working properly.

MILESTONE
Bob Gross, R.W. Gross & Associates, introduced Kristine Horn an Engineering in Training. Mr. Gross asked the Board for final approval of the proposed

Milestone Contractors site located at the corner of County Road 350 South and 475 East. There is an existing branch of the Elliott Ditch that runs through the site and they propose to re-route the tile or direct it through the proposed detention pond.

Mr. Spencer recommended final approval with these conditions:
1.) The national wetland inventory map shows the south half of the property and the area where the borrow pit is located are wetland areas. The applicant must receive approval of construction in wetlands
2.) The applicant needs to show the proper outlet details, emergency spillway and overflow details on the construction plans.

Commissioner Haan moved to grant final approval of Milestone Contractors drainage plan subject to the condition stated by the Surveyor, seconded by Commissioner Jones. Motion carried.

BERLOWITZ DITCH WATERSHED STUDY
Tom Busch excused himself from the meeting.

Mr. Spencer mentioned a study that had been done four years ago on the Berlowitz watershed. Christopher B. Burke Engineering is looking at the original study and comparing the development since the first study to the development that has followed, and determining the existing drainage and what improvements can be done.

Mr. Stolz, Christopher B. Burke Engineering, stated the first item discussed was the runoff of water under Interstate 65 through a 33" X 49" pipe arch and review of the southeast area where the pond is for Saddlebrook, Bridlewood and Arlington Commons.

Mr. Spencer stated this is a good example of how the GIS system would help reduce the cost to the County for research done on drainage studies. There is not adequate topographical information in the area to do a complete study. The two foot contour maps which will be created with the GIS system will have more control, accuracy and be more accessible.

Mr. Spencer stated a meeting with the property owners within the watershed area should be the next step. Mr. Dick Shoemaker, manager of the Shaw Farms, stated he would like the meeting to be the week of December 16th because the Shaw's will be in town that week. Mr. Spencer stated having a meeting the week of December 16th is certainly possible and the landowners will be notified of the meeting when a date is confirmed.

OTHER BUSINESS

CUPPY MCCLURE UPDATE
Mr. Spencer stated the project is going well, the open ditch has been cleared and rough graded. The 48 inch pipe has been installed almost to the US52 right-of-way.

DRAINAGE BOARD SCHEDULE CHANGE
Commissioner Gentry stated the next month Drainage Board Meeting needs to be changed from December 4, 1996 to December 11, 1996 at 9:00 a.m. and notices sent to the papers of the change.

Being no further business, Commissioner Haan moved to adjourn until December 11, 1996, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES NOVEMBER 6, 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	4 YEAR ASSESSMENT	TOTAL BALANCE	1996 YEAR END
4	Anson, Delphine	$1.00	$5,122.56	$2,677.72	
8	Berlovitz, Juluis	$1.25	$8,537.44	($2,933.43)	
13	Brown, A P	$1.00	$8,094.24	$7,921.94	
14	Buck Creek	$0.00		$1,385.55	
15	Burkhalter, Alfred	$1.50	$5,482.96		$4,129.61
18	Coe, Train	$0.50	$3,338.56	$1,306.84	
20	County Farm	$1.00	$1,012.00	($381.25)	
25	Dunkin, Marion	$1.50	$9,536.08		$9,285.65
26	Darby, Wetherill	$1.50		$1,106.43	
27	Ellis, Thomas	$1.00	$1,642.40		$1,483.50
29	Fassnacht, Christ	$0.75	$2,350.56	$2,124.49	
31	Gowen, Issac	$0.00			$101.76
33	Grimes, Rebecca	$3.00	$3,363.52	($10,770.77)	
35	Haywood, E.F.	$0.50	$7,348.96		$1,283.61
37	Harrison, Meadows	$1.00	$1,532.56	$463.71	
41	Johnson, E. Eugene	$3.00	$10,745.28		$8,137.10
42	Kellerman, James	$0.50	$1,043.52	$693.98	
43	Kerschner, Floyd	$1.00	$1,844.20	($2,254.41)	
44	Kirkpatrick, Amanda	$1.00	$2,677.36		$781.97
45	Kirkpatrick, Frank	$1.00	$4,226.80	($7,821.61)	
48	Lesley, Calvin	$1.00	$3,787.76		$2,440.88
51	McFarland, John	$0.50	$7,649.12	$7,160.70	

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

INACTIVE DITCH LIST 1997

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

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

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

1997 CONTRACTS
ENGINEERING CONTRACT
Mr. Gerde stated he commends the contract written for Christopher B. Burke Engineering, Limited, but some verbiage was changed to better protect the County's interest.

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

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

Commissioner Hudson read the paragraph that was added:

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

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

JAMES N. KIRKPATRICK DITCH

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

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

OBSTRUCTION OF DRAINS

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

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

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

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
June 5, 1997

The Tippecanoe County Drainage Board met Thursday June 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, Ruth Shedd, John Knochel, Tippecanoe County Surveyor Michael J. Spencer, Tippecanoe County Drainage Board Attorney Cy Gerde, Engineering Consultant David Eichelberger, and Drainage Board Secretary Shelli Muller.

GARDEN VIEW SUBDIVISION
Tim Beyer, Vester & Associates, asked the Board for preliminary approval of Garden View Subdivision, located along 400 East midway between Eisenhower Road and County Road 200 North. Mr. Beyer presented the pre-devloped drainage conditions and the post-developed drainage conditions, explaining the site drains three directions. The drainage area to the southwest will be reduced from an area of 3.9 acres to an area of 2.9 acres and be directed by a swale to County Road 400 East. The area draining south through Camelot Subdivision will be reduced from 5 acres to 2.8 acres and the remainder of the site will drain to the proposed drainage basin. Mr. Beyer asked for a waiver for the detention requirements on two residential lots and a twenty-five foot building setback from the maximum pond elevation.

Mr. Spencer stated he has had conversations with landowners south of the proposed development. One landowner was concerned with the amount of runoff from the site and the other landowner David Kovich, asked if the runoff that is dircted to the south could be picked up with the proposed drainage system.

Mr. Kovich suggested when the houses for lots 2, 3 and 4 are constructed the gutters for the house be tied into the proposed drainage system and he asked the lots be seeded. Mr. Kovich also suggested investigating to see if the existing detention basin which serves Camelot Subdivision has enough capcity to handle the runoff from the proposed development.

Mr. Slavens, Vester & Associates, stated as long as they have cooperation with the people responsible for the existing detention basin, the developer of Garden View Subdivision would agree to size the pond accordingly.

Commissioner Shedd asked who is responsible for the existing detention basin?

Mr. Spencer stated per the drainage ordinance the detention basins are the responsiblity of the Homeowners Association or they are petitioned to become a county regulated drain.

Mr. Kovich explained approximately fifteen years ago the basin was petitioned to become a county regulated drain, but did not pass. Mr. Kovich stated he maintains the basin by clearing the debris from the outlet structure.

Commissioner Knochel asked if the basin drained into the culvert under Eisenhower Road?

Mr. Kovich stated the outlet is appoximately a quarter of a block south of the enterance into Camelot Subdivision.

Mr. Spencer recommended preliminary approval with the conditions in the memorandum from Christopher B. Burke Engineering, Limited dated May 21, 1997. In addition to the conditions Mr. Spencer asked the developer contact the downstream landowners for a discussion of the developers intent.

Commissioner Knochel moved to deny the preliminary approval of Garden View Subdivision until the developer and the downstream landowners have a discussion to resolve the concerns and to investigate the possiblity of using the existing detention basin, seconded by Commissioener Shedd. Motion carried.

WEA-TON DRAIN EXTENSION

Pat Sheehan, Schneider Engineering, asked the Board for final approval of Wea-Ton Drain Extension. Mr. Sheehan introduced Kent Heckaman from the Sterling Group, and explained the extension was before the Board twice in May at a regular meeting where preliminary approval was granted and at a special meeting where a discussion was held.

Mr. Spencer stated he received a copy of the easement agreement, and a meeting was held at 9:00 a.m. today to discuss the agreement. Those who attended were Mr. Heckaman, Pat Sheehan, Dale Lehnig, Assistant City Engineer, David Eichelberger and Mr. Spencer, we reveiwed the agreement and discussed the technical issues.

Mr. Gerde spoke with Mr. Pfaff, the attorney representing the Sterling Group and with Carl Kloepfer, the attorney representing the Wastl property, there are a few minor issues for them to resolve. The major issue for the County was the Wastl's and Coppergate development agree to the drain becoming a County regulated drain. Mr. Gerde is satified with language of the easement and it is in recordable form.

Dale Lignig, Assitant City Engineer, stated there are a few minor issues of the agreement, but has no major objection of approving the Wea-Ton Drain Extension.

Mr. Spencer recommended final approval with conditions.

1. I.N.D.O.T. permit to bore U.S. 231.
2. Tippecanoe County Highway permit, to work in the right-of-way of County Road 250 South.
3. Easement agreement signed by all parties.
4. Approval of the construction plans.
5. Re-run the TR-20 model.

Commissioner Shedd moved to grant final approval of Wea-Ton Drain Extension with the five above listed conditions, seconded by Commissioner Knochel. Motion carried.

OTHER BUSINESS

SPECIAL DRAINAGE BOARD MEETING
Mr. Spencer received a request from Mr. Paul Couts, C & S Engineering for a special Drainage Board Meeting for the 17th or 18th of June concerning Olympia Park Subdivision, but when the meeting is set other items will be added to the agenda.

Commissioner Hudson stated a Special Drianage Board meeting will be held June 17, 1997 at 2:00 p.m. at the County Office Building in the Tippecanoe Room.

BROOKFIELD FARMS SUBDIVISON HOMEOWNERS ASSOCIATEION
David Locks President, Jim Clendenning Vice President, and Eric Burch past President of Brookfield Farms Subdivision Homeowners Association, and John Howard representing Roy Prock, Cedar Run Limited, Inc. came before the Board asking them to amend a motion made at the June 2, 1993 which granted a variance stating:

"Commissioner Gentry moved to approve a variance on Section 14 (h) 8 requesting a six (6) foot chain link fence surrounding the lake and grant the south side be open to give landowners 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."

Mr. Locks stated it was agreed in 1993 the fence would surround three sides, the east, west and north sides of the lake. A fence was not constructed and know the Homeowners Association is asking Cedar Run Limited to substitute the fence for shrubbery, trees and/or some other type landscaping, but before the Homeowners Association goes ahead with an agreement with Cedar Run, they want approval from the County Drainage Board stating it is agreeable to substitute the fence for landscaping.

Mr. Spencer asked if a drawing could be provided to the County showing what type, and where the landscaping is going to be placed.

Mr. Locks stated it is the intent to place a landscaping barrier the same place the fence would have been located.

Mr. Gerde asked the drawing include State Road 26 widening, if possible.

Mr. Howard stated he has no objection to subsitute the fence for vegitation.

Commissioner Knochel moved to accept the plan to subsitute the fence for vegitation at Brookfield Farms Subdivision, seconded by Commissioner Shedd. Motion carried.

PETITIONS FOR BERLOVITZ DITCH RECONSTRUCTION
Mr. Spencer reported he has received a petition for the reconstruction of the Berlovtz Ditch reconstruction south of State Road 26 running northwest from McCarty Lane under I-65 to an un-named tributary to the Wildcat Creek. The next step will be to ask for proposals from Engineering firms on a study of the Berlovitz Ditch.

ELECTION OF VICE PRESIDENT TO THE DRAINAGE BOARD
Commissioner Shedd moved to nominate Commissioner Knochel as Vice President to the Drainage Board, seconded by Commissioner Hudson. Motion carried.

DISCUSSION
Mr. Gerde asked the Board if they wanted him to draft a document that would be recordable language for situtations like the Wea-Ton Drain Extension.

Being no further business Commissioner Knochel moved to adjourn until June 17, 1997 at 2:00 p.m., seconded by Commission Shedd. 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
July 1, 1998
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, Kathleen Hudson 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, July 1, 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 June 3, 1998, regular Drainage Board meeting. Commissioner Hudson moved to approve the minutes, seconded by Commissioner Knochel. Motion carried.

JESSE B. ANDERSON DITCH PETITION

Mike Spencer presented John Gambs, representing Edward Nemeth the Town of Clarks Hill Attorney a petition for the reconstruction of the Jesse B. Anderson Ditch. Mr. Spencer explained signatures on the petition will need to make up more than 51% of the total acreage in the Jesse B. Anderson Ditch watershed. Mr. Spencer also presented Mr. Gambs with the Jesse B. Anderson Ditch list that includes the names, addresses, legal descriptions, and acres benefited in the watershed area and a map depicting the watershed area.

Joseph Carter, PO Box 139, 9521 Borrow Street, Clarks Hill, Indiana, approached the Board asking for financial help concerning the fuel bill that the town incurred while pumping floodwaters out of the town. The total of the invoices is $1,680.00. (the Commissioners kept a copy of the invoices)

Commissioner Shedd asked if anyone from the town had heard from the Federal or State to know weather or not the town will get any assistance?

Mr. Carter replied there has not been any response from the Federal or State.

Commissioner Hudson asked if anyone from the town has spoken with the Township Trustee in regards to financial help for the fuel bill?

Mr. Carter stated yes, the town has asked the Trustee for help and he is supposedly going to help pay the bill, but the Trustee said it will be hard to determine how much he can help?

Mr. Gambs stated his firm has been representing the Town of Clarks Hill sense the 1970, and it seems that every seven to ten years the town has a flood. Mr. Gambs believes the Jesse B. Anderson is inadequate. Mr. Gambs mentioned an idea Mr. Spencer suggested to him, which is using Hudson Drive in the Town of Clarks Hill as a collector to route the water to the ditch. Also, constructing a grass swale along the farm fields to direct the water to the Jesse B. Anderson Ditch.

Mr. Spencer stated in the 1992 Drainage Board minutes indicated a situation similar to this one happened and a petition circulated, but never filed with the County Drainage Board.

Mr. Spencer stated he walked from the headwall along the route of the ditch to the south side of Clarks Hill and found seven tile holes, three north of State Road 28 and four in Mr. Stevenson's field. Mr. Spencer stated they have all occurred recently due to the tremendous back up pressure. Repair cost for the tile holes will be paid with the money that is in the Jesse B. Anderson Ditch maintenance fund. Another trouble spot is on the south side of the railroad, east of town there is a dam that is in the right-of-way fence causing it to restrict the flow through the railroad structure.

Michele Phebus, 1191 Division Street, Clarks Hill, explained her husband Tony Phebus, spent 18 hours working for the town, helping them with the floodwater. Since that time he has broken out with a chemical rash caused from the farm runoff and ponding in the town. Mrs. Phebus is asking the Board to help pay for his medical bills that where incurred trying to find out what caused the rash and the medicine being taken to treat the rash.

Commissioner Hudson asked if Mrs. Phebus had insurance to cover the expense.

Mrs. Phebus answered yes, but why should their insurance be responsible when her husband was out helping the town. Mrs. Phebus went on to explain the water has laid under her mobile home for several days and were advised to evacuate the property, but she had no where to go with four children, seven pets and four fish. Mr. Phebus stated her child is breaking out in the same kind of rash, which she is taking to the doctor to find out if it is caused by the chemicals or the fuel that is ponded in her yard. Mr. Phebus has had someone from Purdue and the County Board of Health test the water to find out what chemicals are in the water. Mrs. Phebus concluded by asking the Board for any type help they could provide.

Commissioner Shedd asked what the next step will be for the town to do with the petition?

Mr. Spencer stated the next step is for the town to designate someone to carry the petition and gather all the signature possible on the list of landowners in the watershed area.

Mr. Luhman, stated the Drainage Board has no other option to take, it is the responsibility of the landowners in the watershed area to carry the petition and file it with the Drainage Board. Then the Drainage Board can do the investigation into the cost benefit of the reconstruction.

Mrs. Phebus reported she spoke with Steve Wettschurack on the status of whether or not the state was going to offer any assistance. Mr. Wettschurack told her that the Governor was looking into the state of Indiana as being determined as a disasters area.

SADDLEBROOK ESTATES, PHASE 3 SUBDIVISION

David Ayala and Mark Phillips of Hawkins Environmental, presented the Board with final drainage plans of Saddlebrook Estates, Phase 3 Subdivision located west of County Road 550 East and east of Saddlebrook Estates Subdivision. The entire site will drain to the regional retention facility for the Berlovitz Ditch.

Mr. Spencer stated the Berlovitz retention facility has been constructed and they do comply with the drainage ordinance.

Commissioner Hudson moved grant final approval of Saddlebrook Estates Subdivision, Phase 3, seconded by Commissioner Knochel. Motion carried.

QUALITY STORES, INC.

Roger Fine of John E. Fisher and Associates, presented the board with drainage plans for the new Quality Store located at the same site as the existing Quality Store, 4841 State Road 38 East, west of
I-65. Mr. Fine stated the existing building will continue to operate while the new building is being constructed and once it is finished the old building will be torn down and turned into parking space.

Mr. Eichelberger explained the site will drain to the Elliott Ditch regional retention facility that is currently under design. The developers that drain into the facility figure the amount of storage the site will need and pay into the construction fund for the Elliott regional retention facility.

Mr. Fine stated construction plans are in review with the County Highway Department, which include an additional truck entrance in back of the site.

Steve Murray, Executive Director of the County Highway Department, asked Mr. Fine to explain the increased discharge into the county road right-of-way and assure the runoff will not jeopardize the county road in any way.

Mr. Fine replied that with the 24 inch pipe in the county road right-of-way will drain effectively and not cause damage to the county road.

Mr. Eichelberger stated the reason for the comment in the memo regarding the county road right-of-way is so the Highway Department can determine the effect of the development on the county maintained road.

Mr. Murray asked Mr. Eichelberger to evaluate the effect, if any, on the county road.

Mr. Eichelberger stated he would evaluate the situation as if the entire area had been developed to see what the discharge could be and if the existing pipes could handle the runoff.

Mr. Spencer recommending granting preliminary approval until the capacity of the pipe can be evaluated.

Commissioner Hudson moved to grant preliminary approval of Quality Stores, Inc. with the conditions of the June 19, 1998 memorandum from Christopher B. Burke Engineering and with the concern the County Highway has in regards to the capacity of the pipe under the county road, seconded by Commissioner Knochel. Motion carried.

ATLAS EXCAVATING BUILDING SITE

Craig Rodarmel of R.W. Gross & Associates, Inc., presented the Board with proposed drainage plans for Atlas Excavating building site. The site is located off Swisher Road north of the rail road and south of the I-65 crossing. Mr. Rodarmel state currently one 18 inch outlet pipe exist for the site, so the site is being designed to detain the onsite and let the offsite water release through the 18 inch pipe. A 12 inch pipe for the onsite detention will be installed to restrict the flow of water until after the offsite water has gone through.

Mr. Murray's concern is this project not increase the amount of water through the culvert in the road-right-of way.

Mr. Spencer recommended approval with the conditions stated in the memo from Christopher B. Burke Engineering, which includes approval from the Highway Department.

Commissioner Hudson moved to grant final approval of Atlas Excavating Building site with conditions, seconded by Commissioner Knochel. Motion carried.

TIPPECANOE COUNTY WORK RELEASE CENTER

Craig Rodarmel of R.W. Gross & Associates, Inc. presented the Board with final drainage plans of Tippecanoe County Work Release Center located of North Ninth Street. Mr. Rodarmel stated the design of the drainage system was to utilize the existing drainage pond for the Trash Transfer facility. The runoff from the site will be captured in the parking lot and directed to the pond by grass swales.

Mr. Spencer stated the large detention facility was built as part of the Trash Transfer site with drainage board approval. The detention facility has the available storage for the County Work Release Center runoff. Mr. Spencer stated there are four conditions that need to be met. Number four of the memo from Christopher B. Burke Engineering dated June 25, 1998 was of most concern.

4. The applicant has provided a detailed study of the storm water runoff contribution from the subject site and the impact of this runoff to the existing detention basin at the Trash Transfer and Recycling Center. This study was conducted by utilizing previous analyses completed by a different consulting firm approximately 8 years ago. There are several questions/concerns regarding the previous analysis and the actual as-built conditions of the existing detention basin. CBBEL believes that these issues can be worked out with the applicant in the near future, by conducting a meeting and potential modeling revisions.

Mr. Eichelberger stated he believes the four conditions will be worked out in a future meeting. Talking with R.W. Gross they expressed the same concerns/difficulties working on this project. Mr. Eichelberger and Mr. Spencer agree the concept and the modeling they have used to evaluate the two projects together has worked out well.

Commissioner Hudson moved to grant final approval of the Tippecanoe County Work Release Center subject to the four conditions listed in Christopher B. Burke Engineering memo dated June 25, 1998, seconded by Commissioner Knochel. Motion carried.

HICKORY HILL SUBDIVISION, PHASE I

Mr. Spencer stated on behalf of Hickory Hills Subdivision, Phase I, he asked for continuance until the next regularly scheduled meeting.

Commissioner Hudson moved to continue Hickory Hills Subdivision until the next Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

BENCYN SUBDIVISION

Mr. Spencer stated on behalf of Bencyn Subdivision he asked for continuance until the next regularly scheduled meeting.

Commissioner Hudson moved to continue Bencyn Subdivision until the next Drainage Board meeting, seconded by Commissioner Knochel. Motion carried.

Being no further business, Commissioner Hudson moved to adjourn until August 5, 1998 at 9:00 a.m., seconded by Commissioner Knochel. Meeting adjourned.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD
October 14, 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, October 14, 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 September 2, 1998 Regular Drainage Board meeting. Commissioner Knochel moved to approve the minutes, seconded by Commissioner Shedd. Motion carried.

HAGGERTY POINTE
Amy Moore with Butler, Fairman & Seufert, Inc. represented the Haggerty Pointe Subdivision, which is going to be developed in two phases. Ms. Moore explained their firm has submitted phase one, it was reviewed and they have received the review comments. Ms. Moore asked the Board for their opinion of an agreement to let Haggerty Pointe Subdivision stormwater design utilize the regional retention basin that is being designed for the Elliott Ditch know as the "F" Lake. The initial study showed the development would need 13.4 acre feet of storage in the "F" Lake, but that number has not been finalized. Ms. Moore asked the Board to proceed with the agreement and as part of the agreement the developer would be asking for the fill dirt to be used onsite.

Mr. Spencer referred to the agreement with Lighthouse Homes. In that agreement Lighthouse Homes gifted the County money and in return the development will get the fill dirt that equals the amount of storage the development needs. Mr. Spencer informed the Board there is an on going contract with Christopher B. Burke Engineering, Ltd. on the design of the "F" lake located east of Ivy Tech and south of Lighthouse Homes.

Ms. Moore also, asked the Board for a vacation of Branch 11 of the Elliott Ditch. Ms. Moore explained the development is on the upper end of branch 11 and will not be utilized with the construction of stormwater system. The stormwater system will be routed through a proposed pipe that will be replaced under State Road 38 then into an open side road ditch, which will carry the water to the regional retention facility.

Mr. Spencer stated he does not see a problem with vacating Branch 11 of Elliott Ditch and recommended the Board grant the vacation and approve the development continue with an agreement. Mr. Spencer asked Ms. Moore if the vacation had been asked for in writing?

Ms. Moore stated she included the vacation in the transmittal letter.

Commissioner Knochel moved to approve the vacation of Branch 11 of Elliott Ditch and conceptual approval of the development to continue with an agreement for the use of storage in the regional retention basin of Elliott Ditch known as the "F" Lake, seconded by Commissioner Shedd. Motions carried.

Do to the lack of representation, **Carrington Estates Subdivision Phase 2** and **Winding Creek Subdivision**, were not discussed.

OTHER BUSINESS

Schroeder Wetland Easements

Mr. Spencer presented easements for the Schroeder Wetland project. The proposed wetland is located on the Schroeder property south of Wea School west of County Road 200 East. The developer of the wetland has proposed to install new tile on the west side of the wetland to connect it to the existing outlet on the north property line. Mr. Edward Purdy, the adjoining landowner, has a copy of these easements and after his concerns are addressed, Mr. Spencer stated he will present this to the Board for final approval of the new easements and to vacate the existing easement.

Harold Klinkhamer

Mr. Harold Klinkhamer came to discussed the same issue that was before Drainage Board on September 2, 1998. Mr. Klinkhamer began by stating he objects to what was said or eliminated from the minutes of September 2, 1998. Mr. Klinkhamer felt vital information was omitted from the minutes such as statements from Mr. Luhman and a statement made by Mr. Spencer that referred back to the 1973 Drainage Board minutes. Minutes referred to the ditch being a tile drain and there is nothing in the minutes to reflect Mr. Spencer's statement. Mr. Klinkhamer stated at the prior meeting Mr. Luhman gave Mr. Spencer instructions to do some investigation into where this ditch originated. Mr. Klinkhamer presented the Board with the actual court case from when the Andrew P. Brown ditch became a legal drain. Mr. Klinkhamer explained the 1906 petition depicts his property the petition calls for the tile drain to be put in where the open drain was already constructed. Mr. Klinkhamer read a portion of the petition that states the petitioners prayed for the tile to be put in so the drainage problem could be solved and a new drain connecting to an existing drain which then dumps into an open drain. Mr. Klinkhamer felt with the evidence of the original court document it does state the origin of the waterway therefore it should be maintained by the County. Mr. Klinkhamer asked the Board what the best solution is to get the silt out of the waterway.

Commissioner Shedd stated the Board agrees after reviewing the 1907 document understanding the tile is under the waterway which is suppose to be taking care of the situation. Commissioner Shedd stated the County has no jurisdiction over the waterway.

Mr. Klinkhamer stated the problem is with the surface water not with the tile. When the tile was installed it was connected to an existing 10 and 12 inch tile on the west side of the road, then prior to 1906 the water from the tile went under the road and through the ditch on Mr. Klinkhamer's property. Mr. Klinkhamer stated in 1907 when the tile was put in, it is Mr. Spencer's opinion the ditch no longer existed. Mr. Klinkhamer stated when the tile was put the tile helped only the pockets in White and Tippecanoe Counties and does not address the surface water that comes from farm fields on the west side of the road that is why the ditch on his property has never been farmed, which the county has proof of from 1936 aerials.

Mr. Spencer stated in 1907 the tile was put in and the open ditch done away with. Mr. Spencer explained there are many farmers that elected to maintain a grass waterway to prevent erosion, that was their decision. There is nothing in place that states the farmer had to leave the waterway in place and not farmed. The landowner to the east of Mr. Klinkhamer has farmed over the waterway, it is strictly the farmers decision.

Commissioner Knochel asked what the history is for flooding in the area that is being discussed?

Mr. Spencer stated prior to Mr. Klinkhamer's complaint the Surveyor's Office has not received any complaints of flooding.

Commissioner Knochel asked Mr. Murray, Executive Director of the County Highway Department, if his department had received any complaints prior to Mr. Klinkhamer's Citizens Complaint he filed with the Highway Department.

Mr. Murray stated not to his knowledge, his department had not received any complaints prior to Mr. Klinkhamer.

Mr. Knochel asked Mr. Klinkhamer why he had not complained of a flooding problem before now?

Mr. Klinkhamer explained that he does not farm his ground he rents it out.

Mr. Knochel asked Mr. Klinkhamer even if he rents the farm ground or however he has it arranged, why hasn't the person farming the ground complained of losing crops do to flooding?

Mr. Klinkhamer explained the flooding that exist is rapid and dissipates quickly once the rain stops the water is gone within an hour, but there was never a home near the flooding before. Mr. Klinkhamer stated the concern now when it floods is the well could get contaminated and the water could flood the crawl space.

Commissioner Shedd asked if the construction of the house could have changed the flow of the water?

Mr. Klinkhamer stated no, it just brought to his attention the problem. Mr. Klinkhamer explained the County Highway Department needs to dredge the county road side ditches to handle the water flow so the road wont flooded. Mr. Klinkhamer stated it is his understanding approximately 20 years ago a culvert, three times bigger than the one there before was replaced under county road 100 West in the same location the flooding occurs. This indicates to Mr. Klinkhamer the Highway Department utilizes the surface water drain and therefore the County needs to clean the ditch out to accommodate the water from the road. Mr. Klinkhamer does not think he should be responsible for water coming from the County Road or for the water coming from the farm field on the west side of 100 West. Mr. Klinkhamer suggested the County Highway Department dredge a new road side ditch on the west side of County Road 100 West, south to County Road 900 North.

Commissioner Knochel asked Mr. Murray to address the comment of Mr. Klinkhamer in regards to the culvert needing reconstructed and do some ditching.

Mr. Murray stated there are very few roads in the County that do not need ditching. Mr. Murray explained the best way to put the road side ditch in perspective is to look at the drainage as if the road was not there. Would the water flow through that point even if there was not a culvert. Mr. Murray has analyzed this situation and his conclusion is the water would still flow the way it does today. Mr. Murray stated it is common practice in a situation when you have a subsurface tile to install a surface culvert. One reason to install a surface culvert is so the water flow at the low point will have positive flow down stream. The second reason is in a situation where there is not positive drainage an equalizer is installed. The reason for an equalizer is it allows water to pond on either side of the road, rather than run over and wash out the road. Mr. Murray explained the Highway Department's objective is to carry vehicular traffic, not to operate as a drainage facility. Mr. Murray stated to cut a ditch a mile to the south would not only divert water onto other property owners, it would not be necessary for the road to function.

Mr. Klinkhamer referred to the Common Enemy Law. Mr. Klinkhamer stated according to that law it would allow him to build a dike to restrict the water from damaging his daughter's property. Mr. Klinkhamer asked for an explanation of what the purpose of the culvert is under 100 West. Mr. Klinkhamer stated that is the purpose of the ditch is to get rid of the water coming through the

culvert therefore it should be the county's responsibility to maintain the surface waterway. Mr. Klinkhamer stated if he builds a dike than the water will not be any relieve for the surface water and cause the road to flood. Mr. Klinkhamer asked the Board for a solution. Mr. Klinkhamer stated all previous documentation asked for the cheapest and easiest way to solve a drainage problem. Mr. Klinkhamer felt he provided the easiest way to solve the drainage problem and that is he is allowing the County to dredge the surface waterway so the water can stay within it banks like it has for 91 years, but if he was to cut the waterway off than the water will either have to go on down the road way or neighbor across the road will have to take care of their own water.

Commissioner Shedd asked if it is legal for Mr. Klinkhamer to shut the waterway off?

Mr. Luhman stated yes, he can shut the waterway off. He may experience some liability from his neighbor if he causes damage to the neighbors property, but that will be between them. There is another possibility the neighbor can ask the Board to take some action because Mr. Klinkhamer will have obstructed a natural waterway. Mr. Luhman stated there is a specific statue that allows landowners to petition the Board to remove an obstruction in a natural waterway. The petition process is designed in a way that the petitioner can complain to the Board about an obstruction on someone else's land and the reason for that is because the remedy is the Board can order the removal of the obstruction, but they have to assess the cost against the landowners. If it is just a landowner complaining about an obstruction in the waterway on his own land than the Board would be required to assess the cost against that landowner.

Commissioner Knochel suggested to Mr. Klinkhamer to petition the Board for a reconstruction of the Holwerda Branch of the Andrew P. Brown Ditch.

Mr. Luhman stated he has spoke to Mr. Huffer, Mr. Klinkhamer's attorney, concerning a reconstruction and the issue seems to be who is going to pay to recreate more of a channel through the grass waterway to get the water moving. Their question is can the maintenance fund for the Andrew P. Brown Ditch pay for the cost? Mr. Luhman stated he does not seem to think the use of the maintenance funds set up for the **Andrew P. Brown Ditch** can be used, those funds are to maintain the tile portion of the drain not the grass waterway above the tile. Mr. Luhman stated he has reviewed the 1906 to 1911 proceeding which initially petitioned to tile the open drains, his under standing is the final decision was to tile some and keep some open. In 1950 when the County took the drain over, there is no indication of an order to create a tile drain with a grass waterway above it. The specifications state in 1950 that all the tiles after they were installed the ground above be grated level with the surrounding ground, so that indicates the petitioners did not want a channel or ditch above the tiles. If there has been a grass waterway or channel above the tile it doesn't mean it is illegal, but it doesn't mean it is part of the County legal drain. It is legal for adjoining landowners to create a grass waterway within the easement as long as it does not interfere with the Drainage Board's right to maintain the tile drain. Is there anyway the maintenance fund for the Andrew P. Brown Ditch be used to do anything with the waterway? Mr. Luhman stated the only way would be from an engineering stand point there was something within the waterway that was preventing the tile drain to function properly than the County would have some kind of maintenance in making the drain functional, but there has not been anything in this case to indicate that is the situation. The only thing else is if the tile is not serving the function it was intending for which is to drain the watershed, than there is a reconstruction process that requires the Surveyor to determine what is going to have to be done to adequately drain the watershed. If the existing structure is not sufficient, what needs to be done to reconstruct it to make it drain the watershed.

Commissioner Knochel compared this situation to the Clarks Hill situation. The landowners in the Jesse B. Anderson Ditch watershed have to petition the Board for a portion of the ditch to be reconstructed. The same process could be for the Holwerda Branch of the Andrew P. Brown Ditch. Commissioner Knochel believes the County is only responsible for the tile portion of the drain that goes through Mr. Klinkhamer's property. Commissioner Knochel suggested to Mr.

Klinkhamer to get with his neighbors so they can petition the Board for a reconstruction of the **Holwerda Branch.** Along with the reconstruction is an assessment for the reconstruction cost that will be distributed among the people who benefit from the reconstruction.

Commissioner Shedd asked how may landowners are within the watershed.

Mr. Spencer stated there approximately twelve landowners within the watershed. The landowners in the Andrew P. Brown Ditch watershed will continue paying for the maintenance assessment and those in the **Holwerda Branch** will also be assessed for the reconstruction cost.

Mr. Klinkhamer referred to the comment Mr. Luhman said regarding in 1950 the instruction was to cover these ditches. From records form 1939 and records of 1906 and current aerial photographs shows a grass waterway has never been covered to be level with the rest of the ground. Therefore Mr. Klinkhamer believes the waterway is part of the ditch and it should be cleaned with the maintenance funds he has been assessed for. Mr. Klinkhamer stated the tile that goes through his property has no function with the surface water problem. The tile that was installed per the request of the landowners in 1907 gave the them a branch of tile they can tie into to tile the rest of their farmland, but it serves no purpose for the surface water problem that exist.

Commissioner Shedd stated it is her understanding the tile is functioning the way it is suppose to and the maintenance fund is to be used to maintain the tile not the waterway.

Mr. Klinkhamer stated that is for interpretation, he feels like the open drain has always been there and if he can not convince the majority of the Board of that, there is still a problem. Mr. Klinkhamer stated 15 to 20 years ago when the County replaced the culvert they dug out the open ditch for about 200 feet into his property. Within that time it has filled up two feet with corn stocks, silt etc. so there has to be a maintenance because when you create a pocket like that and do not extend the channel on back to the outlet than the pocket will fill up and need maintenance. Mr. Klinkhamer stated the attempt by the Highway Department to get rid of their problem, just pushed the problem onto his property. Mr. Klinkhamer stated he could shut the channel off and the Highway Department will have to find another way for the water to go.

Commissioner Shedd suggested a reconstruction. Mr. Klinkhamer can carry the petition to see how may signatures you can get for the reconstruction of the Holwerda Branch. Commissioner Shedd explained the process of reconstruction. A landowners in the watershed has to petition the Board for a reconstruction of the **Holwerda Branch of the Andrew P. Brown Ditch.**

Mr. Klinkhamer stated there are only two people who will benefit from the reconstruction, one being the German Farm and the other is the Highway Department.

Mr. Spencer asked Mr. Klinkhamer why he does not think he will benefit from the reconstruction?

Mr. Klinkhamer stated he can build a dike to prevent the water from coming close to his daughter's home.

Mr. Spencer stated then the German's will order the Board for a removal of an obstruction.

Mr. Klinkhamer stated than the German's will have to pay for the removal.

Mr. Spencer stated generally the person who put the obstruction in will incur the cost of removal.

Mr. Klinkhamer stated he has the right to protect his property. Mr. Klinkhamer felt the County needs to come up with a solution to the problem, this is the County's problem and always has been.

Commissioner Knochel stated Mr. Klinkhamer has asked the Board for a solution. The Board has given him the option to file a petition for reconstruction of the Holwerda Branch of the Andrew P. Brown Ditch. Commissioner Knochel stated Mr. Spencer will give Mr. Klinkhamer the procedure for reconstruction and will work with Mr. Klinkhamer to resolve this problem.

Mr. Luhman stated Mr. Klinkhamer needs 10% of the landowners in the watershed area of the Holwerda Branch to petition the Board for reconstruction. The cost recovery will be allocated based on the amount of acreage benefited by the reconstruction.

Mr. Klinkhamer stated hypothetically speaking if the German Farm has 30 acres of their 100 acre field is actually causing the problem or is in the watershed than if the assessment is only $1.00 per acre then they will only be paying $30.00.

Mr. Luhman stated that may be, but the process is, first to file the petition. The Board sends a notice of a hearing to the landowners in the watershed and the Board along with the landowners have to agree the drain is one in need of reconstruction. The Board refers the petition to the Surveyor to do an engineering study to determination what the best and most efficient way to drain the watershed. The Surveyor brings the study and prepares a schedule of damages and assessments, who is going to lose acreage by this construction, who is going to benefited by the better drainage and submits that to the Board. The Board holds a hearing and they have to approve the schedule of damages and assessments. The landowners some times have a disagreement with the schedule, be it with the amount of acres they are being assessed to the watershed or whatever the landowner can file a remonstrance. The Board makes the determination of what is the correct schedule of damages and assessments.

Mr. Klinkhamer stated his daughter has no purpose for the ditch. Other than to carry the water that comes from the road and the German Farm. How would the County assess the benefit for his daughter and his property?

Mr. Luhman stated if Mr. Klinkhamer's daughter has a problem with the drainage on her property by her home than she would benefit by improvement of the drain, so she would be assessed for the improvement of drainage on her land.

Mr. Klinkhamer stated it is an improvement only because it keeps the German Farm water from coming on over to the Klinkhamer property.

Mr. Luhman stated yes, the channel keeps the water from damaging Mr. Klinkhamer's daughter's house therefore she does benefit from the channel.

Mr. Klinkhamer stated if they build a dike to keep the water from damaging her house than that will solve the problem and it will still be the German Farm's problem. Mr. Klinkhamer asked what the time frame is for doing a reconstruction?

Mr. Spencer stated it all depends on how long it takes to get the petition back to the Board. After the petition is filed, hearings are held and it depends on how the hearings go.

Mr. Klinkhamer asked if landowners can dig out the road ditch?

Mr. Luhman stated he would have to get with the Highway Department to discuss that issue.

Commissioner Shedd stated the Board has run out of time and needs to move out of the meeting room. Commissioner Shedd moved to recess for five minutes, seconded by Commissioner Knochel. Meeting recessed.

Agreement with State

Steve Murray, Executive Director of the Tippecanoe County Highway Department asked the Board to approve to approve the draft copy of an agreement with the State concerning the McCarty Lane project. Mr. Murray explained that a portion of the McCarty Lane project includes improvements to **the Berlovitz Drain**. This agreement is for the State to wave the permit to work in the interstate I-65 and State Road 26 right-of-way for the construction of the improvement.

Commissioner Knochel moved to pursue the agreement with the State regarding working in the right-of-way for drainage improvement of the Berlovitz Drain, seconded by Commissioner Shedd. Motion carried.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD
January 25, 1999
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, Kathleen Hudson and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, and Drainage Board Secretary Shelli Muller.

The Tippecanoe County Drainage Board met Monday, January 25, 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 minutes from the December 8, and December 18, 1998 Drainage Board Meetings. Commissioner Hudson moved to approve the minutes of December 8, and December 18, 1998 Drainage Board Meetings, seconded by Commissioner Knochel. Motion carried.

Commissioner Shedd asked for a discussion on changing the time of the regular scheduled meeting from 9:00 a.m. to 10:00 a.m.

The Board agreed to change the meeting time to 10:00 a.m. on the first Wednesday of the month.

ELECTION OF OFFICERS
Mr. Dave Luhman asked for nominations for President of the Drainage Board.

Commissioner Knochel moved to retain the same officers for 1999 as they were in 1998 for President and Vice President of the Drainage Board, leaving Ruth Shedd, President of the Board and Kathleen Hudson, Vice President of the Board, seconded by Commissioner Hudson. Motion carried.

APPOINTMENTS

Attorney
Mr. Spencer submitted a contract for Legal services for the Board. The proposed 1999 contract from Hoffman, Luhman and Busch, has the same verbiage as the 1998 contract with $135.00 per hour rate for legal services rendered.

Commissioner Hudson moved to approve the 1999contract for $135.00 per hour rate with Hoffman, Luhman and Busch for legal services to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

Commissioner Shedd asked if the Board could have an ongoing contract with Hoffman, Luhman and Busch, until further notice. Instead of renewing the contract every year.

Mr. Luhman stated the contract needs to be approved annually. The Board can not spend money that is not appropriated, the Board can not enter into a contract without appropriation. Since the appropriation is on a per calendar year the contract needs to be on a calendar year.

Engineering Contract
Mr. Spencer submitted a contract for Engineering Consulting to the Board. A contract from Christopher B. Burke Engineering was submitted with the same verbiage as the 1998 contract including the same pay scale.

Commissioner Hudson moved to approve the 1999 contract with Christopher B. Burke Engineering for Engineering services to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

Secretary
Mike Spencer recommended appointing Shelli Muller as Executive Secretary to the Drainage Board.

Commissioner Hudson moved to appoint Shelli Muller as Executive Secretary to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

OTHER BUSINESS
Andrew and Mary Thomas Drain
Mr. Spencer recalled a joint meeting being held in 1997 for the Andrew and Mary Thomas Drain. Ruth Shedd and John Knochel are the Drainage Board representatives for the Joint Board with Carroll County. Carroll County has requested another meeting be held for February 16, 1999 at 9:30 a.m. Having no conflict with the date and time Commissioner Shedd and Commissioner Knochel will attend the Andrew and Mary Thomas Drain Joint Board meeting.

Otterbein Ditch Discussion
Mr. Spencer briefed the Board on a meeting that was held in Benton County to discuss the Otterbein Ditch. Mr. Spencer explained the main discussion of the meeting was to inform the Board about the fact the treatment plant in Otterbein has their outlet into a county regulated drain tile. The tile length is approximately 1600 feet and there is some concern of the capacity of the tile and 600 acres of farmland plus the Town of Otterbein draining into the ditch. Jack Steele is going to discuss these concerns with the Town of Otterbein and see about the possibility an alternate route for the treatment plant water.

INDOT and Drainage Board Agreement
Mr. Spencer presented an agreement between the Indiana Department of Transportation and the Drainage Board, which was previously discussed at the October 14, 1998 Drainage Board Meeting. Mr. Luhman requested a change in section five of the agreement. INDOT rewrote the agreement to change the verbiage of section five to Mr. Luhman request. The agreement is for INDOT to reimburse the County up to an amount of $300,000.00 for the expense of the installation of the culvert replacement under I-65 for the improvement of McCarty Lane and the reconstruction of Berlowitz Ditch.

Mr. Luhman stated the change is section five was where the State of Indiana said that Tippecanoe County would indemnify the State for any negligence for their own people. INDOT did delete the verbiage and the agreement is ready for signature.

Commissioner Knochel moved to approve the agreement between INDOT and the Tippecanoe County Drainage Board for reimbursement of the expense for the culvert replacement under I-65, seconded by Commissioner Hudson. Motion carried.

J.B. Anderson Ditch petition
Mr. Spencer presented the Board with the petition for reconstruction and advancement in classification for the J.B. Anderson Drain submitted by the Towns people of Clarks Hill. 60% of the lots in the Town of Clarks Hill and 8% of the acreage in the outline area. Mr. Spencer explained there was some question in the December, 1998 meeting as to whether or not those percentage are enough to continue with the petition. After discussion with Mr. Luhman it was decided that the petition does have enough signatures.

Mr. Luhman stated the requirement is 10% of the total landowners in the watershed, not the acreage. The petition has met that requirement. The next step is for the Board to refer this petition to the County Surveyor so he can prepare a report. At a hearing the report should include a recommendation as to were the project stands, compared to the other Surveyor's ditch projects. The Board will vote on the recommendation presented by the Surveyor.

Commissioner Hudson moved to accept the petition filed for the Jesse B. Anderson Ditch and refer the petition to the Surveyor for his report, seconded by Commissioner Knochel. Motion carried.

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

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 Kirkpatrict McKinny	Calvin Lesley	John McFarland	Mary
Samuel Marsh	F.E. Morin	Hester Motsinger	J.Kelly O'Neal
Aduley Oshier Rickerd	Emmett Rayman	Franklin Reser	Aurthur
Joseph Sterrett Walters	Gustav Swanson	Jacob Taylor	William
Wilson Nixon Creek	Simeon Yeager	Jesse Dickens	Dismal
Kirkpatrick One Lateral	John Hoffman	Sophia Brum	HW Moore
Mary Thomas	Arbegust-Young	Jesse Anderson	

INACTIVE

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

Calvin Peters	Peter Rettereth	Alexander Ross	John Saltzman
Skinner Ray	Abe Smith	Mary Southworth	WilliamStewart
Alonzo Taylor	John Toohey	John VanNatta	
Harrison Wallace	Sussane Walters	McDill Waples	Lena Wilder
J&J Wilson	Franklin Yoe	Jenkins	
Shawnee Creek			
Buetler/Gosma	John McLaughlin	S.W. Elliott	Hadley Lake
High Gap Rd	Romney Stock Farm		

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

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

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

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

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

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

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

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

_____
Ruth Shedd, President

_____
Shelli Muller, Secretary

_____
Kathleen Hudson, Vice President

_____
John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD
January 12, 2000
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, Kathleen Hudson and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, January 12, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Ruth Shedd calling the meeting to order.

The first item on the agenda is to approve the minutes from the December 8, 1999, Drainage Board Meeting. Commissioner Hudson moved to approve the minutes of December 8, 1999 Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

ELECTION OF OFFICERS
Mr. Dave Luhman asked for nominations for President of the Drainage Board.

Commissioner Shedd moved to nominate Commissioner Hudson for President of the Drainage Board, seconded by Commissioner Knochel.

Mr. Dave Luhman asked for any other nominations. Hearing none the nominations are closed. Commissioner Hudson was named President of the Drainage Board for 2000.

Mr. Dave Luhman asked for nominations for Vice President of the Drainage Board.

Commissioner Hudson moved to nominate Commissioner Knochel for Vice President of the Drainage Board, seconded by Commissioner Shedd.

Mr. Dave Luhman asked for any other nominations. Hearing none the nominations are closed. Commissioner Knochel was named Vice President of the Drainage Board for 2000.

Mr. Dave Luhman then turned the meeting over to President Hudson.

APPOINTMENTS TO THE DRAINAGE BOARD

Attorney
Commissioner Hudson asked for nominations for Drainage Board Attorney for year 2000.

Commissioner Knochel moved to appoint Hoffman, Luhman and Busch Law Firm as the Drainage Board Attorney, seconded by Commissioner Shedd. Motion carried.

Commission Shedd moved to approve the contract with Drainage Board and Hoffman, Luhman and Busch Law Firm for year 2000, seconded by Commission Knochel. Motion carried.

Engineering Contract
Commissioner Hudson asked for nominations for Engineering Consultant for year 2000.

Commissioner Knochel moved to appoint Christopher B. Burke Engineering Consultant Firm for year 2000, seconded by Commissioner Shedd. Motion carried.

Mike Spencer presented a contract for Christopher B. Burke Engineering. The contract terms and conditions are same as last year, but are requesting an increase in their rate. The water resource engineers rates have been $55.00 per hour and are proposing new contract to be $65.00 per hour.

Commissioner Shedd moved to approve the 2000 contract with Christopher B. Burke Engineering for Engineering services to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

Commissioner Knochel asked Mr. Spencer if rate increase was taken into consideration in the 2000 budget. Mr. Spencer commented it was contemplated in the budget. Commissioner Knochel asked if there was enough funds to cover 2000 expenses. Mr. Spencer said yes based on not knowing how many submittals and projects that will be presented to the drainage board in 2000.

Secretary
Commissioner Hudson asked for nominations for Secretary to the Drainage Board.

Commissioner Shedd moved to appoint Doris Myers as Secretary to the Drainage Board, seconded by Commission Knochel. Motion carried.

GREENTREE @ WEST LAFAYETTE
Chris Badger with Schneider Corporation gave presentation for final approval of Greentree @ West Lafayette. The project is located on approximately 10 acres at the northeast corner of the intersection of Salisbury Street and Kalberer Road. Chris Badger stated they have met all conditions for drainage board approval on Greentree @ West Lafayette.

Mike Spencer commented that before final approval is given for Greentree @ West Lafayette we need to first vacate a segment of John Boes County Regulated Drain.

Commissioner Knochel moved to **vacate portion of John Boes Country Regulated Drain** on Greentree @
West Lafayette with legal description as follows:

> Commencing at the Southwest Corner of the Northeast Quarter of Section 6, Township 23 North, Range 4 West, being marked by a 1" Iron Pin in concrete; thence North 00 degrees 20 minutes 33 seconds West along the west line of said northeast quarter a distance of 393.22 feet: thence South 89 degrees 22 minutes 55 seconds East a distance 192.35 feet to the centerline of an underground legal drain tile at the POINT OF BEGINNING: thence North 00 degrees 14 minutes 43 seconds East along said centerline a distance of 127.99 feet: thence North 12 degrees 39 minutes 07 seconds along said tile a distance of 157.46 feet; thence North 25 degrees 05 minutes 17 seconds West along said centerline a distance of 137.43 feet; thence North 45 degrees 01 minutes 26 seconds West along said centerline a distance of 145.83 feet to the west line of said northeast quarter and point of termination.

seconded by Commissioner Shedd. Motion carried.

Petition and legal description is also in Greentree @ West Lafayette file in surveyor's office.

Commission Knochel moved to grant final approval to Greentree @ West Lafayette, seconded by Commissioner Shedd. Motion carried.

LEXINGTON FARMS PHASE I
Chris Badger with Schneider Corporation gave presentation for final approval of Lexington Farms, Phase I, with conditions. The project is located at the northeast corner of C.R. 50 South and C.R. 550 East, along **Berlowitz Ditch**. The applicant proposes to develop the 62-acre site into single family homes and future neighborhood planned development. Phase I includes 82 residential lots on approximately 17.4 acres.

Chris Badger stated there are 2 current conditions for approval on Lexington Farms, Phase 1. These conditions will be corrected and sent to Mr. Spencer by end of week for review and approval.

Commissioner Knochel moved to grant final approval of Lexington Farms, Phase I with conditions 2A,B and 3, seconded by Commissioner Shedd. Motion carried.

JERRY'S FARMS
Jeff Helmerick, attorney, gave presentation for Jerry Risk of Risk Farms regarding existing tile and drainage system.

Jerry did circulate a petition for a legal drain in 1993 and 1994 with Mike Spencer's assistance. With the transition of Mike Spencer to the new surveyor, Jerry Risk and Jeff Emerick want the drainage board to be aware this has been an ongoing project for many years. This is a work in progress and if in any way can become an agenda item in future. If this can be a future agenda item what do we have to do? Hopefully Mike can enlighten the drainage board at what position he is at and what he will be turning over to the next surveyor.

Mike commented Jerry did file a petition and there are other petitions out also.

Jeff Helmerick asked what they should do to get petition on the agenda.

Mike's comment was to keep calling the office.

Jeff Helmerick stated he would get in touch with new surveyor to hopefully get back to the drainage board for public hearing on legal drain. There is quite a few acres affected and lot of crop loss.

OTHER BUSINESS
BURKHALTER TILE DITCH
Mike Spencer gave presentation for relocation of portion of Burkhalter Ditch for proposed wetland. Proposed Wetland on land owned by Dan Terry. Project is located in Southeast Quarter Section 13, Township 22 North, Range 3 West.

Commissioner Knochel moved to vacate the existing drain as is and relocation of portion of Burkhalter Ditch for proposed wetland, seconded by Commissioner Shedd. Motion carried.

INACTIVE AND ACTIVE ASSESSMENT LIST
Dave Luhman noted we did not have the inactive and active assessment list for presentation today because not all counties have notified Tippecanoe County of the joint owned ditch status. The inactive and active assessment list will be on February Drainage Board Agenda.

MIKE SPENCER
Commissioner Knochel wanted to commend and compliment County Surveyor Mike Spencer for the great job he has done for Tippecanoe County for the past years and his services will be missed, since this will be

his last drainage board meeting.

Commissioner Hudson commented she enjoyed working with Mike Spencer. Mike has always been available to show commissioners location of projects and drainage issues that will be on agenda. Mike is very knowledgeable and will sorely miss him.

Commissioner Shedd stated she hated to see Mike leave. We are loosing a lot of knowledge. I wish you well.

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

_____
Kathleen Hudson, President

_____
Doris Myers, Secretary

_____
John Knochel, Vice President

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Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD
January 21, 2000
Special Meeting

Those present were:
Tippecanoe County Commissioners Kathleen Hudson, Ruth Shedd and John Knochel, County Surveyor Mike Spencer, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Friday, January 21, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Hudson calling the meeting to order.

CARRINGTON ESTATES SUBDIVISION, PHASE II
Paul Couts with C & S Engineering gave presentation for final approval of Carrington Estates Subdivision Phase II. The 39 acre site is located southeast of the intersection of U.S. 52/231 and McCormick Road, just east of Pine View Farms Subdivision, and just south of Cheswick Village Apartments. There are 128 residential lots proposed for the site. Paul Couts commented there are a few minor items that need to be resolved on grading plan due to emergency routing.

Mike Spencer agreed with Paul Couts. Mike stated we need to make sure the emergency routing does flow toward the pond. In the southeast corner need to make sure water goes toward pond and not to off site. Paul Couts commented there are three watersheds. This can be corrected by revising their grading plan.

Commissioner Hudson asked if this drainage would be going toward McCormick Road.

Paul Couts comment was no.

Mike Spencer stated this would not effect Kathleen Korb. Mike Spencer recommended final approval with conditions as noted in memo.

Commissioner Knochel moved to grant final approval of Carrington Estates Subdivision, Phase II with conditions, seconded by Commissioner Shedd. Motion carried.

EASTLAND DEVELOPMENT
Bill Davis with Hawkins Environmental gave presentation for conceptual approval of schematic drainage design for Eastland Development. This project is in access of 1000 acres, similar to the master drainage plan that Hawkins just did for the Town of Dayton.

Mark Phipps with Hawkins Environmental gave presentation for detail of drainage design for Eastland Development. This site is roughly bounded by S.R. 26 on the north, I-65 on the west, C.R. 150 South on the south, and C.R. 675 East on the west. This area currently drains to **Berlowitz Ditch** and to the South Fork of Wildcat Creek. The basis for this stormwater management plan was the 1992 and 1997 Christopher B. Burke Engineering studies of the Berlowitz Ditch watershed. Most of this land has been rezoned and in Hawkins report they are allowing maximum development. The extent of this development is much greater than the Christopher B. Burke Engineering Report. There will be more ponds and others expanded. The location and size of ponds are not critical at this point. These details will be worked out as the project proceeds.

Mike commented that the study Christopher B. Burke Engineering done in 1992 and 1997 has set the tone for future development. What Hawkins has shown with this report is they can work with these numbers set in the Burke report by expanding the existing basin and adding other ones.

Bill Davis stated by this report it doesn't make any difference who is the property owner, the engineer or the board at that particular point in time. This report is setting the basis for the data that future developers would need to use.

Dave Eichelberger, consultant for Christoper B. Burke Engineering, agrees with this report.

Commissioner Knochel moved to grant conceptual approval of the Eastland Development, seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS

Bill Davis of Hawkins Environmental stated Mike Spencer needed to be commended for the work he has done for Tippecanoe County as Surveyor. He has run a very professional office. He has been very responsive to the needs of the community. He has put in place the GIS, Monumentation and business relating to regional concept on storm drainage programs that will carry on benefits for this community for years to come. Bill Davis said thanks from himself as a citizen and other professionals to Mike Spencer. Bill Davis commented Mike was one of the hardest working employees Tippecanoe County ever had.

Commissioner Shedd moved to adjourn meeting, seconded by Commissioner Hudson. Meeting adjourned.

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD
February 9, 2000
Regular Meeting

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

WABASH NATIONAL SITE DETENTION

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

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

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

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS
Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

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

INACTIVE

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

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

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

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

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

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

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

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

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

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

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

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD
July 5, 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 Consultants Dave Eichelberger and Kerry Davis and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, July 5, 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 June 14, 2000, Regular Drainage Board Meeting. Commissioner Knochel moved to approve the minutes of June 14, 2000, Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

EASTSIDE ASSEMBLY OF GOD
Allen Jacobsen with John E Fisher & Associates gave presentation for final approval of Eastside Assembly of God. This site contains approximately 24 acres located on the south side of C.R. 50 South, approximately one-half mile east of C.R. 550 East. The southwest border of the site is the future alignment of a road that will connect C.R. 50 South with the McCarty Lane extension. The proposed construction under review includes a new sanctuary building and parking area. About 9 acres are involved in this construction. The site is fairly flat. It is an agricultural area. There are no drainage improvements to speak of on the site. Drainage wise we propose to allow most of the run off that flows to the southeast to continue to do so, with the condition that the church plants the last years farm field with a grass surface to reduce the amount of run off. Most of the area that is subject to development will drain toward the west along the drainage ditch, which is on the south side of C.R. 50 South. Unfortunately the swale is very poorly defined at the site and for some distance west of the site. We propose to improve the channel in the off site area to allow positive drainage of the site itself, subject to development. We propose to detain storm water on site and regulate by use of a 12” outlet pipe and a 9” orifice plate.

Steve Murray asked where would the improvements along C.R. 50 South end up discharging.

Allen Jacobsen stated it would flow about ¾ mile to the west and into the Berlovitz ditch. The detention we are proposing is an interim solution, which will be eventually addressed by the overall drainage plan for the Eastland Development.

Dave Eichelberger commented Memo of June 23, 2000 had three concerns. Comment number three regarding the HY-9 analysis of the proposed detention outlet has been taken care of. Allen Jacobsen provided Dave with new info this morning for comments one and two. Dave recommended final approval with comments one and two being conditions pending final review.

Steve Murray stated they would need to get Highway Department approval for work to improve existing side ditch within the C.R. 50 South right-a-way.

Allen Jacobsen stated they have provided plans to the County Highway and have received a review letter from them.

Commissioner Knochel moved to grant final approval with conditions, seconded by Commissioner Shedd. Motion carried.

JEFFERSON COMMONS
Eric Gleissner with Schneider Corporation gave presentation for preliminary approval of Jefferson Commons. The proposed project involves the redevelopment of an existing mobile home park into an

apartment complex. The nearly 20-acrre site lies along the south side of U.S. 52, about 1,500 feet east of County Road 250 West, just west of the Cuppy-McClure Ditch. When completed the site will include 21 apartment buildings, a pool, clubhouse facility and parking areas. Stormwater from a majority of the site will be routed via storm sewers to a dry-bottom detention facility located along the eastern property line of the site.

Dave Eichelberger stated what they have from Schneider Corporation is request for preliminary approval. Have only received preliminary plans from Schneider Corporation on this project. Never received a final set of certified plans or calculations from Schneider Corporation on this project. We are prepared to recommend preliminary approval with conditions in the June 30, 2000, memo.

1. Questions regarding the outlet of the pond in general. Received analysis of the downstream system and we need more information.
2. The emergency overflow appears to drain onto another property owner before reaching the St. Rd. 52 Right-of-way ditch. Need to get approval from downstream landowner for proposed plan.
3. Need to get INDOT approval for all proposed work within the U.S. 52 Right-of-way.
4. Certified plans and calculations must be submitted for review before final approval of the project can be recommended.

Dave Eichelberger would recommend preliminary approval of this project. Once we get these conditions addressed then we can go forward to the final approval.

Commissioner Hudson asked if there were any problems or concerns from landowners with water in the Cuppy-McClure ditch last week with all the rain.

No one had heard of any problems or concerns from landowners.

Commissioner Shedd asked what are chances that INDOT would not approve and what would happen after that.

Steve Murray stated Jefferson Commons would not have an outlet. Without an outlet the project could not move forward unless they could find an alternate outlet. Typically INDOT will approve these kinds of requests. I wouldn't anticipate a problem with INDOT other than them doing their own review and satisfying themselves that the design is proper.

Commissioner Knochel moved for preliminary approval with conditions, seconded by Commissioner Shedd. Motion carried.

ORTHOPEDIC INSTITUTE OF LAFAYETTE

Eric Gleissner with Schneider Corporation gave presentation for final approval of Orthopedic Institute of Lafayette. The proposed project involves the development of a 25,064 square-foot building and 70,633 square-feet of parking and sidewalks on Lot 1 of the Crosspointe Commercial Subdivision. The 3.34-acre site lies along the East Side of Creasy Lane (County Road 350 East), south of Amelia Avenue, west of Amelia Court and along the north bank of the Treece Meadows Relief Drain. Eric Gleissner is asking for final approval with conditions in the June 29, 2000, memo.

1. Applicant provides verification that 100-year runoff coefficients were used in the storm sewer analysis.
2. Applicant receives Drainage board approval for the proposed parking area encroachment into the Treece Meadows Relief Drain easement.
3. Certified plans and calculations for the project be submitted.

Steve Murray commented they have answered all the consultants' questions. Item 2 is a request for encroachment into the Treece Meadows Relief Drain easement. We have asked them to leave a minimum of 15 to 20 feet from the curb to the top of the bank so we can maintain that drain in the future. Also we received a letter from the property owner requesting their ability to encroach into that easement with a parking lot. Historically we have allowed that in most cases with conditions. One condition being that the

Surveyor's Office or Drainage Board will not be responsible for any damage done to the parking lot if we need to maintain the drain. In the future, since we do get a lot of encroachment requests, we need to have an encroachment form filled out and executed by the board so we have it in the drainage board minutes.

Commissioner Knochel moved to have easement encroachment form drafted holding county not responsible for damages to any of their improvements, seconded by Commissioner Shedd. Motion carried.

Commissioner Knochel moved to grant final approval with conditions to Orthopedic Institute of Lafayette, seconded by Commissioner Shedd. Motion carried.

WABASH NATIONAL
Steve Murray, Tippecanoe County Surveyor, stated that he has a meeting at 11:00 AM this morning with Tillett Engineering and some of the Wabash representatives. Weren't sure Wabash National would have everything to the board today. Put them on the agenda in case they had everything to the board by this morning. We are meeting with them after this drainage board meeting and look at some pacific items on their request.

OTHER BUSINESS
PETITION TO REMOVE OBSTRUCTION
Ike Tarvin and Bonnie L. Tarvin property owners at 2121 Lindberg Rd, West Lafayette, IN, filed petition with Tippecanoe County Drainage Board to remove obstruction in mutual drain or mutual surface watercourse on property owned by Gregory and Caroline Grace at 2115 Lindberg Road, West Lafayette, IN.

Ike Tarvin gave presentation for removal of obstruction. Ike and Bonnie L. Tarvin purchased property at 2121 Lindberg Road over a year ago. This problem could be caused by a combination of situations. The property owned by Gregory and Caroline Grace at 2115 Lindberg Road have brought in dirt and back filled their back yard causing water to back up and stand in Ike and Bonnie L. Tarvin's front yard. It has killed the grass and covered Lindberg Road a couple of times. Ike stated he has spoken to the Grace's a couple times about the situation. We understand their problem but now they have created us a problem. We wrote them a letter, they responded with a letter and now we have filed a petition with the drainage board. We hope to get the problem settled through the drainage board. Today we have 6" to 8" of water standing in our front yard. It has killed most of our grass.

Commissioner Hudson commented she has gone out there lately and seen the situation. When Commissioner Hudson owned this property they did have water that came up, but it would drain and go back down. It never stood like it does now. This drainage problem was looked at in 1997 when she still lived there. The drainage is a natural waterway and we were never to cover that over. What I understand from the Building Commissioner, who issues permits, there was never a permit issued to haul in dirt and block that drain. I know that both sides now are experiencing problems with water.

Ike Tarvin stated he had spoke to Mike Spencer, former Tippecanoe County Surveyor, about a year ago and he came out and looked at situation. Mike told him that there definitely was a problem and should get with the county and every body involved and get the problem resolved. I have just put in a blacktop driveway. I am afraid the water will wash the packed rock away.

Commissioner Hudson asked the Tarvin's how they got a complaint form.

Steve Murray said the surveyor's office mailed them one.

Ike Tarvin mentioned the neighbors put in a new septic system in their back yard also. We need to get some help to solve the problem for all the property owners in this area.

Steve Murray stated there was a petition in 1997 from Gregory and Caroline Grace regarding the owner to the East obstructing, what appears to be, the same natural waterway. At that time Mike Spencer went out and profiled the waterway to the south east and there appears to be an old tile under the low ground. That

tile is breaking down and not draining properly. We discovered that several years ago when the Reifenberger's across the road had some problems with water ponding and there was a lawsuit. Mike and I were both involved in trying to research where the water went and how it drained out of the low spot. The profile shows water does have to run slightly uphill which is obviously the reason they are experiencing ponding in the yard area. It doesn't appear that anything was formally done on that request other then Mike saying the tile need repaired or ground needed re graded so it had a positive outlet. I have not seen the latest filling in of dirt and I will need to go out and investigate in more detail. I also ask the board to go along with me and also investigate. There are obviously two possible resolutions. One resolution is to repair the tile and put in new inlet or inlets. Second resolution would be to re grade the surface of the ground so that it does drain in a positive fashion. My recommendation would be to do more investigating and try to get all three parties involved to work together with this office.

Commissioner Knochel asked if this tile was county owned.

Steve Murray stated it was a private tile and appeared to be an old agriculture tile that was put in to drain the low ground along Lindberg Road. This gets into a complicated area with drainage laws, as Mr. Luhman, Tippecanoe County Attorney, knows, and we will just have to check the most recent things that have been done, visit the site and then rely on our attorney for drainage guidance.

Commissioner Knochel suggested setting up a date and go to the site.

Steve Murray stated ultimately if we can't get all parties to work together then our recourse or direction is based on the statue, would be to order those that are blocking the natural waterway to remove the blockage or improve the flow.

Commissioner Hudson wanted on the record that the only times she has been out to site is when she has been called by the Tarvin's to go out and look at the water that is standing because of the blockage. The owner on the East Side has also called her lately because of the Graces's putting in a new finger system and blocking off the East property and the Grace property. Now by being a County Commissioner I have to go out when I've been called to look at the properties. I have never gone out there without being called.

Commissioner Hudson and Commissioner Knochel both agreed to make an appointment after the meeting to go to the site. Commission Hudson told Ike and Bonnie Tarvin, we would let them know when they would be out.

Steve Murray commented they maybe could have a resolution to this problem by the next drainage board meeting.

Commissioner Knochel asked if any of the neighbors were here.

Ike Tarvin stated no.

WATER PROBLEM - FLOODING

Eugene R. Kopf, Jr. residing at 4130 Old Romney Road, Lafayette, IN, gave presentation regarding flooding of his property with moderate or heavy rainfalls. On June 24, 2000 the ditch in front of his residence flooded causing water to get within 15 feet of his house. He believes the problem is coming from the subdivision to the south of their property. He showed a video of the water on June 24, 2000, and the flooding it caused. I believe the surveyor has received a letter from Miles Biery, a neighbor, on this flooding problem also. We need something done because it is tearing up the ditch and also the front yard. We have lived at this residence for 10-11 years. Have seen water and flooding a couple other times in the last 2 years, but not as bad as this time. Seems like it is getting worse since the subdivisions have been built. We turned off all the power and left the house. We went to the neighbors because we thought the house was going to flood. Water was flooding from the Buckingham Estates Subdivision through a 4x7' tile. The 42" tile on 400 South is also flooded. This tile was put in about 3 or 4 years ago. There is a lot of debris in this area. There is a lot of water backing up trying to get to Wea Creek.

Steve Murray commented he is going to tell us what happened in the past. I don't have an opinion of why it is happening or what we can do from here. I wasn't involved with drainage board at the time, but certainly was involved with the highway department. Most of the improvements were done as part of Buckingham Estates Subdivision. There are also a couple upstream subdivisions that drain this way as well. They did go through full drainage board approval.

Dave Eichelberger stated there was already flooding calculated 20 years ago on the analysis. We need to look at this situation. Are we really reducing discharges in this direct? Is the flooding already occurring? Any flooding that is happening right now really due to discharge created from upstream or from downstream restrictions. Is something clogged or failed in the downstream system. In the last shot of the video shows a lot of ponding trying to get through the 42" pipe. The ponding could be caused to natural low ground. Before taking for face value that there are all sorts of flooding problems, you have to evaluate where that flooding is coming from. If there is a problem, what is causing the problem?

Commissioner Hudson asked about connecting larger pipes to smaller pipes for drainage.

Steve Murray commented it isn't wrong to connect larger pipes to smaller pipes.

Dave Eichelberger commented in this case they were trying to get the 100-year under the drive with out it over topping, so had to put a large structure in. When you get to the system then it is there responsibility to up size an existing pipe that is an existing ditch which is actually reducing the discharge to that pipe.

Commissioner Hudson asked if they are really reducing discharge.

Dave Eichelberger commented it did look like it was being reduced in 1996 analysis.

Commissioner Hudson stated there are now individuals living in this area that are now experiencing flooding that they have never seen earlier. They had some flooding but not like they are having now since the subdivisions have been built.

Dave Eichelberger commented he would like to see the rain gauge data that has been here lately. What type rain fall and how intense was it. These analyses are made on the assumptions of some much rainfall in a certain amount of time. Did we get something that exceeded the design capabilities that they had to meet for the ordinance? Also are there obstructions along the ditch. There are a lot of different issues in this matter.

Steve Murray stated that the developer went through the proper design and got the proper approvals. Hydraulics is a difficult field. It is hard to say if what is happening was suppose to happen or the design is not performing the way it should perform. At this point all I know to do is have our engineering consultants take a re-look at this. It may be the original design is correct and we may still have this problem. I do not know the solution. Once again, in the developers defense, they did go through proper channels, they submitted the proper information, complied with the ordinance, and by design and calculation should be in compliance with the ordinance and were granted approval from drainage board. We do live in the real world and water doesn't fall on paper, it falls on the ground and some times the calculations and designs really don't work out the way they were suppose to.

Commissioner Knochel asked if Dave Eichelberger re-looked at this could you tell whether or not the water that was suppose to be diverted, actually is being diverted.

Dave Eichelberger said if he could get the as-built survey from the subdivisions they could take a look and see if things actually got built according to plans.

Steve Murray commented he suspects it was all built as submitted. It should be able to be confirmed through as-builts and site investigation. If everything is built properly, but just not performing properly, then at that point, I don't know where we go.

Dave Eichelberger stated we can look at the as-builts and see if got built correctly, re-look at the analysis and re-look at any assumptions that were made. Make sure that those assumptions still seem true. Maybe we can take a look at the site ourselves and see if we think those assumptions are still true. If they are not true then we could plug in what we think is more appropriate and re-look at the analysis for Hawkins Environmental. The general accepted standard practices that are followed, I think were followed in this case. We also need to look at the rain gauge data.

Steve Murray commented at the time this was being reviewed the Highway Department did have some concerns with using this as an outlet. Primarily because of these kind of problems. Regardless of whether that water use to run out of the banks and across those drives, there is always a perception that when a new development goes in upstream, that that development caused the problem. We were involved in reviewing the design and felt it was adequate at the time. Our concern was that this amount of water coming this way could potentially cause a problem in the future. This side ditch is adjacent to Old Romney Road and part of that facility.

Commissioner Knochel asked if we need a motion to have Dave Eichelberger re-look at this problem.

Steve Murray stated No. I think we have a responsibility and an obligation to take a look at this problem. I don't know if that will prove anything other than what was submitted was adequate and meets the ordinance. We still may have the same problem when they get finished with their review.

Commissioner Hudson asked Mr. Kopf if he understood everything that was said.

Mr. Kopf stated yes. It is scary living with all the water coming through the front yard. This water is not right. Something needs to be done to get the water past the house.

Commissioner Hudson stated we would be in touch with Mr. Kopf after reviewing this problem.

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

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Kathleen Hudson, President

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Doris Myers, Secretary

_____
John Knochel, Vice President

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Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD
August 2, 2000
Regular Meeting

Those present were:
Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, County Attorney Tom Busch, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Davis and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, August 3, 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 July 5, 2000, Regular Drainage Board Meeting. Commissioner Shedd moved to approve the minutes of July 5, 2000, Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

JEFFERSON COMMONS
Eric Gleissner with Schneider Corporation gave presentation for final approval of Jefferson Commons. This site involves the redevelopment of an existing mobile home park into an apartment complex. The nearly 20-acre site lies along the south side of U.S. 52, about 1500 feet east of County Road 250 West, just west of the Cuppy-McClure Ditch. When completed, the site will include 21 apartment building, a pool, clubhouse facility and parking areas. Stormwater from a majority of the site will be routed via storm sewers to a dry-bottom detention facility located along the eastern property line of the site. The project received Preliminary Approval with Conditions at the July 5, 2000 Drainage Board meeting. This site will be a benefit to both community and Purdue University. On the Christopher B. Burke review letter had one condition to get approval from INDOT for work within the right-a-way. Plans have been submitted to INDOT and are under review now.

Commissioner Hudson asked Steve Murray for any comments.

Steve commented he believes they have met all the requirements with the exception of showing approval from INDOT.

Commissioner Knochel moved for final approval with condition for Jefferson Commons, seconded by Commissioner Shedd. Motion carried.

CUMBERLAND PLACE
Pat Sheehan with Schneider Corporation gave presentation for preliminary approval of Cumberland Place. The site involves the development of a 54,542 square-foot convention center building and 234,305 square-feet of parking and sidewalks on a 7.33-acre tract. The site lies west of U.S. 52 along the north side of the Cumberland Avenue extension. The **Cuppy-McClure Regulated Drain** lies along the west boundary of the site. Runoff from the site is to be routed via storm sewers into a proposed dry detention basin and discharge into the Cuppy-McClure Regulated Drain. A wetland is located in the southeast corner of the site. The proposed project plans indicate that the wetland will be avoided. We still have a few issues that we are still working through. We will be able to work these out in the next couple weeks.

Commissioner Hudson asked for Steve Murray's comments.

Steve commented preliminary approval would be in order. This is in West Lafayette and they do have their own drainage ordinance. It does outlet into a county legal drain and our concern is that the existing tile is adequate as well as surface flow. We felt we should take a look at this project due to the possible impact.

Commissioner Knochel moved for preliminary approval for Cumberland Place, seconded by Commissioner Shedd. Motion carried.

WABASH NATIONAL PARKING IMPROVEMENTS PHASE 1

Steve Marsh with Tillett Engineering gave presentation for final approval of Wabash National Parking Improvements Phase 1. Also present was Bruce Bough with Wabash Corporation. The Wabash National property encompasses 340 acres and is located north of County Road 350 South, between Concord Road and U.S. 52. The stormwater management plan for this site was the subject of several previous studies in 1995. The existing detention facility's adequacy for future development of the Wabash National property was the subject of an additional study. The Drainage Board approved this additional study at the February 9, 2000 meeting, with the requirement that the applicant submit construction plans as the area is developed, and receives final approval for a proposed ditch network. Plans for the proposed ditch network were previously addressed in a Review Memorandum dated June 22, 2000. The applicant has subsequently submitted revised plans for approximately 46 acres of gravel parking along County Road 350 South to be known as Phase 1. We are requesting two (2) variances from the ordinance: use of the Modified Rational Method for determining detention storage volume and peak discharge for a site greater than five (5) acres in size; and ponding of water in the parking lot up to 30 inches, which is greater than the standard seven (7) inches allowed. This is a private parking lot and the only thing being stored here will be semi-trailers. There is no public or employee access to this parking lot.

Commissioner Hudson asked if the 30-inch water ponding would be in the parking area.

Steve Marsh stated in the southwest corner of parking lot is where everything runs too. Water could pond in this area. Trailers are at a 48-inch deck height. Wabash National does not feel this will effect their operation.

Bruce Bough with Wabash National stated this is similar to a lot they have on city property north of McCarty and east of U.S.52. A few years ago we had water 30 inches deep and did not bother the trailer operation.

Commissioner asked Steve Murray for any comments.

Steve stated the drainage board consultant has reviewed this and we feel comfortable with recommending approving the two (2) variances. I do not have a problem with the 30-inch depth height. We might want to make the 30-inch depth height subject to the fact that it continues to be the same usage. If the property is sold and different usage they would have to submit a new drainage plan. I don't see any harm as long as it's being used for trailer storage.

Commissioner Hudson asked about the applicant obtaining approval from the Tippecanoe County Highway Department for any work proposed in the County Road 350 South right-of-way.

Steve Murray stated they will have to grant the two (2) variances and the approval from Tippecanoe County Highway Department would be a condition. The discussions relating to the side ditch for 350 S started when I was still director of the Highway Department. They originally had a separate ditch just inside their burm and that seems a bit ridiculous to have a parallel ditch system, so Highway Department did agree to let them look at using and re cutting the existing 350 S side.

Commissioner Knochel moved to grant final approval, approval of the two (2) variances and one condition, seconded by Commissioner Shedd. Motion carried.

BUTLER MEADOWS SUBDIVISION

Larry O'Connell, attorney, gave presentation for Butler Meadows Subdivision. This site contains approximately 35 acres located south of C.R. 500 South, approximately one-quarter mile east of old U.S. 231. The proposed development is for 113 single-family residential lots. Larry O'Connell asked if there was any restriction if a denial is given about coming back in as far as on a time period.

Steve Murray stated it is not uncommon for a drainage submittal not to be approved and then for them to resubmit next month and be heard.

Larry O'Connell commented basically material has been submitted on Butler Meadows Subdivision. At this point and time based upon what has been submitted we are asking for approval by the drainage board as submitted.

Commissioner Hudson asked Steve Murray for any comments.

Steve Murray stated this was submitted several months ago. There were some problems with the initial submittal. It was reviewed and a couple memos sent. They have not since addressed those comments, so based upon the submittal to date, the drainage board consultant and county surveyor can not recommend the drainage plan be approved as submitted.

Larry O'Connell stated as a plea to clarification, it is my understanding that it is contrary to the drainage ordinance for any detention to be in the county right-a-way. Is that correct?

Steve Murray stated it certainly has been the policy of the county highway department over the last 20 years not to allow detention storage in the county road right-a-way. I believe the ordinance states, as was the case with Jefferson Commons, anything that would need to be done or constructed within county road right-a-way or state road right-a-way would have to have the approval of that department.

Tom Busch stated there probably is another ordinance, not the drainage ordinance that states you can not put something into the right-a-way. This would probably be your problem.

Larry O'Connell stated that it is his understanding that the residential lots extend into the proposed detention facility to the tune of 43 lots, what was submitted and that represents 38 percent of the total lots, which is also contrary to the drainage ordinance.

Dave Eichelberger commented the drainage ordinance specifically says no part of any residential lot can be used as detention. Historically the board has granted variance for that if for a lot of 2 or 3. Thirty-eight (38) percent of the entire subdivision is too much.

Larry O'Connell stated it is also his understanding the ordinance basically prohibits detention being within twenty-five (25) feet of the building pad as set out on the preliminary plat. Is that correct.

Dave Eichelberger commented that is correct. That is again specific to the ordinance saying that all buildings, commercial or residential, need to be at least twenty-five (25) feet from a facility. In this case we had some as close as eight (8) feet.

Larry O'Connell stated once again I would request you approve our drainage plan as submitted.

Commission Hudson asked for any comments or questions.

Commissioner Knochel stated you are requesting approval even through our consultant and the county surveyor is recommending no.

Larry O'Connell stated I am asking you as submitted Mr. Knochel.

Steve Murray stated as submitted to date, we would not recommend approval.

Commissioner Hudson stated hearing no motion for approval this drainage will be set aside to this date.

Larry O'Connell stated once again may I request you reconsider and take action either for or against what has been submitted.

Steve Murray commented we can deny approval.

Commissioner Knochel moved to deny approval of Butler Meadows Subdivision, seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS
BERLOWITZ ENGINEERING AGREEMENT
Steve Murray gave presentation for Berlowitz Engineering Agreement. We have a proposal from Christopher B. Burke Engineering, Ltd, Indianapolis, IN office to provide professional engineering services related to the design of the Berlowitz Drain watershed improvements located east of Lafayette in Tippecanoe County. The existing drain, which feeds into the South Fork of Wildcat Creek, is located in a rapidly developing area of the County, which requires that the sites have adequate drainage outlets. The proposed drain improvements are located from a point approximately 1,000 feet downstream of County Road 50 South to a point upstream of the intersection of C.R. 100 South and C.R. 500 East, approximately l.l miles in length. The proposed construction will occur within Sections 30 and 31, Township 23 North, Range 3 West, and Sections 25 and 36, Township 23 North, Range 4 West, in Perry and Fairfield Townships. Currently the design is being done some what in a piece meal fashion by each individual developer as they do a development. This water shed is large enough and important enough that I think it would be best for the public and the county to have a design in place. As developments happen we can have them design it according to our plans or we construct it and re-coop the money. The agreement is set up in three (3) phases. Phase 1 is $73,840.00. I am prepared today to recommend that you approve the agreement and give them notice to proceed with Phase I. Phase 1 will involve the field reconnaissance and data collect, soils investigation, wetland and environmental investigation, field survey, hydrologic and hydraulic analyses, conceptual plan and project update meeting which the board will be invited. Phase 2 will involve environmental agency coordination, final design plan development, permit submittals, opinion of probable cost, bid documents and specifications, contract bid related services and legal drain reconstruction documentation and meeting/hearings. Phase 3 will involve construction staking, construction observation and construction administration if the county can find the funding Phase 2 is $68,810.00 and phase 3 is $91,190.00. I truly believe we will only get through phase 1 and 2. Phase 3 is too much depended on funding, but I did ask them to include a fee for that at this point. I could recommend the drainage board execute the agreement and give them notice to proceed on phase 1. They have 120 calendar days for phase 1.

Commissioner Knochel asked if they needed to go the council.

Steve Murray commented no. There is SIA TIF money left over. The bond also included any drainage projects that served the road projects. There should be approximately $400,000.00 left in TIF fund.

Commissioner Knochel moved to approve proposal with Christopher B. Burke, Engineering for Berlowitz Engineering Agreement Phase 1and give approval to proceed with Phase 1, seconded by Commissioner Shedd. Motion carried.

TARVIN PETITION TO REMOVE OBSTRUCTION
Steve Murray did talk to Bonnie Tarvin this morning and stated board would be discussing the petition situation today. Looking at the statute the next step would be to set a hearing and notify all the affected parties.

Commissioner Hudson stated she had been asked to remove herself from this discussion since her and her husband, Mike, owned this property years ago. Commissioner Hudson was allowed to sit in the back of the room. Commissioner Hudson turned the meeting over to Vice President Commissioner Knochel.

Tom Busch, County Attorney, commented if it comes to a point where she is an interested party than she can participate.

Commissioner Knochel stated let the records show that Commissioner Hudson has removed herself from the meeting.

Fred Meessen, Attorney, represented Gregory and Carolina Grace of 2115 Lindberg Road, W. Lafayette, Indiana. Gregory and Carolina Grace are present. The Grace's filed a petition with the drainage board and so have the Tarvin's. The Tarvin's live on the west side of the Grace's. Philip Kellar lives on the east side of the Grace's. This is a common problem among three properties. Basically the water comes down the street, hits a curb cut, cuts around, swings into the Grace's backyard and is stopped by some form of obstruction or grade there. It makes a big U. The Grace's back yard is being used as a retention pond in violation of the county drainage ordinance. The Grace's filed a petition with the drainage board, but didn't find it in the records. Neighbors have written letters to each other. In one case pointing fingers at each other. The Grace's bought the house on May 13, 1996 and they have heard a lot about Indiana law says this and Indiana law says that, but Indiana law does not require people to live in water. The back yard floods and becomes kind of a retention pond. Their basement has flooded. This has flooded 11 times. We look at the volume of letters and petitions and we find nothing has been done. The history of this property since they bought it is a good argument for not moving to Tippecanoe County because no corrective action has been taken. It has been three (3) years since they first filed their petition. We are asking the drainage board today, and I have talked to Mr. Murray about this, to order the corrective action. The corrective action seems to be the most likely to put tile across all the properties. In conversations with the Grace's Mr. Murray has said this is the best because it is cheaper and would not be man dating the parties to spend more money then the solution required. I just ask the board to order the corrective action and we will worry about the cost and portioning that cost later. I do think three (3) years is long enough to wait for the correction of pooling problem in back yard and flooding. They have done everything they can. They have talked to the board, filed petitions, and I have the papers of who has talked with who and when. I do urge you at the next meeting, when you consider this, to be prepared to order that corrective action. Thank you.

Steve Murray asked Tom Busch to correct him if he is wrong, but I think the main thing I need to tell the board today is if, based on my investigation, there is an obstruction or is not an obstruction. If I say there is an obstruction then we can proceed with setting a hearing to discuss in full detail. The board can then come up with a recommendation or judgment if they so choose.

Steve Murray presented a GIS map for everyone to view. As you can see by the GIS map, when the aerials were flown several years ago, there is a depression area here. Steve, Commissioner Knochel and Commissioner Shedd did make a trip out to this area since the last drainage board meeting. There was water standing in areas where the GIS aerials indicate water will stand, due to the depression areas.

Steve Murray commented when the first petition was filed a couple years ago the previous surveyor, Mike Spencer, did go out and do a profile of the low area. As you can see on the profile water has to flow slightly uphill to drain. There does appear to be an obstruction in this general area. If it was trimmed out it would allow the water to flow out of these low spots, so could have a positive fall on through and out into the water way across the Purdue property. Since that time there has been some filling in some low areas, which is going to compound the problem to some degree. It appears from natural siltation and lack of maintenance that this is an obstruction in this area. To make this system work as it was originally designed, that swale would need to be re-cut through area refilled and high spots and on through the Purdue property. In the side ditch there is an old entrance. This entrance does not show on the reconstruction plans for Lindberg in the late 60's or early 70's. This old entrance does obstruct, to some degree, water that comes down the side ditch.

Fred Meessen asked where the curb cut is located.

Gregory Grace commented he is concerned about the water from intersection of McCormick and Lindberg drains into their yard as a retention pond. We have been asking the county for years to have this problem solved. We also asked the Highway Department to act on this and they never would. Gregory Grace brought pictures of the flooding problem. The water starts at curb cut and flows across the Grace's property.

Carolina Grace stated that the Tarvin's have built up their driveway and added onto their house. This is also retaining the water.

Fred Meessen stated the Tarvin's have made enough modifications to have changed things.

Steve Murray stated the old entrance is a Highway issue. Historically the Highway Department has not gone back and taken out drives. One of the complications is the water will come down and go under a cross pipe under Lindberg. This water will drain onto the Reifenberger's property, which there has already been a law suite on a few years ago. This water will also pond on the Reifenberger's property. To some degree it would be passing the problem down the road. I think, from our investigation, there are also tiles that run roughly along the swale.

Fred Meessen asked if it is not possible for the Highway Department and Drainage Board to work together on the curb cut obstruction? Do we have to take this issue up with each department separately?

Steve Murray stated that the Drainage Board in its self does not have the authority to deal with the drive. The Drainage Board is the County Commissioners and the County Commissioners over see the Highway Department.

Fred Meessen commented they have enough over lapping authority to order some sort of corrective action.

Commissioner Knochel asked Gregory Grace if the curb cut was taken care of would the water flow on down.

Gregory Grace stated no. Also would need the side ditch re-dug or re-graded to make the water flow so it would go to the ditch near Sherwood Forrest.

Steve Murray stated he has not looked at this specifically since we looked at Reifenberger's. There is a set of construction plans for Lindberg, but it is my opinion that can not be done. It will take a fairly deep ditch. There is too much crest. We have the information and can probably take a look at redoing the side ditch, but think you will end up with a deep and wide side ditch.

Commissioner Knochel stated it appeared if swale was re-cut on Julia Kellar's property that the water could drain.

Gregory Grace stated that was what they originally asked for. Julia Kellar, owner of property, can not mow ditches very well. She is physically not able and would fall off her tractor. We are concerned that a ditch would not serve the purpose of all three (3) owners.

Steve Murray commented that if the swale was cut with proper slopes it could be mowed. The difference in elevation is just slightly over a foot. We are not talking about cutting a six (6) foot ditch. We are talking about an eighteen (18) inch to maximum of two (2) foot cut and laying slopes back enough for a riding mower.

Steve Murray stated that Purdue University would also need to be notified of the drainage process. I am afraid their reaction will be not wanting this water on their property. To get the proper cut it will have to go from the Kellar's property on through to the Purdue property for 50 to 100 feet. By the next meeting I should know how far the cut should be. What I have seen to date, the easiest, cheapest and most sensible solution would be to re-trim areas to get positive fall so the water drains.

Fred Meessen asked what about the curb cut? When are we going to be taking that up and with whom? The Highway Department or is it sufficient to bring before the Drainage Board.

Steve Murray stated to leave that with the Commissioners and Drainage Board to decide.

Commissioner Knochel stated he thought they could get the Highway Department to take a look at the situation. Get some kind of recommendation.

Fred Meessen asked if they would be sitting as Commissioners, Drainage Board or Highway Department.

Commissioner Knochel stated as a Commissioner.

Tom Busch commented that this petition is a petition to remove an obstruction from a drain. If the curb cut is not an obstruction to the drain then it is a different issue.

Steve Murray commented he thinks he has found an obstruction and the statue requires a hearing to be set.

Commissioner Shedd moved to set hearing on September 6, 2000 at 1:30 p.m. in the Tippecanoe Room on petitions for Tarvin & Graces properties, seconded by Commissioner Knochel. Motion carried.

Commissioner Knochel turned the meeting back to Commissioner Hudson.

WATER PROBLEM - FLOODING

Steve Murray gave presentation to follow up on water problem flooding at July 5, 2000, meeting regarding Eugene R. Kopf , Jr., residing at 4130 Old Romney Road, Lafayette, IN. Christopher B. Burke Engineering has gone back and reviewed the submittal from several years ago. Steve gave all Commissioners a copy of the report.

Steve Murray commented Mr. Biery called this morning to see if we were going to discuss this problem at the meeting today. I told him we were going to have a final comment or say from the Drainage Board consultants. I also told him that it appeared from our preliminary discussions that the original design was correct and that some of the assumptions and statements made in that original study did include the fact that at certain water levels the water was going to run out of the banks and run overland including Mr. Kopf's property. It does not appear that anything done upstream has complicated this problem. It basically was a preexisting problem. I think Mr. Biery understands that there was a natural tendency for water to flow through this area and seek this course. One of his major concerns is that his drive may wash out at some point. I can't speak for him, but I think if somebody replaced or redone his drive pipe that may satisfy Mr. Biery.

Commissioner Hudson stated then we do nothing or replace with larger drainpipe.

Steve Murray commented that would certainly be a step in the right direction. The calculations show that increasing the size of the pipe would not alleviate the problem. A different configuration of the pipe could help lessen the problem on occasions. In the long run the whole situation has more to do with the capacity of that channel. To stop the water from coming onto their property, they would have to raise the top of bank on their side.

Commissioner Hudson asked if this would flood out the addition.

Steve Murray commented no. It would merely keep that water in the channel. I am not recommending this, because then it forces more water into the channel than is going there currently. If the channel was cleaned and improved slightly it would help handle the water flow for some storm events.

Commissioner Knochel asked if that was Highway's responsibility to clean channel.

Steve Murray stated definitely the side ditch is Highway's responsibility.

Dave Eichelberger stated at Christopher B. Engineering has reviewed all the submittals and cannot find anything that has increased flooding. The diversion of 37 acres that was moved out of water shed should have reduced the flow by 15 percent. We could have received more rainfall at this time than normal. Flooding occurred there before they built a house there. It also occurred before they built the subdivision.

It is going to continue to flood unless someone puts a berm up or something like that. I think larger or additional pipes may help for certain flood events.

Steve commented the only other solution would have been for the board at that time not to have granted variance for direct release. Variances have been granted in situations like this in the past. We can not go back at this point and resend the variance.

Commissioner Shedd commented she could not see why this is our problem when not done properly in the beginning. Why do we have to correct the water problem now?

Commissioner Hudson stated she thinks because the drainage board before us approved it. How long has the house been there?

Dave Eichelberger commented at the last meeting Mr. Kopf stated he had lived there 10-11 years. We don't know if he built the house originally. I drove by after the meeting to look at the area and the house didn't look that old. I wouldn't doubt if it weren't built 10-11 years ago. I certainly can't attest to that.

Commissioner Hudson asked to any other comments or questions regarding this meeting.

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

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

Tippecanoe County Drainage Board
March 7, 2001
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Margaret Shields, Dave Ialo representing Bill Davis and Pat Sheehan representing Schneider Corporation.

The Tippecanoe County Drainage Board met Wednesday March 7, 2001 in the Grand Prairie Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of February 7, 2001 Minutes
John Knochel made a motion to approve the minutes from the February 7, 2001 regular Drainage Board Meeting. Ruth Shedd seconds the motion and hearing no opposition, the motion carried.

CR50 S
Dave Ialo, representing Hawkins, came to present the CR50 S- Stable Drive project. Mr. Ialo began with a brief overview of the project. Originally, when the project was first submitted it was for the construction of the remainder of Stable Dr. and the reconstruction of CR50 and part of another drive for Lexington Farms. As the project progressed, there was some reconstruction involved with the **Berlowitz Ditch**, so the project has been phased into two pieces. The first phase of that piece is what they are seeking approval for today, which is the remainder of Stable Drive west of 550 East. The remainder of it will be submitted upon completion of the bridge plans and such with the **Berlowitz Ditch Reconstruction**.

Steve questioned Mr. Ialo as to where is the East End of the submittal today. Mr. Ialo answered that the East End will end right in front of the intersection on this side (pointing to his visual aid) of the drawing. There will be some temporary pavement put in to match the existing intersection. They are tying into the storm drainage system. It is actually designed to intercept the water that will be for the drainage for the remainder of this part of Stable Drive. Basically, all we have done is tie it into the existing drainage system, which is currently discharged into the **Berlowitz** basin, which is already existing.

Mr. Murray spoke up to say that part of the reason the section east was dropped was that Burke is doing design for the reconstruction on the **Berlowitz**. There is a structure that will have to go East of 550 east. The larger structure needs to go under 50S so it was a little premature for them to design that until all the hydraulic and design work is done by Burke.

The recommendation is for final approval with the standard conditions of review fees and a copy of the restrictive covenants. Ruth moves for final approval for CR50 S-Stable Drive Reconstruction Phase I as submitted. John seconds the motion. Hearing no further discussion the motion carries.

Petition for Encroachment
Mr. Murray presents this petition from Cyril E. and Lois J. Holladay on lot 32 Fink Meadows, part 1 section 2. Mr. Knochel asks where exactly is Fink Meadows? Steve explains that it is West of South 18th at Ortman Lane and 300S, south west actually, both sides of the **Elliot Ditch**. Right by the little cemetery. This is the encroachment obviously, he says pointing to a map. The gentleman had a concrete slab, which he tore out several years ago, put in a new slab and then put a roof over it. Mr. Murray could not recall if it is enclosed or not. Regardless, he is getting ready to sell the property and it showed up on a location report and wanted to make sure he had all the proper approvals. It has gone to the City Engineers office, they're O.K. with it and are prepared to give him a building permit for this structure contingent on our approval for the encroachment. He has letters from Verizon, Cinergy, and Insight stating they do not object. As, he was trying to explain earlier, there is a 90-foot utility drainage easement from the center of **Elliot Ditch**. Typically, in the city the City would approve the encroachments into utility and drain easements. Elliot also has a drainage easement associated with it that is 75-foot from top of bank. We did some estimation and the 75-foot line would fall within the 90-foot utility easement line, but never the less, looks like it clips the corner. Even though the petition states seven foot it is probably more realistically approximately three to four foot so something less than seven foot. Regardless, that does not impair our ability to get in there and work on the Elliot. I think it was an honest mistake so in the past the board has generally granted permission to encroach into the regulated drain easement. Steve apologizes for the form because the form we have is for the utility and drain easement and what we have been doing is modifying the wordage and using the same form, although, we probably should come up with a form that is specific to encroachment into regulated drains. Any way, those corrections haven't been made,

but we'll make those on this petition for encroachment, but I feel more than comfortable recommending that the commissioners or drainage board grant the petition to encroach.

Ruth asks if those letters from the companies were the only utilities that would be going through there that would need a clearance. Steve answers that the only others he can think of would be city utilities and they are prepared to issue a building permit so he is sure that they have looked at it. Their concerns are usually cable TV, phone, gas , and electric, but he would be surprised if gas is in that area.

Dave notices that the report shows ninety feet from he presumes the centerline. Steve confirms that it is the centerline and that was part of the plat and is a drainage and utility easement it just overlays on top of the regulated drain easement. Dave mentions that it sounded as if Steve had said that the 75 feet came within three feet. Steve says, yes three to four feet into it as opposed to seven feet into it. Dave then says as opposed to 90 feet and 75 feet would be 15 feet. Steve clarifies that the easement is from top of bank and they both estimated and it was an estimate that he width of the creek at that point was 20 feet. Therefore, we scaled over ten then came back 75 so then you can be 85 foot from the centerline, so roughly the regulated drain easement is five foot within the drainage easement. Never the less, I don't see any problem with this. We've allowed people to encroach almost to top of bank with parking lots and what not.

KD interjects that part of the agreement is that he would tear it out if we ever needed it. Steve states that although this is correct he is not sure that Mr. Holladay is aware of that and the chances of us needing to do that are slim. Steve says that basically we have 65 feet and that he guarantees that if you walk the banks of the **Elliot** there are things such as fences, trees, and landscaping, so once again with him being clear at the back of the easement he sees no problem with it and the city is satisfied to the point they are willing to issue him a building permit. KD mentions that she understands, but if at some point we need to drive a backhoe over his patio or something…technically, we wouldn't be responsible.

KD moves that they grant the petition for encroachment. Ruth seconds the motion. Hearing no further discussion the motion carries.

Active/Inactive Ditch List
Steve presents on this also, stating that at the special meeting he mentioned that inadvertently, because we didn't understand the situation, we left off the **Darby Wetherill Reconstruction #111 drain**. For the record we've since notified our auditor and treasurer that it is active and we wanted to update that. If you want an explanation I can give it to you. There is a standard maintenance fund on #110 and a reconstruction on #111.

Ruth asks if there are any questions for Steve. Hearing none, she asks the attorney if we need a motion. The attorney states that they need a motion to approve the list as amended. KD moves to approve the active/inactive ditch list as amended. Ruth seconds the motion. Hearing no further discussion, the motion carries.

Other Business

Unity Medical Cancer Center Building D
Mr. Pat Sheehan presents as a representative of Schneider Corporation. Pat states that he is here to discuss a change to a previously approved plan on lot two of Unity Medical. Pointing to the map he shows the commissioners that this is Crosspointe Community Commerce Subdivision off of Creasy Lane and Amelia Drive. Previously, this was approved as lot one with this building and this was all additional parking and now what we are trying to do is go through here and place a cancer center, a new building, here (showing them with his visual aids). So it does not change the amount of impervious area, but it does reduce the amount of parking. What we are asking is for approval on this modification for the plans that we have.

Ruth asks if there is enough parking if you make this modification. Mr. Shehan answers yes and goes on to explain that there plan is to use lot four for parking since they don't plan to build on that lot for several years and they will use that as overflow parking. Mr. Shehan believes that they have ample parking.

KD questions if it will change the drainage plan. Steve answers that it changes the drainage plan to some extent as far as the location of storm sewers and what not, but there is also an existing regulated tile that is affected by this project and would need to be relocated, which I would like to address when Mr. Sheehan is done with his portion of the presentation. It is not a substantial change, but never the less it is a change from what was previously approved. Typically, we have had them come back to the board because the regulated tile is involved. The Lafayette City Engineer's Office is satisfied with their plans for the overall development and the most recent change. We've had a review memo from Burke, which has four conditions plus

standard ones, the fees and restricted covenants, stated within it. Steve asks Pat if he happens to have the drawing that shows the regulated drains. Mr. Shehan asks if he is referring to the As-Builts. Steve says yes, the As-Builts and the proposed drain relocation. Steve states that it is the same tile that is affected by the Amelia Station Planned Development, Vester and Associates is working on to the East. This tile has been relocated once already with the Amelia Avenue Extension and it runs roughly parallel to the **Treece Meadow Drain** south of Amelia Drive and currently runs through the site, as you can see is going to be under the proposed building, under Creasy, taps into a box structure on the west side of Creasy that actually carries the old original **Treece Meadow Drain**. They are going to ask to relocate this. Basically, they are going to tie in, upgrade, and relocate this to the north of this building, then bring it over, and tie into an existing manhole (part of the problem is we have to get final plans and approve it all) west of Creasy. A more pertinent point this morning because we will require them to get final construction plans approved for this relocation is that because it is a regulated drain they will need to vacate the existing easement, relocate, and dedicate a new easement. Dave and I have talked about this regarding the PD at the east end, there is a section in the drainage code, I believe it is 52-5, where if this is all being done on one piece of property and at the property owners expense they can go through a somewhat abbreviated process to vacate and dedicate and will require board action at a meeting next month, but the board can basically after I've said its O.K. and the plans are O.K. and it won't affect anyone else which it shouldn't and I've doubled checked with Mike Spencer as well and he doesn't believe it should affect any of the farm drainage east of Amelia Station the board can then do an order that vacates the old and basically, accepts the new. The minimum width per code is thirty-foot, it currently has twenty foot shown, but I've asked them to revise that to the statutory minimum for an urban drain tile. So, I think we are prepared to recommend final approval with the conditions stated on the review memo dated March 7th from Burke as well as the condition that they provide us with satisfactory construction plans and follow through with the proper statutory process to vacate and relocated.

KD asks how are they going to get under Creasy. Steve states that there are some structures that already go across. Pat adds that they are going to tie into them before Creasy.

KD motions for final approval with the conditions listed plus a fifth condition recommended by Surveyor Murray stipulating that the Surveyor's Office be provided with the construction plans for the relocation of the drain and following through with the statutory process to relocated the regulated drain that was in question. Ruth seconds the motion. Before passing the motion Steve clarifies that the extra condition also requires them to vacate, relocate, and dedicating the drain. John states that the minutes should reflect the clarification on the fifth condition. Hearing no further comments the motion carries.

John asks for further business before the board. Hearing none, KD motions for adjournment and Ruth seconds. The motion carries.

The meeting is adjourned.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Acting Secretary

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Ruth E. Shedd, Member

Tippecanoe County Drainage Board
July 3, 2001
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Tuesday July 3, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of June 7th 2001 Minutes
KD Benson made a motion to approve the minutes from the June 7th regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

Shawnee Ridge Subdivision Phase II
Tim Beyer of Vester and Associates appeared before the Board to request final drainage approval for Shawnee Subdivision Phase II. He displayed a map of the site of the project and the surrounding area, including County Road 600 North, State Road 43, Hawk's Nest Subdivision, and the entire Shawnee Ridge property including Phase I, the proposed Phase II, and the pond that was constructed with Phase I, sized to handle capture runoff from everything to the south of the pond including virtually all of the runoff from Phase II.

On a larger scale map of Phase II, he showed the proposed storm sewer that captures the runoff and either ties into the Phase I storm sewer, or extends the Phase I storm sewer and outlets into a ravine at the north end. The water then travels to the pond as detailed on the first map.

Steve Murray asked at what stage construction was on the Phase I pond. Tim replied that they were finishing it up, the pond having been 80% completed during Phase I.

KD made a motion to grant final approval as requested with the standard conditions, (specified on the June 28th Burke Engineering memo). Ruth Shedd seconded and there being no further discussion, the motion carried.

Schroeder Property
Tim Balensiefer of T-Bird Design began with an overview of the Schroeder Property. He displayed a map that showed its location on State Road 38 next to the existing Quality Farm and Fleet store, and further away the locations of Subaru Isuzu, the proposed F Lake, and IvyTech.

The Schroeder property is a 3-acre tract. The proposal is to develop a commercial center on it, a strip center with parking on the majority of the site, the building with some sidewalk out front, and some greenspace around with some landscaping. There's a small area offsite that drains through the site in the present condition, and they have taken that into consideration. Runoff will drain into the State Road 38 drainage ditch, including water from the roof that passes through a catch basin. The water will eventually run from the ditch into the proposed F Lake.

The request Tim brought before the Board is that the onsite detention be stored in the future **F Lake**, with the understanding that there will be fees for such storage.

Steve Murray apologized for the Board not having the latest review memo available, and referenced a Burke memo dated June 28th 2001, which recommended preliminary approval. He reported that the Surveyor's Office concurred with that. He stated agreement that, as has been the case in this area, we have allowed direct discharge to go down to **F Lake**, and the developer would need to compensate the Drainage Board for storage in the F lake. He added that the last figure the Board had was $15,000.00 per acre/foot.

Steve said that could all be decided as they continued to develop their plan, and that they wanted to know conceptually on a preliminary basis that the Board agreed with their plans.

In response to a question from KD, Dave Eichelberger explained that in the County's continuing effort to provide regional detention instead of having individual detention ponds scattered throughout all the different developments, the County is trying to put in the regional detention concept throughout various watersheds that are seeing a lot of development. He referenced the **Berlowitz Ditch and the Wilson Branch one.**

Steve added that the Board has a study on the entire **Elliott Ditch** watershed, which was updated in 2000 by Burke. As part of that, regional ponds were planned. One is complete and is located at the Tippecanoe Mall across from the County Extension Office, and another has been started and is partially designed. It will be east of Old Ross Road and east of IvyTech and is what has been referred to as **F Lake**. Property to the east and some to the north will drain to that.

Dave continued that they had determined a certain amount of area around there that could be drained directly to **Elliott Ditch**, and its storage could be taken care of by that **F Lake basin**. The Schroeder property is within that area.

Steve stated then that the request before the Board was in conformance with that study and the direction that the Drainage Board and Surveyor's Office have taken in the past, and repeated the recommendation for preliminary approval.

KD made the motion to grant preliminary approval to the Schroeder property, seconded by Ruth. There being no further discussion, the motion carried.

First Church of the Nazarene
Pat Sheehan of the Schneider Corporation presented the proposal for the development. The site is located east of County Road 500 East, and just south of State Road 26 East. It's just east of the Meijer's development and is also surrounded by other developments. To the north and east is Brookfield Farms, and to the south is Saddlebrook Estates. He continued that this is the last piece, it's twelve acres of farm field, and everything around it is developed.

They examined the existing drainage basin, and there are four different areas where this drains off site. It drains to the north into Brookfield Farms in two locations, to the south into Saddlebrook Subdivision, and there is a drainage area that goes to the County Road 500 East ditch and some ultimately goes off to the east.

The proposal was approximately a 35,000 square foot building structure and about 1.7 acres of parking. The drainage basins and the way they intend to drain the proposed area is to split it up so that about 80% of the area drains to the north into a dry detention pond. That pond will connect to an existing tile that crosses under C.R. 500 East and goes into the Meijer development, ultimately to the **Alexander Ross** drain.

The last portion of the development drains to another dry basin that ultimately discharges into the C.R. 500 East ditch, which drains to the south. They requested final approval based upon the condition in the Burke memo of June 28th 2001.

Steve commented that Pat and he had discussed doing direct release to the C.R. 500 East ditch, and gave the board a little history. Unfortunately, while the designs for the development surrounding this site were being done, the County didn't have access to the G.I.S. contouring data. Because of that, this site was ignored as far as their offsite water being accommodated into the surrounding developments. This made the site difficult to design for, and he suggested that Pat be able to do whatever was best for his client, given the amount of time they had spent on this design, and the fact that they were strapped with some design considerations that really weren't their fault. Steve recommended that the Board approve this design, or if Pat thought it was better for his client to look at direct release and free up that area as developable area, to go that route as well.

Pat stated that approval of direct release would enable a better development for his client. Trying to restrict so much in some of these smaller areas ends up causing areas that remain wet. They're hard to restrict and the restrictor is small and gets clogged. Ultimately, the impact to the C.R. 500 ditch is very minor. Direct release would create a better development, without small mosquito (producing) ponds.

KD asked if there were houses right up against there. Pat replied that there are some in Saddlebrook Estates Subdivision, but that the drainage will not be going in that direction, instead being captured and taken to the west into the C.R. 500 East ditch. In response to questions from Steve and KD, Pat stated that changing to direct release would involve removing a pipe and restrictor. The water would still collect in the same area with a discharge of 2.5 cubic feet per second as opposed to 1.2 cfs.

Steve added that to the north where they're discharging into the existing tile, once again that is probably not a desirable situation but they have absolutely no other choice. The tile picks up the backyard runoff from Brookfield Farms, and this

development will put a restrictor plate on their outlet to meter that water out to the point that the tile can accommodate the water. This addressed KD's question about drainage through backyards in Saddlebrook Estates. This water will go into a drainage easement there as it was intended to, and had always gone in that general direction. It just wasn't recognized and accommodated as they were doing their design on that phase of Saddlebrook. But once again, this property owner has no other choice, so the Board has to let them go that route. He added that it's been designed properly and will be metered out. Pat added that the water would be detained in the basin area.

KD asked if there was no choice but to have a wet area. Pat said that it would be dry except immediately after rainfall. Steve added that the in rear yard swale in the existing subdivision the effect really should be nominal, but that even under current conditions in certain rainfall events he was sure water stands until it can get out through the fairly small tile. Steve then recommended final approval with the conditions as stated on the June 28th memo.

KD moved to grant final approval with the conditions so specified, Ruth seconded, and there being no further discussion, the motion carried.

The Commons at Valley Lakes

Jerry Withered representing Cedar Run Limited, owner of The Commons at Valley Lakes, referenced a request sent to the Drainage Board to approve reconstruction of a portion of **Branch 7 and all of Branch 8 of the Kirkpatrick Ditch**, rather than going through the vacation process. This was suggested by Steve Murray and Dave Luhman per section 52.5 of the County Drainage Ordinance which states that the Drainage Board is permitted to authorize the reconstruction rather than the vacation of a legal drain on various conditions: First, that the project is on property all owned by the petitioner, which is true in this case; Second, that the specifications have been approved by the County Surveyor, which is also believed to be true in this case; Third, that the project will be completed under the supervision of the County Surveyor, and they are happy to have that supervision; Fourth, that as in this case, the petitioner will pay all costs of the reconstruction; Fifth, that the County Surveyor has investigated whether this reconstruction will adversely affect any of the landowners upstream, which has been done; Last, that the Drainage Board makes a finding that no landowner upstream is going to be adversely affected. Jerry summarized by saying all his client is doing is reconstructing and putting in a large drainage tile where formerly there had been a ditch. He then introduced civil engineer Alan Jacobson from Fisher and Associates to show the specifics of the proposal.

Alan gave some background with aid of a map showing South 18th Street, the direction of County Road 350 South and Valley Lakes Plaza, the location of Concorde Road, County Road 430 South, Wea Ridge Elementary School, and the site for Wea Ridge Middle School. He pointed out The Landing at Valley Lakes, Phases I and II. Phase I has been constructed, with only a few empty lots left in the subdivision. Phase II was accepted on the morning of July 3rd by the Lafayette Board of Works, and construction was to begin by the end of the week.

He then pointed out the site for The Commons at Valley Lakes, a 40-acre site that adjoins South 18th Street, the north line of it being roughly the main branch of the **James Kirkpatrick Drain.** When they did the development for The Landing Phase I, they created a retention pond to deal with the stormwater management issue. Currently there is a pipe that runs north from the pond some distance before ending. A temporary open channel has been cut through the high ground. The water is managed on site because there was no choice at that time due to the size of the development and the fact that the downstream facilities had limited capacity. When they did The Landing Phase II, the water originally drained through a low area via a temporary channel to a natural depression that currently exists on the site. It's quite a large depression, an old pothole swamp with lots of black dirt. This plan was approved by the Drainage Board.

The philosophy they took for The Commons was under the assumption that **the Kirkpatrick Drain** was to be improved in a significant manner, sized to accept water from developed areas on these properties and also to the east and north of the 18th Street crossing. He then cited three new culvert bridges planned. Their philosophy was then; that there would be no need for onsite stormwater detention, that the capacity of this newly reconstructed Kirkpatrick Drain would accept the water from the site.

Moving to a discussion of the current conditions of the drain, he detailed a 30-inch tile for the main branch. Branch 5 is a small branch that goes to the north. Across the Cedar Run Properties, Branch 7 runs to their southeast corner, and Branch 8 joins the north line at The Landing at Valley Lakes. This tile line has diameters of 10, 12, and 15 inches along its length.

In response to a question from KD about the current condition of the tile, Alan explained that the tile did continue further than it currently does before The Landing At Valley Lakes Phase II was developed. They obtained Drainage Board approval to vacate a small portion, and they intercepted three tiles from Mr. Yount's property on their south line, one from a pond and

the other two being field tiles. The water from them was directed through the storm drainage system for The Landing At Valley Lakes Phase II. That currently discharges through a 36-inch pipe just west of the existing tile. The creation of the temporary channel to the low area was so that its discharge could be regulated as opposed to letting it run off by its natural course down into the low area that runs along the **Kirkpatrick Drain**.

What they were proposing to do is extend the existing outlet pipe for the retention pond for Phase I of The Landing down through the proposed subdivision to exit into the improved or reconstructed **Kirkpatrick Drain**. This would be a 36-inch storm drain all the way down, and it would accept other water from the proposed developments, both current phases and future phases, and has been sized accordingly.

At the point where they discharge from The Landing At Valley Lakes Phase II, that storm line will also be continued across the open space which will eventually be developed, and then through the Commons. This would be a 42-inch storm drain increasing in size to a 60 inch before reaching the **Kirkpatrick Drain**, due to grade considerations. He then referred to a third series of storm drains proposed that will also outlet into the **Kirkpatrick**. These will accept water primarily from future phases of development, although some of the lots in the current development will actually drain through that pipe system.

The total proposal is for three outfall locations into the reconstructed Kirkpatrick Drain. The water that was originally detained in the low area for The Landing At Valley Lakes Phase II will now run completely through the pipe system, and therefore not be detained in that low area as soon as the construction is complete.

Alan then discussed the existing field tiles. No changes are proposed for Branch 5 on the other side of the ditch. Branch 7 will be left partially in place, connected to the 42-inch storm drain at the south line of their current phase. Branch 8 will be partially removed as the new storm drain is laid, the remainder continuing to drain to Branch 7. The portion of Branch 7 which will be left in place will be in a section that is proposed as a park and recreation area with no building activity proposed over it.

In response to a question from Ruth Shedd, Alan verified that not all of the tiles of Branches 7 and 8 would be replaced at this time, though he did confirm that future development on the 200 plus acres will bring requests to relocate upstream areas, and their design takes that into consideration. They will intercept on their east line, routing the water down through the site in the proposed storm sewer system. He then restated that the current proposal features intercepts at the south line of the phase, routing through a new, larger storm pipe out to the **Kirkpatrick Drain**.

Ruth then asked if approval is given for reconstruction on the branches but not all of it will be done now, whose responsibility and at what time will that approval be requested? Or, she continued, is the Board being asked to approve later reconstruction now? Steve Murray answered that at this time, the Board is being asked to grant approval for relocation of that portion of those branches within Phase I. As they develop on the south and east, he assumed they would follow the same procedure in seeking approval. One of the requirements is that they have construction plans approved, and generally they don't generate those plans until they are closer to getting ready to build that phase or section. He concluded that the board can grant approval incrementally with no problem, and there's really no need to act on future relocations at this time because the easement will exist for those branches until such time as they develop the plans for that phase or section.

Steve also added that this process is easier compared to in 2000 when they vacated that small portion to the south with the hearing and notice process. This is cleaner and easier, and for all intents and purposes they always have to pick up that water that comes overland or through the tile and run it through their storm sewer system anyway. The net result is leaving a 30-foot drain easement that follows the new storm sewer. KD asked if the Surveyor had to approve it. Steve confirmed that, and added for the record that this is in the City of Lafayette, so the Board's approval will be contingent on the City's approval. All the Board needed to do at this time compared to other developments is to look at the effect on the regulated drain which is soon to be the **Kirkpatrick open ditch**, and the two laterals that were referred to earlier.

KD asked Steve to confirm that they will all be part of the Regulated Drain when completed and he did so, adding that he wanted to distinguish the individual portions. Steve then asked Alan about the temporary storage issue, referring to a worst-case scenario in which the construction is complete but The Board has been unable to start on the **Kirkpatrick project**. Alan responded that given the uncertainty of the construction timetable for the excavation portion of the **Kirkpatrick Drain** reconstruction project, several discussions had been conducted between them and the City of Lafayette and also the County Surveyor's Office. Regarding providing interim storage in the event that their schedule gets ahead of the reconstruction schedule, one viable option is to partially excavate along the alignment of **the Kirkpatrick Drain channel**. In other words, they will have pipes in the ground below the existing grade at these three outlet locations. They propose to create an excavation in the vicinity of these outflow pipes. This isn't intended to be a full excavation to the actual depth and cross

section of the final ditch alignment, but a partial excavation that would provide enough volume in the interim to satisfy the requirements of the release rate in the ordinance. He responded to a question from Steve by replying that his client was willing to do that in the event it became necessary.

KD asked if that was the eventual park location. It is not, but rather in the proposed ditch channel alignment area. Steve reiterated that this is referring to a worst-case scenario, and that hopefully the Board will get its permit from the Indiana Department of Environmental Management and will be able to begin construction within the next month or so. Alan did a quick estimate on volume based on developed area. The schedules will determine whether they have to come back to the Board with an interim detention plan for a partial excavation within the **Kirkpatrick Legal Drain**.

KD asked Steve if he and the consultants were comfortable with the plans proposed, and Steve responded that they were.

Jerry Withered clarified that they needed two things: First, the final approval of the drainage plan for Phase I of the Commons at Valley Lakes; Second, the approval for reconstruction rather than vacating **Branches 7 and 8 of the Kirkpatrick Ditch.** Dave Luhman added that the second issue first required a finding by the Board that no landowner upstream would be adversely affected by the project. He continued that a condition of that finding might be that the temporary detention would have to be constructed if their plans got ahead of the Kirkpatrick, since it seemed that there might otherwise be some adverse effect on landowners.

Dave suggested a motion to find, subject to the condition that they include the temporary detention pond as part of the project, that no landowners would be adversely affected. Following that would be a motion to approve reconstruction. Steve commented that the first act should be on their drainage submittal, indicating that the Surveyor's Office and Drainage Board engineering consultants would recommend that the Board give final approval to The Commons at Valley Lakes Phase I subject to the conditions stated on the June 27th review memo, stating for the record that condition number one on the memo did discuss the temporary detention situation if in fact the **Kirkpatrick Drain** hasn't been reconstructed, and that it's all subject to the City of Lafayette's approval.

KD Benson so moved, Ruth Shedd seconded, and there being no further discussion, the motion carried.

Steve stated an area of concern on the second item, that he hadn't seen a final set of construction plans on the relocation of the **Kirkpatrick Laterals, Branches 7 and 8**. 52.5 does require approval of the Surveyor. Alan said that the City was reviewing internal storm drains, sanitary sewers and water. A few minor changes were yet to be made, and he expected to provide the Surveyor's Office with a final set of plans by July 9th. Steve added that he was satisfied that through the normal construction plan review process the Board would get what it needs; to accommodate those two tiles into their new storm sewer system along with a 30 foot new regulated drain easement to follow the new storm sewer route. With that he deferred to Mr. Luhman as to how to follow through on their request for the reconstruction.

Dave Luhman suggested first that there be a finding of no adverse effect on adjoining landowners based on the review and recommendations of the Surveyor's Office and the Drainage Board engineering consultants. Steve said; assuming as expected that a good set of plans that accommodates the flow of those tiles through a new route, it will not have an adverse effect on any upstream landowners. He continued that Branch 7 does cross onto property owned by another individual, which was partially why he suggested that they go this safer and easier route. Even with the worst-case scenario on the reconstruction of the **Kirkpatrick** they will provide temporary detention in the proposed easement for the new channel. That would be submitted for review if it were needed, so there would be an opportunity to review and make sure that nobody upstream would be adversely affected.

Ruth asked if the Board is just concerned with one other landowner there. Steve's response was that's primarily true, but this process is the safest way to do it and provides protection to upstream landowners, which is why he could report a finding that no upstream landowners would be adversely affected.

KD then made a motion that the Board find that no adjoining landowners would be adversely affected by this reconstruction. Ruth seconded, and there being no further discussion, the motion carried.

KD then made a motion to grant approval for reconstruction of **Branches 7 and 8** assuming final construction plans arrive. Ruth seconded, and there being no further discussion, the motion carried.

President Knochel asked Mr. Murray for a report on where the Board was with the reconstruction of the **Kirkpatrick**. Steve reported that the Board was still awaiting approval from IDEM and also awaiting offer letters for the right-of-way which

needs to be acquired, most of which is west or downstream of South 9th Street. He also verified that a bid had been accepted from a contractor who is ready to start. IDEM was insisting that a concrete bottom could not be included, and Steve stated that conceding that was likely to be required to move the project forward.

Petition For Partial Vacation Of The Vanderkleed Drain
Joe Bumbleburg referenced a petition given to Board members for the partial vacation of the Vanderkleed Drain. Included in it are: The legal descriptions required; the land over which it should run; and averments of the appropriate statutory requirements – that the abandonment will not be detrimental; and that the reconstruction of the drain would cost more than the benefits.

Joe stated that this was essentially a tying up of a loose end in that the proposed drainage plan for the Lindberg Village subdivision had been approved, and that the subdivision had received primary approval of the Area Plan Commission. Therefore, the only question to be decided before Board action would be the question of persons affected by this vacation. He references a very old drawing that suggests the area being drained by this drain is all on this site, and when they put in the drainage system for the subdivision, they will be taking care of everything within their own property that is subject to the drain as it currently existed. Since there are essentially no other persons affected by this, it would simply require the finding of no adverse effects as in the previous item on the Board's agenda. Then the Board would be able to decide the question of vacation.

Steve Murray commented that the Surveyor's Office would concur with the vacation as requested on this site, with his only concern be that the Board follow the statutory requirements. He added that he thought the petitioners had exercised due diligence in talking to adjoining landowners, but felt that anyone within the watershed to the north needed to be contacted and given a chance to respond.

Bill Davis of Hawkins Environmental came forward to demonstrate with the aid of the map that there are no other landowners upstream in the watershed in question. After discussion between Bill and Steve, it was agreed that this was the case.

KD made a motion to find that no other upstream property owners would be adversely affected by the vacation of the Vanderkleed Drain. Ruth Shedd seconded, and there being no further discussion, the motion carried.

KD then moved to approve the petition to vacate that portion of the Vanderkleed Drain. Ruth Shedd seconded, and that motion likewise carried.

Engineering Review Fees Ordinance
Steve Murray stated that he had placed the Engineering Review Fees Ordinance on the agenda primarily to make certain that the Drainage Board members and attorney were comfortable with the process that was followed to pass that ordinance. Dave Luhman stated that since the last Drainage Board meeting, the Tippecanoe County Board of Commissioners had adopted the ordinance on first and second reading so that all necessary action had been taken. The ordinance was scheduled to have taken effect on July 1st 2001, so with petitions now filed it would apply, and developers would be required to pay the cost of the engineering review fees for anything submitted on or after that date.

Cuppy McClure Regulated Drain - Assessment
Steve stated that this had also been discussed before. The Cuppy McClure was one of three branches of the Hadley Lake Drain. The outfall runs north and east of Hadley Lake. It was constructed and accepted, and an assessment was started on the acreage in that watershed. The Baker Dempsey was reconstructed as well, and an assessment started on it. Cuppy McClure was the last of these three drains, and has been completed and accepted, but an assessment was not started. Steve found this when he was researching the file when there was some blockage and stoppage on the Cuppy McClure tile as it runs through the Great Lakes Chemical property. He stated a belief that based on everything he found and Mr. Luhman's review that the Board should have that assessment start now.

KD referred to the earlier discussion having included the issue of mailing notification to landowners in that watershed. Steve stated that was correct. KD then made a motion to recognize that the construction was complete, and for the Board to move ahead with starting the assessment process. Ruth Shedd seconded, and there being no further discussion, the motion carried.

Other Business
Joe Bumbelburg rose to address the Board on behalf of another client, Kenneth Puller and his Foxfire development on Haggerty Lane. He wanted to address the issue of escrowing the funds for drainage improvements. This development is

contributory to the F lake, and they were seeking permission to put money into the **F lake** escrow fund against the time that it would be needed. He stated he understood from Dave Luhman that there was a form of agreement that had been used previously by the Drainage Board that would be provided to him, but the signal they sought from the Board was that they would authorize them to pay the monies into that escrow fund against the time that it would be needed by the Drainage Board for work on the F lake.

KD asked if this was to be in lieu of actually making road improvements. Joe responded that the road improvements are under the jurisdiction of the Board of Commissioners, but that he was essentially talking about the same thing for the offsite drainage improvements. John Knochel asked when the Commissioners had last heard proceedings on Foxfire, and Joe responded that they had heard two versions of this with the Area Plan Commission on the actual subdivision process, and once early in 2000 on a rezoning as well as on a tax abatement.

KD stated that she would like the Surveyor to review the request and make recommendations before she would feel comfortable making a motion. Dave Luhman commented that he had suggested using something similar to what the Board had used with the **Alexander Ross Drain** on Park 65. The initial developer knew they were going to have to build a large detention pond and weren't going to construct the whole thing, but there was an agreement that future developers who would participate in that would pay for the value of their usage. He stated that if the Board hadn't yet got a mechanism set up like that for F lake, the Board should probably look at it because there had been two projects impacting F lake at this meeting, and there would be more.

Joe asked if there was a current fund existing on the **F lake**. Steve replied that there are some funds, probably a nominal amount, adding that the city generally collects those funds for the Drainage Board. The last time it came up a few months ago, there still wasn't enough to finish the design let alone to construct the facilities. He added that as developments are occurring in the area, obviously the Board is getting closer to that.

Joe asked if whatever they put into this fund would facilitate the design of the lake, at least at this point. He then stated that all he was asking was for the Board's approval to use that vehicle, whatever that fund might be. Steve stated that the Board hadn't finished the review, that the site had a three-year Drainage Board history, and that he wasn't prepared to recommend the Board take the step requested by Mr. Bumbleburg. He added that former Surveyor Mike Spencer had been involved, that it was a very thick file, and he needed to finish the review and check the intent underlying previous reviews.

Ruth Shedd asked if the Board could have a standard resolution for something like this. Dave Luhman replied that the Board could, once the review was completed and there was a determination on what the costs were going to be and how to appropriately share those. Ruth added that this was obviously going to come up more than once. Steve agreed, mentioning that it had in the past, then adding that generally with these regional concepts, they're within the city's utility service area, and they've handled the cost recovery through their normal utility cost recovery system. On **Elliott**, he said, the money for water that goes to the Mall pond the city collects and holds, and water that goes to **F lake** where money is given in lieu of onsite detention, that money goes to the County.

Ruth asked if the petitioner could hold off for another month. Joe responded that a month would present a problem. Mr. Puller rose to speak, representing 'Faces', which is the sponsor for Foxfire. He stated that the problem they had was that their option was running out that they have to get financing on this, and that they had to get it approved through FHA just for the enhancement. The dollars were originally estimated at $50,000.00. Their engineers now put that figure at $66,000.00 that they have to put in at the time of closing.

Steve stated that the problem with this site is that it did not have an outlet currently, and so there were some proposed improvements that were supposed to be put in place in order to provide a positive outlet. Because of that, he didn't know that agreeing to escrow the money would ever result in the Surveyor's Office making a recommendation to approve their drainage plan. Ken stated that they were there to discuss the 66-inch offsite storm sewer line. In the drainage plan they proposed to put a permanent holding pond in the project.

Steve and KD stated their beliefs that this request was premature without engineering review and recommendations. Joe asked if assuming the plan gets approval, would the Board allow the developers to put the money into escrow. Steve restated that he was not prepared to recommend that at the present time, that he wasn't certain that the Surveyor's Office and engineering consultants would ever get to the point of recommending escrowing the improvements as opposed to putting them in. Joe drew a distinction between what he saw as Steve's position that he didn't know if the plan would be approved, and Joe's request for their financial planning purposes for an understanding that if the plan was approved, that the money would be accepted into escrow. Steve pointed out that part of the plan is the improvements.

Joe reiterated that he was only discussing the event that the plan was approved. If the plan were not approved, the money would not be needed and would not be given. He again requested an understanding from the board that if the plan was approved, that the Board would allow monies to be escrowed as requested. Steve stated that as long as the petitioners understood that part of the plan approval process may be that the improvements are required to go in and the monies not be escrowed, he could recommend agreement. He then clarified for KD that the improvements in question would be to convey water from the site to the F lake. Joe added that he understood that some of the money might need to be spent rather than escrowed.

Dave Luhman clarified that the money in question was the share of money to design and develop the F lake, not the money to design and build offsite improvements to outlet water from the site to the lake. KD asked if there was a reason the Board wouldn't want to escrow the money. Dave replied that if the Board weren't ready to complete the construction of the **F lake**, and has been able to determine what their share of the **F lake** cost would be and the developers agreed, the Board could accept those monies and put them in escrow. That's separate from approving the drainage plans.

Joe suggested that if the Board was having trouble raising the funds for the design of **F lake**, it should want contributors so that progress could be made, and reiterated that all he sought was an indication that the money would be accepted into escrow if the drainage plan was approved.

John Knochel indicated that he could personally give conceptual approval to that request. Ruth Shedd agreed, stipulating an understanding of the difference of the monies, who was going to use it, and where it was going to be used. KD also expressed agreement on that basis. Joe thanked the Board, then asked Dave Luhman to provide him a copy of the earlier agreement on the Alexander Ross Ditch, and Dave agreed.

There being no further business, KD moved to adjourn the meeting. Ruth Shedd seconded, and the motion for adjournment carried.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Secretary

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Ruth E. Shedd, Member

Tippecanoe County Drainage Board
Minutes
September 5, 2001
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Wednesday September 5th, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of August 1st minutes
KD Benson made a motion to approve the minutes from the August 1st regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

Lexington Farms – Phase II
Pat Sheehan of the Schneider Corporation appeared on behalf of the Saddlebrook Development requesting final approval based on conditions specified on the August 27th Burke memo, of Lexington Farms Phase II. With the aid of a site plan, he showed the location of the proposed project and its location at the northeast corner of County Roads 50 South and 500 East. He related that Phase I has been constructed, approximately 82 lots, the infrastructure is in place, and the homes are selling fast.

Phase II is to be 86 lots, and their proposal is to drain half of the area through the Phase I storm sewers, taking the water to the south side of 50 South to an existing detention basin which is part of the **Berlowitz Ditch**. Stormwater from the other part of Phase II will be collected and drained ultimately into a ravine that goes to the Berlowitz Ditch.

They had requested and were designing a temporary outlet for Phase II on this piece of construction until the planned **Berlowitz Ditch** improvements are in place. At that time the temporary outfall can be connected to Phase III which can be constructed, and outlet into the proposed **Berlowitz Ditch**.

Steve Murray asked if it was Pat's understanding, based on previous meetings with Derrin Sorenson and the Drainage Board engineering consultants, that when they get to Phase III that they are still responsible for some channel reconstruction on the **Berlowitz**. Pat confirmed this, specifying that the channel from County Road 50 South, north to the edge of the property line, would be constructed.

Steve then commented to the Commissioners that there is adequate pond volume in the existing pond south of 50 South to handle the runoff from Phases I & II, which is why they don't have detention on site on these phases.

KD Benson asked how the water was getting from one portion of Phase II to the detention pond. Steve replied that it wasn't actually going there, explaining that they were allowed to release directly **to Berlowitz** from a portion of Phase II because there is adequate compensatory storage upstream. He then indicated that the Surveyor's Office and Drainage Board Engineering consultants were prepared to recommend final approval with the conditions stated on the August 27th Burke memo.

KD moved to grant final approval with the conditions specified, Ruth Shedd seconded, and there being no further comment, the motion carried.

Wallace Property, a.k.a. U.S. 52 South Industrial Subdivision – Phase II
Paul Coats of C & S Engineering appeared to request final approval of U.S. 52 South Industrial Subdivision – Phase II. With a site plan, he showed the location of the project at the northeast corner of County Road 400 South and U.S. 52. Phase I of this project was just to the northwest, and included Elm Steel.

This proposal was for a light industrial development with ten lots surrounding a new cul-de-sac, and the larger lot 11 down on the southern end. The detention storage would fit on the north end of lot 11. The water drains in a northwesterly

direction, and heads to a small storage facility at the northwesterly corner. The outlet pipe would be outletting into the right-of-way for U.S. 52.

Steve stated that the Surveyor's Office and Drainage Board Engineering consultants were prepared to recommend final approval. He said that there were no conditions stated on the August 27th Burke memo, but the April 30th Burke memo listed the standard conditions, and it was with those conditions he was making his recommendation.
KD moved to grant final approval with the standard conditions, Ruth Shedd seconded, and there being no further comment, the motion carried.

Wakerobin Estates II – Phase II & III
Tim Beyer from Vester and Associates showed a map of the remaining phases of Wakerobin, Phases II & III and their position relative to McCormick Road, Lindberg Road, Sherwood Forest, Castle Estates, and previous phases of Wakerobin. Tim stated that the Board had seen Phase II with a temporary drainage pond. With this submittal, they were requesting approval of a permanent storage pond to be located in an existing wetland. The pond has been sized for all the remaining area in Phases II and III. They were in the process of getting permits for that which is why the temporary pond had been proposed.

KD asked where water would go if the detention pond were full. Tim showed a wet bottom pond in Sherwood Forest. There is a 15-inch pipe that outlets into the Sherwood Forest pond, which drains into a ditch that eventually gets into **Jordan Creek**. Steve added that the water crosses Lindberg Road and heads through the Purdue property towards the railroad.

In response to questions from Steve, Tim stated that the temporary pond and other improvements are currently being constructed, and that they are probably several months off in a best-case scenario from getting the necessary permits for the permanent pond. In response to a question from KD, he confirmed that there would be three houses per acre.

KD moved to grant final approval with the conditions listed on the August 13th Burke memo, Ruth Shedd seconded, and there being no further comment, the motion carried.

Lindberg Village – Phase VI
Mark Phipps from Hawkins Environmental requested approval of Lindberg Village Phase VI, a portion of the development that is zoned R3. He showed its location relative to Lindberg and Klondike Roads, and County Road 250 North. He stated that the Board previously approved the storm sewer design for this and other parts of Lindberg Village. What weren't included in that report were the inlet capacity calculations, and the clear lane width calculations to demonstrate that there would be a ten-foot lane in the roadway that would be clear for driving during a storm event. He stated that they were seeking final approval of those calculations.

Steve reported that the Surveyor's Office and Drainage Board Engineering consultants were prepared to recommend final approval with the conditions stated on the August 10th Burke memo. KD asked if Dave Eichelberger had seen the new numbers, and he had.

KD moved to grant final approval with the standard conditions, Ruth Shedd seconded, and there being no further comment, the motion carried.

Hickory Hills Phase I
Robert Grove represented Eagle Nest Corporation to request preliminary approval for Hickory Hills Phase I. He reported that three years previously, they had gone through the process with the consultant for drainage review for the entire project, 126 acres. That project was put on hold and has recently been restarted. The Drainage Board consultant felt that it would be best to resubmit, given the length of time that had passed. The decision was made to scale down to the Phase I portion of the overall project.

Robert described the location east of Lafayette, north of Faith Baptist Church on County Road 550 East. The Phase I portion was proposed as 106 lots on approximately 34 acres. Under current conditions, a portion of the project area was draining to the northeast, and a portion to the northwest. He pointed out a severe ravine system, all tributaries to the south branch of the **Wildcat Creek**. A detention basin was proposed next to one ravine, which was severely eroded. They had put in the first phases of an erosion control program that included rock dams, which were in place and functioning.

John Knochel asked where the new Lafayette sewage lift station was, and Robert pointed out its location beside another ravine, into which 12 acres of the Hickory Hills Phase I site currently drained. He added that part of their proposal was to take approximately 10 acres into a controlled watershed, thereby easing problems under the current conditions. He also added that neighboring landowners had expressed concerns, not wanting post-development stormwater to be draining into that ravine system. Their plan addresses those concerns through filling, grading and the proposed storm sewer system, which will take the stormwater in the other direction towards the basin. Though that is near the ravine system, erosion controls and fill will be used in that system.

Robert stated that he foresaw no problem meeting all the conditions listed on the Burke memo before final approval, with the exception of Texas Eastern pipeline. He reported that with such a large corporation it's difficult to get a quick response, but at the current time they were in agreement with the proposal to reduce the size of their easement in the proposed detention basin area.

John asked for the location of the pipeline, which is quite near to the proposed basin. There is a 150-foot easement, which Eagle's Nest is asking to be reduced to 25 feet on either side in that area, with a few exceptions. A metes and bounds description of their proposal had been sent to Texas Eastern, and they were in favor of the idea. KD noted that the pipeline seems to be right up against the proposed basin. Robert stated that they had shown the depth and location of both the pipeline and the proposed basin, along with a cross section showing the pipeline and what the proposed work entails. Steve commented that generally their only concern is that there be ample cover and room to maintain the pipeline. In reply to a question from John, Steve reported that there are two Texas Eastern pipelines passing through the county, and that this is not the one that was recently followed by a company installing fiber optic lines.

Steve reported that the Surveyor's Office and Drainage Board Engineering consultants were prepared to recommend preliminary approval with the conditions stated on the September 4th Burke memo.

KD moved to grant preliminary approval with the conditions listed on the September 4th Burke memo, Ruth Shedd seconded, and there being no further comment, the motion carried.

Other Business

Red Strange addressed The Board representing Red Strange Appraisal Service on behalf of his clients Gerald and Mildred Jackson, owners of the property at the northwest corner of County Road 725 North and State Road 43. Their concern is with the expansion project on S.R. 43, which will expand a section of the road to four lanes before tapering it back down to two lanes just north of 725 North, a transition from a five-lane section to a two-lane section. This is about ¼ mile north of S.R. 225, and ¾ mile south of Doc's Corner.

There is going to be a pipe, and there is an existing pipe, which will drain water from the right-of-way onto their property. There is already a new home site draining in that direction, as well as a natural spring. With so much water already, they feel that the additional drainage from the four-lane road will cause problems with stormwater on their property. Red showed the current path of the water, via a pipe passing through the Reynolds property, and Mr. Reynolds wants that pipe shut down.

The State has told Mr. and Mrs. Jackson that they don't worry about drainage once it's outside their project, that it then becomes the responsibility of the County. It was Mr. Strange's impression that the County had not acted on the State construction plans. Therefore, the only recourse that his clients had, and the reason he was appearing, was to request a letter stating that the Board had not approved the State construction plans, and that there were no appropriated County funds or plans to solve this drainage problem. This was in the expectation that they would have to take the matter to court and ask for damages.

Steve reported that the State had given the property owners an offer to purchase the additional right-of-way. Red was retained to see if the offer was reasonable and appropriate. In the course of their discussions, because water and changes in drainage can be a damage to your property from a new project, they have concerns that they will have damages from the improvements.

Steve added that it's not a County Regulated Drain at this point, but that some of the water flows into a side ditch for County Road 725 North, then through a culvert that runs under it. Basically it is a private drainage pattern on private property with the exception of where the water runs within the State and County rights-of-way. On the County Road right-of-way, the culvert has been in place for years, and the county is not changing anything. He added that historically, INDOT does not feel

that it has to comply with the local Drainage Ordinance, so generally the Drainage Board does not receive any kind of submittal or have any chance to review to see if they are in compliance with the Ordinance.

The Board then discussed a letter that would state the two points proposed for it by Mr. Strange. Attorney Dave Luhman agreed that it would be appropriate to provide such a letter. Mr. Strange remarked that they wanted a document that would support them if they had to go to court.

Steve Murray remarked that this problem with the State frequently surfaces. He then asked Dave Luhman what it would take to get a final answer on whether or not the State has to comply with local ordinances on projects. Dave replied that an opinion from the State Attorney General would not be sufficient, that it would require an injunction to enjoin their proceeding on a project such as this, and that would be appealed to the Court of Appeals, and probably the State Supreme Court to determine whether or not they're allowed to proceed, disregarding the Drainage Code.

KD moved that the Board provide a letter to Mr. Strange stating that the Board had not seen the proposed State construction plans, nor did it have money set aside in the budget to address any drainage problems that may be incurred by INDOT's plans on S.R. 43.

Ruth asked if it was possible to have the Surveyor draft that letter. Steve remarked that the Board could also provide Mr. Strange with a copy of the minutes of this meeting, which are a public record. Dave Luhman gave the opinion that that would be sufficient, and Mr. Strange stated that it would be acceptable to him.

KD amended her motion, now moving that the Board authorize the Surveyor to provide Mr. Strange with a copy of the minutes of this meeting wherein it would be stated that the Board had not seen the proposed State construction plans, nor did it have money set aside in the budget to address any drainage problems that may be incurred by INDOT's plans on S.R. 43. Ruth Shedd seconded, and there being no further discussion, the motion carried.

There being no further business, Ruth Shedd made a motion to adjourn, seconded by KD Benson. The motion carried and the meeting adjourned.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Secretary

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Ruth E. Shedd, Member

Tippecanoe County Drainage Board
Minutes
December 4, 2001
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Tuesday December 4th, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of November 7th Minutes
KD Benson made a motion to approve the minutes from the November 7th regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

Brenneco Facility
Tim Balensiefer from T-Bird Design appeared before the Board representing Brenneco Incorporated. Using a drawing, he summarized their plan for the site. It is located just east of the Caterpillar Logistics site. He showed the location of the old Halsemer Airport runway and also of County Road 500 East and the Subaru Isuzu plant.

The proposed building is to replace their existing facility, which they have outgrown. It mainly consists of warehouse and office space in a building surrounded by parking area. He stated that they had addressed the concerns and comments from Burke Engineering. The plan is for the site to discharge stormwater to the northeast into a planned detention basin, part of the Berlovitz Ditch system which is not yet constructed.

KD Benson asked about vacation of a County Regulated Drain. Tim replied that they would be working with County Surveyor Steve Murray on that, and added that the Drain had been vacated through the Cat Logistics site. Steve asked Bill Davis who was in attendance, how the drainage was continued to allow the vacation of that earlier portion. Bill replied that the tile was laid north and south along County Road 500 East, and a temporary tile discharges down to the new McCarty Lane. The City of Lafayette will be installing stormwater sewers which will replace the temporary tile.

KD made a motion to grant final approval with the conditions listed on the November 19th Burke review memo. Ruth Shedd seconded, and there being no further comment, the motion carried.

Canam Steel
Pat Sheehan from the Schneider Corporation appeared on behalf of Canam Steel. The project is proposed for a site just over 34 acres in size which is located on County Road 200 South. Using a drawing, Pat showed the location of the building, associated parking areas, and gravel areas. He also mentioned that plans call for a future roofed area for gravel storage.

Current drainage conditions show some stormwater draining north to 200 South, and the remainder draining to the southeast, ultimately into Elliott Ditch. The Drainage Ordinance requires that there be onsite stormwater detention until the proposed F Lake regional detention facility is in place. Their plans call for detention in various locations onsite. Upon completion of F Lake, the orifice plates which restrict the flow of water would be removed from these onsite facilities, and stormwater would then flow to the F Lake detention facility without onsite detention.

KD asked about plans for a big ditch passing through this property. Steve Murray added that it would be passing through the Rowe Property as well. Pat replied that T-Bird Design had done the work on that ditch design. Pat added that comment number 4 on the Burke memo of November 28th be dropped, since approval of the Indiana Department of Natural Resources is no longer required. Steve indicated that that wouldn't be a problem.

Steve asked whether there would be any need for fill in their plans for the site. Pat did not know, but Steve indicated that there had been some talk on the part of other developers regarding the removal of dirt from the F Lake site in lieu of onsite temporary storage. Steve also added that while it wasn't on the review memo, it should be stated as a condition that they would be required to pay for detention storage in F Lake.

Pat replied that in the short term, they probably wouldn't need fill on the site due to the planned detention areas. Steve then stated that a condition should state that they would pay an acre/foot price for detention storage. To KD's question, he replied that the acre/foot price last agreed and voted upon by the Board had been $15,000.00 acre/foot.

Acting on the recommendation of the Surveyor's Office and the Engineering Consultant, KD made a motion to give approval subject to the conditions on the November 28th review memo, and the added condition of payment for detention storage at F Lake. KD seconded, and there being no further discussion, the motion carried.

Fairway Co-op
Pat also presented on behalf of Fairway Co-op proposed for a site in 'The Acres', an area near Purdue University with sorority and fraternity buildings. This site is a two-acre piece with quite a bit of fall, drainage flowing from southeast to northwest. The site was designed by the Purdue Research Foundation with no onsite detention, the pipes being sized to handle the stormwater, with detention being done elsewhere. The proposed project involves drainage coming up along the south edge of the property, most of the piece sheet draining and being picked up for just a short run of pipe that ties into the existing sewer. The remainder is sheet drained in another direction and ties into an existing catch basin. There is also one other small catch basin that takes a little bit of flow.

He concluded that there was very little underground sewer onsite; that everything else sheet drains; that they had met the requirements preset for the amount of hard surface; and that detention was not required. He then requested final Drainage Board approval with the conditions stated in the November 29th Burke review memo.

KD made a motion to give final approval with the conditions specified. Ruth seconded, and there being no further comment, the motion carried.

Snowbear Frozen Custard; U.S. 52 West and Morehouse Road
Pat the spoke on behalf of the developers of Snowbear Frozen Custard; U.S. 52 West and Morehouse Road. Again using a drawing, he showed the site and location. Existing drainage travels under U.S. 52 via an 18-inch pipe. They proposed sheet drainage to a swale, the rest of the site draining to the southwest to a detention basin with a restrictor on it, and ultimately discharging to that 18-inch pipe. Their plan was designed to keep drainage at or under existing conditions, so he asked for Board approval with the conditions listed on the Burke review memo of November 29th.

Steve Murray asked where the 18-inch pipe ultimately went. Pat replied that it stayed within the right-of-way of U.S. 52. Steve then asked who maintains Old U.S. 52. Pat replied that the Indiana Department of Transportation maintains most of it, and that is where their approvals came from. Steve asked if INDOT's approval was one of the conditions listed for Drainage Board approval. Pat answered that they had submitted the entire drainage plan had been submitted to them for review and approval, and that generally if a plan earns Drainage Board approval, it is also approved by INDOT.

Steve remarked that this site had been looked at in the past and there had been controversy over drainage and access. KD asked if that was based on neighbors' concerns. Pat replied that area residents were excited to see it going in.

KD then moved to grant approval with the conditions on the November 29th memo. Ruth seconded, and there being no further comment, the motion carried.

Stones Crossing Sec. 1
Eric Gleissner with Roger Ward Engineering appeared to present Stones Crossing Section 1. It is a proposed residential subdivision located on the west side of Concord Road, just south of County Road 350 South. The overall project will involve approximately 125 acres, but section 1 will be 128 lots on about 45 acres. He added that the proposed relocation of the Kirkpatrick Ditch would be along the north side of the property. When it is completed, onsite detention will not be required. In the interim, they propose two retention/sediment basins to reduce the runoff to less than what is currently being discharged. One will be along the west of the property and there will be a diversion swale intercepting offsite runoff from the south and running it to that basin. The other basin will be located where the ditch is proposed to go. He concluded by asking for final approval with the conditions listed on the November 30th Burke memo.

Steve recommended final approval with the conditions specified. KD asked how often the Board would see a development of this size proposed without permanent onsite detention. Steve answered that historically, the Board has allowed direct release if the development was close to a major ditch when the development's runoff would pass through the channel before peak flow was reached. He predicted that the Board would see even less of that now due to the Phase II requirements. Developers

might not have to do much storage, but they would need a pond and system to separate the trash, sediment, and chemicals. He summed it up by saying that direct discharge as the Board has known it will be changed somewhat.

KD asked about the infrastructure to move the water to the ditch. Eric stated that there were about 80 storm structures and subsurface pipes that route to a couple of outlets in between two lots and into the ditch. She asked if there was erosion control in the plan. He cited an approval letter from Tippecanoe County Soil and Water Conservation for their erosion control plan.

KD moved to give final approval with the conditions from the November 30th Burke memo. Ruth seconded, and there being no further discussion, the motion carried.

Blackthorne Subdivision Phase 1, and Blackthorne Planned Unit Development
Tim Beyer from Vester and Associates presented these to the Board. With a drawing, he showed the location of the site relative to Klondike Road, Indian Creek Subdivision, Indian Creek, and Lafayette Venetian Blind. The site is about 89 acres, and Phase 1 is 43 lots on 17 acres of that. The Planned Development is a 140 unit condominium complex. The area on the south of the site is intended for future subdivision, and the area to the east for either commercial development or apartments.

In addition to looking at the details of the storm sewer for the current proposals, they looked at a conceptual drainage plan for the entire site. Located in the Planned Development is a wet bottomed pond. That pond would capture runoff from the two projects currently before the Board. He showed the location for a future pond to handle drainage from future subdivision development to the south, and the area to the east would sheet drain and then after development use storm sewers to directly outlet into Indian Creek. This is proposed because they had provided additional compensatory storage in the two detention ponds proposed in their conceptual drainage plan. Due to the elevations of the area, it would be impractical to provide onsite detention for that area without a large amount of fill.

He requested final approval subject to the conditions on the November 27th Burke memo. KD so moved, Ruth seconded on the Planned Unit Development and Subdivision Phase 1, and the motions carried.

Other Business
Bill Davis referenced items on the agenda for this meeting which involved work with the Kirkpatrick, Elliott, and Berlovitz ditches. He spoke to encourage the Board to set up a mechanism to fund some of these major improvements, at least on the Berlovitz and F Lake. He suggested the Board look at bonding and institution of a cost-recovery program to pay off the bonds over a period of time so that work could get started. He predicted that development would get pretty heavy in these two locations, and he wanted to encourage the Board to move forward. He referenced such an infrastructure investment and cost-recovery program initiated by the City of Lafayette which was working well. He stated that without seed money, there could be no such program, and voiced support for working towards that. He estimated that $1 million might be required to start, since anything less than that might be insufficient. That's why he thought that bonding might be the way to go. He offered any assistance to the Board he could provide in moving forward with this.

KD asked if this could be done like the revolving fund for engineering review fees. County Attorney Dave Luhman said that it could, and that it was something that the Surveyor's Office had been working on for years. He referenced former County Surveyor Mike Spencer's request for $2 million to do this very thing. KD asked what came of it, and she was told that the County Council gave him $200,000.00. Steve added that there were several funding mechanisms that could be used. He said the long delayed projects were important, and that the Board needed to find some way to move them forward. Dave said that Phase II stormwater requirements were going to bump into the same problem.

Steve's only other business to bring before the Board was to request that the dates be set for Drainage Board meetings in 2002. Board members agreed to check their schedules for any conflicts, but that the first Wednesday of every month would be the date of Drainage Board meetings, with changes made as necessary.

There being no further business, the meeting adjourned.

John Knochel, President

KD Benson, Vice President

Robert Evans, Secretary

Ruth E. Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 6th, 2002
Regular Meeting

Those present were:
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met February 6th 2002 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, KD Benson, calling the meeting to order.

Approval of January 16th Minutes
Ruth Shedd made a motion to approve the January 16th minutes, with John Knochel seconding. There being no objection, the motion carried and the minutes were approved.

Prophet's Ridge Subdivision
Brian Sullivan from Congdon Engineering Associates appeared before the Board to request final Drainage Board approval for Prophet's Ridge Subdivision. He began by referring to the continuation of this application from January 16th due to an outstanding matter of notification of downstream landowners who might be affected by their proposed stormwater discharge onto property outside any drainage easement. He provided an affidavit verifying that the required notification was sent in the required time frame. He added that he expected to reach agreement with the County Highway Department within a few days on right-of-way issues.

Steve Murray asked whether they had received any contact from the property owner they had notified, and they had not. Steve noted that the notification had gone to a bank, and Brian stated that they had confirmation of receipt by the bank. Steve stated belief that they had complied with the ordinance, and that he thought the Surveyor's Office and Engineering Consultants would probably give the Board a favorable recommendation on the application. Steve stated that he had conversed with the resident of the property in question approximately a year prior to this meeting, and added that he would still like a chance to call him to make certain he was informed of the current application before the Board.

The original request made to the Developers was that they do some work on the adjoining piece of property to straighten out the drainage channel and do some reinforcement, and Steve had told the resident of the property that that would require some cooperation. He also said that a suggestion for minor changes to the outlet point arose during further review of the project.

John Knochel asked whether an approval subject to Steve's talking to the property owner was appropriate. Steve indicated that they were prepared to recommend approval subject to the review memo of January 23rd, 2002, minus condition number one which had been met; with the added condition of Steve being able to talk to the adjacent landowner; and subject to some minor changes in the outlet structure.

KD asked for clarification about one of the structures located on an earlier drawing on the adjoining property. Brian confirmed that that had been corrected. Steve stated that currently the width of that structure was proposed at 25 feet, and he wanted to check that it was almost exactly the width of current sheet flow. Brian agreed that they would need to revise that.

Steve once again indicated that he and the Engineering Consultants were prepared to recommend approval, pending his conversation with the current resident or landowner of the adjoining land.

Ruth Shedd made a motion to grant final approval to Prophet's Ridge Subdivision with the condition that Steve Murray make contact with the adjoining resident as well as the conditions listed on the Burke memo, the first of which had already been satisfied, and with the added condition of some minor changes as required in the outlet structure. John Knochel seconded, and there being no further comment the motion carried.

KD then remarked to Drainage Board Attorney Dave Luhman that Mr. Sullivan had complied with the letter of the law but perhaps not the intent. She then asked if there was some way that the Board could adjust the Ordinance so that there would be enough time for a bank to notify the purchaser of the land. Brian remarked that 5 days notice was not a lot of time, and Steve agreed that was particularly true when you have ownership listed as in this situation. Dave Luhman gave an opinion

that ten days would be a reasonable minimum amount of notice to potentially affected downstream landowners of a Drainage Board meeting, and Brian agreed.

Petition for Vacation of a portion of the Berlovitz Legal Drain on the proposed Brenneco Facility Site.
Marianne Owen of the Stuart and Branigan law firm spoke in the absence of representation from T-Bird Design. She showed where the Legal Drain crosses the property in question, asserting that the location of the Drain greatly impacts the property and would hinder the development of the Brenneco Facility. The petition and order follow this day's minutes in the minute book, and will be filed in the **Berlovitz** file.

For review, Steve verified that the location is to the east of Caterpillar Logistics, east of County Road 500 East, and north of the water tower. He further stated that the Drain through the Cat Logistics property had been previously vacated, and that there was a portion of the Regulated Drain which remained active to the west of the Caterpillar site. That Drain had been intercepted by a temporary storm drain running along C.R. 500 East that will be replaced by a new city storm sewer, part of which will have been built with the ongoing phase of McCarty Lane as it crosses Interstate 65.

Steve stated for the record that the Drain for all intents and purposes was dead upstream of the Brenneco property and had been rerouted along C.R. 500 East in a temporary storm sewer, to be replaced by a 48-inch permanent storm sewer built by the City of Lafayette. He concluded that there should be no adverse effect on landowners upstream from the proposed Vacation, and that the Surveyor's Office and Engineering Consultant were prepared to recommend granting the Petition for Vacation.

Dave Luhman stated that there were no other affected landowners, and that it appeared to meet the three following criteria: First, the Drain no longer performed the function it was designed for and that the drainage needs for the land in question would be met. The second criterion does not apply, that the expense of reconstructing outweighs the benefits of reconstruction. Third, that the Drainage Board finds that it wouldn't be detrimental to the public to Vacate the Drain.

KD asked what they were going to do with their water onsite, and Steve replied that there wasn't going to be enough increase in flow or discharge to warrant onsite detention as demonstrated by their Drainage Calculation submittal previously approved by the Board. Most of the overland discharge will follow the path of the existing tile, with some sheet flow onto the Caterpillar site.

One thing that Steve did ask them to do in the course of construction was to properly cap and mark the tile near the property line for future reference.

Ruth made a motion to vacate this portion of the Legal Drain as requested for the Brenneco Facility between County Roads 500 East, 100 South, and 200 South. John Knochel seconded, and there being no further discussion, the motion carried.

Active/Inactive Ditch List
Steve Murray reported that the Surveyor's Office had received notification of the status of Joint Drains administered by other Counties, and provided the Board with the final 2002 Active/Inactive Ditch list. Copies were also to be provided to the Auditor so that appropriate steps for the 2002 assessments could be taken. Dave Luhman advised the Board to approve the amended list, and to cause that list to be entered into the minutes. Ruth Shedd so moved, John Knochel seconded, and there being no further discussion the motion carried.

2002

Active and Inactive Ditch Assessment List

ACTIVE

E.W. Andrews	Delphine Anson	Juluis Berlovitz	Michael Binder
Buck Creek	Train Coe	County Farm	Martin V. Erwin
Christ Fassnacht	Issac Gowen	Rebecca Grimes	Fred Haffner
E.F. Haywood	Harrison Meadows	James Kellerman	Floyd Kerschner
Frank Kirkpatrick	James Kirkpatrick	Calvin Lesley	John McFarland
F.E. Morin	Hester Motsinger	J.Kelly O'Neal	Emmett Rayman
Franklin Resor	Gustav Swanson	Jacob Taylor	William Walters
Nixon Wilson	Jesse Dickens	Dismal Creek	**Shawnee Creek**
Beutler/Gosma	John Hoffman	Sarah Brum	Mary Thomas
Arbegust-Young	High Gap Road	Romney Stock Farm	Darby Wetherill Ext 2

INACTIVE

John Amstutz	Jesse Anderson	Dempsey Baker	Newell Baker
Nellie Ball	John Blickenstaff	NW Box	A.P.Brown
Alfred Burkhalter	Orrin Byers	Floyd Coe	Grant Cole
Jesse Cripe	Charles E. Daughtery	Fannie Devault	Marion Dunkin
Darby Wetherill	Thomas Ellis	Elijah Fugate	Martin Gray
Thomas Haywood	George Inskeep	Lewis Jakes	E.Eugene Johnson
Amanda Kirkpatrick	John A. Kuhns	John McCoy	Mary McKinny
Wesley Mahin	Samuel Marsh	Absolm Miller	Ann Montgomery
Aduley Oshier	Lane Parker	Calvin Peters	Peter Rettereth
Arthur Rickerd	Alexander Ross	James Sheperdson	John Saltzman
Ray Skinner	Abe Smith	Mary Southworth	Joseph C. Sterrett
William Stewart	Alonzo Taylor	John Toohey	John VanNatta
Harrison B. Wallace	Sussana Walters	McDill Waples	Lena Wilder
J & J Wilson	Simeon Yeager	Franklin Yoe	Jenkins
Kirkpatrick One	S.W. Elliott	HW Moore Lateral	Hadley Lake Drain
Darby Wetherill Reconstruction			

Other Business

Ruth Shedd began a discussion on reassessment of Ditches and Drains which may be under-assessed, by asking whether raising the amount of the assessment required a public meeting. Steve and Dave Luhman specified that a particular Ditch or Drain could have the assessment increased one time only by 25% during a public meeting. That proposed increase should appear on the publicly posted meeting agenda. This one-time increase does not require notification of all landowners in the watershed, as opposed to any subsequent increase or one for a greater amount.

Steve added that historically, increases had not been done in this County. He mentioned that many Counties have done that, and referenced letters previously provided to the Drainage Board members from Huntington County's assessment increase process. He stated that many, though not most, of Tippecanoe County's Regulated Drains and Ditches were in need of assessment increases greater than 25%. The process would then involve notification of landowners, a public meeting, and justification of why the assessment needs to be raised. Comment from landowners would be taken at that meeting. In reviewing minutes, Steve found that past Drainage Boards have generally looked for 50% of the landowners to agree to the reassessment. He did note that he didn't think that was a statutory requirement, that a Board could raise the assessment based on what was best for the public.

He added that since historically people do not want to pay any more, the other option that should be discussed at the hearing is the option of Vacating the Drain on the basis of there not being enough funds to maintain a Drain adequately. That would then revert responsibility for maintenance and repair to the individual landowners.

Ruth asked if a plan specifying needed repairs, costs, and a timetable should be prepared for a Ditch to justify any assessment increases. Steve replied that the Surveyor's Office would prepare a report on the Regulated Drains and Ditches. He also said that he and Mr. Luhman could prepare a synopsis of the Board's options, as well as which Drains really need consideration for assessment increases or other changes, and which ones don't. He also reported a recent statutory change is that with a hearing, the Board can now set the maximum amount in a Drain fund at 8 times the yearly assessment versus four times the yearly assessment. He gave the opinion that collecting the current amount for eight years rather than increasing yearly assessments might be more palatable to some landowners in some watersheds.

Steve then gave the Board an update on **NPDES Stormwater Phase II** following the first meeting of the local entities that are paying for the consulting to put the Phase II plan and permit together. The majority of a steering committee to consist of 12 to 14 members is worked out, and is planned to conduct monthly meetings. He provided the Board with handouts including a summary of Rule 13, Phase II Stormwater, and the outline of the strategic plan to be followed over the next year and a half.

Representation on the committee included Lafayette, West Lafayette, Purdue University, Soil and Water Conservation District, and Chamber of Commerce. Each city was asked to provide one citizen representative, and Steve suggested that the County might look to the Farm Bureau for their citizen representative if the Board agreed. Steve asked the Chamber of Commerce for a recommendation for someone from industry, and a member from the environmentalist community was also to be recruited. The President of the Builders' Association of Greater Lafayette was asked to serve on the committee, and representatives from the Area Plan Commission Christopher B. Burke Engineering Ltd. will be members as well.

KD noted that Steve Murray was to make a brief presentation at the Soil and Water Conservation District annual meeting.

Steve informed the Board that he hoped to have the revised Stormwater Ordinance ready for a first reading in March.

Steve also asked the Board to designate some possible dates for Joint Drainage Board meetings on Regulated Drains shared with other Counties. **Hoffman Ditch #101, Otterbein Ditch # 112, and Leader-Newton** were the three that Mr. Murray wanted to set meetings in March for. The Board tentatively scheduled a Tri-County Drainage Board meeting on the Hoffman for 10:00 am on March 20th in the Tippecanoe Room. It also agreed to try to set a joint meeting with Benton County to take place with the regular Board meeting of March 6th. Steve was to do some further work before proposing a date for the Leder-Newton meeting.

Ruth Shedd made a motion to adjourn, seconded by John Knochel. There being no objection, the meeting was adjourned.

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KD Benson, President

_____
Ruth E. Shedd, Vice President

_____
Robert Evans, Secretary

_____
John Knochel, Member

Tippecanoe County Drainage Board
Minutes
June 6, 2002
Regular Meeting

Those present were:
Tippecanoe County Drainage Board KD Benson President, Ruth Shedd Vice President, and John Knochel, 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.

The Tippecanoe County Drainage Board met June 6, 2002 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, KD Benson, calling the meeting to order.

Approval of May 8, 2002 Minutes
Ruth Shedd made a motion to approve the May 8th minutes, with John Knochel seconding. There being no objections, the motion carried and the minutes were approved.

Raintree Apartments Subdivision - Phase 1

Pat Jarboe with T-Bird Designs appeared before the Board seeking conceptual approval for the subdivision's stormwater management system. He began his presentation expressing appreciation to County Surveyor Steve Murray and the Drainage Board Consulting Engineers Dave Eichelberger and Kerry Daily for their technical assistance with this project. Located on the north side of County Road 200 South just east of Windemere Drive, the site consisted of approximately 48 acres. In lieu of onsite detention, the applicant requested storage in the proposed **F-Lake**. The proposed runoff would be collected in storm sewers and open ditches, routed to the existing culverts under Windemere Drive and SR 38, thence south to **F-Lake**. The watershed area which drains through the site is significant. The plan routes the offsite runoff through the proposed drains and culverts to **F-Lake**. Portions of the watershed may have had the potential to go to the Berlowitz drain, but until that was proven, their plan accommodated all offsite runoff. A tile system picked up some subsurface drainage which is not accounted for in this design. Rather, the preliminary design accommodated all stormwater within the proposed drainage system.

KD asked how the onsite surface water would get to **F-Lake**. Pat explained the water would travel in an existing ditch along the north side of 200 South through existing culverts under Windemere Drive and SR 38, to an existing ditch along Creasy Lane, then run along Ross Road to the proposed **F-Lake**. The storm system, ditches and culverts had been designed to get to F-lake. However, the final construction plans have not been completed, thus the conceptual approval was requested.

The Surveyor recommended conceptual approval to the Board based on the May 30th Burke memo, with conditions stated. KD then asked for comments or questions. As there were none, Ruth Shedd moved to approve the conceptual drainage plan for Raintree Apartments with conditions, and John Knochel seconded. The motion carried.

Wabash Valley Feed and Storage

Paul Couts representing C & S Engineering appeared before the Board seeking final approval for ten additional storage buildings on a 7.61 acre site located along the east side of Klondike Road (County Road 300 West), north of Lindberg Road (County Road 200 North), and southwest of KBSR Railroad.

The development would be in two phases, with five buildings to be built to the south in phase one, and five to the north with phase two. The plan allowed the onsite runoff to drain into a dry bottom detention storage facility at the southern portion of the site. The proposed outlet for the detention pond was an existing 10" private field tile near the south property line. KD asked about the tile route from the site, and Paul explained it meandered south, eventually running to an open ditch by Lindberg Road.

Steve informed the Board of the request for notification to affected landowners by the Surveyor, due to the attendance of concerned landowners at the May meeting and the change of the June's meeting date and time. Notices were sent out by C & S in order to comply with Steve's request. KD asked if an agreement had been reached pertaining to the tile's condition and

future maintenance. Paul stated John Coulson had spoken with a few of the neighbors, however an agreement had not been reached to date. The Surveyor then informed the Board of the discussion he had with Mr. Coulson at the start of this project's application process concerning outletting into a private tile. Historically, permission is not given by the Surveyor's Office to outlet into a private tile. Generally, they are not sized to handle it, or are not in a condition to handle the runoff, which is more often the case. The concern here was the state of repair, as this tile was probably an agricultural tile originally. However, Steve stated if the tile was reconstructed, the numbers showed it would be adequate.

Steve recommended the Board require written verification from the downstream landowners that they were in favor of the plan to outlet into the existing private tile or tile replacement. The project does comply with the ordinance pertaining to storm water onsite and storm water through the site. The ordinance does not address outletting into an existing tile and the Surveyor will not recommend approval until all conditions are met.

KD then asked for comments from the public. Mr. Andy Kennedy, owner of Pristine Lake and Watershed Services, spoke for several of the concerned downstream landowners. Mr. Kennedy stated he takes care of ponds, lakes, streams and watersheds. He was unaware of any retention pond that outlets into a tile. He stated he had spoken with Mr. Coulson on several occasions. The homeowners were not against the development. However, the drainage issues were a concern. He stated the pond onsite was constructed late last year without permit and the landowners felt the developer knew it would be used as a retention pond. Since construction of the pond, it had not drained once according to its design. One of the downstream homeowners had water enter into the lower level of his home on numerous occasions. Mr. Kennedy then confirmed the homeowners' request for tile replacement without an easement, with they being responsible for maintenance. KD then opened the floor for additional comments from the public.

Mr. Larry Sturgeon is a landowner across Klondike Road and west of the site location. His land is surrounded by Lindberg Village, and he addressed the Board concerning the problem of drainage onto and from his property. In his opinion, the drainage problem was due to the Lindberg site development and the Wabash Valley Feed and Storage site. The developments had built up their properties which resulted in his property being two and three feet lower. Steve then informed the Board of the situation at Mr. Sturgeon's location. Lindberg Village had an approved plan which included a berm to surround his northwest and south boundaries. Steve felt the swale and storm sewer system once in place should intercept surface water flowing in his direction. In addition to this, the tile that runs northwest to southeast crosses under Klondike Rd, running through Wabash Valley and traveling to Lindberg Road would be intercepted and plugged near his north line. This should lessen the surface water and amount of water traveling through the tile system that ran his direction. Mr. Sturgeon was correct in stating the water drained down the east and west side ditches of Klondike Road from some point north of the Railroad tracks. However, that culvert drained to the west, not east. The Surveyor and Highway Engineer Tim Wells discussed the old Klondike Road plans which showed the existing tile and a catch basin installed in the late 50's or the early 60's. He stated that the Surveyor's office or the Highway would have to confirm this. However, in Paul Coates' study and Hawkins Environmental study for Lindberg Village, the plans showed the pipe draining to the west. One would assume it would drain along the west side and then to the south. The surface water did not appear to drain through the culvert system under Klondike Road to the southeast, it drained to the west and then south. Thus, the plans of Lindberg Village for drainage near and in the right of way on the west side of Klondike Road would be double-checked to make sure the drainage is perpetuated in the future and not blocked.

Mr. Sturgeon then asked the Board to specifically address his problem with Mr. Coulson. KD asked if this was indeed a separate issue. The Surveyor replied that although they were somewhat separate, he felt Mr. Sturgeon's problem should be addressed. The Surveyor believed it would be eliminated once the plan was completed at Lindberg Village. John Knochel asked the Surveyor how long it would be until completion of the plans. The Surveyor responded he had spoken with Mr. Sorenson and he was assured the contractor would speak with Mr. Sturgeon. Due to the weather, the project had not been on schedule as planned. Mr. Sorenson would have the contractor get started on reworking the surface swales and on the storm system as soon as possible. This should alleviate Mr. Sturgeon's drainage problem.

The Surveyor then informed the Board of the following options; the request can be held until the next meeting, or be approved with the condition of a written agreement between the homeowners and Mr. Coulson concerning the outlet into the existing tile. The Surveyor and the Drainage Board Consultants are willing to work with the parties to insure a satisfactory written agreement.

KD then asked the other attendees if there were any more comments. Joe Bumbleburg, attorney for Mr. Coulson, rose to address the Board. He stated he felt Mr. Coulson had presented the Board with plans in compliance with the ordinance,

although he recognized there were problems raised by the neighbors. He felt Mr. Sturgeon's problem would be taken care of as stated by the Surveyor. He stated that Mr. Coulson was in agreement with the conditions on the May 30th memo and the condition stated by the Surveyor in this meeting. Mr. Coulson was ready to move the process forward to make further progress.

Drainage Board Attorney Dave Luhman informed the Board due to the tile being a private drain, the Board did not have jurisdiction. The Board does have jurisdiction over the petitioner's site, and requires the petitioner to comply with the ordinance. That being said, if it complied with the ordinance and it was approved, the parties would still have to deal with the results downstream along the tile. The petitioners cannot divert water on downstream landowners without incurring civil liability and the petitioners cannot block the tile. The decisions before the Board were substantially engineering issues, such as the size of the pond, and structures in place to control the runoff. Other issues would have to be resolved between the parties. If the plan complied with the ordinance, the petitioners were entitled to approval. KD then explained to the attendees the developer must meet conditions, and once met they are not obligated to return to the Board.

John Knochel then asked Mr. Coulson to inform the Board of his opinion of the cause of the holdup to an agreement with the downstream property owners. Mr. Coulson felt if this plan was approved with the conditions, they would be able to move forward.

Ruth Shedd moved for final approval with the conditions listed in the May 30th Burke memo, and the additional condition of a written agreement with the downstream owners pertaining to the tile south of the site. John Knochel seconded and the motion carried.

Creekside Subdivision

Tim Beyer with Vester & Associates appeared before the board seeking final drainage approval for Creekside Subdivision. The site is located near the intersection of County Roads 100 North and 675 East. It was bordered by the **South Fork of the Wildcat Creek** to the south and west, and County Road 100 North to the north. The site is approx. 107 acres, with 42 residential lots. A wetland was located in the northeast portion of the site. This left about 70 acres outside of the flood plain. Currently, the property drained in a couple of directions. One ravine drained south of County Road 100 North, then crossed County Road 100 North traveling north, and eventually turned west and drained into the creek. Two ravines in the southwest part of the site drop down into the creek, and drain a good portion of the property. The remaining property drained directly into the creek or into the wetland area in the northwest portion of the site. This was a depressional area where water tended to pond. This water drained to the creek, north of the property. The floodplain and floodway fringe area would not be disturbed. The proposed drainage plan directed the runoff currently draining directly into the creek to the floodway area, and the proposed stormwater runoff while generally following existing drainage patterns, would be directed to natural depressional areas through storm sewers prior to discharging into the South Fork of the Wildcat Creek.

The developer Doug Mennen worked closely with the local Soil & Conservation District, IDEM, Wildcat Creek Foundation and the County Drainage Consultants on this plan. KD inquired whether the DNR had been consulted as well, and Tim confirmed the DNR had been consulted on the plan. KD asked for any comments at that time.

Mr. Doug Paprocki asked for clarification of the direct discharge to the **Wildcat** from the Creekside lots. Tim explained the plan pertained to runoff on the surface, not water seeping into the ground first. He explained he had met with Doug Wolf at the site and discussed the natural depressional areas draining to the creek. Tim stated the drainage into the creek should improve, as the plan would lessen the sedimentation running into the creek. Doug Paprocki then stated he was pleased with the improvements made to the plans.

Steve stated he had met with Mr. Mennen earlier in the week with a couple of concerns. One concern was runoff being routed to the depressional areas, as this should help improve the water quality. He requested the developer include some sort of concrete depressional area that would accumulate silt so it may be monitored. The details, covenants, and maintenance were to be worked out at a later date. Also requested was some sort of trash apparatus set up at the pipe outlets prior to discharging into the depressional areas and eventually the creek. This would eliminate a great amount of debris running into the creek. Doug agreed to install catch basins or silt inlets in the storm sewer system periodically, adjacent to the roadway. There was some concern with potential tree removal at lots 28 & 29. The square footage of each lot was to be confirmed prior to the construction of a building site and removal of trees. The agreement would be that any hardwood trees 8 inches or larger would not be removed from the rest of the site. In addition, Mr. Mennen would be looking at advice and plans on the

additional 50-foot building setback from the top of the bank, pertaining to vegetation the homeowners could plant to encourage a wildlife corridor. Mrs. Persis Newman (Wildcat Creek Foundation) then informed the Board the Foundation had submitted a list of plants suitable to this area.

Due to the unusual situation of a housing development along and including the Wildcat itself, Mr. Doug Paprocki then requested time to inform the board of vegetation proposals by a landscape architect. The Board invited Mr. Paprocki to speak. He suggested fifty to eighty foot strips from the banks of a creek be converted into mandatory conservation corridors by the developers, and not left to the discretion of the homeowners. This would be reforested and protect the viewshed of the stream. This would also help to stabilize the banks. KD complimented Mr. Mennen for working with the different agencies and organizations to protect the quality of the Wildcat and surrounding area.

The Surveyors Office recommended waiving the stormwater detention requirements. Ruth Shedd made a motion to waive the standard stormwater detention requirements for the Creekside Subdivision, and John Knochel seconded. The motion carried. The Surveyor then stated the office recommended final approval with the conditions stated on the May 31st Burke memo, and the conditions stated earlier pertaining to the sediment traps, trash traps, the tree requirements and the catch basins. Ruth Shedd made a motion for final approval with the conditions stated on the May 31st Burke memo and conditions stated by the Surveyor. John Knochel seconded the motion. As there were no objections, the motion carried.

OTHER BUSINESS

Mr. Joe Rund from Romney appeared before the Board to state his concerns with the **E.F. Haywood Ditch** that runs through his farm. There had been a waterway constructed in the previous 6 weeks that ran into the headwall at the upper end of the ditch. This would alleviate the amount of water running through the tile. However, the ditch was in poor condition. The water flow of the ditch is retarded by a heavy growth of Reed Canary Grass. An invasive species, it grows tall and will grow through the bottom of the ditch. The result is a catch-all for sediment. Years of growth contributed to poor drainage of the tiles that emptied into this ditch. He presented the Board with pictures of the problem area. There was an apron at the headwall that was causing erosion at that site. He requested a partial clean out as soon as possible. Steve informed the Board there was $3600.00 in the account, and estimated the requested work to be around $22,000.00. The assessment for this ditch was fifty cents per acre at this time. This eliminated the possibility of a partial cleanout. Being fully staffed, Steve anticipated the ability to start the work necessary for these kinds of projects. Mr. Rund thanked the Board for their time.

COUNTY DRAINAGE ORDINANCE

Steve reviewed the purpose of revising the County Drainage Ordinance for the Board. The two main reasons behind revision were: consolidate it into a better format with an index, and with tables in the back of the ordinance in anticipation of another revision due to the EPA Phase II Stormwater, and to change the discharge rate regulation by implementing a two-staged discharge requirement. Pre-developed 2-year discharge rates shall not be exceeded by 10-year post-developed discharge rates, and pre-developed 10-year discharge rates shall not be exceeded by 100-year post-developed discharge rates. Drafts were sent to the various consultants in the area.

Dave Luhman read the ordinance 2002-24-CM to the Board. KD asked for comments from the attendees. As there were none, Ruth Shedd moved to approve Ordinance 2002-24-CM on the first reading as written. John Knochel seconded the motion and the motion carried. Dave Luhman then took a roll call for the record; KD Benson, yes, Ruth Shedd, yes, John Knochel, yes. Dave then stated Ordinance 2002-24-CM passed on the first reading before the Tippecanoe County Drainage Board by a vote of 3-0. The second reading was scheduled for July's meeting.

OTHER BUSINESS

Steve then confirmed with the County Attorney the Drainage Board may accept maintenance bonds on drainage improvements in subdivisions. Steve presented the Board with three bonds made out to the Drainage Board. The first was a bond for Lexington Farms Phase One drainage improvements, swales and erosion control outside of the public right of way from A&K construction for $15000.00. The second was an irrevocable Letter of Credit from Lafayette Bank & Trust #482 for Raineybrook Phase I for $9350.00. The last was a bond for Appleridge Subdivision's, drainage improvements outside the public right of way from Milestone Contractors LP for $7725.00. Ruth Shedd moved to approve the bonds presented by the Surveyor and John Knochel seconded. The motion carried.

Ruth Shedd moved for adjournment and John Knochel seconded. The meeting adjourned.

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KD Benson, President

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Ruth E. Shedd, Vice President

_____
Brenda Garrison, Secretary

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John Knochel, Member

Tippecanoe County Drainage Board
Minutes
August 7, 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 Doug Masson, Drainage Board Engineering Consultant Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison.

Approval of July 3 Minutes
Ruth Shedd made the motion to approve the July 3, 2002 minutes, with John Knochel seconding. The being no objections, the motion carried and the minutes were approved.

Butler Meadows Subdivision
Mr. Robert Gross with Gross & Associates appeared before the Board to present Butler Meadows Subdivision for final approval with conditions. The site consisted of approximately 35 acres and was located on the south side of County Road 500 South, approximately 0.25 mile east of the intersection of old US 231 and County Road 500 South in Wea Township. Existing drainage from the site discharged in several directions. The majority drained to an existing 30-inch diameter CMP under County Road 500 South, then followed an established drainage pattern and outlet into the Little Wea Creek. Drainage would be collected in swales and storm sewers routed to a detention basin south of the culvert under County Road 500 South. The plans showed a wetland in the southeastern portion of the site which drained a small portion and would be routed through an outlet to a detention pond. The headwall of a private drain would be lowered in order to allow for drainage of the detention pond. Grading and new culverts for the ditch along County Road 500 South were planned. The majority of the ditch slopes would be 6 to 1; while in the County Road Right Of Way the slopes would be 3 to 1. City utilities would be installed in phases. The Surveyor recommended final approval with conditions as stated on the August 2, 2002 Burke memo.

Ruth Shedd moved to grant final approval with conditions listed on the August 2, 2002 Burke memo. John Knochel seconded and the motion carried.

Lexington Farms - Phase 3
Pat Sheehan with Schneider Corporation presented the Board with plans for the Lexington Farms Phase 3 project.
The proposed development was located east of County Road 500 East and north of 50 South. Phases 1 and 2 of Lexington Farms had previously been constructed. There was temporary detention on the site for the two developments. Phase 3 consisted of 82 lots on approximately 15.14 acres of the 61.8 acre overall development. Stormwater would be discharged directly into the Berlovitz Regulated Drain. As part of this development, the Berlovitz Drain would be reconstructed from County Road 550 South for the extent of the property, approximately 1000 feet. Along with the request for approval and due to the reconstruction of the Drain, he requested a waiver of the standard stormwater detention for Phase 3. This would allow direct discharge into the Drain. The Surveyor recommended to the Board waiving of the stormwater detention requirements.

Ruth Shedd made the motion to waive the standard stormwater detention requirements and John Knochel seconded the motion. With no objections stated, the motion carried.

At that time the Surveyor clarified condition one of the August 2, 2002 Burke memo. The statement “The location of the reconstructed open channel should be closely coordinated with the Tippecanoe County Surveyor and revised plans submitted for review”, should read, “ The location of the reconstructed open channel must be approved by the Tippecanoe County Surveyor and revised plans submitted for review”. Therefore the Surveyor recommended approval with conditions as stated on the August 2, 2002 memo, which included the amendment noted.

Ruth Shedd moved to grant final approval for Lexington Farms Phase 3 with conditions stated on the August 2, 2002 Burke memo with the amendment of condition one. John Knochel seconded the motion and the motion carried.

Raineybrook Subdivision - Part 2
Mr. Bill Davis with T-Bird Design presented the Board with plans for Raineybrook Subdivision Part 2, located north of County Road 500 South and west of US 231 in Wea Township. Part 2 of the development was located west of Raineybrook Estates and The Reserve at Raineybrook and was approximately 76 acres. He requested conceptual approval of the discharge

system. The site area drained was approximately 163 acres, however after diverting approximately 45 acres from other watersheds, the total area drained through this development would be approximately 200 acres. After completion of the development, the discharge rate to the Little Wea Creek would be approximately the same amount as currently being discharged. The 36-inch pipes located in the bottom or near the bottom of the swales would carry the low flow. The swales were designed to carry the 100-year storm event directly through the subdivision to the Little Wea Creek. Stormwater emergency routing was also included in the plans. All direct discharge would be routed through a sump catch basin before outletting into the Creek. Modelling information showed drainage for each phase individually and compiled to provide a better study. Mr. Davis referred to the system as a "Piggyback" system, which was the combination of swales and pipes. He informed the Board he had discussed the system with County Highway Engineer Tim Wells. Mr. Davis stated the homeowners association would maintain the offsite system, other than those portions in the Right of Way. As part of the conceptual approval, he requested a waiver of the standard stormwater detention requirement.

Tim Wells addressed the Board regarding the drainage plan. He began by formally thanking the Surveyor for keeping his office informed of projects submitted. He stated the "Piggyback" system used in the design was acceptable to his office.

Steve stated for the record the ordinance did not prevent the use of the combination of swales and storm sewer systems. Also the planned swales were well defined and large enough that he felt future landowners would not fill them in. He stated Raineybrook had one of the best homeowner associations in regard to resolving drainage issues. Steve discussed the provision of easements in strategic locations in order to facilitate the future Phase II Stormwater Quality measures if required. This would be addressed in the final plans.

Ruth Shedd moved for conceptual approval with conditions stated on the July 23, 2002 Burke memo for Raineybrook Subdivision Part 2. John Knochel seconded the motion. There being no objections, the motion carried.

Raintree Apartments Subdivision - Phase 1

Pat Jarboe with T-Bird Design appeared before the Board and requested final approval for Raintree Apartments Subdivision Phase 1. As the project would be constructed in phases, Pat was requesting approval for phase 1 only. The site was located on a 47.5-acre tract on the north side of County Road 200 South, just east of Windemere Drive.

The site's watershed was designed to outlet into the proposed F-Lake detention area. Portions of the site were located within the Berlovitz Regulated Drain and the Elliott Ditch watersheds. However, due to broken or plugged tiles it could not be determined that existing surface water flowed into the Berlovitz Drain tile. The capacity of the tile system design allowed for pass-through of surface water from any future offsite development. The proposed culvert and tile system directed the offsite surface water into the Berlovitz drain. Calculations of the system allowed for the 100-year condition. A 12-inch tile in the northern portion of the site outletted into the Elliott Ditch and would be dedicated for offsite drainage only.

Due to the site location, the Surveyor reviewed the modeling of the site. As stated previously, the site was located within two watershed areas, which contributed to complications with the design process. Steve stated he was prepared to recommend final approval with conditions as stated in the August 2, 2002 Burke memo. He also stated a waiver for the stormwater detention requirements would be necessary. In regard to condition two of the August 2, 2002 Burke memo, the Surveyor stated he would negotiate a fee to be paid to the County for use of storage in F-Lake. Condition three, concerning the relocation or vacation of Branch 13 would be addressed. A format for a written agreement regarding the fee (or compensation) had been worked up.

Ruth Shedd moved for a waiver of the stormwater detention requirements and John Knochel seconded. There being no objections, the motion carried. Ruth then moved for final approval on Raintree Apartments Subdivision Phase 1 with the exceptions of the conditions as stated by the Surveyor and in the August 2 Burke memo. John Knochel seconded the motion and the motion carried.

American Freightways

Tim Beyer of Vester & Associates appeared before the Board and requested final approval with conditions for American Freightways. The site was located along the east side of Concord Road and north of Brady Lane within the City of Lafayette. The Surveyor while the project was located within the city limits of Lafayette, the Board's review was for the effect on the Elliott Ditch. This was a small trucking facility and the request regarded paving an existing gravel parking lot surrounding the building. A drainage analysis plan of the site was prepared for review. At the direction of the City of Lafayette, the runoff was directed to an existing roadside ditch along Concord Road and drained south into Elliott Ditch. Tim requested final approval with a waiver of detention requirements for American Freightways. The Surveyor stated he had conferred with the City Engineer's office and the effect on the Elliott Ditch was nominal. The Surveyor was prepared to recommend a

waiver of stormwater detention requirements. KD asked if this would require Phase II, Steve stated this was mentioned in the memo. Tim stated there was an existing 30-foot Right of Way at the site.

Ruth Shedd moved to waive the stormwater detention requirements for American Freightways, and John Knochel seconded the motion. Ruth Shedd made the motion for final approval with the conditions listed on the July 31, 2002 Burke memo, and John Knochel seconded. As there were no objections, the motion carried.

General Drainage Ordinance #2002-24-CM
Steve conferred with the Drainage Board Attorney regarding a maintenance bond amendment to the Ordinance. Due to the fact the amendment had been added at the last minute, the attorney thought it prudent for the Board to acknowledge it at this time and approve the Ordinance as amended.

Ruth Shedd made the motion to approve the amendment to the Drainage Ordinance as written. John Knochel seconded the motion. Let it be known the Drainage board has approved the amended Drainage Ordinance #2002-24-CM as written.

Petitions for Encroachment
Paramount Development LLC for Paramount Lakeshore Subdivision presented the Surveyor with a Petition for Encroachment. The site was located on State Road 52 West of Morehouse Road. The Drainage Plan for the site was approved at the July meeting. The site crossed the Cuppy-McClure's 48 inch reinforced concrete tile. Steve stated the Petitioner was requesting an encroachment within the regulated drain easement. Regardless of a grant of encroachment, it was understood the County had the overall right of easement. However, the petition form itself would be edited for precise wording to that effect. The Surveyor would confer with the Drainage Board Attorney on this issue. In stating this, the Surveyor recommended the Board approve the Petition for Encroachment submitted by Paramount Development LLC. Ruth Shedd moved to grant approval of the Petition for Encroachment from Paramount Development LLC, and John Knochel seconded the motion. The motion carried.

RBT Development LLC for Paramount Lakeshore Subdivision also presented a Petition for Encroachment to the Surveyor. The petition was submitted for the installation of a 12-inch storm sewer and manhole structure which would drain the east pond of the subdivision. The Surveyor recommended the Board approve the Petition. Ruth Shedd moved to grant the Petition for Encroachment submitted by RBT Development LLC and John Knochel seconded the motion. There being no objections stated, the motion carried.

Colony Pines LLC for Sagamore Point Subdivision presented the Surveyor with a Petition for Encroachment. The site consisted of 24 acres and was located on Morehouse Road. The petition was to cross the 50 and 75-foot utility and drainage easement as well as a 50-foot Dempsey-Baker Regulated Drain Easement near Lot 58. American Suburban Utilities would install the sanitary sewer in the easement. Steve stated A.S.U. understood if during the reconstruction or maintenance of the Dempsey-Baker Regulated Drain it was necessary for their facilities to be moved or the ditch rebuilt to the previous condition, it would be at their expense. This was also stated in the Colony Pines LLC petition presented to the Surveyor. Due to the location of the sanitary sewer at roughly ten feet below the bottom of the ditch, the Surveyor felt it probably would not be an issue. With this stated, the Surveyor recommended the Board approve the Petition for Encroachment as presented. Ruth Shedd moved to approve the Petition for Encroachment by Colony Pines LLC, and John Knochel seconded the motion. The motion carried.

Other Business

Kirkpatrick Ditch Regional Detention Pond
Steve reviewed a proposal for professional Engineering Services from Christopher Burke Engineering for the Kirkpatrick Ditch Regional Detention Pond and Channel Extension. The estimated fee was $20,000.00. This amount was largely due to the fact the engineering company did the design and the hydraulic studies previously on the ditch. This proposal was for a conceptual design on the channel reconstruction upstream of Concord Road, as well as determining the most productive site for the pond which serves the L.U.R. (Lafayette Union Railway) site and the area slated for industrial development.
The Surveyor recommended the execution of the contract for services stated. He added there was a business which had looked at an eighty-acre site for development, and he felt there should be a plan in place for the future. KD stated she would encourage action to be taken at this meeting regarding the contract. In response to a question from Ruth Shedd regarding the contract, Steve stated the contract was in a standard format. The engineering firm would charge hourly and, the estimated fee was not to exceed $20,000.00. Due to the hourly charge, the fee could come to less than the $20,000.00 stated. He stated the monies were available from the Edit fund previously allocated for this project.

Ruth Shedd made the motion to approve the contract from Christopher Burke Engineering for the Kirkpatrick Ditch Regional Drainage upstream of Concord Road, not to exceed $20,000.00. John Knochel seconded the motion, and the motion carried.

J.B. Anderson
This drain served the stormwater drainage of Clarks Hill. The Surveyor received a contract for a project scope by Christopher Burke Engineering. He encouraged the Board to review copies which he gave them at that time. The contract covered the history and overall problem associated with the ditch. This ditch was put in on the EDIT request. The Surveyor stated he would encourage and hoped to see participation with the study from the Town of Clarks Hill.

At that time KD asked for any public comments. As there were no comments, Ruth Shedd made the motion to adjourn. John Knochel seconded the motion and the meeting was adjourned.

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KD Benson, President

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Ruth E. Shedd, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member

Tippecanoe County Drainage Board
Minutes
December 10, 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 from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison.

Approval of November 6, 2002 Minutes
Ruth Shedd made the motion to approve the November 6, 2002 minutes as written. There being no objections, John Knochel seconded the motion and the motion carried.

Benjamin Crossing Planned Development
Mr. Pat Sheehan representative of the Schneider Corporation appeared before the Board to present Benjamin Crossing Planned Development Section One for final approval with conditions. The site was located at the northeast corner of County Road 250 East (Concord Road) and County Road 450 South in Wea Township approximately two miles south of the City of Lafayette and made up of farm fields and a small amount of wooded acreage. Pat reminded the Board that conceptual approval was obtained for the overall Development at the October Drainage Board meeting. The 160-acre site would be developed in five (5) phases. Section One (Phase One) included the construction of 205 lots and all of the proposed ponds. Onsite drainage consisted of approximately 160-acres.

The plans showed offsite drainage in Basin W (located south of the site) drained north to a culvert under County Road 450 South unto the site, through Basin C and ultimately to the Kirkpatrick Legal Drain. In addition to Basin W, a larger Basin to the east also collected to the Kirkpatrick Legal Drain and drained through the northeast corner of the site. Approximately 260-acres of overall offsite drainage drained through the site. In response to KD's inquiry, Steve informed the Board a Basin was basically the same as a sub-watershed. Pat then explained that use of Basins was an easier way to track drainage through a site.

In the proposed conditions, Section One would consist of three (3) ponds. These ponds would collect and detain the site's stormwater, then discharge to two locations. The northeast location would contain a temporary 6-inch outlet to restrict the flow to the regulated drain tile until future phases of the Kirkpatrick Ditch Regional Detention System were completed. It would be designated as a Regional Detention Facility. The pond depth would be 10 foot from the water surface. Currently within a ten-year existing condition there are approximately 40cfs, the temporary outlet would limit that to 2cfs, a substantial reduced peak discharge. The flows, collected in a small pond at the northwest portion of the site, would utilize an orifice plate to reduce the outflow to a 30-inch RCP shown extended 1,096 feet to the Concord Road Bridge. Once the final section is developed a new outlet would be installed and the temporary tile would be removed. As part of the project, an easement with the landowner to the north had been acquired for the possibility of an overland drainage system. Pat and Bill Davis had met with Mr. Standifur to review the drainage portion of the plans.

Pat requested preliminary approval for the whole site layout and final approval for Section 1 with conditions as noted in the December 5th, 2002 Burke memo. Steve stated his concern was detention ponds outletting into County Regulated Drains or private tiles. Historically this had not been done. Consideration was given in the planning of this development of the Kirkpatrick Upstream Concord Reconstruction. He recommended approval for the release on a temporary basis for Section One. He stated he did have concerns for conceptual approval for the subsequent sections/ phases and did not feel it would be prudent to approve them at this time. He asked if an easement had been obtained for the outlet of the northwest pond. Pat responded that an easement was obtained. Number six on the Dec. 5th Burke memo, should be corrected to read … **is required** to clarify instead of applicant **should** clarify.

At that time the Surveyor recommended final approval with conditions and change thereof to Benjamin Crossing Planned Development Section 1. Ruth Shedd moved for final approval for Section One of Benjamin's Crossing Planned Development with conditions and correction to number 6 on the December 5th Burke memo. John Knochel seconded the motion and the motion carried.

Steve Murray

Maintenance Bond

Steve presented a Maintenance Bond from A&K Construction Inc. #5855821 in the amount of $4950.00 that covered Drainage Improvement, Swales and Erosion Control outside the Public Right of Way for Saddlebrook Subdivision Part 3 Phase 3. At that time he recommended acceptance of the Bond. Ruth Shedd moved to accept the Maintenance Bond for Saddlebrook Subdivision Part 3 Phase 3 from A&K Construction. John Knochel seconded the motion and the motion carried.

Petition to Remove Obstruction /Baxter

Steve requested continuance until the next meeting of the petition; more work was needed before presenting his findings to the Board. KD directed the secretary to put it on the next meeting's Agenda.

Release of Easement

A drainage request had been received from Vester & Associates for River Bluffs Subdivision Part 2 and Replat of Lot 13 Part 1, River Bluffs Subdivision Part 4 and replat of Lot 16-18 Part 1. Discussion was held with the Attorney concerning the request and as they were no representatives in attendance, the Board chose to table it until the next meeting. Ruth Shedd moved to table the Request and John Knochel seconded the motion.

Memo to Board

Steve read to the Board Indiana Code #36-9-27-42 that covered a one time twenty five percent increase to regulated drains in need. The code applied to drains on assessment and that had been through the hearing process. The one time increased rate may be raised the noted percentage. He then presented to the Board a list of drains that qualify. Discussion was held concerning the list and Steve asked the Board to review and be prepared to make a decision at the January meeting. He stated he would be happy to sit down with them and review each one on the list before then. He stated many drains were in the red and needed to be dealt with accordingly. Steve then conferred with the Attorney concerning the Waiver of Rights by a County where joints drains are involved. Dave confirmed on those drains which a County had waived their rights, then a joint drainage meeting for a one time increase would not be necessary. He hoped to have a list of those drains in need of Reconstruction, in need of Assessment Increase and those in need of Reclassification to Urban Drains. Typically Urban Drains have a per acre assessment for farmland and a per lot assessment for residential. The Berlovitz Drain was an example of such a drain that would fall under the requirements for an Urban Drain status. Bill Easterbrook had presented the Surveyor with a bill for tile maintenance on the Ray Skinner Drain and Steve asked the policy of the Board for payment of repairs on drains. Ruth Shedd stated the Board should only pay for maintenance on that part of the drain which is under assessment.

OTHER BUSINESS

Mr. Malsbury from Lauramie Township approached the Board to discuss the condition of the Elijah Fugate Drain #30 and gave his support to Steve for the increase of assessment if proposed and encouraged the Board to look at the Drainage in Lauramie Township as a whole. Steve then reviewed for the Board the location and condition of the Elijah Fugate tile as well. There was approximately 3000 feet of tile broken down. A petition for Reconstruction had been presented to the Surveyor's office. The watershed acres involved were 822.

2003 Meeting dates and time

The Board and Surveyor, decided upon the first Wednesday of each month for 2003, as being the Drainage Board's monthly meeting day and 10 a.m. as the time. The January meeting would be held on the 8th due to the New Year holiday.

Ruth Shedd then moved to adjourn the meeting and John Knochel seconded the motion. There being no objections, the meeting stood adjourned.

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KD Benson, President

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Ruth E. Shedd, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member

Tippecanoe County Drainage Board
Minutes
February 5, 2003
Regular Meeting

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

The Tippecanoe County Drainage Board met February 5th, 2003 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, Ruth Shedd, calling the meeting to order.

Approval of January 8, 2003 Minutes
John Knochel made the motion to approve the January 8th minutes with K.D. Benson seconding. As there were no objections the motion carried and the minutes were approved.

Appointment of Secretary to Drainage Board
K.D. Benson moved to appoint Brenda Garrison to serve as Drainage Board Executive Secretary for the calendar year of 2003. John Knochel seconded the motion and the motion carried.

Request to Modify Drainage Easement
Mr. Doug Mennen approached the Board to request a modification of a part of a Drainage Easement to an open ditch known as the **Stoddard Ditch**. The reduction request was located in a part of Section 31 Township 21North and Range 4W. While the ditch was a court drain, it did not have an assessment on it. He requested the Easement from the top of the bank on the east side to be modified from 75 feet to 35 feet on the property as shown on the drawing. (While the request stated 30 feet, the drawing indicated 35 feet.) The Surveyor's office did not foresee a problem with the reduction and recommended approval. John Knochel made a motion to approve the request to modify the Drainage Easement as requested from 75 feet on the east side of the Stoddard Open Ditch to 35 feet on the east side of the Stoddard Open Ditch. KD Benson seconded the motion and the motion carried.

Petition to Vacate a Portion of Platted Easement/ Lot 7 Winding Creek Subdivision - Brett & DeEtta Hawks
Mr. Matt McQueen representing Brett & DeEtta Hawks approached the Board. Mr. McQueen presented a petition to vacate a portion of a platted easement on Lot 7 in Winding Creek Subdivision. Approximately 200 square feet of the house built on the lot encroached on the platted utility and drainage easement. The petition would be presented on March 3rd to the Commissioners, however Mr. McQueen thought it to be prudent to request Drainage Board approval before the March 3rd meeting. The Surveyor informed the Board historically if the easement reductions were reasonable, vacations were granted. The vacated area requested was immediately around the house only, as shown on Starr and Associates drawing job # 10204827-2. While a storm sewer was located within the platted easement, the maintenance of the sewer would not be adversely affected, and no utilities would be affected. The Surveyor recommended approval of the vacation to the Board. John Knochel moved to approve the petition to vacate a portion of a platted easement on Lot 7 in Winding Creek Subdivision. KD Benson seconded the motion and as there were no objections, the motion carried.

2003 Engineering Review Contract Proposal- Christopher B. Burke Engineering LTD
The Surveyor informed the Board the fees in this year's Engineering Review Contract have stayed the same as the previous year, as the only change was the ownership of documents. The previous year's contract granted Christopher Burke ownership. The Surveyor stated government entities usually maintained ownership of documents. The change was made to the ownership of documents to the Government. KD inquired if there was a termination clause within the contract, as most contracts contain the clause. Mr. Luhman stated he had reviewed the contract and it included the clause. The Surveyor recommended acceptance of the proposed contract by Christopher B. Burke Engineering LTD. John Knochel made the motion to approve the Engineering Review Contract Proposal between the Tippecanoe County Surveyor Office, Drainage Board of Tippecanoe County and Christopher B. Burke Engineering LTD. KD Benson seconded the motion to approve the contract as stated and the motion carried.

2003 Legal Counsel Contract Proposal
The Surveyor presented the Board with a contract between the Tippecanoe County Drainage Board and the firm of Hoffman, Luhman and Masson, P.C. to represent the Drainage Board for the calendar year of 2003. The contract did not reflect any changes from the previous year's contract. John Knochel motioned to approve the contract between Tippecanoe County Drainage Board (referred to as "the Board") and the firm of Hoffman, Luhman and Masson, P.C. for legal services for the calendar year of 2003. KD Benson seconded the motion for approval and the motion carried.

Steve Murray
Drains: Active and Inactive List
The Board members were referred to their copy of the 2003 Drain Active and Inactive List. He explained to the Board once a drain's balance reaches four times it's yearly assessment, it automatically goes to inactive status. The list would be filed with the Auditor's Office and adjoining Counties which were affected also. The Surveyor had conferred with the Attorney concerning the waiver of rights by Counties in some instances and although it was not required in these instances, the Surveyor felt it would be courteous to inform them of any actions taken. Ruth Shedd stated since Drainage Board members change from time to time, it would be prudent to notify them when changes occurred. John Knochel moved to approve the Active and Inactive List of Drains presented to the Board and directed the list to be part of the official minutes record book. KD Benson seconded the motion and the motion carried.

Classification of Drains Report
Drains In Need of Reconstruction
The members of the Board were furnished with a Classification of Drains (Partial) per I.C. 36-9-27-34. The Surveyor stated the Indiana Drainage Code requires Surveyors to present this report to the Board. While this report was preliminary, he wanted to present this to them. The first item on the report was Drains in need of Reconstruction.
The first drain listed was the Julius Berlovitz on the east side of town which had a design in place for reconstruction. This is an old agricultural tile and crossed 500 East diagonally at the McCarty Lane intersection and headed northeast under I 65 eastward to 550E and 500S. The outlet is shortly north of 50 South.
The second drain listed was the Lewis Jakes ditch, a hearing held several years ago and the petition failed due to several landowners that were against converting the tile ditch to an open ditch. The Surveyor had several conversations with DNR on this ditch due to the need of waterways by landowners within the watershed. However due to the consistent break down of the tile, the landowners were unable construct a waterway. He stated a new hearing was warranted.
The third drain listed was S.W. Elliott which included Wilson Branch and Treece Meadow Relief drain was listed partially due to the future F-Lake project and because some of the branches of the drain would need to be looked at as development continues on the East side. Part of the Elliott drain had been reconstructed in the late 1980's, such as the Treece Meadow Relief Drain.
The fourth drain listed was the J.N. Kirkpatrick from upstream of Concord Road near the end at 450East had a preliminary conceptual design that had just been completed by Christopher B.Burke Engineering LTD.
The fifth drain listed was the Anson Drain in the NW part of the County, an old agricultural tile that crosses under the interstate in several locations. Several branches had broken down and were in need of major maintenance or reconstruction.
The sixth drain listed was the Elijah Fugate Drain which was being reviewed at this time, as there had been a Petition for Reconstruction or Maintenance submitted to the Surveyor's office.
The seventh drain listed was the J.B. Anderson Drain which crosses through Clarks Hill and would need attention.

Drains In Need of Periodic Maintenance
The Surveyor reviewed the list of twenty-seven drains in need of periodic maintenance. Some of the drains listed fell between major maintenance and/ or reconstruction. The maintenance needed for each drain on the list was indicated. A copy of the list would be attached to these minutes.

Surveyor Recommendation of Hearings in 2003
Supplied to the Board was a list of drains the Surveyor would recommend a hearing be scheduled for and drains to be reclassified as Urban Drains during 2003. The three drains which the Surveyor recommended a hearing be held in 2003 were as follows:
Elijah Fugate: A petition was pending at this time and a hearing would be set up in the near future.
Julius Berlovitz: A petition had been received several years ago and the drain included a large watershed area. The Surveyor felt the hearing would be well attended as the watershed area serves several Subdivisions and included prime development ground.

Lewis Jakes Ditch: The Surveyor informed the Board due to the poor condition of this drain, they had one of three options; reconstruction, raise the present rate of assessment, or vacate the drain as the drain continued to break down and was in need of constant maintenance.

Urban Drain Classification for 2003

Drainage Code 36-9-27-67 instructs the County Surveyor to recommend to the County Drainage Board any drains to be classified as Urban Drains. He informed the Board when or if drains were classified as Urban it meant the drain needed reconstruction. Presently this County had one drain within that classification, it was the S.W.Elliott Ditch. The Surveyor recommended the Julius Berlovitz and the J.N. Kirkpatrick to be reclassified as such. The Surveyor requested the reports presented be considered as drafts as he wanted to add the drain's history and explanation of recommendations. He also hoped to review the prioritization of drains on the lists. He expected to review portions of this report in the next few meetings. He also hoped to add the Moses Baker to the list of drains in need of a hearing.

At that time John Knochel asked Steve to explain the present ongoing reconstruction for the J.N.Kirkpatrick, since this drain was listed under need of Reconstruction. Steve explained the section presently under construction ran from 350 South east across Ninth Street, Eighteenth Street, and a new conspan structure at Concord Road. The old agricultural tile was outletted at the east right of way, and into the newly constructed channel at Concord Road. From that point to the east and almost to U.S. 52 was the section referred to on the list as being in need of reconstruction. Expected future development would require the reconstruction of that section. Ruth Shedd inquired if the report had been given in the past years and the Surveyor noted he had not found in the minutes where it had been done. Once the Board accepts the report, the Surveyor at that time should prepare a short and long-range plan for drainage infrastructure. Dave Luhman noted it would also be helpful to the landowners in the event of inquiry.

Hearing Date and Time Set

The following hearing date was set for the Elijah Fugate and the Moses Baker Drains. April 2, 2003 at 10:00 a.m. was set for the Elijah Fugate Drain, and April 2, 2003 at 11:00 a.m. for the Moses Baker Drain. The Drainage Board meeting was previously set for this date and would be moved up to 9 a.m. to accommodate the hearings.

OTHER BUSINESS

Petition for Removal of Obstruction / Ronald and Marsha Baxter

At that time Dave Luhman excused himself from the hearing and left the room as he had represented one of the parties in the past. He would not participate in the hearing or be a part of the Boards decision in this matter.

The Surveyor informed the Board his office received a Petition to Remove an Obstruction in a Mutual Drain or Mutual Surface Watercourse located at 1237 West 625 South on August 26, 2002. The surveyor investigated and had reported it appeared to have some blockage along the swale in question between the two properties on 625 South. The names of Petitioner were Ronald and Marsha Baxter; the blockage was on the property owned by Kevin Beason at the location aforementioned. It was to be determined if the blockage was natural, man-made and/or intentionally blocked. Elevation shots were taken along the swale approximately 100-150 feet south of the south side of 625 South and showed a flat surface. Very little if any fall was the result of the shots taken. The Surveyor stated he reviewed the GIS property lines. The aerial photos indicated the blockage to be on the Beason property which started on the property line then 150 feet south of 625 and took a slight turn to the Northeast.

At that time Ruth Shedd invited the Petitioner, Mr. Baxter to approach the Board and state his position. Mr. Ronald Baxter of 1323 West 625 South, Lafayette Indiana 47909 then addressed the Board. He supplied the Board with additional pictures of the obstruction. He stated there had always been a water problem on his lot and the neighbors. A private tile, which ran under the Mr. Beason's property, has caved in and was full of tree roots. The water table had risen and no one wanted to fix the tile. Years ago it was surveyed by the previous Surveyor Mike Spencer, which showed minimal fall to the ditch. Mr. Baxter contacted John Hack approximately in 1996 and a swale was put in at his and the previous neighbor Jack Bedwell's expense.

Within months of moving in, Mr. Kevin Beason notified Mr. Baxter he wanted to fill in the swale and the ditch in front of his home. Approximately in April of 2000, Marsha Baxter inquired as to the legalities of the neighbor's actions if he filled in the swale and ditch. She was informed that as a mutual drain, he could not just fill in the ditch and swale. At that time they contacted Mr. Beason offering him copies of the statute. Mr. Beason refused the copies and did not want to work with them. On April 28, 2000 Mr. Tom Busch Attorney for Mr. & Mrs. Baxter contacted Mr. Beason by mail informing him of I. C. 36-9-27-2. After that notification, Mr. Beason had a load of dirt placed on the back of his property in order to block the water

from crossing his property. The attempt to block the water failed and the problem continued. Pictures were provided to the Board, which showed the area in question before and after the blockage. Another attempt in May of 2002 was made to correct the problem and there was nothing done. Mr. Baxter felt intent to block the drainage by Mr. Beason was demonstrated and requested the Drainage Board direct his neighbor to clean out the blockage and restore to the condition prior to Mr. Beason's moving in. Mr. Baxter stated he had been pumping water from his crawl space regularly. He also stated he realized the drainage in that area was poor and he could deal with that, however he felt this particular problem was avoidable and thus the petition was filed in August of 2002 and the matter brought in front of the Board. At that time Ruth Shedd asked to hear from Mr. Beason.

Shawn Beason approached the Board at Ruth's request. Shawn was Kevin Beason's brother and due to the death of Mr. Kevin Beason on September 1,2002 he was co-representative of the Estate. He stated he was unaware of any problems until January 8,2003. The notification by the Board was sent to the Law Office of Bennet, Behning and Clary, as the firm representing the Estate. Due to this Mr. Beason felt the petition should be thrown out, as he did not receive the notification personally. He stated the house is presently for sale and this procedure had stalled the process. He said his brother had discussed the issue with him in the past and he felt filling in the swale would push the water out to the ditch along the road. He asked if there were pictures or evidence that actually showed his brother filling in the ditch. He felt the cattails had grown naturally, and the tile that ran across the back yard was in poor shape at the time of his brother's purchase of the home. He did not feel the estate should be held responsible for what he thought was a natural occurrence.
At that time the Surveyor asked Mr. Baxter if a receipt existed for the previous work done on the swale and ditch. Mr. Baxter stated he was in possession of a receipt for the previous work. Himself and the previous owner of the property in question shared the cost. The Surveyor informed the Board of their options. They were to determine if blockage was intentional or whether it was a natural accumulation. The statute called for the Board to pass on to the respondent (Mr. Beason's Estate) the cost of clean out if found to be intentional. If the blockage was found to be a natural accumulation or due to lack of maintenance, both parties would bear the cost. Mr. Baxter stated lack of mowing the area had certainly contributed to the drainage problem. He also stated he felt Mr. Beason had planted a tree in the swale. Shawn Beason asked to see a picture of the tree in the swale. The Surveyor asked if the tree was voluntary and Mr. Baxter responded he felt the tree was planted and not voluntary. Mr. Beason felt the tree was voluntary. Mr. Beason requested the Board make a decision today as the house was currently for sale.
John Knochel stated he felt Mr. Baxter should have been allowed to do maintenance on the swale in the past. He agreed notification should have been sent to Mr. Beason personally and in a timely manner in order to better prepare for the hearing. He also stated Mr. Beason had the right to request a postponement and John would be inclined to agree to one. However, Mr. Beason did not want to delay it any longer. KD stated she thought it was an unintentional blockage and the cost of maintenance should be split between the two parties involved. However Mr. Baxter stated he felt it was intentional. Ruth Shedd then asked Mr. Baxter if he would be willing to share the cost of cleaning it out. He stated he was concerned with what a new neighbor would be agreeable to. The Surveyor recommended an agreement be written up between the parties before the house was sold. He also suggested a copy of the official minutes be provided to both parties for any future reference. The Board would issue an Order for the removal of the obstruction. The Surveyor asked Mr. Beason what his opinion was. Mr. Beason informed the Surveyor the estate was" upside down" as there was not much money and he wanted this to be done cost efficiently. Mr. Murray apologized to Mr. Beason for the untimely notification.
KD moved for the two neighbors to share the cost of the obstruction removal by the joint effort of Mr. Baxter and Mr. Beason. John Knochel seconded the motion and the motion carried. John then made the motion for the obstruction to be cleaned up in six months' time and KD seconded the motion. The motion carried.
Mr. Beason noted the Estate had to be wrapped up by May of this year. The Surveyor encouraged both parties to work together to accomplish the work needed in a timely and cost efficient manner.

As there was no other business before the Board, John Knochel moved for adjournment and KD seconded. The meeting was adjourned.

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Ruth E. Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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K.D. Benson, Member

Tippecanoe County Drainage Board
Minutes
December 3, 2003
Regular Meeting

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

Approval of November 5, 2003 Minutes

KD Benson motioned to accept the November 5th, 2003 minutes as written. Ruth Shedd seconded the motion and the minutes were accepted as presented.

Raineybrook Part 2 Section 2 Offsite Improvements

Mr. Pat Jarboe from T-Bird Designs appeared before the Board to present Raineybrook Part 2 Section 2 Offsite Improvements and request final approval. The project was located on the north side of County Road 500 South between County Road 175 West and New U.S. 231 in Wea Township. Pat presented plans to the Board for reconstruction of the entrance road at Wharfside Parkway/Cardinal Drive. The reconstruction involved installation of four (4) curb inlets (for runoff collection from the road only) and the replacement of a 36-inch RCP culvert under Wharfside Parkway at County Road 500 South.

Utilizing the new GIS Website, Shelli Muller showed the location while Pat reviewed the project for the Board. Pat pointed out that the roundabout was located at the edge of the flood plain. It was noted the roundabout would indeed be a County maintained road. He informed the Board a permit was obtained from IDNR as required, and Soil Conservation Services was consulted. Pat added it would be very useful for flood plain information to be accessible on the County's Website. KD Benson stated that information would be added in the future. The Surveyor added the FEMA maps were not highly accurate, however there was specific flood plain information that would be added as part of the drainage layers or Area Plan's layers.

The Surveyor recommended final approval with conditions as listed on the December 4, 2003 Burke review memo.
KD Benson motioned to grant final approval with conditions as stated on the December 4, 2003 Burke memo and Ruth Shedd seconded the motion. Raineybrook Part 2 Section 2 Offsite Improvements was granted final approval with the conditions as stated.

Regal Valley Place Phase 2

Alan Jacobson represented Cedar Run Limited and appeared before the Board requesting final approval for Regal Valley Place Phase 2. The project was a continuation of the construction of a private 2-lane roadway that connected Regal Valley Drive to County Road 150 East (South 18th Street). The site was located south of County Road 350 South and east of South 18th Street within the City of Lafayette. All of the stormwater facilities would outlet at the **J. N. Kirkpatrick Regulated Drain**. The Regulated Drain was undergoing reconstruction from a closed tile to an open ditch along the south boundary of the project.

The developer requested a waiver from the standard stormwater detention requirements. The construction included the installation of stormwater facilities to serve the undeveloped Lot 6 and a portion of Lot 5. A culvert would be installed where Regal Valley place crossed the east side along South 18th Street. A temporary swale constructed during Phase 1 would be continued with a southerly extension. Strategically placed catch basins were required. Alan stated the City was prepared to accept the construction plans as presented by the end of the week.

The Surveyor stated that Alan was aware detention storage may be required as the site developed depending on the impervious area. In response to the Surveyor's request, an additional forty feet (40') immediately north of the North bank's seventy-five foot (75') Drainage Easement was provided. It would be indicated as a Drainage, Utility and Landscape Easement on the final plat. A total of twenty feet (20') within the forty feet (40') Easement is for drain maintenance access.

The Surveyor recommended final approval to the Board with the conditions stated on the December 5, 2003 Burke memo and those indicated today. KD Benson moved to grant a waiver for the standard stormwater detention requirements for Regal Valley Place Phase 2. Ruth Shedd seconded the motion and the waiver for the standard stormwater detention requirements for Regal Valley Place Phase 2 was granted. KD Benson also moved to give final approval with the conditions as stated and those noted on the December 5, 2003 Burke memo. Ruth Shedd seconded the motion and Regal Valley Place Phase 2 was granted final approval with the conditions as noted.

Steve Murray

Berlowitz Drain
Hawthorne Meadows Subdivision and Hawthorne Lakes Subdivision were located within the Berlowitz Regulated Drain watershed area. Berlowitz, currently a tile, also contains the Felbaum branch. He reminded the Board a preliminary list was presented to them in January of 2003 which listed the Berlowitz as an urban drain in need of reconstruction. Resulting from studies done by Burke in the late 1980's and early 1990's it was determined the drain would need to be reconstructed from an agricultural tile to an open channel with a series of regional detention ponds. Designs were in place for the reconstruction and regional detention. With the design in place, funding was being looked at.

Section 18 of the Drainage Ordinance allow the Board to classify certain areas as Impact Drainage Areas. He then read Section 18 to the Board. The Surveyor requested permission to pursue the preparation of a resolution in accordance with this section for Berlowitz. Based on current estimates and the amount of acre-feet of storage, it appeared the contribution for detention storage for the developments in this area would be in the range of $15000.00 to $18000.00 per acre-foot. The exact dollar rate would be determined from bids. **F-Lake's** current rate was set at $15000.00 per acre-feet. KD Benson and Ruth Shedd gave the Board's approval to move forward on the preparation of a resolution in accordance with Section 18 of the Drainage Ordinance.

Hawthorne Meadows Subdivision

Brandon Fulk from the Schneider Corporation appeared before the Board requesting final approval for Hawthorne Meadows Planned Development. The project was located on the west side of County Road 550 East, south of County Road 50 South. The project contained 178 residential lots on approximately 43 acres. The site drainage was southward into the **Berlovitz Regulated Drain**. As the development was designed with no onsite detention, storm water runoff from the development would drain into one of the proposed Regional Detention Basins to be constructed along the southern property boundary. As stated previously by Mr. Murray the Berlowitz Drain would undergo future reconstruction and the basins were part of that plan. A portion of the site would discharge into storm inlets previously constructed with the Arlington Commons Development along the north boundary line of the site. Catch Basins would be located to decrease debris to the basin.

Brandon stated they would present the construction of the project in phases as a contingency plan in the event the portion between County Road 550 East and I65 was not constructed at the same time as the **Berlowitz project**. The hope was that both would be constructed simultaneously. Therefore he would present the overall project in 3 (three) Sections. Mr. Fulk requested final approval for Sections 1 (one) and 2 (two). Section 1 (northwestern part of the project) contained 66 lots and 49 lots south of Section 1 was designated as Section 2. He then requested preliminary approval for the entire project noting he would return for the Board's final approval of Section 3 at a later date.

In response to KD's inquiry, the Surveyor stated the outlets for the above project were contingent on the Berlowitz project. He felt a portion of the **Berlowitz** reconstruction potentially could start next year. **Berlowitz Ditch** bordered the project on the Southeast. While the plan and partial funding were in place, a funding review was ongoing as this was approximately a $5,000,000.00 project. He stated they would like to start the section between I65 and 50 South. The Surveyor stated the December 9th, 2003 Burke Review Memo covered all concerns and would be addressed during the construction phases. Mr. Fulk then confirmed the 4.13-acre foot of storage indicated on the plans was for the entire development. Construction was anticipated to start in the spring of 2004 and the site would be accessed from South Brookfield Drive. The Surveyor recommended final approval for Hawthorne Meadows Section 1 and 2 with the conditions as stated on the December 9, 2003 Burke memo in addition to recommending preliminary approval of the overall Hawthorne Development.

KD Benson motioned to grant final approval for Sections 1 and 2 of Hawthorne Meadows Subdivision with conditions stated on the December 9, 2003 Burke Memo as well as preliminary approval of the overall Hawthorne Development. Ruth Shedd seconded her motion. Hawthorne Meadows Section 1 and Section 2 was granted final approval with the conditions as stated on the Burke December 9, 2003 Memo. Hawthorne Meadows overall Planned Development was granted preliminary approval as well.

Hawthorne Lakes

Brandon Fulk of the Schneider Corporation appeared before the Board to request final approval of the Hawthorne Lakes Subdivision. The project was located on 43 acres east of County Road 550 East and north of the future extension of McCarty Lane. The project contained 178 residential lots. No onsite detention would be provided. The **Felbaum Regulated Tile Drain** crosses the site. The drain would be relocated and routed around the newly developed subdivision parallel to its east and north property lines before outletting into the **Berlowitz Regional Detention Basin**. As with the Hawthorne Meadows project, catch basins would be placed strategically to reduce debris.

The western half of the project would be developed first. This included a main trunk line that would service the entire site, which tied into the **Berlowitz** Basin. Mr. Fulk stated Schneider Corp. and the Surveyor have been working together on the relocation of tile. He then requested final approval along with approval for relocation of the Felbaum Regulated Tile.

In response to KD's inquiry, a waiver would not be required, as the **Berlowitz** Detention facility would be utilized if in place or the developer would have to provide temporary detention storage. As part of the conditions, payment would be required for the use of the **Berlowitz** Detention facility for both Hawthorne Lakes and Hawthorne Meadows.

The Surveyor recommended final approval with the conditions as stated on the December 9, 2003 Burke memo and to include payment for detention storage if needed. KD Benson made the motion to grant final approval for Hawthorne Lakes Subdivision with the conditions stated on the December 9, 2003 Burke memo and the condition of payment for detention storage. Ruth Shedd seconded the motion and final approval was granted.

Steve Murray

Winding Creek Section 1
Relocation of Legal Drain Easement

The Surveyor informed the Board repair work had been done recently on the **County Farm Regulated Drain**. While doing the repair, it was discovered a branch of the drain cuts through the very southwest corner of Winding Creek Section 1 Subdivision. Upon review of the file, it was found that the final plat of Winding Creek Section Subdivision did not indicate the **County Farm's tile Easement**. In addition, no request for reduction of Easement was found. After discussion with the developer and Mr. Couts, a plat was prepared to indicate the location and reduction of Regulated Drain Easement for Lots 45, 46 and 47 in Section 1 and the reduction from seventy-five foot (75') half width Easement to fifteen feet (15') on the Northeast side. A legal description was also provided. Once the reduction was granted, an Easement dedication to the Drainage Board for public record would be submitted. The Surveyor recommended to the Board grant the reduction of the Regulated Drain Easement for the **County Farm Regulated Drain** as shown on the survey from C&S Engineering. The Easement reduction pertained to Lots 45, 46 and 47.

KD Benson moved to approve the reduction of the **County Farm Legal Drain Easement** on Lots 45,46 and 47 in Winding Creek Subdivision Section 1 as reflected on the December 5, 2003 Survey provided by C&S Engineering.

OTHER BUSINESS

2004 Drainage Board Meeting Dates

The Board was presented with a list of Drainage Board meeting dates in 2004. The dates reflected the first Wednesday of each month at 10:00 a.m.

KD Benson motioned to approve the list with the revision of the December 1 to December 8th. (This was due to the 2004 Commissioners Conference.) Ruth Shedd seconded the motion to adopt the Drainage Board Meeting Dates as noted.
The following dates were adopted:

January 7, 2004

February 4, 2004

March 3, 2004

April 7, 2004

May 5, 2004

June 2, 2004

July 7, 2004

August 4, 2004

September 1, 2004

October 6, 2004

November 3, 2004

December 8, 2004

Public Comment

Alan Jacobson thanked the Board for their service this past year and stated he looked forward to working with them in the future. Pat Jarboe shared his enthusiasm with the new County GIS website's availability and looked forward to the future addition of layers such as the flood plain information.

With no other business before the Board, Ruth made the motion to adjourn. The meeting was adjourned

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Ruth E. Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

Tippecanoe County Drainage Board
Minutes
January 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, Tim Wells County Highway Engineer, Drainage Board Secretary Brenda Garrison, and Shelli Muller GIS Technician.

Approval of December 3, 2003 Minutes
John Knochel made the motion for approval of the December 3, 2003 minutes. KD Benson seconded the motion and the minutes for the December 3, 2003 were approved as written.

Election of Officers for 2004
Ruth Shedd turned the meeting over to Drainage Board Attorney Dave Luhman for the election of officers. Dave accepted nominations for the office of Drainage Board President. Ruth Shedd nominated John Knochel for President of the Drainage Board in 2004. KD Benson seconded the nomination. As there was no opposition, John Knochel was elected President of the Drainage Board for 2004. Dave then opened the floor for nominations of Drainage Board Vice President. John Knochel nominated KD Benson as Vice President and Ruth Shedd seconded the nomination. KD Benson was elected Vice President of the Drainage Board for 2004. With no other nominations Dave then ruled the nominations closed. He then opened the appointment for Drainage Board Executive Secretary. KD Benson nominated Brenda Garrison. The Drainage Board unanimously appointed Brenda Garrison as Executive Secretary.

2004 Legal Consultation Contract
John Knochel opened the floor for approval of the Legal Consultation Contract for 2004 with the firm of Hoffman, Luhman and Masson. The contract did not reflect any changes from the previous year's contract with the firm. KD Benson made the motion to approve the 2004 Legal Consultation Contract from the firm of Hoffman, Luhman and Masson as presented. Ruth Shedd seconded the motion. The contract was approved for 2004.

Retention Ponds
At John Knochel's invitation landowner Kathy Shedd addressed the Board regarding Retention Ponds. Kathy had previously distributed Professional Resource packets to the Board. She began by stating the nation's number two cause of accidental death among children was drowning. She requested a review of the County's Drainage Ordinance in regards to Retention Ponds. She felt there were not adequate regulations on the ponds. She expressed concern of the retention ponds close proximity to playgrounds. She would like to see a community-based approach for a review of the present regulations in regards to safety etc. She felt a committee consisting of safety personnel; community builders, contractors and County officials should review the issue and offer layers of protection for implementation. She stated she felt education was a good start. The WARN (Water Awareness Residential Neighborhoods) program was developed to meet that need. Due to a drowning in Franklin Township, the program originated in Marion County and evolved to include other topics of water hazards. Kathy has spoke with Sheriff Smokey Anderson and he indicated his willingness to participate. KD Benson stated she agreed with the idea of a committee for examination of the issue. KD then asked Kathy if she had spoke with any school officials regarding the implementation of the WARN program. Kathy stated she had not spoke with school officials yet. She was in hopes of combining the WARN program with other existing programs as a more efficient approach. Sheriff Smokey Anderson had agreed with that concept.

Steve Murray then stated he had spoke with Kathy previously and thanked her for her diligence on the issue. He felt the Board was obligated to review the ordinance in regard to safety provisions for retention ponds, as there was always room for improvement. He also stated due to the clean water act, over the next ten months the ordinance would be reviewed. This would be a good time for the review of safety provisions. He reiterated the County Drainage Board was responsible for those ponds within the County's jurisdiction. West Lafayette and Lafayette would be responsible for facilities within their jurisdictions. He hoped to come up with a count of detention ponds in the County from the GIS website at Kathy's request. He also informed the Board and attendees a website concerning Phase II Stormwater Quality was in the process of development. A link to the WARN website could easily be added. He then offered his help on a committee. Steve then suggested that the soil and water educator could incorporate the issue in her presentation to the schools on other issues. KD suggested Kathy should speak with the School Board about the WARN program.

Dave Luhman stated the committee should have a broad community view of the issue and include members from many entities. Ruth Shedd then discussed setting up a committee to review the issue. At that time John thanked Kathy for her work on the issue and asked for public comment.

Mike Wylie of Schneider Engineering offered their assistance with the community committee as they have assisted other communities with this issue. Patrick Cunningham of Vester & Associates approached the Board and stated as President of the Tecumseh Chapter of Local Land Surveyors, they were aware of the need and the Chapter would also be interested in participation on the committee. At that time John Knochel nominated KD Benson to set up a community committee. Ruth Shedd seconded the nomination. KD Benson offered her willingness to start the process for a community committee review of Retention Pond regulations and community programs.

Steve Murray
Maintenance Bond
Steve Murray presented Maintenance Bond #10000546 for Meadowgate Estates (located on 500 North west of State Road 43) in the amount of $350.00 from Lexon Insurance Company for acceptance. KD Benson made the motion to accept the Maintenance Bond as presented and Ruth Shedd seconded the motion. Maintenance Bond #10000546 for $350.00 for Meadowgate Estates was accepted.

Engineering Consultants Contract
The Surveyor informed the Board a contract for the Drainage Board Engineering Consultants was presented to Dave Luhman for review and would be put on the February Agenda.

Petition to Remove Obstruction/ Jay Mitchell and Pat Fitzgerald
Steve informed the Board, petitioners Mr. Jay Mitchell and Mr. Pat Fitzgerald requested postponement of the February Petition Hearing to March 3, 2004 after the Drainage Board Regular meeting. Both parties would be out of town in February. KD Benson motioned to postpone the scheduled February Petition to Remove Obstruction Hearing to March 3, 2004 as requested. Ruth Shedd seconded the motion. The postponement was granted.

Berlovitz Regulated Drain Reconstruction
Steve requested the Board approve the letting of a contract on Phase 1(County Road 50 South to interstate 65) of the Berlovitz Reconstruction Project. The Surveyor stated funding was in place and the design completed. One item had not been finalized yet, a structure under 550 East and under 50 North that the highway department had indicated they would put in place. The structure had been designed and needs to be included in the contract for 550 East or a separate contract. The Highway department was aware of the need. The Surveyor stated he was trying to let the Berlovitz contract at the same time as the County Highway's letting of the 550 East contract. He felt this would be a more efficient use of taxpayer funds. KD Benson motioned to move ahead with the Berlovitz project. Ruth Shedd seconded the motion. The Surveyor was granted approval to move ahead with the Berlovitz project at or around County Road 550 East.

Surveyor 2004 Yearly Maintenance Status Report/2004 Active and Inactive Ditch List
The Surveyor stated due to taxes going out late this year, the Yearly Drain Status report as well as the Active and Inactive Ditch list for 2004 would be presented at the February or March meeting.

KD Benson then informed the Board of a landowner complaint of drainage problems on 500 North close to Winding Creek Subdivision. She stated the landowners were concerned of the possibility during construction of Winding Creek that field tiles were cut. The Surveyor stated the Drainage Board approval was dependant on the interception of field tiles. There was one open field tile the Surveyor's office was aware of for Phase II of Winding Creek. Paul Couts had designed that section and the Surveyor's office would make sure the tile had been located and was included into their storm system. The Surveyor referred to Tim Wells concerning the culvert under the road. Tim stated the Highway dept. would install a pipe (probably 18-inch) after a 24-inch pipe was installed to drain the north side of the road. Concerns were noted and the Surveyor's office would investigate.

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John Knochel, President

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KD Benson, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 4, 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 Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, Tim Wells County Highway Engineer, Drainage Board Secretary Brenda Garrison, and Shelli Muller GIS Technician.

Approval of January 7, 2004 Minutes
KD Benson moved to approve the January 7, 2004 minutes and Ruth Shedd seconded the motion. The minutes were approved.

2004 Engineering Service Contract
KD Benson made the motion to approve the 2004 Engineering Service Contract with Christopher B. Burke Engineering LTD. Ruth Shedd seconded the motion; therefore the 2004 Engineering Service Contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD was approved.

Brookfield Heights/Brookfield Farms Petition for Establishment of Regulated Drain
The Surveyor invited representatives from Brookfield Heights and Brookfield Farms to address the Board. Norman Arbuckle President of Brookfield Heights Home Owners Association and Karen Hall President of Brookfield Farms Homeowners Association stated their name and position for the official record of the meeting.

Utilizing the County's GIS Website, Steve reviewed the location of both subdivisions for the Board. Brookfield Heights was located north of State Road 26, west of 550 East and south of 50 North, while Brookfield Farms was located south of 26. The Surveyor informed the Board of the following; a review of the files and previous Drainage Board meetings, showed the intent during the development of both Brookfield Heights and Brookfield Farms, was to make the storm sewer system within the two subdivisions into a regulated drain. Due to an inadequate outlet for the site a detention pond and an offsite channel which ran to the flood plain of the Wildcat Creek was required. An Easement was acquired from the property owner North of 50N and dedicated to the County. After review of the files, the Surveyor found that while the intent was to establish the storm system into a County Regulated drain, the developer never filed a signed petition. Recently, the Brookfield Heights Homeowners Association sent out a questionnaire asking if landowners were in favor of establishing the storm sewer system into a County Regulated drain. Those signatures were attached to a petition and represented over ten percent (10%) of the owners within the watershed.

Steve then stated the offsite channel in particular was grown up with brush and beaver dams needed removed. With the exception of the need for the offsite channel to be cleaned the Surveyor was not aware of any other major problems. At this time, the Homeowners Association would be responsible for overseeing the work. As the County deals with this on a regular basis, the Surveyor felt it would be more efficient, once a maintenance fund was established and the assessments were collected, for the County to have the work done. The Surveyor then presented the original Petition with the attached signatures to the Board for acceptance. KD Benson made the motion to accept the Petition and refer it back to the Surveyor for a preliminary report. Ruth Shedd seconded the motion; the Petition was accepted and referred back to the Surveyor for a preliminary report. Steve stated after the report was presented to the Board a landowner hearing would be the next step for the establishment of the **Brookfield Heights/Brookfield Farms Regulated Drain**.

Fellure Foods
Mr. Don Fisher of Insight Engineering appeared before the Board and to present Fellure Foods for final approval. The site consisted of approximately 8.8 acres and was located between U.S. 52 and County Road 500 North approximately 0.3 mile east of County Road 900 West in Shelby Township. Two entrance drives would be constructed to provide access to U.S. 52 and County Road 500 North. Runoff would discharge into the Oshier County Regulated Drain.

In response to KD's inquiry, Mr. Fisher noted all pertinent information had been submitted to INDOT for approval. The Surveyor stated that condition was on an earlier memo and would be a condition for final approval as well.

The Surveyor stated it would be required that warning signs be placed at a reasonable distance around the pond.
The plans show a safety ramp, however the location of the ramp needed to be adjacent to one of the parking lot areas. Mr. Fisher stated they would make the adjustment as required. The Surveyor was prepared to recommend final approval as stated on the January 30th, 2004 Burke Review memo deleting condition six and adding the condition of approval from Indiana Department of Transportation as well as the addition of warning signs and safety ramp for the pond.

KD Benson made the motion to grant final approval to Fellure Foods with the conditions as stated on the January 30, 2004 Burke memo as well as the warning signs as noted by the Surveyor. Ruth Shedd seconded the motion and final approval with conditions was granted to Fellure Foods.

Stonehenge Subdivision Phases 2 & 3

Mr. Tim Beyer of Vester & Associates appeared before the Board to present Stonehenge Subdivision Phases 2 & 3 for final approval. These phases would contain 63 lots. The site consisted of a 24.6-acre tract and was located on the south side of County Road 450 North and east of the intersection with County Road 375 West. Tim noted the Board had previously approved the existing detention facilities for the overall development. The proposed storm sewer system would tie into the existing Phase 1 storm structure and eventually discharge to Indian Creek located to the east of the development.

KD Benson asked if there would be a Phase 4 and Mr. Beyer responded the owner Stonehenge Development Corporation planned on additional phases in the future. In response to the Surveyor's inquiry, Mr. Beyer confirmed the conditions on the February 2, 2004 Christopher Burke memo were noted and understood. The Surveyor pointed out the area on the plans around lots 64 through 73. A temporary easement would be required for the record in the event the conveyance of runoff from the swales to the detention pond fell outside the platted easement.

The Surveyor recommended final approval with conditions as stated on the February 2, 2004 Burke memo. KD Benson motioned to grant final approval for Stonehenge Subdivision Phases 2 & 3 with the conditions as stated on the February 2, 2004 Burke memo as well as the requirement of the temporary easement. Ruth Shedd seconded the motion and Stonehenge Subdivision Phases 2 & 3 was granted final approval.

Water Safety Committee

KD Benson stated the following people have been asked to serve on the newly established Water Safety Committee.
Commissioners Representative - KD Benson
County Surveyor - Steve Murray
County Attorney - Dave Luhman
Surveyors' Representative - Pat Cunningham of Vester & Associates (or designee)
Engineers' Representative - Mike Wylie of Schneider Engineering (or designee)
Developers'/Builders' Representative - Scott Bowers of CP Morgan Communities (or designee)
Parent - Kathy Shedd (or designee)
Sheriff - Smokey Anderson
TEMA Representative- Steve Westtschurack
Red Cross Representative - Debbie Elsner (or designee)
School Representative - Alan Kemper
West Lafayette Representative - Jason Burks
Lafayette Representative - Mike Spencer
Vision 2020 Representative - Kathy Dale (or designee)

KD stated the first meeting would be held February 19th, 2004 at 12:00 and would be held in the Grand Prairie Room of the County Office Building. She then thanked Kathy Shedd for her perseverance. The Surveyor stated his office was in the process of determining the number of wet and dry detention facilities outside the city limits within the county. Ruth Shedd moved to approve the committee for the water safety program and John Knochel seconded the motion. The motion carried.

OTHER BUSINESS

Steve Murray

Irrevocable Letter of Credit

The Surveyor presented an Irrevocable Letter of Credit # 532 from Lafayette Bank & Trust in the amount of $34,315.00 for Raineybrook Part 2 Section 1 for approval. KD Benson made the motion to approve the Irrevocable Letter of Credit as presented and Ruth Shedd seconded the motion. The Irrevocable Letter of Credit # 532 for Raineybrook Part 2 Section 1 in the amount of $34,315.00 was approved.

2004 Active and Inactive Drains

The Surveyor presented the 2004 Inactive and Active Drain list for the Board's acceptance and approval. KD Benson made the motion to accept the list as presented and Ruth Shedd seconded the motion. The 2004 active and inactive drain list as presented was approved. A copy of the list would be added to the minutes of this meeting and put in the official minutes record.

Steve then informed the Board that Shelli Muller, GIS Technician had been entering drain watersheds on the GIS system. Khalid Hassan from MITS was assisting the office with the development of a drainage layer. The layer among other things would highlight a parcel or tract of land that was not being assessed within a particular watershed. Steve stated this would be a more efficient process for assessment of the drains.

Berlowitz Reconstruction Project Phase 1

The Surveyor presented the cover sheet for the Berlowitz Reconstruction Project Phase 1 to the Board for signatures. The project ran from approximately 50 South to I-65. A final bid date had not been set at that time. The Surveyor estimated the project would cost two million dollars ($2,000,000.00). The project had about 500,000 cubic yards of dirt to be removed. The Surveyor felt half of that amount had been accounted for as Mr. Sorenson from Eastland Development was working with the office on that issue. The last resort would be to stock pile it and offer it to the public at no charge.

KD Benson moved to approve the Berlowitz Regional Watershed Improvement plan as presented and Ruth Shedd seconded the motion. The plan was approved and cover sheet signed.

As there were no public comments John Knochel entertained a motion to adjourn. KD Benson motioned to adjourn and Ruth Shedd seconded the motion. The meeting was adjourned.

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John Knochel, President

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KD Benson, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
May 5, 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 from Christopher B. Burke Engineering Limited Dave Eichelberger, County Highway Engineer Tim Wells and Drainage Board Secretary Brenda Garrison.

Approval of April 7, 2004 Minutes

KD Benson motioned to accept the Drainage Board minutes of April 7, 2004. Ruth Shedd seconded the motion and the minutes of the April 7, 2004 meeting were approved as written.

Molter Subdivision

Robert Gross of R.W. Gross & Associates appeared before the Board to request a waiver of the Standard Stormwater Detention requirements as well as final approval of Molter Subdivision. The site was located on the west side of County Road 450 East, approximately ¼ mile north of County Road 800 South in Wea Township. The project consisted of nine (9) residential lots on approximately twenty-two (22) acres. A private drive extended west from County Road 450 East and would provide access to the lots. Mr. Gross stated since the discharge after development would increase slightly in basin one (1) only, he was also requesting a waiver to the Standard Stormwater Detention requirements.

Mr. Gross stated side ditches would be constructed along an existing swale at the site. He stated the swale had been profiled on the plans. The Surveyor stated the easement along the swale should be from top of bank to top of bank. Mr. Gross agreed and it would be noted on plans. The natural swale on the site discharged to the Reser ditch located to the west. KD asked if that particular portion of the Reser ditch was part of the Regulated Drain. The Surveyor commented it was not as the regulated portion was the upper end of the Reser Ditch.

The Surveyor recommended a waiver of the Standard Stormwater Detention based on the numbers and proximity to the Reser Ditch. KD motioned to recommend a waiver of the Standard Stormwater Detention requirements based on the Surveyor's comments. Ruth Shedd seconded the motion and a waiver of the Standard Stormwater Detention was granted. The Surveyor recommended final approval with conditions as stated on the April 30, 2004 Burke memo. KD Benson motioned to grant final approval to Molter Subdivision with the conditions stated on the April 30, 2004 Burke memo. Ruth Shedd seconded the motion and Molter Subdivision was granted final approval with conditions as stated on the April 30, 2004 Burke memo and conditions as stated by the Surveyor.

Steve Murray/ Other Business

Hadley Moors Part 5 Phase 2/ Maintenance Bond

The Surveyor presented Maintenance Bond # 4175899 from Fairfield Contractors Inc. in the amount of $7322.00 for acceptance regarding Hadley Moors Part 5 Phase 2. KD Benson motioned to accept the Maintenance Bond for Hadley Moors Part 5 Phase 2 as presented by the Surveyor. Ruth Shedd seconded the motion and Maintenance Bond #4175899 for Hadley Moors Part 5 Phase 2 was accepted.

Arnett Hospital

The Surveyor stated the Design Company Gresham Smith and Partners working on the Arnett Hospital site located at McCarty Lane and 500East had requested a Special Meeting of the Drainage Board. He stated they would like to get a submittal in that would allow them to start moving soil. The Surveyor then asked the Engineer Consultant to inform the Board the project's status to date. Dave stated the submittal was in solid shape with only a few questions. He would have a memo to the Board possibly on May 6th. Discussion was held on possible meeting dates and times. The tentative date would be Wednesday May 19th, 2004 at 10 a.m. with a backup date of Monday May 24, 2004 at 10 a.m. The Surveyor noted Special Meeting costs would be the responsibility of the requester. He then stated the Design Company was willing to take 350,000 cubic yards of excess dirt from the Berlowitz project for the Arnett Hospital project. This would save the County a substantial amount of money.

Obstruction Petition/ Fitzgerald/Mitchell vs. Brooks/Lahrman/Fox

The Surveyor stated to assist in keeping the costs of the obstruction study down, the Surveyor Office's Project Manager Zachariah Beasley would do a portion of the initial analysis and Dave Eichelberger from Christopher Burke Engineering LTD. would review the hydraulics of the thirty inch (30") culvert without cost to the Board. He informed the Board he had a call from Mr. Mitchell about the status of the ordered study. He stated it was on the pending project list and they were working diligently to get it accomplished as cost effective as possible.

Homer Shaffer

KD Benson stated Homer Shaffer had contacted her concerning regulating a private drain. The Surveyor stated he would speak with Mr. Shaffer.

Public Comment

As there was no public comment, KD Benson motioned to adjourn the meeting. Ruth Shedd seconded the motion and meeting was adjourned.

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John Knochel, President

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KD Benson, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
May 19, 2004
Special Meeting

Those present were:

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

Arnett Hospital
Early Release Grading and Drainage Plan

Drainage Board President John Knochel called the Special Meeting to order. Mr. Knochel stated the reason for the meeting was to review and approve the early release grading and drainage plan submitted by Gresham, Smith and Partners. He then invited Mr. Jon Perry representative of Gresham, Smith and Partners to address the Board.

Mr. Perry stated the proposed hospital would accommodate 130 – 150 beds. It would be located on approximately 115 acres east of County Road 500 East and south of McCarty Lane. The plan involved the demolition of existing on-site structures as well as the construction of diversion ditches, berms and two temporary sediment basins. This phase of the project would involve 60 of the 115-acre site.

The *Felbaum Branch* of the *Berlowitz Regulated Drain* was located on this site. An Encroachment on the *Berlowitz Regulated Drain* was warranted in this case and the Board reviewed the plans. The Surveyor recommended approval for Encroachment on the *Berlowitz Regulated Drain* with the condition of vacation or possible interception of the *Felbaum Branch*. After the review, KD Benson motioned for approval of the Encroachment on the *Berlowitz Regulated Drain* with the condition as stated by the Surveyor and Ruth Shedd seconded the motion. An Encroachment on the *Berlowitz Regulated Drain* was approved with the condition of the possible vacation or interception of the Felbaum Branch.

The Surveyor noted for the record due to the location within the *Berlowitz* watershed, contribution to regional detention would be required. The amount would be determined based on per acre-foot of storage.

John Knochel then asked if the County Highway Department had concerns to note. Tim Wells stated permits would be required for the entrances to the site and it's construction. He was concerned with the overall erosion control in the project area. Mr. Perry stated this issue was addressed with the submitted Stormwater Completion Plan Narrative, however they would be sensitive to the concerns. At that time Tim reminded the Board of the anticipated construction of 550 East, which would cause considerable congestion on 500 East. Mr. Perry stated the Highway Department's requirements would be followed and was willing to meet with Tim immediately following the meeting.

KD Benson motioned to approve the Early Release Grading and Drainage Plan as submitted. Ruth Shedd seconded the motion and the Early Release Grading and Drainage Plan for Arnett Hospital was approved.

OTHER BUSINESS

Lewis Jakes Ditch #40 / Moorehouse Road

Due to an email received from Dale Butcher, Mr. John Knochel requested the Surveyor address the Board concerning the Lewis Jakes tile ditch.

The Surveyor stated in the mid to late 1990's a hearing was held to raise the rate of the assessment for the conversion of a good portion of the tile to open ditch due to sever erosion. The hearing was held and the proposal was not passed. Therefore the per acre assessment was not increased and was $1.25 per acre. He had spoke with Mr. Kerkove and Mr. Butcher last year concerning the condition of the drain and a possible hearing. He provided Mr. Butcher with a watershed map and list of the benefited landowners. Mr. Butcher agreed to contact the benefited landowners to see if they would be agreeable to raising the assessment for the work needed. He noted this was a medium size watershed. He had not heard back from Mr. Butcher until the email today. John Knochel thanked the Surveyor for his input and noted Mr. Butcher would be contacted concerning this issue. A copy of the correspondence would be placed in the file for future reference.

At that time, KD Benson moved for adjournment. Ruth Shedd seconded the motion and the meeting was adjourned.

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John Knochel, President

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KD Benson, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 2, 2005
Regular Meeting

Those present were:

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

Approval of January 5, 2005 Minutes

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

Comprehensive Stormwater Management Ordinance

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

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

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

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

Water Safety Committee

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

Other Business
Classification of Drains

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

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

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

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

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

Maintenance Bonds
Prophets Ridge Phase 1 / Prophets View Subdivision Phase 1/ Paramount Lakeshore Subidivison

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

Professional Engineering Services for Engineering Review Contract

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

Lewis Jakes Ditch

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

Public Comment

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

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Ruth Shedd, Vice President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

Tippecanoe County Drainage Board
Minutes
March 2, 2005
Regular Meeting

Those present were:

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

Approval of February 6, 2005 Minutes

John Knochel made the motion to approve the February 2, 2005 Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 2, 2005 Drainage Board minutes were approved as written.

Cascada Business Park

Pat Jarboe with T-Bird Designs appeared before the Board to present Cascada Business Park and request conceptual approval for the entire site. The project was located within the City of Lafayette, south of the Super Wal-Mart location on approximately 125 acres immediately east of Treece Meadows and on the north side of McCarty Lane. The Treece Meadows Relief drain (also know as the Layden Ditch) was located along the west property line.

Pat stated the purpose today was to receive approval for the release rates into three (3) separate watersheds. Pat then reviewed the three watershed locations for the Board. The site's western portion (approximately 92.5 aces) released to the Wilson Branch of the S.W. Elliott Regulated Drain. The northeast portion (approximately 10 acres) released to the Alexander Ross Regulated Drain. The southeast (remaining 21.5 acres) released to the Berlowitz Regulated Drain through the storm system along McCarty Lane A 2000 Drainage Study by Christopher B. Burke LTD, which focused on the TR3 modeling was followed for the drainage calculations of this study. The current design was used based on the aforementioned study. The site's portion known as phase 1 lay entirely within the Wilson Branch watershed. Construction plans would be submitted for this Phase once conceptual approval was granted. Phase 1 would include a boulevard along the Wilson Branch watershed. He noted two (2) detention basins would be included in the construction of this phase and sufficient for the entire site. Pat then showed the Board the overall conceptual plan was to construct a main road from McCarty to connect with the Super Wal-Mart road. The Surveyor pointed out this site was part of the thoroughfare plan, which would extend down to SR 38. Responding to the Surveyor's inquiry Pat stated Ron Whistler was the official developer of the site.

Surveyor recommended conceptual approval subject to the conditions on the February 22, 2005 Christopher B. Burke memo. He reiterated he was only prepared to recommend conceptual approval for Phase 1 at this time. Pat stated a final approval for Phase 1 and a conceptual approval for the entire site would be requested at the April meeting. John Knochel made a motion to grant conceptual approval of Cascada Business Park Phase 1 with the conditions listed on the February 22, 2005 Christopher B. Burke memo. Ruth Shedd seconded the motion. Cascada Business Park Phase 1 was granted conceptual approval by the Board.

Winding Creek Sec 4

Paul Couts with C&S Engineering appeared before the Board to request final approval for Winding Creek Section 4. The site consisted of approximately 42 aces located on the south side of County Road 600N between County Roads 50W and 75E, and part of the overall Winding Creek/Coyote Crossing Development. Steve Connors from Winding Creek Development was also in attendance for the meeting. At Mr. Connor's request, this section's initial site plan was revised to retain several large trees and the natural topography of the area. Accordingly, approximately 24 lots would not be disturbed. A temporary road entrance to the golf course would be replaced by Augusta Boulevard with a sixty-foot (60') right of way and a forty-foot (40') pavement width. A waterway in the northwest corner drained approximately 118 offsite acres and would be improved upon. There would also be two (2) detention ponds constructed during the phase. Outlot C would contain a dry detention basin and would be located near the aforementioned waterway. A wet detention facility would be located further south on Outlot D. Most of the runoff collected would be released into the wet facility. Paul stated the conditions stated on the February 25, 2005 Christopher B. Burke memo would be met and requested final approval at that time. The Surveyor confirmed with Mr. Couts that certified notification was sent to landowners surrounding this phase. Paul confirmed that an existing stream which ran to Burnett Creek had been photographed and was a part of the original file. The Surveyor requested existing condition photographs of conveyance at and off site of Outlot C and the discharge points located at the northeast and southeast portion of the section's site for the possible future reference.

The Surveyor stated he was prepared to recommend final approval with the conditions as stated on the February 25, 2005 Christopher B. Burke memo to include the added conditions stated of photographs and catch basins. John Knochel made the motion to grant Winding Creek Section Four (4) final approval with conditions as stated on the February 25, 2005 Christopher B. Burke memo as well as those stated by the Surveyor. Ruth Shedd seconded the motion. Winding Creek Section Four (4) was granted final approval with conditions as stated on the February 25, 2005 Christopher B. Burke memo in addition to the provisions of photographs of current conveyance at and off site of Outlot C and discharge points located at the northeast and southeast portion of the site for the possible future reference.

The Commons At Valley Lakes Phase 4

Pat Jarboe and Meredith Byer with TBIRD Designs appeared before the Board to request conceptual approval for Section Four of The Commons At Valley Lakes. The project site was located south of County Road 350S,east of County Road 150E (South 18th Street) and consisted of 37 acres within the City of Lafayette. The J.N. Kirkpatrick Regulated Drain Branch 7 (10 inch tile) crossed the southern portion of the site. The Commons at Valley Lakes Phases 1 and 3 were located west and The Landings at Valley Lakes Phase 4 south of the project site. The proposed storm sewers would extend south through the site. Meredith noted the direct discharge to the J.N. Kirkpatrick Regulated Drain was previously approved. A detention pond along the northern portion of the site would reduce peak discharges to the drain. In addition, a portion of the J.N. Kirkpatrick Regulated Drain Branch 7 would be relocated. A thirty-foot (30') easement would be requested through the site for said drain. Meredith requested conceptual approval of the drainage plan for The Commons At Valley Lakes Phase 4 at this time while stating final approval would be requested at the April meeting. The Surveyor stated the Board has approved the various phases of The Commons at Valley Lakes. This phase was in line with the overall project submittals. He stated the discharge release rate was within the model rates and he did not anticipate any problems with the relocation of Branch 7 as shown. He recommended conceptual approval for Phase Four (4) of the Commons at Valley Lakes with conditions as stated on the February 25th, 2005 Christopher B. Burke review memo. John Knochel made the motion to grant conceptual approval of The Commons at Valley Lakes Phase Four (4) with the conditions as stated on the February 25, 2005 Christopher B. Burke memo.

Petition to Remove An Obstruction/Joseph Mackey vs. Frederick Whaley Trust

Mr. Joseph Mackey 8511 State Road 26 West, West Lafayette Indiana, submitted a Petition to Remove An Obstruction to the Drainage Board. The Surveyor informed the Board he had made a site visit and previously walked the private tile's route from State Road 26 to the outlet on Pine Creek. Historical aerials were brought to the meeting for Board review. The Surveyor stated he spoke with Mr. Norman Bennett who had farmed the Whaley ground for many years and was a child when the tile was installed. Over the years the tile had broken down with numerous tile holes and obstructions on the Frederick Whaley tract north of SR26 from lack of maintenance. To complicate the situation the tile route was through what were existing wetlands. Aerials from the 1940's through 1960's did not indicate wetlands at that time. In conducting research, he stated he also spoke with Mark Eastman from SWCD/NRCS office. The Surveyor then noted, not only was Mr. Mackey unable to access his property, Mr. and Mrs. Alan Haas had been wading through water to access their home. A GIS photograph presentation of the area in question was presented to the Board for review. The wetland had grown in size and wrapped around a "knob" to the east then returned to SR 26W at another location. Mr. Mackey pointed out a man made berm at the Haas Residence location, which had been constructed years ago and he felt was contributed to the lack of drainage of the area. The Surveyor stated at the time of his site visit he was unable to view the berm as the water level was too high. The Surveyor stated the tiles could be repaired and replaced with the same tile type and size. The Board reviewed a 1938 aerial, which did not indicate a wetland in that area. There was no standing water whatsoever. The Surveyor stated the area was dry and drained through the 1970's. He stated the wetland area has grown through the years since then and felt the lack of tile maintenance contributed to the problem. He stated the petition was in order and requested a hearing be set within the next thirty days. He would submit a formal report to the Board at that time. Responding to the Attorney's inquiry, the Surveyor stated the tile was a mutual drain. John Knochel made a motion to authorize the Surveyor to call a special meeting to formally hear the Petition to Remove an Obstruction submitted by Mr. Mackey. A March 10, 2005 at 1:30 p.m. date and time was set for the Hearing. Ruth Shedd seconded the motion. March 10, 2005 at 1:30 pm. was set to hear the obstruction petition. Mr. Mackey thanked the Board for their time.

2005-04-CM /Tippecanoe County Comprehensive Stormwater Management Ordinance

The Attorney stated he had reviewed the draft and also spoke with the City of Lafayette's attorney concerning their ordinance. The Attorney then proposed an amendment to the Ordinance No. 2005-04-CM as previously written. The amendment dealt with the enforcement section of the ordinance and would be consistent with the City of Lafayette's as well. The amendment removed the stop work language that suggested a violation would result in imprisonment. It would replace the imprisonment language with "a fine of not less than $500.00 for the first offense and not less than $1000.00 for subsequent offenses." Definitions were also added. Under the corrective action reference the following should be added, "that a landowner of any land where violation occurred was required as well as their contractor to take corrective action". The attorney stated this would make it clear the Board had jurisdiction. The Surveyor noted one more amendment to Chapter Three, Page Ten, Paragraph b: "the current FIRM (Flood Insurance Rate Map) or best available to be determined by the County Surveyor" should be inserted in the place of "FEMA maps". John Knochel made a motion to adopt Ordinance No. 2005-04-CM Tippecanoe County Comprehensive Stormwater Management as amended. Ruth Shedd seconded the motion. The 2005-04-CM Tippecanoe County Comprehensive Stormwater Management was adopted as amended. Roll Call was as follows:
Ruth Shedd-yes, John Knochel-yes, member KD Benson was absent.

Resolution 2005-02-DB/Tippecanoe County Stormwater Technical Standards Manual

The Attorney presented Resolution 2005-02-DB adopting Tippecanoe County Stormwater Technical Standards Manual by the Board. Mr. John Knochel made a motion to adopt the 2005-02-DB Tippecanoe County Stormwater Technical Standards Manual Resolution as written by the Attorney. Ruth Shedd seconded the motion. The 2005-02-DB Resolution was adopted as written.

The Surveyor noted Mr. Mike Wylie postponed his Water Safety presentation to the Board until next month. As there was no other business before the Board, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

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Ruth Shedd, President

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John Knochel, Vice President

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KD Benson, member

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Brenda Garrison, Executive Secretary

Tippecanoe County Drainage Board
Minutes
April 6, 2005
Regular Meeting

Those present were:

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

Approval of Minutes

John Knochel made a motion to approve the February 23, 2005 Brookfield Heights/Brookfield Farms #116 Regulated Drain Hearing, the March 3, 2005 Regular Meeting minutes, and the March 10, 2005 Obstruction Hearing minutes as written. KD Benson seconded the motion. The aforementioned minutes were approved as written.

The Commons at Valley Lakes Phase 4

Meredith Byer and Pat Jarboe with T-Bird Designs appeared before the Board to present The Commons at Valley Lakes Phase 4 for final approval. Within Lafayette city limits, the thirty-seven acre site was located east of County Road 150 East (South 18th Street) and south of County Road 350 South. The Surveyor stated the project site drained into the J.N. Kirkpatrick Regulated Drain. The requested relocation of Branch Seven of the J.N. Kirkpatrick Regulated Drain was the reason for the Board's review, as well as direct discharge into the Regulated Drain. He went on to state the Board should review and approve the relocation of Branch Seven and direct discharge.

Meredith stated branch seven consisted of a 10" clay tile and was located in the southern portion of the site. The outfall for Branch Seven was located in Phase 3 of the Commons at Valley Lakes. This Branch would be intercepted within the Landings Phase 3, and redirected through the proposed conveyance system in Phase 4 of the Commons at Valley Lakes. She stated they were working closely with Crystal Joshua in the City Engineer's Office, and expected approval of the project's construction plans. A final copy of the drainage report and plans once finalized would be forthcoming.

The Surveyor noted the project's covenants should state in detail " No permanent structures allowed within the J. N. Kirkpatrick Regulated Ditch Easement throughout the site." He recommended final approval subject to conditions on the Burke Review Memo dated March 31, 2005 with the additional requirement of verbiage in the covenants as stated. . He recommended an approval of a drainage variance for the project and stated it should be the first order of business.

John Knochel made a motion to grant The Commons at Valley Lakes Phase 4 a drainage variance for the direct discharge. KD Benson seconded the motion. A direct discharge variance was granted. John Knochel then made a motion to grant final approval for the Commons at Valley Lakes Phase 4 with the conditions stated in the March 31, 2005 Burke memo with the additional requirement in the covenants as stated. KD Benson seconded the motion. Final approval with the conditions as stated in the March 31, 2005 Burke memo to include the aforementioned language in the covenants was granted for The Commons at Valley Lakes Phase 4.

Lauren Lakes Section 1

Brandon Fulk with the Schneider Corporation appeared before the Board to present Lauren Lakes Section 1 for final approval. The Lauren Lakes project would be constructed in phases, with this phase consisting of seventy (70) single family homes. The section was located on twenty-eight (28) acres of the two hundred thirty one (231) acre project site, west of C. R. 75 East on the south side of C.R.500 North. The existing conveyance conditions were taken into consideration while modeling the site, and the new Stormwater Ordinance was used as a guideline for this project. Drainage for Section 1 was provided by an existing unnamed tributary to Burnett Creek, located in the eastern portion of the site. Brandon stated the un-named tributary crossed C.R. 500 North and eventually tied into Burnett Creek at Coyote Crossing. He pointed out that an existing drainage basin traveled to C. R. 500 North and at times had overtopped the road, and noted the issue was addressed within the Section 1 plans. In addition, Prophet's Ridge pond tributary was included in the design analysis for the site.

As a side note, the Surveyor stated while the downstream conveyance was well documented by photographs, a narrative accompanying the photographs would be useful for future projects. The Surveyor stated the channel was well defined and did not anticipate a problem. John Knochel asked Mr. Ratcliff (landowner in attendance) how often he observed the County Road 500 North flooded. Mr. Ratcliff stated a few times, only since Winding Creek Subdivision was developed. He went on to say he felt the tile under the road had been compromised during the development of Winding Creek Subdivision. Brandon stated photos taken which indicated no flooding after the last rainfall event were provided. He went on to inform the Board that the submitted design addressed that issue as well. The release rates for this section were below the Ordinance requirement, and he anticipated the rates would be lower for the overall project as well. The project had received verbal approval from the County Highway Dept. for the entrance construction work. He stated he would work closely with the Surveyor's office concerning the covenants and restrictions for this project. He then requested final approval for this phase of the project. In response to KD's inquiry, he stated the safety guidelines per the 2005-04-CM Comprehensive Stormwater Ordinance were implemented for this project. The Surveyor noted the project design included hard surface safety ramps. Ruth Shedd asked for public comment, and there were no comments made.

The Surveyor added a condition to supply an Easement for the east line outlet point of Phase 1 to the defined conveyance. In response to the Surveyor's inquiry regarding the side ditch of County Road 500 North, Brandon stated he was confident the runoff would not top the road. He also indicated the Homeowners Association would be responsible for maintenance after three years and noted he would get a verification of that on record. Future maintenance could be a high cost to the lot owners and documentation of such maintenance responsibility would be required. The Surveyor then noted the Ordinance strongly recommended reasonable tree and native vegetation retention. He recommended final approval with conditions stated on the March 31, 2005 Burke memo, along with drainage easement documentation for both outlets from the detention ponds to the defined conveyance east of the East line of Phase 1. John Knochel made a motion to grant final approval for Lauren Lakes Section 1 with conditions stated on the March 31, 2005 Burke memo as well as the condition of drainage easement documentation for both outlets from the detention ponds to the defined conveyance east of the East line of Phase 1. KD Benson seconded the motion. Lauren Lakes Section 1 was granted final approval with conditions as stated on the March 31, 2005 Burke memo to include the added condition of drainage easement documentation for both outlets from detention ponds to the defined conveyance east of the East line of Phase 1.

Cascada Business Park Phase 1

Pat Jarboe and Meredith Byer with T-Bird Designs appeared before the Board to present Cascada Business Park Phase 1 for final approval. They were also requesting conceptual approval for the overall site. Pat stated the developer, Ron Whistler, was also in attendance today.

Phase 1 of the project consisted of 26.5 acres and located at the southwest corner of the overall 125-acre site. The overall site was located in the City of Lafayette, east of Creasy Lane on the north side of McCarty Lane. The Treece Meadows Relief Drain (also known as Layden Regulated Drain) was located along the western property line. Phase 1 would include two detention facilities and runoff would be discharged via the Wilson Branch of the S.W. Elliott Regulated Drain to the Treece Meadows Relief Drain. Of the overall project site, approximately 92.5 acres drained west to the aforementioned drain, approximately 10 acres drained northeast to the Alexander Ross Regulated Drain, and the remaining 21 acres drained to the Berlowitz Regulated Drain through storm sewers along McCarty Lane. He stated the developer was working with the City's Redevelopment Office to eventually extend Park East Boulevard. This would connect State Road 26 with McCarty Lane.

The Surveyor stated the Alexander Ross drain traveled behind the Super Wal-Mart, under the interstate into the pond area northwest of Meijers then under SR 26 and east of Frontage Road. Utilizing GIS, he then reviewed the route of the Ross Drain to familiarize the Board. Christopher Burke Engineering did an overall watershed study of that area and it had been well studied. Phase 1 would contain two detention facilities on the eastern border, and would collect significant portions of the remaining phases' runoff. They were designed to accept the developed portions' runoff outside of the Phase 1 development, and would do so once online. A variance would be required as portions of the site, which drained through the pond to the Treece Meadows Relief Drain, exceeded the allowable discharge rates. Those rates were the ten-year existing to the 100-year proposed and the 2-year existing to the 10-year proposed. Pat stated they had matched the 100-year existing levels to the 100-year proposed numbers due to downstream conditions. Therefore a variance was requested for the discharge rates. Pat provided the Board with draft agreements with the Power Company, which specifically stated the design was acceptable for the storage under the power lines. The Surveyor stated it was the Drainage Board's duty to grant a drainage variance and the City of Lafayette's to grant a variance for encroachment on the City's right of entry. At that time, Pat requested a release rate variance to include final approval for Cascada Business Park Phase 1and conditional approval on the overall portions of the site. In response to KD's inquiry, Pat reviewed the entire site's watersheds for the Board. While limiting the amount of runoff outlet to the storm sewers along McCarty Lane, the design allowed for a larger area's runoff

directed to the detention facilities- as well as the Treece Meadows Relief Drain. The Surveyor noted Treece Meadows was designed for direct release. The Surveyor's Office was made aware of some problems in the area of Amelia Drive in the last few years. He requested Christopher B. Burke revisit their previous study and they have remodeled the area, and identified the problem areas. Regarding the Berlowitz Drain and McCarty Lane, the City agreed to fund upsizing of the storm sewers along McCarty Lane, when the County constructed it between Creasy Lane and 500 East. It was designed to take the 100 year developed condition. He stated the developer would pay a fee for storage in the planned Berlowitz Detention facility. Ruth Shedd then asked for any comments from the public. No comments were made.

The Surveyor then recommended granting a release rate variance under condition two of the April 11, 2005 Burke memo. John Knochel made a motion to grant the variance under condition number two of the April 1, 2005 Burke memo. KD Benson seconded the motion. The Surveyor recommended final approval for Phase 1 and conceptual approval for the overall project with conditions as stated on the April 1, 2005 Burke memo, while striking the last paragraph in condition number two on said memo. John Knochel made a motion to grant final approval for Phase 1 and conceptual approval for the overall development with conditions as stated on the April 1, 2005 Burke memo while striking the last paragraph in condition number two on said memo. KD Benson seconded the motion. Cascada Business Park Phase 1 was granted a variance for the release rates. Cascada Business Park Phase 1 was granted final approval. Cascada Business Park was granted conceptual approval for the overall development.

Journal and Courier Publication Facility

Meredith Byer and Pat Jarboe appeared before the Board to present the Journal and Courier Publication Facility for final approval. The site consisted of 8 acres of a 10 acre parcel located between McCarty Lane and 200 South (Haggerty Lane) on the east side of County Road 500 East. A printing facility, loading docks and a parking area would be built on the site. A private road would provide access from County Road 500 East. The existing 66-inch storm sewer would be extended south from the project site to provide an outlet for future projects to the south. The project's runoff would be collected via catch basins and curb inlets and conveyed through new storm sewers to the 66-inch diameter storm sewer. A portion of the site would be discharged to the Berlowitz Drainage Facility located on at the northeast corner of County Road 500 East and McCarty Lane through the said 66-inch storm sewer along the east side of County Road 500 East. The developer would pay the storage fee associated with the said facility. At that time Meredith requested final approval for the Journal and Courier Publication Facility. Ruth Shedd asked for any public comment. There was no public comment.

The Surveyor recommended the second paragraph in the April 1, 2005 Burke memo be added as a condition. John Knochel made a motion to grant the Journal and Courier Publication Facility final approval with conditions as stated on the April 1, 2005 Burke memo as well as the added condition noted as the second paragraph of said memo. KD Benson seconded the motion. Final approval with conditions was granted for Journal and Courier Publication Facility.

Parker Ditch

The Surveyor requested the Board's attention to Dave Labonte, 720 Clifty Falls Lane, who was in attendance. Mr. Labonte wanted to inform the Board of an issue concerning Parker Ditch. GIS was utilized to review the area in question, specifically north of Haggerty Lane and east of SIA. The Parker Open Ditch project was a new concrete storm sewer constructed as an outlet for the Subaru Isuzu Automotive Plant in the 1980's. Economic Development grant monies paid for the construction of the concrete storm sewer. The Surveyor stated Parker Ditch was an existing agricultural tile at the time of construction and still had laterals tied into the new ditch. The agricultural tile ran under 200 South, east under interstate 65, and outlet at 650 East. From that point it was constructed as an open ditch all the way to the South Fork of Wildcat Creek. There were two concrete fords constructed to connect property that the open ditch severed. Mr. Labonte's entrance to his property was off 650 East (1 acre) and the building site (8 acres) was on the opposite side of the open channel. The Surveyor stated the concrete ford which was at least 24 inches of concrete had undermined and collapsed straight down. It appeared to be poor design or lack of maintenance that caused the collapse. After reading through numerous files on Parker Ditch and SIA the Surveyor found a Petition to Establish the open portion as part of the Regulated Drain, had never been filed. The second problem was a crossing over a regulated drain was typically the responsibility of the landowner. Mr. Labonte was now faced with the considerable cost of a new crossing over Parker Ditch. He noted Mr. Labonte had been very patient, however he was ready to start the building process at this time. A maintenance fund for Parker Ditch existed for the pre-existing agricultural tiles that tied into the new concrete storm sewer. At the time the concrete ford was constructed, a maintenance fund was intended to be set up for both the open portion as well as the preexisting tiles. The Surveyor stated he felt the Board should give Mr. Labonte a clear answer to his problem. Discussion at the time indicated SIA would be the sole contributor into the maintenance fund for the open portion of Parker Ditch and the majority of the assessment would then be assessed to other developments as they were created. The farmers would not bear the majority of the cost. The Board Attorney stated

since the drain was not functioning as intended due to the collapse of the concrete inside the ditch, the Board or the County could be the petitioner to establish the maintenance fund for the open portion. The Surveyor and Attorney would insure the necessary steps were taken to establish a maintenance fund for the open portion of the Parker Ditch. In response to Mr. Labonte's inquiry, the Surveyor stated he thought all the required documentation was on hand. Mr. Labonte thanked the Surveyor for his efforts and the Board for their time on this matter.

Lewis Jakes Ditch

Dale Butcher of 8171 North 300W appeared before the Board to discuss the Lewis Jakes Ditch. With heavy rains in the past year or so, he has worked closely with the Surveyor on the problems associated with the ditch. He stated the Surveyor had been very professional throughout this time. He expressed appreciation for time the Surveyor had spent with him on the drainage issue. He noted landowners were in favor of addressing the issue and was anxious to schedule a maintenance hearing. The Surveyor stated downstream of the old tile outlet had been surveyed, however more surveying and investigation was warranted. He informed Mr. Butcher he was prepared to ask the Board in an upcoming Special Drain Meeting to refer the Lewis Jakes Ditch to him for a final report. He anticipated he would be able to complete the report within thirty-sixty days of the Special meeting.

Petition to Establish a New Regulated Drain/ F. Wilson / Shelby Township

The Surveyor stated a Petition to Establish a New Regulated Drain was submitted to the Surveyor's Office by Mr. Norman Bennett 952 Kerber Road West Lafayette Indiana 47906. The Surveyor noted the Board, at the Whaley/ Mackey Obstruction Hearing held on March 10, 2005, discussed this private drain. Mr. Bennett was in attendance today. Based on the preliminary watershed information, a total of 94% of the benefited landowners had signed the Petition. The Attorney directed the assessment spreadsheet be attached to the Petition. He went on to say petitioners were required to reimburse the County if the petition did not pass, however that condition could be waived. John Knochel made a motion to refer the Petition back to the Surveyor for a report to the Board in the future. KD Bensons seconded the motion. The Petition was referred back to the Surveyor for a report. Due to the drain currently under standing water, investigation would be more difficult and the Surveyor wanted the Board to be informed of the situation.

Maintenance Bonds
Creekside Subdivision/Shawnee Ridge Phase 3

The Surveyor presented a Letter of Credit # 557 in the amount of $15,976.00 dated March 7, 2005 from Mennan Builders for Creekside Subdivision and recommended acceptance by the Board. John Knochel made a motion to accept the Letter of Credit as presented. KD Benson seconded the motion. Creekside Subdivision Letter of Credit # 557, amount $15,976.00, dated March 7, 2005 was accepted by the Board. He then presented Shawnee Ridge Phase 3 Maintenance Bond# 5013361 in the amount of $4300.00 dated Oct. 4, 2004 from Atlas Excavating for acceptance. John Knochel made a motion to accept the Maintenance Bond for Shawnee Ridge Phase 3 as presented by the Surveyor. KD Benson seconded the motion. Maintenance Bond # 5013361 in the amount of $4300.00 dated Oct. 4, 2004 for Shawnee Ridge Phase 3 was accepted.

Public Comment

Ruth Shedd asked for public comments. As there were none, John Knochel made a motion to adjourn the meeting. KD Benson seconded the motion. The meeting was adjourned.

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Ruth Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
April 11, 2005
Special Meeting

Those present were:

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

Ruth Shedd called the Special Drain meeting to order. She then referred to the Surveyor. The Surveyor noted the meeting today was to discuss the Classification of Drains Report previously presented to the Board on February 2005, as well as an overall Regulated Drain update. At that time, he gave the following presentation to the Board.

Steve Murray
Drain Maintenance, Drain Reconstruction, and General Drain Conditions

Drains In Need of Reconstruction
Julius Berlowitz
The Julius Berlowitz Drain was ready for the Phase 1 contract. Phase 1 included the construction of a regional detention facility east of I65, east and north to County Road 50 South. The project was held up due to the Arnett and St. Vincent issues. A new channel was in place north of 50 South and new culverts were in place on 50 South and 550 East. The County along with the area's property owners was discussing solutions for use of the excess dirt, which would allow the County to fund additional drainage projects if a solution was found. The Surveyor felt the discussions were worth the time and effort in order to save the County millions of dollars. The largest cost to the County would be disposal of the excess dirt. KD Benson inquired if it could be stored for future use. The Surveyor responded the amount of dirt would not allow that.

Lewis Jakes Ditch
The **Lewis Jakes** Ditch has had an informal hearing and field investigation completed. The project was close to a hearing for reconstruction several years ago. At that time, the watershed landowners denied the petition due to the cost. However, the property owners were now willing to raise the rate to approximately $10-$11 an acre to reconstruct the drain. A substantial amount of research and fieldwork was done on this drain. Steve stated it was a high priority for him and hopefully would be presented to the Board in the next 2-4 months.

S.W. Elliott Ditch/ Branch #11
The S.W. Elliott has had considerable amounts of work done over the last 20 years. The Wilson Branch Pond was in place at the Mall as a Regional Detention Facility. The **Treece Meadows Relief Drain** was reconstructed when the first Wal-Mart was built. **Branch #11 of the S.W. Elliott** was located across the Schroeder property and across SR 38 at the Tractor Supply Store, near the Brand property. A commercial subdivision was previously planned for the Brand property with twin 66" pipes under SR 38. The pipes would have to be pushed under the interstate, which proved to be too costly. Also, INDOT would not allow the construction under the interstate at that time. John Brand from Butler, Fairman, and Seifert Inc., related to the owners of the property, reviewed the drainage and infrastructure for the area and expressed interest in finding a solution. The planned thoroughfare included a connector between SR 26 and SR38, McCarty Lane and Haggerty Lane, to be constructed. As part of the current Cascada Business Park project, the Branch would be constructed from south of SR 26 (Wal-Mart area) to McCarty Lane. Since **S.W. Elliott** was an urban drain, the Surveyor recommended **Branch #11** to be reconstructed. The cost of the construction of the 66-inch pipes under SR 38 would be borne by INDOT. Reconstruction costs would be substantially lowered; therefore the landowners would benefit. Previously, Engineering consultants, during possible developments considered for that area, worked up reconstruction estimates for **Branch #11**. However, a preliminary review and new cost estimates were warranted due to the lapse of time.

F-Lake
As stated earlier, the approximate cost of the **F-Lake Regional Detention Facility** was $2,000,000.00. The design was close to completion and would be located on County Property, east and northeast of the Ivy Tech. Campus. This was one of two priority projects to be funded out of the EDIT Drainage Projects Fund. (The **Berlowitz** project cost was estimated at $3,000,000.00 plus, and the **F-Lake** project estimated cost at $2,000,000.00.) There was approximately $4,000,000.00 in the EDIT Drainage projects account at this time. If the County could work out a solution concerning the project's excess dirt, it would lower the cost of the **Berlowitz** project and allow the **F-Lake** project to proceed much faster.

J.N. Kirkpatrick/East of Concord Road
A preliminary design had previously been completed in anticipation of the LUR Industrial Park as well as additional residential development in that area. While there were advantages to a drain assessment reconstruction process, implementing a regional storage facility would result in the developers' responsibility for a set storage fee. This would ultimately result in decreasing the burden of maintenance costs solely by the area's farmers. EDIT Drainage Projects monies could supplement the cost of the maintenance of this portion of the drain.

D. Anson Drain
This drain had been discussed extensively in past meetings. This fall, the Surveyor's office was able to investigate areas of the tile located in wetlands, due to the dry weather. A revised estimate was being prepared and hopefully a drain hearing would be conducted within the next two to four months. (The Surveyor then reviewed the location of the tile utilizing G.I.S.) He stated he tentively planned to recommend the reconstruction be completed in phases. The first phase would involve beginning at the wooded location on the east side of Co. Rd. 100 West, removing major tree root blockage of the main tile, perhaps installing a new inlet on the west side of Co. Rd. 100 West (to assist in maintaining a low water level within the wetland), while continuing to work upstream. The assessment rate would need to be raised from the present assessment of $1.25 an acre to approximately $4.00-$8.00 an acre. The amount would depend on the length of time over which the landowners were willing to spread the maintenance cost over. Realistically, the project would in all likelihood be completed during a 5-10 year period- due to the amount of costs associated with it.

J.B. Anderson/Clarks Hill
Christopher B. Burke Engineering, as part of the **Lauramie Creek** Design Study, had completed a preliminary design for the **J.B. Anderson Drain**. The cost of that design was well in excess of $2,000,000.00, due to running an open ditch all the way to State Road 28. A lower cost solution would be warranted and revised preliminary plans were drawn up. The tile was fairly deep as it crossed Co. Rd. 975 East. Rather than daylighting the old tile into a new open ditch or waterway, a new shallower storm sewer would be constructed just east of Co. Rd. 975 East and ran roughly the same route as the tile. A portion of an existing storm sewer along a side street would also be reconstructed. This would relieve the surface water load and route it into a new channel that would run from Co. Rd. 975 East across the old railroad bed into twin corrugated steel pipes just south of the cemetery. The revised preliminary plan would drop the cost to approximately $400,000.00, which was more feasible.

Frank Kirkpatrick Drain
This drain was located near South County Line and 300 East and was in need of reconstruction. A call from landowner Don Fugate, a year or so ago, warranted a site visit which determined the tile was indeed laid uphill. For a number of years the tile had enough pressure to function. However, that was not the case at this time. That portion of the tile would need to be laid at a positive grade. This would qualify the work as reconstruction, not maintenance. The Surveyor felt downstream landowners would not be interested in bearing the cost, as their tile portion was operating.

Urban Drains
An Urban Drain by definition is an agricultural drain considered to be in need of reconstruction. With the exception of the **Alexander Ross** Regulated Drain, Tippecanoe County Urban Drains had been discussed previously. The **S.W. Elliott, Berlowitz,** and the **J.N. Kirkpatrick** Regulated Drains consistently need maintenance performed, due to tile breakdowns etc.

Drains with Insufficient Maintenance Funds
The previously submitted report listed thirty drains with insufficient maintenance funds; some of which were in need of reconstruction. Every ten years, most open ditches need to be dredged. If in need of dredging and monies in the ditch fund were not sufficient, the regulated drain was included in this category of the list. Most of the drain funds were started in the 1960's, and the 1970's. The assessment per acre or lot for maintenance set at that time was insufficient at today's prices of construction. Most Counties schedule multiple hearings for drain assessment increase in one day. To adequately maintain regulated drains the increase was necessary. If landowners were not willing to increase the amount per acre, the drain could be vacated. Generally the drain should not be a public utility, however most often the drains were. Raising a drain assessment periodically would be more efficient and possibly prevent enormous costs of future reconstruction. The **Anson Drain** was a perfect example of that. The Surveyor informed the Board the office had seen an increase in private drain Petitions for the establishment of new Regulated Drains in the last year or so. They have been working on those petitions, as time would allow.

Parker Ditch Update
Dave Labonte had attended a previous Drainage Board meeting informing the Board of his concerns with the ditch. The Surveyor stated he had finished his research of the official minutes. The ditch drained the Subaru-Izusu production plant. At the time of the project construction, problems arose which among other things were due to an out of state contractor. In review of the minutes, he found due to the State "fast tracking" the project, a Petition was presented for Reconstruction, Relocation and Vacation of the Parker Ditch. A new concrete storm pipe was put in from the south side of Haggerty Lane (at SIA site) up to the north and east to 675 East. A new channel was built from 675 East to the Wildcat Creek. The minutes showed while the drainage was approved and the right of way was obtained, the Petition was never acted upon. A Finding and Order draft as well as an assessment rate were prepared, however they were never presented to the Board. The Board never heard the Petition. The plan was for SIA to pay 100% of the maintenance for the new storm sewer until such time as other developments in that area tied into it. The farmed acreage was not to carry that maintenance cost. An existing $1.00 per acre assessment on the agricultural tile had been adequate for the maintenance of said tile at that time. Two at- grade fords were constructed at the new open channel. Mr. Labonte's only access to his building site was across the fords, which now were collapsed and in need of replacement. It appeared that the petition was still valid. The Board would need to follow through and establish a maintenance fund for the open channel. The amount originally suggested for maintenance was approximately $20,000.00 per year. However, an increase would be warranted based upon inflation and current construction costs. The Attorney then stated the original petition should be acted upon and a Drainage Board hearing scheduled in the future. He stated a new petition would not be required to schedule a hearing on establishing an open ditch maintenance fund for **Parker Ditch**. The only new development in that area had been the Armory.

Per Indiana Code 36-9-27-36 (3C), the Surveyor requested the Drainage Board refer the regulated drains that had been classified by Surveyor for a report in the order of priority set forth in the classification. The Board had the authority to change the priorities within the report if warranted. John Knochel made a motion to adopt the Drain Classifications Report in the order of priority set forth in the classification and referred them to the Surveyor for reports. KD seconded the motion. The motion passed.

The Surveyor stated several inquiries had been received concerning" no net loss within the floodplain" due to implementation of the new Tippecanoe County Stormwater Drainage Ordinance this year. A call was received concerning a residence within the 100-year floodplain on the Wildcat by Dayton. The creek had eroded very close to the foundation of the house. He felt this particular issue would constitute a variance of the rule, which the Drainage Board would grant. A review was warranted of the" no net loss within a floodplain" section within the ordinance. During development of the new ordinance, that section was included with industrial development in mind. KD noted the Tippecanoe County Stormwater Ordinance was stricter than the Department of Natural Resources fill guidelines.

Indiana Natural Heritage Data Center/Data Use Agreement
The Surveyor presented a Data Use Agreement for the Indiana Natural Heritage Data Center. (A unit of DNR) The information would be used for Phase II purposes, which included historical, and archeological site data. In order to access the database, the agreement must be signed. Subject to the Attorney's review, the Surveyor requested the Drainage Board along with himself sign the agreement. The Attorney then reviewed the agreement. At the Attorney's approval, John Knochel made a motion to authorize the President of the Board and Surveyor to sign the Department of Natural Resources Data Use Agreement as presented. KD Benson seconded the motion. The motion passed. The Department of Natural Resources Data Use Agreement was approved for signature as presented. At that time the Surveyor ended his report and presentation to the Board.

Ruth Shedd asked for Public Comment. As there was no public comment, John Knochel made a motion to adjourn. The Special Meeting was adjourned.

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Ruth Shedd, President

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John Knochel, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
August 2, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. County Highway Supervisor Mike Spencer was in attendance also.

Approval of Minutes

John Knochel made a motion to approve the July 6, 2005 minutes as written. KD Benson seconded the motion. The July 6, 2005 Drainage Board Regular Meeting minutes were approved as written.

Arnett Ambulatory Surgery Center

Jon Perry of Gresham Smith and Partners representing Arnett Hospital appeared before the Board to request final approval for Arnett Ambulatory Surgery Center. The site was located at the southeast corner of County Road 500 East and County Road 100 South (McCarty Lane). The entrance drive would be constructed off of County Road 500 East. This project would outlet to the Julius Berlowitz Regulated Drain and was tributary to the planned Berlowitz Regional Facility. Mr. Perry stated the project consisted of a single story 45,000 square foot building ambulatory surgery center located on the southwest corner of the site. He stated he was in agreement with the July 27, 2005 Burke memo and planned to meet all the conditions listed. At that time he requested final approval for the project.

The Surveyor stated the project had been reviewed and discussed on numerous occasions by the Board. The site was included in the overall design for Arnett Hospital. However the Hospital withdrew their plans and was now requesting final approval for the proposed Ambulatory Surgery Center only. The Surveyor reviewed the site utilizing GIS for the Board. He then recommended final approval with conditions as stated on the July 27, 2005 Burke memo. He pointed out condition one addressed the forthcoming Berlowitz Regional Detention Fees, and noted Arnett was aware of the forthcoming fees. Construction of the County detention facility would require the removal of approximately half million cubic yards of soil. Arnett had expressed interest in obtaining soil for their site once a partner was obtained for the remainder of the site. The Surveyor hoped an agreement could be worked out for the County and Arnett that would benefit both. He then recommended a condition be added stating the Phase II Stormwater fees (once determined by the Phase II Project Team) would be paid by the Center. As a designated entity under Phase II of the Clean Water Act, they are currently looking at approximately $30-$40 an acre plus a $250 fee. An official notice from IDEM (Indiana Department of Environmental Management) had been received stating Tippecanoe County was granted the authority to oversee the implementation of the Rule 5 approvals, reviews, and inspections. The Soil and Water Conservation and IDEM would no longer be enforcing the Rule. IDEM would be overseeing Tippecanoe County implementation of the Rule. The inspections would focus on an approved project's water quality treatment devices each year for a three-year period. John Knochel asked if the added condition was agreeable. Mr. Perry and Brian Elmor (representative for Arnett) agreed to pay the yet to be determined fees. In response to Mr. Perry's inquiry, the Surveyor stated two copies of the post construction Stormwater Manual would be required. The Surveyor noted all practices should be included in the manual to assist in the field inspections.

John Knochel made a motion to grant Arnett Ambulatory Surgery Center final approval with the conditions as listed on the July 27, 2005 Burke memo as well as the added condition of the Regional Detention fee payment. KD Benson seconded the motion. Arnett Ambulatory Surgery Center was granted final approval with the conditions as listed on the July 27, 2005 Burke memo as well as payment of the forthcoming Regional Detention fees.

Polo Fields

Paul Couts of C&S Engineering representing David Zimmerman appeared before the Board to request final approval for the Polo Fields Subdivision project. The site located on the north side of County Road 200 North east of County Road 400 East consisted of approximately 18 acres. A fourteen lot single-family residential development was planned. Storm sewers and rear yard swales would be constructed and drained to a proposed dry detention basin north of lot eleven. The final outlet would be the existing pond of the Watkins Glen Subdivision north of the proposed site. Mr. Couts stated an open pipe was

located in the northwestern corner of lot seven and was routed to the detention basin. A low area near the northwestern corner of lot twelve would be routed to the basin as well. From the detention basin through a vegetative swale located at the site's northwestern corner, the runoff would outlet into the existing pond located on lot thirty-five within Watkins Glenn Subdivision. Mr. Couts stated they concurred with the conditions listed on the July 21, 2005 Burke memo and requested final approval. Ruth Shedd then opened the floor for public comment. Mark Zimpher located at 2300 Shana Jane Drive approached the Board. Mr. Zimpher who resided on lot 36 in Watkins Glenn Subdivision stated he had met with the Surveyor previously concerning this development. He was concerned with the amount of drainage, which would be directed to Lot 35 of Watkins Glen, as his lot was located immediately to the north, and felt he would also be affected by the proposed drainage. The Surveyor referred his comments to Mr. Couts for a response. Mr. Couts stated as part of the study, calculations were completed on the quality and quantity of runoff as well as runoff modeling to Pond A in the Polo Fields Subdivision as well as the pond in Watkins Glenn known as Pond B. He stated they did not exceed the 100-year limits, nor do they overtop or go out the existing 100-year easement. He stated the system design was more than adequate to accommodate Polo Fields Subdivision. He stated the requirements of the Drainage Board had been met. The Surveyor utilized GIS for review of the site. When reviewing this project he asked the consultant and developer to find a more direct outlet. Due to the defined path, the existing Watkins Glenn pond system seemed to be the natural way to route the water. There was also a study and calculations of the pond system previously completed at hand for review. Dave Eichelberger the Board's Drainage Consultant, confirmed runoff would stay within the existing easement and pond system in Watkins Glenn as Mr. Couts had indicated. He noted an increase in depth and amount of water would be minimal. He then discussed the options, reviewed and studied previously by the consultants and developer. He stated given the site and the surrounding area, he felt the proposal was the best solution for the project. Mr. Zimpher noted the septic systems were in the rear of the lots" thirty five on down" close to the drop off by the existing pond and was concerned runoff would have a negative effect. The Surveyor stated he felt it would not negatively affect shallow septic systems. He noted however if a flood such as one comparable to the 2004 flood happened then a negative effect was possible. Dina Flores of 3911 Shana Jane Drive Lafayette approached the Board at that time. She stated she was concern with overflowing of the pond and standing water. The Consultant reviewed the Ordinance requirements and specifically the peak time during storm events. The Surveyor also stated it was his opinion that the drainage design presented was the best solution for the area in question. In response to Dina Flores request concerning the Watkins Glenn Pond outlet view, Mr. Couts stated the developer would be willing to plant shrubs and/or tall grass around the outlet. The Consultant noted the flow of water must not be obstructed. The Surveyor noted the Drainage Ordinance was in place to protect people up and downstream of developments. He then reviewed the inspection process for all attendees. Richard Snodgraph of 3932 East 200 North Lafayette approached the Board at that time. He stated Bob Gross designed the drainage for Watkins Glenn South Part 6 Phase 2. He noted the amount of money he had spent to date for a drainage system of the development and stated he felt the proposed design was appropriate for the area and type of soil. He stated the Watkins Glenn pond was constructed in 1988 and has been dry to date. The Surveyor stated the proposed lots were large and a lot of grassed areas would be on the lots. The pond in Watkins Glen was a dry bottom detention pond and the proposed study was reviewed, the surrounding area was taken into consideration.

The Surveyor then recommended final approval with conditions as stated on the July 21, 2005 Burke memo. He noted item number 8 on the July 21, 2005 Burke memo which stated …the Indiana Department of Environmental Management and the Tippecanoe County Soil and Water Conservation District… should state the" Indiana Department of Environmental Management and the Tippecanoe County Surveyor Office"…. He also recommended an added condition for payment of Phase II Stormwater fees (pending determination by the Phase II Project Team) to be paid by the developer of the project. John Knochel then added a condition stating the developer must work with the owner of lot thirty-five in the Watkins Glenn Subdivision concerning landscaping around the outlet pipe. John Knochel made a motion to grant final approval for Polo Fields Subdivision with conditions as noted on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the revised verbiage of item number eight on said memo along with the said Stormwater fees. KD Benson seconded the motion. Polo Fields Subdivision was granted final approval with the conditions stated on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the aforementioned revised verbiage of item number eight on said Burke memo.

Buffalo Wild Wings

Mike Wylie of Schneider Corp. appeared before the Board to request final approval for Buffalo Wild Wings. The project site was within the City of Lafayette and was being reviewed by the Board for the drainage only. Mike stated the City of Lafayette had approved their plans. The site consisted of a 1.8 commercial lot (Lot 2 in the Creasy at the Crossing Section 1-approved in 1999) south of the intersection of Creasy Land and State Road 38. Branch 13 of the SW Elliott Regulated Drain was located along the western limits of the site and parallel to Creasy Lane. At the time of approval for Creasy at the Crossing Subdivision, the open ditch, which was Branch #13, was enclosed with dual 66" pipes. The Board had previously granted approval for a reduction of the Drainage Easement to thirty feet from the outside face of the southeasterly pipe. Mike

then stated they concurred with the July 15, 2005 Burke memo. He then noted parking asphalt was located within the easement and was requesting an encroachment on the Regulated Drain. The Surveyor stated he thought the intention of the previously granted easement reduction was to allow the workers with their equipment enough room for drain repair in the future therefore a formal Petition to Encroach on the Regulated Drain was warranted in this case. The Petition should state the County was not responsible for any damage incurred to the area of encroachment while repairing the drain. He stated he would still like to see the thirty-foot easement in place. Mike explained a result of keeping the thirty-foot easement would put the site plan in noncompliance with City Parking Ordinance. He stated the developer was aware the County had the right to enter and repair the drain with no fault for damages to the pavement or curb and noted there was no lighting, plantings located within the easement. Ruth Shedd asked if the developer submitted a letter of acceptance of damage costs, if that would be sufficient. The Surveyor noted whatever the Board agreed to would be sufficient. He was prone to protect the work zone on urban and regulated drains. While the chance of tracking over the lot with an excavator for repair of the pipes were slim, having to protect the area from damage would cost landowners more money. Protective mats would be warranted and result in a higher cost of repair passed on to the owners of the properties within the watershed. He noted however, there were locations where the easement was much closer, for example to the top of bank of a ditch such as the SW Elliott- Treece Meadows Relief Drain. In fairness, while he did not like it, the Board had accepted it in the past. In response to KD"S inquiry, Mike stated the encroachment was twenty-five feet and within five feet of the pipe. The Attorney confirmed a formal Petition of Encroachment on a Regulated Drain along with a proposal of the developer's rights and the County's rights was in order. The Surveyor then stated the Board should understand if repair was warranted, the parking lot could be tore up and the owner/developer would be responsible for the cost of repair. The Attorney stated specific verbiage indicating the Developer's responsibility in a separate document accompanying the formal Petition to Encroach on a Regulated Drain. Mike stated the developer would be in agreement. The Surveyor then recommended final approval for Buffalo Wild Wings' release rate into Branch #13 of the SW Elliott Regulated Drain with the conditions stated on the July 15, 2005 Burke memo, as well as the condition of the Developer/Owner's requirement to file for an Encroachment Permit. (Which specifically should state they were aware if replacement or maintenance were warranted, the County would not be responsible for the restoration cost of their parking lot) John Knochel made a motion to grant final approval to Buffalo Wild Wings with the conditions stated on the July 15, 2005 Burke memo, as well as the added condition of filing an Encroachment Petition on a Regulated Drain. Final drainage approval would be subject to the aforementioned Petition's approval by the Board. KD Benson seconded the motion. Buffalo Wild Wings was grant final approval with the conditions as stated.

Stones Crossing Section 4 Subdivision

Brian Keene appeared before the Board to request final approval for Stones Crossing Section 4 Subdivision. As the final phase of the overall development, Section 4 would consist of 144 single-family residences on approximately fifty acres. The site was located west of County Road 250 East (Concord Road) and north of County Road 430 South. The JN Kirkpatrick Regulated Drain reconstruction project design had accounted for the developed runoff condition. The said regulated drain ran along the northern portion of the project site. Brian stated most of the infrastructure for section four had been constructed during previous phases of the development and the main trunk line was completed during construction of sections one and two of the development. Since approvals were granted for the previous phases/sections prior to the Phase II requirements, additional outlets, extra riprap and vegetated swales were added to assist with runoff control. The Surveyor noted the development's different phase/sections (one of several developments), were approved before and after the Phase II requirements. A good portion of the site's infrastructure was approved and constructed before the implementation of Phase II requirements. The development received prior approval for direct discharge to the JN Kirkpatrick drain (as designed and modeled), with no onsite detention. The Surveyor felt a fair compromise had been reached concerning the additional riprap vegetation of swales etc. The Surveyor reminded Brian of the required Phase II fees and Brian confirmed he was aware of a required payment and agreed to payment of such fees.

The Surveyor then recommended final approval for Stones Crossing Section Four with the conditions as stated on the July 28, 2005 Burke memo, as well as the payment of Phase II fees. John Knochel made a motion to grant final approval for Section Four of Stones Crossing Subdivision with the conditions as stated on the July 28, 2005 Burke memo as well as the payment of forthcoming Phase II fees. KD Benson seconded the motion. Stones Crossing Section four was granted final approval with conditions.

JB Anderson Regulated Drain / Petition to Encroach

Tim Beyer of Vester and Associates appeared before the Board to request the approval of an Encroachment on a Regulated Drain Easement Petition submitted by David and Martha Stevenson. He stated the southwest corner of the tract was to be divided by the petitioners and access was needed from County Road 1000 South. Based on conversations with the Surveyor an Easement (within the outer twenty-feet of the existing seventy-five feet legal drain easement) had been written for the

location of the driveway and utilities. There was an existing crossing over the drain the planned drive would utilize as well. The Surveyor asked if the culvert's size had been checked prior to the request. Tim stated it had not. The Surveyor then stated the petitioners were responsible for the crossing, and if undersized, based upon the Surveyor's judgment, they would be obligated to upgrade the culvert. As there was no other access, the Surveyor recommended granting the Encroachment Petition as it was put at the back of the seventy-five feet regulated drain right of way from top of bank. As the parcelization process continued, he asked a filter or buffer strip be put in place. John Knochel made a motion to grant the Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson. KD Benson seconded the motion. The Attorney noted although a draft resolution was submitted along with the petition, it was not necessary.The Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson was approved with no resolution by the Board.

JN Kirkpatrick Regulated Drain/ Drainage Impact Area Resolution

Ruth Shedd opened the floor to the Surveyor concerning the JN Kirkpatrick Regulated Drain Drainage Impact Area Resolution. The Surveyor reminded the Board the upper end of the JN Kirkpatrick east of Concord Road was previously voted to be a Drainage Impact Area and designated as an Urban Drain, by definition was in need of reconstruction. He then recommended adopting the Drainage Impact Area Resolution drafted by the Board Attorney. The Attorney explained the effect of the resolution would impose additional requirements for developments within the watershed or designated impact area. Those requirements were, first all Stormwater Drainage Control Systems within the JN Kirkpatrick Drainage Impact Area should participate in the JN Kirkpatrick Regional Detention Basin, second each stormwater drainage system within the JN Kirkpatrick Impact Area should provide a positive outlet to the JN Kirkpatrick Legal Drain, third the developer of each stormwater control system within the JN Kirkpatrick Impact Area should petition to establish all internal drainage facilities as regulated drains as a condition of approval and may be required to waive its right to remonstrate against higher rates for reconstruction of those internal improvements, which were regulated drains. The Surveyor noted the boundary ran approximately from Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52. In response to KD inquiry, the Surveyor noted a watershed map was prepared and would be attached to the resolution as Exhibit A. At that time the watershed was reviewed utilizing GIS. The Surveyor noted the entire watershed east of Concord Road was the Drainage Impact Area. Ruth Shedd asked for comment and there was none. John Knochel made a motion to adopt Resolution Number 2005-05-DB establishing the area within the boundary of Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52 as the JN Kirkpatrick Drainage Impact Area. Exhibit A would be attached to the resolution as required. KD Benson seconded the motion. Resolution Number 2005-05-DB with Exhibit A which established the JN Kirkpatrick Drainage Impact Area was adopted as presented.

Steve Murray
Bridlewood Subdivision/Letter of Credit #284
US 52 South Industrial Subdivision Phase 2/ Letter of Credit #277

The Surveyor submitted the following Letters of Credit for acceptance by the Board. Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of $17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of $3860.00 and dated January 7, 2005. John Knochel made a motion to accept Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of $17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of $3860.00 and dated January 7, 2005. KD Benson seconded the motion. The Letters of Credit were accepted as presented by the Surveyor.

Delphine Anson Regulated Drain #4/Reconstruction Report
Lewis Jakes Regulated Drain #40/Reconstruction Report

The Surveyor submitted Reconstruction Reports on the Delphine Anson Regulated Drain #4 as well as the Lewis Jakes Regulated Drain #40 for acceptance. The Board was familiar with both drains as they have been top on the Surveyor's list for maintenance and/or reconstruction. A copy of each report was provided to and reviewed for the Board. The Surveyor utilized GIS during his review indicating areas of planned reconstruction work for both the Anson and the Jakes Regulated Drains. Packets were provided to the Board indicating the planned maintenance as well as reconstruction costs and assessments to the individual landowners of each regulated drain.

Regarding the Anson Regulated Drain Reconstruction Report, the Surveyor stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expense of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction reports. He noted the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. He noted the watershed acreage was checked with the GIS two-foot contours. He also recommended extending the terminus of the drain from the existing outlet including the open ditch section, which was in need of cleaning and clearing. John Knochel made a motion to accept the Delphine Anson Regulated Drain #4 Reconstruction Report as submitted and reviewed for the Board by the Surveyor. KD Benson seconded the motion. The Delphine Anson Regulated Drain #4 Reconstruction Report was accepted as presented. John Knochel then made a motion to schedule August 29th, 2004 at 11:00 a.m. for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. KD Benson seconded the motion. August 29th, 2004 at 11:00 a.m. was set for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Regarding the Lewis Jakes Regulated Drain #40 Reconstruction Report the Surveyor noted most likely the County Highway Department would need to reconstruct the culvert at County Road 750N (while at this time it was not an absolute). He reviewed the proposed rates per acre/lot for the Board. He stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expenses of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction report. He then stated the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. John Knochel made a motion to accept the Lewis Jakes Regulated Drain #40 Reconstruction Report as submitted and reviewed by the Surveyor as well as schedule the landowner hearing of the report and plans on August 29, 2005 at 10:00 a.m. KD Benson seconded the motion. The Lewis Jakes Regulated Drain #40 Reconstruction Report was accepted and the Lewis Jakes Regulated Drain #40 Reconstruction Landowner Hearing was set for August 29, 2005 at 10:00 a.m. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Ruth Shedd opened the floor for public comment. Deanna Durrett from the Clinton County League of Women's voters approached the Board and stated she was impressed with its actions today. She was visiting several County Drainage Board Meetings surrounding her County to gain knowledge of a Drainage Board's duties and process. The Surveyor agreed to speak with her immediately following the meeting today and answer any specific questions.

As there was no other business before the Board, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourn.

_____
Ruth Shedd, President

_____
John Knochel, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
October 5, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. Member KD Benson arrived late due to a scheduling conflict. County Highway Supervisor Mike Spencer was in attendance also.

Approval of Minutes

John Knochel made a motion to approve the following; the September 7, 2005 Regular Meeting Minutes, the August 29, 2005 Lewis Jakes #40 Regulated Drain Hearing Minutes and the August 29, 2005 Delphine Anson #4 Regulated Drain Hearing minutes. Ruth Shedd seconded the motion. The aforementioned minutes were approved as written.

Faith Baptist Church Phase 1

Steve Marsh with Titan Construction appeared before the Board to request final approval for Faith Baptist Church. The existing site was located at the northeast corner of C.R. 500 East and S.R. 26. The proposed construction would include a parking lot expansion, a new detention basin, athletic fields, community center, and ministry housing along with additional roads. The existing dry bottom detention basin would be replaced with a wet bottom detention basin in the northeast corner of the site. The existing outlet for the basin would be utilized for the proposed wet bottom basin as well. With the exception of a small area on the northeast corner of property, the site's runoff would be directed to the wet bottom pond.

The Surveyor recommended final approval with the conditions as stated on the September 29, 2005 Burke review memo. John Knochel made a motion to grant final approval for Faith Baptist Church Phase 1with the conditions as stated. Ruth Shedd seconded the motion. Faith Baptist Church Phase 1 was granted final approval with the conditions on the September 29, 2005 Burke memo.

Haggerty Pointe Phase 1

Amy Moore with Butler, Fairman and Seufert appeared before the Board to present Haggerty Pointe Phase 1 for final approval. The 50-acre site was located north of S.R. 38 and east of the intersection of C.R. 200 South and S.R. 38 and was located within the City Limits of Lafayette. The Board, for the effects of the regulated drain only, reviewed the project, as the site existed within the watershed boundaries of the S.W. Elliott Regulated Drain. Phase 1 would be constructed on 28 acres of the 50-acre site. A wet bottom detention basin would be constructed on Outlet A to allow the Phase 1 construction. The Phase would utilize the existing 36" culvert under S.R. 38 as the final outlet until reconstruction of Branch 11 of the S.W. Elliott Ditch Regulated Drain to F-Lake has been completed. Development of the remaining portion of the site for Phase 2 would proceed upon completion of the reconstruction of said tile Branch. An October 1998 Drainage Board approved vacation of a portion of Branch #11 would be recorded with a copy of the recorded document supplied to the Surveyor Office. Amy distributed a plat of the project site to the Board while noting the Park East Boulevard as well as the utility and drainage easements were indicated on the plat although no interior lot lines were platted at this time.

The Surveyor reminded the Board of his recommendation of Reconstruction of Branch #11 Elliott Regulated Drain earlier this year. A portion of the said branch on the present site had been vacated in 1998, the remainder of said Branch as it continued south to F-Lake needed to be converted from an existing agricultural drain - as well as installation of new pipes under S.R.38. He had spoke with the owners and the Shroeders (landowners to north and south) and they were in agreement of a Reconstruction of Branch #11. He noted the Department of Transportation would be responsible for the placement of the new pipes under S.R. 38. This would significantly reduce the cost to the property owners as well as developers within the area. The landowners would have to agree to waive objections to the future reconstruction - as an added condition of final approval. He informed the Board that a very small part of the northern portion of the site was located within the J. Berlowitz Regulated Drain watershed as well. When C.R. 200 South was reconstructed, the terminus of said Berlowitz tile was replaced under C.R. 200 South. The terminus would need to be located and tapped due to the majority of the runoff routed south to F-Lake. The side ditch along 200South would provide adequate drainage for the remainder of the runoff. The Surveyor stated he was not aware that the said Berlowitz tile served any other property however the developer would need to confirm it. He

informed Amy, the location of the tile would be shown on the as builts of C.R. 200 South and could be obtained at the County Highway Department. He stated eventually the watersheds for the J. Berlowitz and the S.W. Elliott Regulated Drain would be revised to reflect any changes. He noted the expected fees for the detention storage in F-Lake as condition #3 in the September 29, 2005 Burke memo. The wet detention basin within Phase 1 would be onsite during the second Phase of the project. The Surveyor noted credit would not be given for this detention basin. Also noted was the site was within the City Limits, the Board's concern dealt only with the effect of the two regulated drains within the area. He stated he was prepared to recommend final approval with the conditions as stated on the September 29, 2005 Burke memo along with the added conditions of the waiver of any objections concerning the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and the confirmed location of the terminus of the J. Berlowitz Regulated Drain.

Amy stated she agreed with the conditions. To comply with condition #11 of the September 29, 2005 Burke memo, she attempted to record the previously approved said vacation. The Auditor's office indicated the documents were not in compliance with a recent memo from the County Attorney regarding recording of documents. At that time the Attorney reviewed document requirements for recording vacations and easements. Amy would record the documents as soon as possible. The documents she would record would be a certified copy of the Drainage Board 1998 minute, and a description of the meets and bounds of the vacated portion of Branch #11 of the S.W. Elliott Regulated Drain. The Surveyor stated in order to convey the outlet to their detention facility to the side ditch at S.R. 38; surface work within the legal drain easement on the Schroeder property would be necessary. Mr. Schroeder had given his permission and a document indicating his approval would be obtained for the records. Amy indicated she agreed with all conditions stated today.

John Knochel made a motion to grant final approval with conditions as stated on the September 29, 2005 Burke memo in addition to the added condition of a waiver of any objections in reference to the future reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and terminus location confirmation of the J. Berlowitz Regulated Drain. Also written permission from Mr. Schroeder for the aforementioned surface work was required as an additional condition. KD Benson seconded the motion. Haggerty Point Phase 1 was granted final approval with the conditions as stated on the September 29, 2005 Burke memo in addition to the added conditions of an objection waiver in reference to the future reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and terminus location confirmation of the J. Berlowitz Regulated Drain along with the written permission from Mr. Schroeder for the aforementioned surface work.

Cascada Business Park Phase 2

Pat Jarboe with TBIRD Design Services appeared before the Board to request final approval for Cascada Business Park Phase 2. The site was located on the north side of McCarty Lane east of Creasy Lane within the City of Lafayette and would involve 70 acres of the 120-acre site. Phase 1 was previously granted final approval on April 6, 2005. The Treece Meadows Relief Drain (formally the Layden Regulated Drain) was located along the site's the west property line. The runoff from the site discharged to three separate outlets. Those outlets were: the Treece Meadows Relief Drain to the west (tributary to Wilson Branch), the Alexander Ross Regulated Drain to the northeast, and the J. Berlowitz Regulated Drain to the southeast via storm sewer systems and drainage swales. A portion of the project would drain directly to the detention facility located to the west within the Phase 1 location. At the far eastern end of Phase 2 small portions of the A. Ross Regulated drain branches were scaled off the original plat of the A. Ross Regulated Drain however the location of those was not confirmed. A vacation of any portions of those tiles was also requested. Park East Boulevard would be extended from the Wal-Mart site to McCarty Lane and coordinated with the City of Lafayette. Pat then requested the vacations of the branch portions of the Alexander Ross Regulated Drain as well as final approval for Phase 2. He concurred with the conditions as stated on the September 29, 2005 Burke memo. The Surveyor clarified condition #1 on the Burke memo. Runoff storage fees within the Wilson Branch only would be coordinated with the City of Lafayette. The A. Ross and Berlowitz regional detention facility fees would be coordinated with the County. Regarding the vacations, the Surveyor recommended the A. Ross tile branches vacation- however he conferred to the County Attorney regarding the appropriate process. The Attorney stated as long as they are located entirely within the site, did not serve any other property owners, the Board may vote to approval the vacation. The Surveyor stated he was positive the aforementioned branches did not serve any other property owners. A legal description of the vacated portions and a certified copy of today's Drainage Board minutes indicating the Board's approval would be adequate for recording the vacations. At that time the Surveyor recommended the vacations of the aforementioned tiled branches and final approval with conditions as stated on the September 29, 2005 Burke memo. In response to John's question, the Attorney stated the vacations could be granted today, and the Surveyor noted his office would not give the full approval for the subdivision until all conditions were met. John Knochel made a motion to grant the three vacations of the A. Ross three tiled branches. KD Benson seconded the motion. The vacations were granted as requested. John Knochel then made a motion to grant final approval with conditions as stated on the September 29, 2005 Burke memo. KD Benson seconded the motion. Final approval for Cascada Business Park Phase 2 was granted with the conditions as stated on the

September 29, 2005 Burke memo and proof of the documentation of the vacated branches of the A. Ross Regulated Drain which were located solely within Phase 2 of Cascada Business Park.

The Commons At Valley Lakes Replat of Phases 4 & 5

Meredith Buyers with TBIRD Design Services appeared before the Board to request final approval for the Commons At Valley Lakes Replat of Phases 4 & 5. The site was located east of C.R. 150 East (South 18th Street) and south of C.R. 350 South within the City of Lafayette. The Board previously approved the project's Phase 4 & 5 in April 2005. Due to the soil conditions in the northeast corner of the property the layout had to be revised. The main drainage changes involved changing the wet bottom detention facility to a dry bottom detention facility. Modifications of the storm pipe locations were also warranted. Located at the northeast corner of the property; one outlet would accommodate the offsite runoff and the J.N. Kirkpatrick Regulated Drain. An outlet located at the center of the north property line would accommodate onsite drainage of discharge from the dry bottom detention facility. The relocation of a portion of Branch #7 of the JN Kirkpatrick Regulated Drain was modified to run along the east property line. The Surveyor noted this was an improved relocation of said Branch. At that time Meredith requested final approval stating they concurred with the conditions as stated on the September 30, 2005 Burke memo.

The Surveyor recommended relocation of Branch #7 of the JN Kirkpatrick Regulated Drain. He stated the design presented today was improved compared to the previously Board approved relocation. John Knochel made a motion to approve the relocation of Branch #7 of the JN Kirkpatrick Regulated Drain. KD Benson seconded the motion. The relocation of Branch #7 of the JN Kirkpatrick Regulated Drain was approved as shown on the replat of phases 4 &5. The Surveyor then recommended granting approval for the Commons at Valley Lakes Replat of Phases 4 & 5 with conditions as stated on the September 30, 2005 Burke memo. John Knochel made a motion to grant final approval with conditions for the Commons at Valley Lakes Replat of Phases 4 & 5. KD Benson seconded the motion. The Commons at Valley Lakes Replat of Phases 4 & 5 was granted final approval with conditions stated on the September 30, 3005 Burke memo.

Riverwood Minor Subdivisions 1 & 2

Tim Byers with Vesters & Associates appeared before the Board to request the final approval for Riverwood Minor Subdivision 1 & 2. The site consisted of 107 acres and located on the south side of Division Road at the intersection of Division and Kerber Roads. Tim stated the project at hand was two Minor Subdivisions located within the overall Planned Development. The site consisted of seventeen tracts with ten-acre tracts as part of the overall development. He stated the ten-acre tracts would be eligible for division through the Rural Estate Subdivision process, but was not proposed at this time. Phase 1 Minor would consist of four lots and Phase 2 Minor would consist of 3 lots. A twenty feet wide roadway would connect both phases. Runoff from both phases would be collected in the new side ditches of said roadway. The northern portion of the site drained toward Division Road then east to Indian Creek and the southern portion to Wabash River. Tim requested a waiver of the Stormwater detention requirements for the project. He noted a need for detention exemption requirements stated in the County Stormwater Comprehensive Ordinance, since runoff after development due to the large lot sizes was decreasing. He felt they would be able to meet the Stormwater Quality measures as well as the remaining conditions on the Oct. 4, 2005 Burke memo. At that time he requested final approval for Riverwood Minor Phase 1 & 2. The Surveyor asked Tim if they would stand by the letter the Surveyor had previously signed involving erosion stabilization regarding walkout basements. Tim stated yes they were prepared to take the appropriate measures for said stabilization to technically (per Area Plan Commission (APC) Staff Report) the seven lots of the Riverwood Minor Subdivision. Steve stated as far as the Drainage Ordinance was concerned the ten acre tracts would be included as it was the total land disturbance activity which determined whether a project fell under Rule 5 provisions in post construction etc. Also the Surveyor noted there was quite a bit of sediment which reached the side ditch on the south side of Division Road due to the natural erosion along the ridge to the north. He would require a sediment basin such as a sediment trap at the very northeast corner of the property as a part of erosion control. The County Highway Department has cleaned out the ditch numerous times after large rainfalls before the sediment reached Indian Creek. Tim confirmed the trap would be located within the ravine/ditch. The Surveyor noted the area went back and forth from a ravine to a side ditch and felt an adequate sediment basin/trap could be located along the east side of Indian Hill or Division Road. The Surveyor clarified that on any residential building site which would be over the top of a ridge would be subject to a site plan prepared by a registered surveyor or engineer to ensure the erosion control provisions were in place.

The Surveyor recommended granting the variance for the Stormwater Detention in addition to final approval with the conditions as stated on the October 4, 2005 Burke memo, APC approval, and construction of a sediment basin on the east side of Indian Hill or Division Road. John Knochel made a motion to approve the variance for Stormwater Detention to Riverwood Minor Subdivision Phase 1 and 2. KD Benson seconded the motion. The variance was granted as requested.

John Knochel made a motion to grant final approval with the conditions stated in the October 4, 2005 Burke memo, in addition to APC approval, and construction of a sediment basin on the east side of Indian Hill or Division Road. Final Approval with the conditions as stated was granted to Riverwood Minor Subdivisions Phase 1 and 2.

Hunters Crest Section 1 and 2

Brandon Fulk appeared before the Board and requested final approval for Hunters Crest Subdivision Sections 1 and 2. The site was located on the south side of Co. Rd. 450 South east of Co. Rd. 250 East (Concord Road). The northern portion of the site drained to the side ditch of Co. Rd. 450 South, eventually to the JN Kirkpatrick Regulated Drain. The southern portion of the site drained to the side ditch of Co. Rd. 500 South and eventually to the Kenny Ditch/ Wea Creek watershed. Due to the project site's location within the JN Kirkpatrick Drainage Impact area; participation in the regional detention basin would apply. The site contained two depressional areas, one within the center and one along the east line. Brandon stated these areas were delineated as wetlands, and the intent was to preserve these areas throughout the development of the site. The southeast corner of the site would not be developed at this time. Two detention ponds would be located onsite. Brandon noted the initial detention pond located at the northwest corner outlet to a 24" culvert under Co. Rd. 450 South. There would be adjustments to the natural grade in the northeast corner so runoff would drain to the 24" culvert. (This area was not in the floodplain) He stated the excess dirt from construction of the ponds and streets would be used for that purpose. He then requested final approval for Hunters Crest Subdivision Sections 1 and 2.

The Surveyor recommended final approval for Hunters Crest Section 1 and 2 with the conditions as stated on the October 4, 2005 Burke memo to include a revision to number 5 on said memo. The revision was as follows: The Homeowners Association covenants must include a clause which stated lot owners waive any objections to an increase in the regulated drain assessment regarding reconstruction or maintenance. Brandon stated he would confer with the client on the added condition, but noted the client was aware the area was located within the drainage impact area and drainage fees would be involved in the development of the project. John Knochel made a motion to grant final approval to Hunters Crest Section 1 and 2 with the conditions stated on the Burke memo as well as the aforementioned added revision to item number 5 on said memo. KD Benson seconded the motion. Hunters Crest Subdivision Sections 1 and 2 was granted final approval with conditions stated on the Oct. 5, 2005 Burke memo in addition to the revision of item number 5 on said memo indicating the Homeowners covenants include a clause which stated the lot owners would waive their objections to any increase in the regulated drain assessment regarding reconstruction or maintenance.

Public Comment

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

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Ruth Shedd, President

_____
John Knochel, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
November 2, 2005
Regular Meeting

Those present were:

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

Approval of Minutes

John Knochel made a motion to approve the October 5, 2005 Meeting Minutes. KD Benson seconded the motion. The October 5, 2005 Regular Drainage Board Minutes were approved as written.

Hadley Moors PD

Ruth Shedd stated a continuance request to the December meeting from Randy Peterson of Fishers and Associates was received. KD Benson made a motion to grant a continuance for the Hadley Moors PD to the December meeting. John Knochel seconded the motion. Hadley Moors PD was continued by request to the December Regular Drainage Board Meeting.

Ichiya Industrial Tracts

Paul Couts of C&S Engineering appeared before the Board to request final approval for the Ichiya Industrial Tracts project. The site consisted of forty acres located north of County Road 400 South and west of County Road 500 East adjacent to the 52 South Industrial Subdivision Phase 2. Access drives would be constructed from both County Road 400 South and County Road 500 East. He presented a proof of publication required with the Notice of Intent. He stated there would be four ten-acre tracts. He distributed a map of the site to the Board members, which indicated the overall drainage plan. Runoff from Ichiya Industrial tracts would utilize existing pipes under Dale Drive and ultimately to "Pond 1" located in the northwestern corner of the 52 South Industrial Subdivision Phase 2. Regarding condition number three of the October 28, 2005 Burke memo, Paul requested a waiver for the impact fees for the JN Kirkpatrick Detention Basin. He stated Rick Johnson owner of the site was in attendance. Paul calculated the cost of the storage would be approximately $121,500.00. In his opinion Mr. Johnson was being penalized due to site flow restrictions as well as onsite detention facility requirements, which eliminated acreage available for development. Therefore he respectfully requested a waiver of the impact fees. He stated Mr. Johnson would like to speak to the Board regarding the waiver. The Surveyor noted historically the Drainage Board had not granted a waiver for impact fees. He stated the possibility of reconstructing the existing tile to an open ditch. The site ultimately discharged to the upper JN Kirkpatrick Regulated Drain. The 52 South Industrial Subdivision Phase 2 site runoff drained through the pipes under US 52 then to the west side ditch of County Road 450 East. The County Highway had re-cut the ditch a couple years ago. The water now sheet flowed over the LUR and Dougherty Farm property from the side ditch on Co. Rd. 450 East. There was potential as the reconstruction was completed on the drain that the onsite ponds could be eliminated. Historically detention ponds were in place on a temporary basis in the interim of construction on a regional detention basin. He was not in favor of recommending a waiver to the Board. In response to Ruth's inquiry, the Surveyor stated the ponds for this development were platted as permanent. Dave Eichelberger stated the general release rate per ordinance should be used for calculating the cost and felt it would be lower than what Paul had calculated. Paul stated he felt the cost would still be high and a major setback for Mr. Johnson. In response to Dave Luhman's inquiry, Dave Eichelberger noted the volume that the regional pond was required to hold would not be reduced due to the onsite detention ponds.

At that time Rick Johnson approached the Board. He stated the Wallace Farm was purchased in "chunks" by request of the owner for tax purposes. A sixty-six acre tract was purchased and Hawkins did a drainage study of the entire sixty-six acre tract. He stated he had given up prime frontage along US 52 for drainage facilities for the US 52 Industrial Subdivision. He felt he was being penalized, as he had to give up land for drainage, plus pay a fee. He understood development was needed, however ground cost in Tippecanoe County in his opinion was driven up due to these issues. He noted he was hit on both ends giving up land for drainage as well as paying a fee. The Surveyor stated he understood the concern. However he noted Phase 1 and Phase 2 of the 52 South Industrial Subdivision was approved by the Board without fees. He also noted ponds have been required in the past as well within a regional detention facility area. (i.e.: Berlowitz and F-Lake) The Surveyor then recommended the project be granted final approval and he would meet with Mr. Johnson to work out a fee for the impact. He stated the $15000.00 per acre-foot fee was determined due to the unknown cost of the project. He stated he was willing to sit

down and negotiate a fare fee. John Knochel stated that he agreed the Surveyor should meet with Mr. Johnson, as it did appear he was getting hit hard giving up ground in addition to paying a fee for drainage of the property. Steve then stated the proposed reconstruction cost of the upper JN Kirkpatrick Regulated Drain along with the detention basin was upwards of six million dollars. KD stated onsite storage was required so downstream owners were not affected by the drainage, (Steve interjected it was partially due to restriction- outlet wise- under US 52) as well as the need to outlet water so ponds did not detain water at all times. She stated she would vote against granting the waiver, she felt the other landowners within the watershed should not have to subsidize the development. She stated EDIT monies may be looked act to possibly lower the development costs if indeed companies were ready to locate there providing jobs to the community- as Mr. Johnson had indicated. Dave Luhman stated the waiver request could be tabled (discussion for the appropriate fee would be separate and the approval for the drainage plans could be granted today. John Knochel moved condition #3 (regarding the Ichiya Industrial Tract drainage impact fees) of the October 28, 2005 Burke memo be tabled until the December meeting. KD Benson seconded the motion. A waiver for condition #3 of the October 28, 2005 Burke memo on the Ichiya Industrial Tracts was tabled until the December Drainage Board meeting. John Knochel made a motion to grant final approval with conditions (excluding condition #3) stated on the October 28, 2005 Burke memo for Ichiya Industrial Tracts. KD Benson seconded the motion. Ichiya Industrial Tracts was granted final approval with the conditions as aforementioned. Condition #3 of the October 28, 2005 Burke memo was tabled until the December meeting.

Other Business

The Surveyor requested the Drainage Board refer the upper JN Kirkpatrick and the Julius Berlowitz (including the Felbaum Branch) Regulated Drains to the Surveyor for a Reconstruction Report. Both drains were on his prioritization list and listed as Urban Drains, which by definition meant they were in need of reconstruction. He explained in order to investigate the possibility of reconstruction to the drains; the referral from the Board was required. He stated the possibility of reconstruction costs paid from a combination of participation fees, EDIT money and reconstruction fees. He would review all of the options. The Surveyor then reviewed the routes of the drains for the Board at that time. John Knochel made a motion to refer the Upper JN Kirkpatrick and the J. Berlowitz Regulated Drains for a study on reconstruction. KD Benson seconded the motion. The Board referred the aforementioned drains to the Surveyor for a reconstruction study as requested.

Raintree Subdivision /Maintenance Bond

The Surveyor presented Maintenance Bond #174503, dated October 12, 2005 in the amount of $17230.00 submitted by Atlas Excavating for Raintree Subdivision and requested acceptance by the Board. John Knochel made a motion to accept Maintenance Bond #174503, dated October 12, 2005 in the amount of $17230.00 received from Atlas Excavating for Raintree Subdivision. KD Benson seconded the motion. The Board accepted maintenance Bond #174503, dated October 12, 2005 in the amount of $17230.00 received from Atlas Excavating for Raintree Subdivision.

26 Crossings/ Lot 7
Encroachment Petition Alexander Ross Regulated Drain Crossing

Tim Beyer presented an Encroachment Petition to the Drainage Board requesting encroachment of the open ditch portion on the Alexander Ross Regulated Drain. The crossing would be located on lot 7 within the 26 Crossing Subdivision. Tim stated the crossing would provide access to the commercial lots between the pond west of Meijers and Interstate 65. It would also loop the access between Meijer Court to Meijer Drive. Two culverts were proposed for the crossing. Ruth Shedd asked for public comments. There were none. The Surveyor recommended approval of the encroachment with the conditions as follows: the maximum elevation of the crossing should not exceed the elevation of Interstate 65, elevation shots of the proposed invert pipes should be established, a more detailed relocation of an existing storm line to be coordinated with the owner (to insure the relocation would handle the flow as originally approved), and finally a recently revised Encroachment Petition form should be utilized and recorded once approved. Tim Beyer stated the owner would agree to the conditions as stated. John Knochel made a motion to approve the Encroachment Petition with the conditions as noted by the Surveyor and agreed to by the owner. KD Benson seconded the motion. The Encroachment Petition was approved with conditions as follows: the maximum elevation of the crossing should not exceed the elevation of Interstate 65, elevation shots of the proposed invert pipes should be established, a more detailed relocation of an existing storm line to be coordinated with the owner (to insure the relocation would handle the flow as originally approved), and the utilization of the recently revised Encroachment Petition form and once approved to be recorded by the developer.

Phase II
Schedule of Fees and Forms

The Surveyor informed the Board the Attorney had worked up a draft schedule of fees without the ordinance language. The Surveyor recommended striking the fines and penalties listed on the draft since they were already covered in the existing

County Stormwater Quality Ordinance. Examples of the fees on recent developments were as follows: Polo Fields (18 acres) base fee would be $860.00. Park 350 Industrial Park on the LUR Property $5750.00. Lafayette Wal Mart base fee $2350.00. These fees covered inspections for Rule 5 and Rule 13, as well as inspections for a mandatory period of 3 years. Fees were also included for outlets to regulated drains (Johnson and Hancock Counties charged these fees for hookup or discharge to regulated drains). The Surveyor felt the fee for agricultural tiles hookup to regulated drains be reduced or eliminated. He felt the farmer should be required to get the Surveyor 's Office approval for hookup into a regulated drain, however he did not feel they should be charged a fee.

He requested approval for the final Phase II fees ordinance to be approved for first reading at the Commissioners meeting on November 21st. He noted the consultants Christopher B. Burke Engineering LTD recommended the proposed fees. Dave reviewed the areas the fees would cover. The final Permit Fee Ordinance should be heard for the first reading at the Commissioners meeting as well as the next Drainage Board meeting. The fees would cover various investigation or inspection costs incurred by the Surveyor's office. In response to Ruth's inquiry, the Surveyor stated by law if an approval of a hookup was not obtained before hand, the persons can be made to unhook it. A letter would be sent to all the contractors within the area regarding the rules of hookup and discharges into County Regulated Drains. He stated the Stormwater Coordinator was working on packets to be given to area builders by the Building Commission office upon request of a building permit. In addition, the Coordinator had drafted several standardized forms and notices to be used in the implementation of Phase II. He stated the Building Commission office and Area Plan office have been working closely with the Surveyor office during this process. John Knochel motioned to instruct the Attorney to prepare the Permit Fee Ordinance to be submitted at the Nov. 21st Commissioners meeting for first reading. KD Benson seconded the motion. The motion passed and the Permit Fee Ordinance would be submitted at the Nov. 21st Commissioners meeting for first reading.

Delphine Anson Regulated Drain #4
Amended Schedule of Assessments for Reconstruction and Periodic Maintenance

The Attorney submitted the Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance to the Board for approval and filing with the Auditor's office. The amendments were due to inconsistencies between the GIS tract information and the actual onsite tract information. The inconsistencies have been amended. The Surveyor stated in the future the GIS tract information would be compared with the tax program for any inconsistencies before submission of scheduled assessments to the Board. The adopted tract information was taken from the tax program. GIS was made aware of this issue. The Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance was presented for approval and filing with the Auditor's office. John Knochel made a motion to accept the Amended Assessment Schedule list for Reconstruction and Periodic maintenance of the Delphine Anson Regulated Drain #4 and file with the Auditor's office. KD Benson seconded the motion. The Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance was approved as presented and would be filed with the Auditor office.

Public Comment

Ruth Shedd opened the floor for public comment. As there was none, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourned.

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Ruth Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

Tippecanoe County Drainage Board
Minutes
March 8, 2006
Regular Meeting

Those present were:

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

Approval of Minutes

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

Hunters Crest Section 3

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

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

TSC South Elementary School

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

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

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

Other Business
Assignment of Fortune Park Easement to City of Lafayette

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Drain Classification Report Presentation to Board/Special Meeting Date

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

Public Comment

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

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

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KD Benson, President

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John Knochel, Vice President

_____
Zachariah Beasley, Acting Secretary

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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.

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KD Benson, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

_____
Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
June 7, 2006
Regular Meeting

Those present were:

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

Approval of Minutes
John Knochel made a motion to approve the May 3, 2006 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The May 3, 2006 Regular Drainage Board meeting minutes were approved as written.

Clarian Arnett Hospital/Early Release Grading Plan
Jon Perry of Gresham Smith and Partners appeared before the Board to request final approval for the Early Release Grading Plan. The overall site consisted of 115 acres located east of County Road 500 East south of McCarty Lane. Mr. Perry stated his request today did not include hospital construction or site infrastructure. The grading plan consisted of approximately 62 acres of the overall site and involved approximately 400,000 cubic yards of material. Vegetated swales, filter strips and a sediment basin would be utilized to satisfy the water quality requirements. He requested final approval for the Early Release Grading Plan as presented to the Board.

The Surveyor stated the Felbaum Branch of the Berlowitz Regulated Drain ran along the east side of the site and was to be located before the mass earthwork was started. To his knowledge it was vacated to the south and intercepted into the new storm sewer along the east side of 500 East. He added that generally regulated drain easements are approximate and it would be prudent to field locate said branch. An onsite investigation would be required to ensure the location of said branch to verify the June 1, 2006 Burke memo statement of no variances or encroachments proposed.

The Surveyor recommended final approval for the Clarian Arnett Hospital Early Release Grading Plan with conditions listed on the June 1, 2006 Burke memo in addition to the field verification of the Felbaum Branch location before earth work begins. John Knochel made a motion to grant final approval for the Clarian Arnett Hospital Early Release Grading Plan with conditions as listed on the June 1, 2006 Burke memo in addition to a field verification of the Felbaum Branch location. Ruth Shedd seconded the motion. The Clarian Arnett Hospital Early Release Grading Plan was granted final approval with conditions.

West Branch Tippecanoe County Library
Kent Schumacher with Troyer Group appeared before the Board to request final approval for the West Branch of the Tippecanoe Library. The site was located within the Lindberg Village Development on the northeast corner of County Road 200 North (Lindberg Road) and Cushing Drive just west of County Road 300 West (Klondike Road). A portion would drain to the right of way of Lindberg Road and Cushing Drive, with the remaining directed north through a swale into an existing storm sewer system connected to a detention basin within the development.

The Surveyor stated this plan was in compliance with the original approved plan for the Lindberg Village Development and recommended final approval with the conditions as stated on the May 18, 2006 Burke memo. John Knochel made a motion to approve the West Branch Tippecanoe Library with the conditions as stated on the May 18, 2006 Burke memo. Ruth Shedd seconded the motion. The West Branch Tippecanoe Library was granted final approval with conditions.

Wabash Township Fire Station #1
The Surveyor presented Wabash Township Fire Station #1 to the Board, located in a minor subdivision on County Road 300 West (Klondike Road). The Surveyor noted the existing Stormwater Ordinance granted Surveyor's discretion on determination of minor subdivision drainage board approvals depending on their size. ~~In~~ The site was reviewed by the Board utilizing GIS. In order to expedite the process for the Township, he stated he had given the Area Plan Commission approval for this project so they may proceed on the final plat process. A First Amendment to the Storm Sewer Easement was provided granting the fire station approval for partial construction in the existing storm sewer easement along the south side of the site. The proposed drainage plan indicated a reduction in the discharge rate and impact on the existing 18" culvert under County Road 300 West (Klondike Road). The Surveyor recommended final approval with the conditions as stated on the May 30, 2006 Burke memo. John Knochel made a motion to grant final approval for Wabash Township Fire Station #1with the

conditions as stated on the May 30, 2006 Burke memo. Ruth Shedd seconded the motion. The Wabash Township Fire Station #1 was granted final approval with conditions.

TSC South Elementary School aka Woodland Elementary
Pat Jarboe with TBIRD Designs Inc. appeared before the Board to request final approval for the TSC South aka Woodland Elementary School project. The site consisted of approximately 33 acres on the north side of County Road 450 South and approximately 1 mile east of County Road 250 East. The site would be accessed from a proposed road off of County Road 450 South. Mr. Jarboe stated the site was located within the J.N. Kirkpatrick Regulated Drain Impact Area. The JN Kirkpatrick Regulated Drain proposed reconstruction would adjoin the north side of the site and serve as the final outlet. In cooperation with the County Surveyor's office, temporary detention basins would be constructed and utilized until said reconstruction was complete. He was in agreement with conditions on the May 26, 2006 Burke memo and would continue to coordinate this project with the Surveyor's office. He requested final approval for the project as presented.

The Surveyor stated they have had several meetings with TBIRD Designs and the School Corporation concerning this project as well as multiple meetings with landowners in the Upper JN Kirkpatrick watershed concerning the Reconstruction of the Upper End east of Concord Road. The new open ditch construction was on track. There would be some property cut off due to the new open channel. The various parties involved (L.U.R., Lohrman, Daugherty Farms, and Kirkpatrick) were in discussions regarding adjoiner agreements. To his knowledge they were partially complete. He was in possession of a final set of reconstruction plans and felt the Drainage Board's Consultant would have the project ready for letting no later than August or September. While the temporary outlet swale would provide a positive outlet for the detention pond, he believed the new channel would be in construction before there would be a need for it. Therefore under Variance/Encroachment of the May 26, 2006 Burke memo it should be changed to read" The temporary offsite swale must be completed by the time a request is submitted for Certificate of Occupancy" He stated he felt the ditch would be constructed and the School Corporation would not need to spend the additional funds. The detention ponds would need to be constructed.

The Surveyor recommended final approval with conditions as stated on the May 26, 2006 Burke memo with the exception of the revision under Variance/Encroachment to read "The temporary offsite swale must be completed by the time they request a Certificate of Occupancy". Pat Jarboe added they would continue to work with the Surveyor's office on the sequencing of both projects. John Knochel made a motion to grant final approval for the TSC South Elementary School aka Woodland Elementary with the conditions as stated on the May 26, 2006 Burke memo with the exception of the revision under Variance/Encroachment to read "The temporary offsite swale must be completed by the time they request a Certificate of Occupancy". Ruth Shedd seconded the motion. The TSC South Elementary School aka Woodland Elementary School was granted final approval with conditions.

Watkins Glenn Part 6 Phase 2
Robert Gross and Paul Dietz from R.W. Gross and Associates appeared before the Board to request final approval for Watkins Glenn Part 6 Phase 2. The site consisted of approximately 17 acres located on the west side of County Road 400 East north of County Road 200 North. Mr. Gross stated this would be the last phase of Watkins Glenn South. He stated Pond A and Pond B were located in Part 5 of the subdivision and were constructed with extra capacity in anticipation for the routing of a planned detention pond located in the northwest corner of Part 6 to the said existing ponds. However with the construction of Polo Fields Subdivision, Pond B would be utilized to a greater degree. Paul Dietz stated the project area was surrounded by vegetated two foot bottom swales on the south, west and east sides. In response to the Surveyor's inquiry, Paul stated there was no impact on the elevation of Pond A. The Pond B level would increase however it was in compliance with the existing Ordinance, as there was a considerable amount of reserve in Pond B. The site was reviewed on GIS by the Board. The Surveyor noted proof of notification to the downstream owners should be provided to the Surveyor's office.

The Surveyor then recommended final approval with conditions as stated on the May 23, 2006 Burke memo. In response to KD's inquiry, he stated the ponds had addressed the water quality issues set forth by the Ordinance. John Knochel made a motion to grant final approval with the conditions as stated in the May 23, 2006 Burke memo. Ruth Shedd seconded the motion. Watkins Glenn Part 6 Phase 2 was granted final approval with the conditions.

Eastatoe Phase 1 & 2
Paul Diets from R.W. Gross and Associates appeared before the Board to request final approval for the Eastatoe Phase 1 & 2, a minor subdivision. The site consisted of approximately 24 acres located on the northwest corner of County Road 850 East and State Road 26. The Surveyor interjected the project was bordered by a "natural stream" (unnamed tributary to Wildcat Creek) and <u>not</u> the Hoffman Regulated or the Hangst Drain. Photographs of the existing conditions of said stream were added to the project file. Paul stated while a small amount of the site outlet to a side ditch at 850 East, the majority would ultimately outlet to the stream. He noted the three foot bottom swales were vegetated and check dams would be utilized to minimize erosion. He then requested final approval for Eastatoe Phase 1 & 2 Minor Subdivision.

The Surveyor (after an onsite visit) had met with a property owner to the north who expressed concern to his office. He assured the landowner the overall runoff would be decreased through two of the ravines with one of the three remaining equal due to the fact the site was being converted from agricultural ground to a grassed site. The Surveyor noted under Stormwater Quality of the May 23, 2006 Burke memo condition 2 should be well defined (through the restrictive covenants or other means) to ensure minimal erosion of the steep ravines. In response, the developer Mr. Greg Sutter confirmed they would assure this through the Restrictive Covenants. The Surveyor stated each individual site plan would be reviewed to ensure requirements were met. He stated while making an onsite visit, there was burnt remains at the top of a ravine which needed to be addressed by removal or some other means - as this was not sufficient fill. He recommended final approval with the conditions as stated in May 30, 2006 Burke memo and the added condition of written assurance for well defined tree preservation along the ravines as well as the existing burnt material on top of ravine to be addressed. (As a side note he stated as the site's runoff would be reduced onsite detention was not necessary.) John Knochel made a motion to grant final approval for Eastatoe Minor Subdivision Phases 1 & 2 with conditions as stated in May 30, 2006 Burke memo and the added conditions for well defined tree preservation along the ravines and the existing burnt material on top of ravine to be addressed. Ruth Shedd seconded the motion. Eastatoe Minor Subdivision Phase 1 & 2 was granted final approval with conditions.

Maintenance Bond(s)
Performance Bond
The Surveyor presented Maintenance Bond #1753003 submitted by Atlas Excavating in the amount of $43,462.50 for Harrison Highlands Phase1; Maintenance Bond #3481609 submitted by Fairfield Contractors in the amount of $11,942.00 for Prophets Ridge Phase 2; Maintenance Bond #5019648 submitted by R.W. Davis Contracting in the amount of $11,585.00;Maintenance Bond #104632497 submitted by Milestone Contractors in the amount of $3200.00; a Maintenance Bond (no number) from Farmers Bank for Hickory Hills III Ph 1 Sec 3 in the amount of $12,219.90 as well as a Performance Bond (no number) from Farmers Bank for Hickory Hills III Ph 1 Sec 3 in the amount of $15,730.00 (due to pending drainage issues to be addressed) for acceptance by the Board. (The Surveyor noted due to the weather there were a few drainage items which needed to be completed. The punch list of the items to be completed was attached to the Performance Bond) John Knochel made a motion to accept the Maintenance Bonds as well as the Performance Bond as presented to the Board by the Surveyor. Ruth Shedd seconded the motion. The aforementioned Bond's were accepted as presented.

Steve Murray
The Surveyor informed the Board he and the Drainage Board Secretary would be meeting with the Montgomery County Drainage Board at their July 24th, 2006 regular meeting to discuss the eight joint drains which serve both counties at their request. He invited the Board members to attend as well if their schedules allowed. The Surveyor noted Montgomery County Drainage Board members have attended Tippecanoe County Drainage Board Meetings in the past and they have been working this past year diligently to improve their drain record keeping. T

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

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Ruth Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

Tippecanoe County Drainage Board
Minutes
July 5, 2006
Regular Meeting

Those present were:

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

Approval of Minutes

John Knochel made a motion to approve the June 7th, 2006 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The June 7th, 2006 Drainage Board meeting minutes were approved as written.

Park 350 Subdivision

Brandon Fulk appeared before the Board to request final approval for Revised Park 350 Subdivision project. The site is located south of County Road 350 South, west of the intersection C.R. 350 South and U.S. 52. The site consists of approximately 137 acres. The north half drains north to the C.R. 350 South side ditch- ultimately draining to the southern portion of the J.N. Kirkpatrick Regulated Drain and the south half drains directly to the tile system of the Upper J.N. Kirkpatrick Regulated Drain. Infrastructure to support industrial development was proposed. A channel reconstruction along the regulated drain would provide an outlet for the majority of the Stormwater runoff within the subdivision.

Brandon stated final approval with conditions was obtained last year , however an alternate design is presently proposed based on the Upper J.N. Kirkpatrick Regulated Drain Reconstruction. The northern portion of the site would now drain directly to an onsite pond. Brandon referred to the Variances and Encroachments listed on the June 30, 2006 Burke review memo. Item #1: The slope of the pond to the south would have a 6:1 side slope and maintenance ledge included. This would be updated on the plans. The 20 feet embankment would also be provided as required in Item #2 of the conditions. He referred to the Stormwater Quantity conditions. Item #2: The appropriate documentation of ownership would be provided for the record and clarification and they concurred with item #2 of the Stormwater Quality section. Electric and Gas Encroachment Agreements would be forthcoming. He stated they concurred with said review memo and requested final approval for the revised plans of the Park 350 Subdivision. In response to the Surveyor's inquiry, Brandon stated Pond 300 was designed to accommodate additional development in the area. The drainage runoff route of future development to the pond had not been determined to date and would be submitted fro review as the Ordinance required. The Surveyor recommended final approval with the conditions as stated on the June 30, 2006 Burke memo. John Knochel made a motion to grant final approval with the conditions as stated on the June 30, 2006 Burke memo for Park 350 Subdivision. Ruth Shedd seconded the motion. Park 350 Subdivision was granted final approval with the conditions as stated on the June 30, 2006 Burke memo.

Alexander Ross Regulated Drain#68/Petition for Encroachment

The Surveyor reviewed a Petition to Encroach on the Alexander Ross Regulated Drain #68 for the Board. A water main line would be constructed approximately 5 feet below the bottom of ditch in order to provide service for Lot 7A in 26 Crossings Subdivision south of Lafayette Business College and PEFCU in 26 Crossing Subdivision. He recommended granting the encroachment to TK Constructors Petitioners. John Knochel made a motion to grant the Encroachment Petition on the Alexander Ross Regulated Drain #68 as presented. Ruth Shedd seconded the motion. The Petition to Encroach on the Alexander Ross Regulated Drain was granted to TK Constructors, Petitioners.

Upper J.N. Kirkpatrick Regulated Drain #46 Improvements

The Surveyor stated multiple meetings had been held with the Upper JN Kirkpatrick Regulated Drain property owners since early fall of last year regarding property issues. Due to present and future development in the area the original regional detention concept was no longer planned. A new open ditch would be constructed which would provide a positive outlet for the area. The individual property owners would provide their own detention as they develop their property. The Surveyor then noted the Board declared the area a Drainage Impact Area this year. The documents for reconstruction were complete, a wage scale had been obtained and the project would be offered for bid in the coming weeks. The County Highway would

construct the culvert on County Road 450 East over the proposed ditch. In addition the gas company agreed to relocate the high-pressured lines at their own expense. The contractor bidding on the new school site was interested in obtaining some of the dirt for that project site. The Surveyor stated the project was on schedule to receive BIDS at the August Drainage Board Meeting. John Knochel made a motion to approve the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the Drainage Board to sign the cover sheet of the plans as submitted by the Surveyor in addition to the acceptance of BIDS on August 2, 2006 at 10 a.m. Ruth Shedd seconded the motion. The Board would sign the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the acceptance of BIDS for the Upper J.N. Kirkpatrick Regulated Drain #46 was scheduled for August 2, 2006 at 10 a.m.

J. Berlowitz Regulated Drain #8 Regional Detention Agreement Phase 1/ Eastland Development

The Surveyor stated he had hoped to present a final Agreement concerning the J. Berlowitz Regulated Drain #8 Regional Detention Phase 1with Eastland Development; however it was not ready at this time. He stated he had met with Mr. Derrin Sorenson, President of Eastland Development and Mr. Bill Davis last week and reached an agreement. He informed the Board the County would gain land south of the proposed pond at the southeast corner of 50 South and 550 East. Eastland Development's desire was that the excess property would be turned over to the County Parks Department for area residents. He had thought the agreement would be available to be approved by the Board this a.m., however, he requested a recess of the meeting until July 7, 2006 at 11:30 a.m. The Attorney stated he would review the agreement in the interim and felt his presence would not be necessary for the Board to sign.

Maintenance Bonds/Letter Of Credit
Raineybrook Pt 2 Sec 2 Ph 1/L.O.C.#600/Raineybrook LLC/Dated July 3, 2006
Retreat at Hickory Ridge Maint. Bond #1750832/$14580.00/Atlas Exc. /Dated Sept. 7, 2005

The Surveyor presented the following maintenance Bonds for acceptance by the Board: Raineybrook Pt 2 Sec 2 Ph 1: Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of $8686.00 and the Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of $14580.00. John Knochel made a motion to accept the Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of $8686.00 as well as Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of $14580.00. Ruth Shedd seconded the motion. Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of $8686.00 and Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of $14580.00 was accepted by the Board.

Public Comment

As there was no public comment, KD Benson stated the meeting would be recessed until July 7, 2006 at 11:30 a.m.

July 7, 2006 11:30 A.M.

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, County Surveyor Steve Murray, and Drainage Board Secretary Brenda Garrison were also in attendance. Commissioner Ruth Shedd, Drainage Board Attorney Dave Luhman and Dave Eichelberger Engineer Consultant were absent.

Eastland Development/Agreement

KD Benson stated the recessed meeting was due to finalizing the Eastland Development Agreement with the Drainage Board for the Berlowitz Regulated Drain #8 Regional Drainage Phase 1 project. The Surveyor then informed the Board the Berlowitz Regulated Drain #8 Regional Reconstruction Phase 1 ran from I65 to C.R. 50 South and included the C.R. 550 East basin and C.R. 50 South basin. The agreement contained several Exhibits (A through E) and detailed the work to be doneand the land which would be granted to the Board by Fee Simple or Drainage Easement. It also detailed the amount of excavation to be placed on Eastland Development property south of the proposed Regional Detention Basin,(property known as Hawthorne Lakes, Hawthorne Meadows) in addition to credits the Development would receive for detention storage. He stated the agreement would provide a savings to the taxpayer of approximately 2 million dollars from the original cost of the project and allow the Contractors developing the Clarian Arnett Hospital site to remove excess dirt from the Eastland Development LLC site and transport to the Clarian site. He recommended the Board sign the agreement with Eastland Development LLC and Saddlebrook Development LLC. KD Benson noted the Attorney had approved the agreement to

form. John Knochel made a motion to approve the said agreement between the Board and Eastland Development and Saddlebrook Development LLC. KD Benson seconded the motion. The agreement was approved as presented by the Surveyor. John Knochel made a motion to recess the meeting to sign the agreement on July 11th, 2006 at 11 A.M. KD Benson recessed the meeting until July 11, 2006 at 11 A.M.

July 11, 2006 11:00 A.M.

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, Commissioner Ruth Shedd member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman and Secretary Brenda Garrison were in attendance as well.

The Surveyor stated he met with Milestone and Kettelhut as well as Roger Fine from Fisher & Associates concerning the logistics of removing the dirt and stockpiling. An additional meeting was scheduled today to finalize the details of the excavation process. He noted, as builts would be provided to the County once the excavation was completed. The County Highway would attend today's meeting as well. The Surveyor would request a letter of understanding from Kettelhut and Milestone Contractors for the project at that time. In response to KD Benson's inquiry, the Surveyor informed the Board a Waiver and Release had been obtained from Milestone Contractors releasing the Drainage Board from any liability during the excavation process. He noted the Clarian Arnett Hospital project had received approval for mass grading only from the Board and the project would be presented to the Board at a later date for final approval.

In response to Dave Luhman's inquiry, the Surveyor stated it was the intention to have the grading for the Berlowitz Regulated Drain #8 Regional Detention Phase 1project completed by July or August and hoped to have the contract documents ready to let out for BIDS by early fall this year.

John Knochel made a motion to adjourn the meeting. Ruth Shedd seconded the motion. The meeting was adjourned.

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KD Benson, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
August 17, 2006
Special Meeting

Those present were:

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

Clarian Arnett Hospital

Jon Perry of Gresham Smith and Partners appeared before the Board to request final approval for the Clarian Arnett Hospital project. Mr. Perry thanked the Board for the Special Hearing and specifically for Dave Eichelberger, Engineer Consultant and Surveyor Steve Murray's assistance. The overall site consisted of 115 acres located east of County Road 500 East south of McCarty Lane. This portion of the project would develop approximately 62 acres of the 115 acre site and include a new hospital building, a medical office building, powerhouse, parking lots, access drives, storm sewer, utility infrastructure, and water quality basins. Under existing conditions, Stormwater sheet flows to the Julius Berlowitz Regulated Drain. He noted they were working diligently to address the August 15, 2006 Burke memo comments completely.

Dave Eichelberger stated the following pertaining to situation with Caterpillar Logistics: According to the Ordinance, emergency routing must not impact adjacent property owners. Along the south property line there is a road which T's and in that general area there is a sag inlet where approximately 7 acres of developed land runs to the sag. When the sag can not handle the discharge it would overflow and run into a small pond. That pond could pond up approximately six feet deep and is drained by a pipe which would route it back into the system. If that pond were to overtop, it would break out and run into a wetland area alongside County Road 500 East. That area would then have to fill up approximately a foot to break into the Caterpillar Logistics' Center pond. Technically, it is preferred that all emergency routing flow directly to the outlet or to the ponds and then the outlet. In this situation they have done as best as they could. They have two back up systems for the overflow, as a result it would have to pond in the street, pond in the pond for six feet (which is going to be drained) then break out and pond in the wetland- then it would finally flow into the Caterpillar Logistics Center pond. Dave added he suggested to Mr. Perry and Brian Elmore they notify Caterpillar Logistics Center that emergency overflow into the pond was a possibility in very infrequent storms. Mr. Perry noted that there was a second area where a backup emergency overflow system designed from the dock area draining to the east and stated there would have to be really significant almost total failure of the system in two locations. Dave Eichelberger noted a trench drain was designed to drain the dock area as well as another pipe a little higher so if the dock area was to flood, it would be conveyed to the ponds on the east side. Dave felt with the two back up systems in place and their notification to Caterpillar that they were doing all they could to get the water to their outlet Dave Eichelberger then stated in the existing conditions four acres drained to the Caterpillar site and with the developed conditions it would be seven acres with two back up systems in place. The Surveyor then asked what the discharge would be before and after, Dave stated it would be difficult to determine right now. The Surveyor stated a provision was in the Ordinance (i.e. notification to downstream owners) due to historical problems over the years with post development impact to downstream owners. In response to KD's inquiry, Brian Elmore stated he asked for confirmation from Caterpillar of his notification. The attorney reiterated the provision allowed downstream owners the opportunity to voice concerns at the time a development appeared before the Board for approval. He noted Mr. Elmore stated Caterpillar was notified of the situation, the meeting today and requested confirmation of the notification. The Surveyor noted the emergency overflow was going into a previously approved detention facility which outlet to a storm sewer system along County Road 550East installed by the City of Lafayette. Mr. Perry reiterated only in the event of a complete failure of two systems and a large rainfall would they potentially discharge onto Caterpillar site. John Knochel noted the Board, Clarian Arnett and Caterpillar Logistics were all aware of the situation. The Surveyor stated the August 15, 2006 under "General Conditions" comment No. 5 stated "All listed conditions must be completely addressed before any drainage infrastructure can be installed at the site, and before final plan approval and sign-off will be granted by the County Surveyor's Office." He recommended final approval with all the conditions as stated on the August 15, 2006 Burke memo as well as the added conditions: Receipt of confirmation from Caterpillar Logistics regarding the seven acre discharge, and analysis of the 72" pipe including the entire watershed drainage be completed to insure the proposed pond in the northwest corner would perform as designed presently

and to check for variable tail water conditions including the downstream analysis into the Berlowitz(as stated by Dave Eichelberger). John Knochel made a motion to grant final approval with the conditions as stated on the August 15, 2006 Burke memo as well as the analysis of the 72" pipe and receipt of confirmation of notification from Caterpillar Logistics. Ruth Shed seconded the motion. Clarian Arnett Hospital was granted final approval with conditions.

Steve Murray
Hadley Moors Part 7

The Surveyor stated the April 5, 2006 approved minutes regarding Hadley Moors Part 7 indicated he stated a Homeowners Association was to be formed for the entire Hadley Moors Subdivision. However during those minutes he encouraged a Homeowners Association for the entire Subdivision. He was in the process with the Board Attorney; Mr. Lux and Mr. Fine of potentially making the Subdivision's storm sewer system a regulated drain opposed to forming a Homeowners Association for the entire subdivision. He stated for clarification it was NOT mandatory to form a Homeowners Association for the entire subdivision; however it was mandatory to show proof of a Homeowners Association was established for Hadley Moors Part 7.

Upper JN Kirkpatrick Regulated Drain

The Surveyor updated the Board concerning the improvements to the Upper End JN Kirkpatrick Regulated Drain. Right of Entry letters were mailed last week. DF Properties and Daugherty Farms were signed and returned to date. Mr. Paul Kirkpatrick had requested a letter which stated the Board would be willing to vacate the existing 150 feet tile easements pertaining to those sections of the existing JN Kirkpatrick tile left in place after the improvements had been made (the alignment of the new open ditch will not be exact over top of existing tile as the "runs" will be perpetuated and tied into the new open channel). As new developments are completed those existing tiles will be picked up and combined into their storm sewer systems or abandoned as needed. The letter was sent out to those landowners affected.

Gambs Property

The Surveyor stated the tract lies (generally) east of Concord Road (County Road 250East) and north of Brady Lane (County Road 250 South) and runs east to the County Highway Garage and Extension Office property. It is located in the City of Lafayette. The Surveyor made a site visit in regard to the regulated drain. It appeared they had placed fill within the regulated drain easement (the easement was 75 feet from top of bank on both sides) in some areas, based on the limits of a flood plain stated in a 1994 letter requested by Schneider Engineering to I.D.N.R. of delineation of the floodplain and floodway. By those elevations noted, the owner had placed fill in the floodway and floodplain. Also fill had been placed on the additional ground acquired by the Board of Commissioners to the west of the County Highway garage. There was potential to cause problems upstream up to and to include the Board of Commissioner's properties. In response to KD's inquiry, the Surveyor stated he was unaware of an existing permit. The Attorney stated they did not have the right to place dirt on the County's property without permission. The County should notify the Department of Natural Resources concerning filling in of the floodway and note it was not done by the County or with the County's permission. The Attorney stated he would make a site visit and prepare the appropriate notification.

Robinson Ridge Minor Subdivision

KD informed the Surveyor during Area Plan's meeting the previous evening, an adjoining landowner raised drainage concerns regarding Robinson Ridge Minor Subdivision. The Area Plan Commission suggested the landowner contact the Surveyor office with her drainage concerns. KD suggested it may warrant the project to be presented to the Drainage Board for approval and wanted to inform the Surveyor of possible contact by the landowner to his office.

Public Comment

Brian Elmore expressed his appreciation for the Board's cooperation with Arnett Health Systems regarding the Clarian Arnett Hospital project. The Surveyor noted Arnett Health Systems' role in receiving approximately 380,000-400,000 cubic yards of dirt from the Berlowitz project which resulted in a substantial savings to the County. John Knochel made the motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

_____
KD Benson, President

_____
John Knochel, Vice President

_____
Brenda Garrison, Secretary

_____
Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 7, 2007
Regular Meeting

Those present were:

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

Approval of Minutes

Ruth Shedd made a motion to approve the January 3, 2007 Regular Drainage Board minutes as written. KD Benson seconded the motion. The January 3, 2007 Drainage Board meeting minutes were approved as written.

Stoddard Development Warehouses/Encroachment Petition

Brandon Fulk of Schneider Corporation appeared before the Board to request an approval for Stoddard Development Warehouse Encroachment Petition. The site was located north of County Road 350 South between U.S. 52 and County Road 500 East and south of the Norfolk and Southern Railroad. Branch 12 of the S.W. Elliott Regulated Drain traversed the site. The said Branch was tributary to the planned F-Lake Regional Detention Facility. Brandon stated a railroad spur was now necessary due to the growth and its shipping obligations. The railroad spur would encroach and cross Branch 12 of the S.W. Elliott Regulated Drain. The Branch 12 tile was rerouted in 2004 from the east line of property to the northeast corner to the connection beneath the railroad at the northwest corner of the site. He noted the encroachment was located at the northeast corner of the site. Calculations provided by the manufacturer indicated the pipe was adequate size for the structural load of the engines and freight. Brandon noted, the developer would maintain the tile within the encroachment area if issues were to arise in the future. Brandon stated the encroachment request was the only issue at hand today as expansion of the warehouse would be presented for Board approval at the next month's scheduled meeting. The Surveyor stated the previously rerouted tile plan had been reviewed by Christopher Burke to ensure the tile could handle loaded railcars. Brandon reiterated at this time only approval from the Board for the encroachment was requested - based on the submitted material and draft encroachment petition. The final Encroachment Petition document would be presented for signatures at the March meeting. The Surveyor stated in addition to the required standard language, noted maintenance responsibility for said Branch (located under the railroad spur) would be required within the petition as well. Therefore if a problem arose under the railroad spur, the developer would be responsible for the repair(s) by the terms of the encroachment. He felt this adequately protected landowners served by the Branch within the watershed. Ruth Shedd made a motion to approve the Encroachment Petition requested by Stoddard Development with conditions listed on the January 29, 2007 Burke memo. KD Benson seconded the motion. Brandon confirmed he would present the finalized Encroachment Petition document at the March Drainage Board meeting for signatures.

Unity Medical Parking Lot Expansion

Brandon Fulk of Schneider Corporation appeared before the Board to request final approval for the Unity Medical Parking Lot Expansion. Brandon stated Tom Gall and Joe Bumbleburg representing Unity Medical were in attendance. Located on the east side of Creasy Lane (County Road 350 East) and south of Amelia Drive the site was within the city of Lafayette. The area in question was located northeast of the approved Faith Hope and Love project and within the Unity Medical Campus site. An Encroachment Petition (regarding the Treece Meadows Relief Drain) was submitted for approval. If approved, the encroachment would result in approximately 20' available for maintaining the drain.

Schneider was asked to investigate a platted 15' Utility Easement which Brandon stated it appeared to be a routine easement previously created (2000) during platting of the Subdivision and was not being utilized at this time. Investigation included discussion with the Surveyor who had prepared the plat and physical evidence at time of the topographic survey. The concern was the easement was created for the relocated Wilson Branch tile. Considering investigation information and the physical evidence that the tile was not in the easement- it was determined that the easement was *not* created for the Branch of the Wilson Branch as originally suspected but was a platted drainage and utility easement. Therefore, the draft Encroachment Petition (regarding the Treece Meadows Relief Drain) was submitted for approval by the Board and would in fact be updated

in the same fashion as one to be heard subsequently for the Faith Hope and Love project which was modified since the parking lot expansion project draft document was submitted.

The Surveyor clarified the requests as follows: There were two Encroachment Petitions to be considered. First the Parking Lot Expansion request for an encroachment into a standard platted 15' Drainage and Utility Easement and second an encroachment request regarding a drainage easement for the Wilson Branch / Treece Meadows Relief Drain (previously created for the re-route of a Branch of the Wilson Branch). The Attorney added the encroachment into said platted 15' Drainage and Utility Easement would not affect the existing utilities however consent from the utility companies would be required.

Regarding the Encroachment Petition into the Wilson Branch/Treece Meadows Relief Drain, the Surveyor noted due to the elevation of the Wilson Branch tile, it could not outlet east of Creasy Lane into the Treece Meadow Drain. (As the area developed through various projects, the old tile was picked up and rerouted as part of various projects. The tile ran along the north bank of Treece Meadow crossed between buildings at the Unity Campus ran north under Creasy Lane into a box structure installed as part of the Creasy Lane reconstruction project on the west side of Creasy Lane. The tile still served a portion of the agricultural ground to the east.) Responding to the Attorney, the Surveyor noted the County purchased this particular easement. The Attorney stated this would distinguish it from the standard 75' Right of Entry a Drainage Board has with respect to all Regulated Drains. The County's ownership of the drainage easement gave the Board more control of the type of use by others. Regarding a recommendation for final approval, the Surveyor deferred to the Board's opinion as to whether they felt 20' was adequate for the drainage easement (taking into consideration a maintenance agreement to mow or maintain the vegetation from Creasy Lane to Amelia Ave. was signed and provided by the developer) Tom Gall (representing Unity) approached the Board. Mr. Gall stated the requested Encroachment Petition and Maintenance Agreement documents were both reviewed and approved by the Board's Attorney and signed by Unity. He confirmed Unity would be responsible for the mowing of the ditch from Creasy to Amelia Ave.

The Surveyor recommended final approval with conditions stated on the February 2, 2007 Burke memo, with the following exception to the portion titled Variances/Encroachments – a final Encroachment Petition would be worked out between the parties. The condition regarding a 25' maintenance access from the top of bank would be worked out between the Surveyor and Developer. The Attorney then clarified the Maintenance Agreement covered mowing the vegetation on both sides of the drain from Creasy Lane to Amelia Ave. until land on the south side of said drain was developed. At that time Unity would be required to maintain the north side of the drain from Creasy Lane to Amelia Ave. A new developer/owner on the south side of said drain would be responsible for their site.

Ruth Shedd made a motion to approve the Unity Medical Parking Lot Expansion with conditions stated on the February 2, 2007 Burke memo with the exception of the Encroachment Petition. The said Petition was to be presented at the March Drainage Board Meeting for acceptance/approval. KD Seconded the motion. Unity Medical Parking Lot Expansion was granted final approval with conditions as stated.

Unity Main Campus / Encroachment and Maintenance Agreement

Brandon Fulk of Schneider Corporation appeared before the Board and requested final approval for the Unity Main Campus Encroachment Petition and Maintenance Agreement. The Encroachment Petition and Maintenance Agreement were presented to the Board in compliance with conditions of final approval previously granted for the Faith Hope and Love project located on the Unity Main Campus site. Attorneys for both parties (Drainage Board and Unity) had reviewed the documents prior to today's meeting. Brandon noted an additional condition was ordered previously for the Faith Hope and Love project concerning a Vacation of Easement (for maintaining a 5' perimeter around the Building). The said Vacation document was presently in the draft stage. He noted this situation was unique with encroachments, maintenance agreements and vacations. The Attorney had reviewed the Maintenance Agreement as well as the Encroachment Petition presented for approval today. He reiterated a condition of the Encroachment Petition approval was a signed Maintenance Agreement which the developer had provided. The Surveyor noted he had spoken with Mr. Gall informed him there was brush (willows etc.) which would need to be removed and Mr. Gall was in agreement. Attorney Joe Bumbleburg approached the Board in response to KD Benson's inquiry concerning the Maintenance Agreement. He explained the Maintenance Agreement and Encroachment Petition were both written and submitted as agreed upon by the Board in the January meeting. The Surveyor stated when the south side of the drain was developed the same maintenance requirement would be imposed by the Board.

Ruth Shedd made a motion to approve the Unity Main Campus Maintenance Agreement and Encroachment Petition as presented. KD seconded the motion. In response to the Presidents inquiry for those opposed, KD Benson indicated in the affirmative. The Unity Main Campus Encroachment Petition and Maintenance Agreement were approved as presented.

Kirkpatrick Infrastructure

Brandon Fulk of Schneider Corporation appeared before the Board to request final approval for the Kirkpatrick Infrastructure project. A proposed access road (Kirkpatrick Boulevard) would be located on the north side of County Road 450 South east of County Road 250 East (Concord Road). The roadway would provide access to the Woodland Elementary School currently under construction as well as future developments. The Benjamin Crossing Subdivision was located to the west, a vacant farm field to the east and a rural subdivision as well as Hunters Crest Subdivision to the south of the proposed road. Brandon stated the storm infrastructure would service future development to the west, a bypass system for offsite flows to the school (Schneider worked with the School Corporation on elements of this nature). The storm system would pick up a portion of offsite flow from Hunters Crest Subdivision as well areas yet to be developed on the homestead and remainder of the farm. Provisions were provided within the storm infrastructure that ran along the west line of the roadway for future development and immediate interim conditions. An interim dry detention facility would be utilized during the construction of the roadway. Brandon stated he was presently working with the County Highway Department on a couple issues. He concurred with the conditions as stated on the February 2, 2007 Burke memo while requesting an encroachment for the temporary detention facility based off the proximity to the JN Kirkpatrick Regulated Drain under construction at this time. He noted a 25' separation between the ditch bank and the temporary facility bank for accessibility was planned. A variance on the allowable release rate was requested as well. The roadway would be dedicated by the School Corporation and the easement for the storm sewer and utility would run along the western length of the road.

The Surveyor stated he recommended granting the variance on the release rate. Ruth Shedd made a motion to grant the variance of the release rate. KD Benson seconded the motion. Kirkpatrick Infrastructure was granted the variance from the release rate as requested. The Surveyor then recommended final approval with the conditions as listed on the February 2, 2007 Burke memo. Ruth Shedd made a motion to grant final approval with conditions as stated on the February 2, 2007 Burke memo. KD Benson seconded the motion. Kirkpatrick Infrastructure was granted final approval with conditions.

Huntington Farms Phase 3 Section 2 Lots 164 & 165

Paul Dietz of Vester and Associates appeared before the Board to request a Vacation of Easement for Lot 164 of Huntington Farms Phase 3 Section 2 Subdivision. Attorney Joe Bumbleburg approached the Board. He indicated he prepared both vacation and encroachment documents for the Board to determine which document to use in this case. He stated while the encroachment process may be quicker, a vacation of easement would be the more permanent solution and most beneficial to all involved in this case. The Board Attorney stated an encroachment into a platted drainage and utility easement would be subject to the condition that if it ever interfered with the drainage or need for utilities it would have to be removed. Since the encroachment was a home in this case, a mortgage lender may be reluctant to loan money for a home which may be required to be moved out of the easement in the future. The homeowner's interest would not be satisfied in that case. The process by Indiana Code for vacation of platted easements required publication and notification. Any person that may feel effected by the vacation would have the opportunity to remonstrance the vacation. Mr. Dietz stated all utilities had been notified and consents for the vacation were provided with the exception of Verizon (who had to process it through their main office) but expected that consent forthcoming. In response to the Surveyor's request, Paul stated the emergency routing plan was reviewed prior to submission of the request. The Surveyor was satisfied there was adequate room after the vacation was granted for proper drainage and recommended vacation of the easement as requested. Ruth Shedd made a motion for the Drainage Board to consent to the Vacation of Easement of Lot 164 Huntington Farms Phase 3 Section 2 Lot 164. KD Benson seconded the motion. The Vacation of Easement for Lot 164 Huntington Farms Phase 3 Section 2 would be presented at the March 5th 2007 Commissioner's meeting for final action by Mr. Bumbleburg or Paul Dietz of Vester and Associates.

2007 Regulated Drain Status Report

The Surveyor presented a 2007 25% Increase in Regulated Drain Assessments Resolution to the Board for approval. He stated in March of 2006 he presented the Board with a classification report which indicated drains in need of the said increase. He noted it was too late to get the increase on the tax rolls at that time. Therefore he presented the list today for formal action in order to include the increase for the 2007 tax roll. Ruth Shedd made a motion to accept Resolution #2007-01-DB 25% Increase in Regulated Drain Assessments. KD Benson seconded the motion. Resolution 2007-01-DB was

approved. He then presented the 2007 Regulated Drain Status sheet for approval. Ruth Shedd made a motion to approve the 2007 Regulated Drain Status sheet. KD Benson seconded the motion. The 2007 Regulated Drain Status sheet was approved as submitted. *Note: Resolution 2007-01-DB and the 2007 Regulated Drain Status sheet will be included in their entirety within the Official Meeting Minutes Book immediately following the February 7, 2007 Approved Minutes.*

William Walters #84 Regulated Drain Reclassification

The Surveyor stated he had included the need for the William Walters Regulated Drain reconstruction on the 2006 Classification Report presented to the Board in March of 2006. He noted since that time he has had two verbal requests from landowners for the drain's reconstruction north of County Road 900 North. Utilizing GIS, he noted the drain tile continued into White County. When the previous Surveyor was in office, the drain was surveyed and plans were prepared. However, a property owner north of County Road 900 North was not in favor of replacing the existing tile with an open drain at that time. The landowner has changed his mind since and in favor of the reconstruction as well as landowners located in White County. He stated he would prepare a reconstruction report to present to the Board at a later date.

Maintenance Bonds

The Surveyor presented Maintenance Bond #104791385 dated Sept. 20, 2006 for Winding Creek Section 4 Subdivision in the amount of $24,690.00 submitted by Milestone Contractors, and Maintenance Bond #1802388 dated January 23, 2007 for Blackthorne Subdivision Phase 1 in the amount of $6250.00 submitted by Atlas Excavating for acceptance by the Board. Ruth Shedd made a motion to accept Maintenance Bond #104791385 dated Sept. 20, 2006 for Winding Creek Section 4 Subdivision amount $24,690.00 submitted by Milestone Contractors, and Maintenance Bond #1802388 dated January 23, 2007 for Blackthorne Subdivision Phase 1 amount $6250.00 submitted by Atlas Excavating presented by the Surveyor. KD Benson seconded the motion. Maintenance Bond #104791385 dated Sept. 20, 2006 for Winding Creek Section 4 Subdivision in the amount of $24,690.00 submitted by Milestone Contractors, and Maintenance Bond #1802388 dated January 23, 2007 for Blackthorne Subdivision Phase 1 in the amount of $6250.00 submitted by Atlas Excavating were approved as presented.

Other Business
Contracts

Drainage Board Legal Services Contract
The Surveyor referred to the Board's Attorney for the presentation of the 2007 Drainage Board Legal Consultation Contract. The Attorney noted the contract amounts had not changed since last year and noted if an associate performed the work a lesser amount of $50.00 per hour would be charged. Ruth Shedd made a motion to approve the 2007 Drainage Board Legal Consultation Contract with Hoffman, Luhman and Masson as presented. KD Benson seconded the motion. The 2007 Drainage Board Legal Consultation Contract with Hoffman, Luhman and Masson was approved as presented.
Drainage Board Professional Engineering Consultant Contract
The Surveyor then presented a 2007 Drainage Board Engineer Consultant Contract with Christopher B. Burke Engineering LTD Indianapolis office for the Board's approval. He noted the amounts included in the contract were the same as in the 2006 contract. He then recommended the Board execute the renewal contract as submitted for approval. Ruth Shedd made a motion to accept the renewal contract with Christopher B. Burke Engineering LTD for Professional Engineering Services. KD Benson seconded the motion. The 2007 Professional Engineering and Drainage Review Contract with Christopher B. Burke Engineering LTD Indianapolis office was approved as submitted.
Berlowitz Regional Detention Facility Design Modifications Contract
The Surveyor presented the Berlowitz Regional Detention Facility Design Modifications Contract with Christopher B. Burke Engineering LTD Indianapolis Office for acceptance by the Board. He explained, as part of negotiations of the Clarian Arnett project, 300,000 plus cubic yards of soil was removed from the property in order to acquire the property needed for the Berlowitz Regional Detention Facility. As a result of said negotiations, the 2003 contract documents need to be modified and brought up to date. (The County agreed to relocate and compact a portion of the removed soil south on some of the Saddlebrook properties such as Hawthorne Lakes and Hawthorne Meadows.) The Surveyor recommended acceptance of the 2007 Berlowitz Regional Detention Facility Design Modifications Contract with Christopher B. Burke Engineering LTD Indianapolis Office in the amount of $50,276.0000. Ruth Shedd made a motion to accept the 2007 Berlowitz Regional Detention Facility Design Modifications Contract with Christopher B. Burke Engineering LTD Indianapolis Office in the amount of $50,276.0000. KD Benson seconded the motion. The 2007 Berlowitz Regional Detention Facility Design Modifications Contract with Christopher B. Burke Engineering LTD Indianapolis Office in the amount of $50,276.0000 was approved by the Board.

Shangri La Estates

The Surveyor gave the Board an update on the Shangri-La Estates project. He stated the project was approved with conditions by the Board October 13, 2004. At that time proper notifications to all effected downstream landowners had not been completed. Three of the downstream owners were the Kepners. Mr. Bill Kepner (now deceased) was in attendance at the October 2004 meeting. Mr. Kepner had a verbal agreement for regrading the existing conveyance and adding riprap to his property. A signed agreement with the Kepners was a condition of the October 13, 2006 approval. This document has not been submitted to date. Two downstream property owners had not received the notification. The Highway Department and Suburban Utilities had not approved the project as of a couple weeks ago. The Engineer Consultant stated a final updated drainage report, approval from the Hwy. Dept., and acknowledgement letters were still pending. Mr. Glen Stockment, representing the developer, had made attempts to notify the two landowners: Cox and Sheese (the Shangri La development is wrapped around their properties) and they have not accepted the certified letters. The Attorney then stated certified or registered notifications were considered due diligence (you can not force someone to accept notification). The Surveyor stated the original developers have chosen to sell the property. He reiterated agreement letters with the Kepners as part of the conditions have not been submitted to date. He also noted, the Secretary had notified Mr. Stockment of the pending conditions on several occasions since the approval and had documented those notifications on the memos located in the file. However she will speak with Mr. Stockment again regarding the conditions pending. Since the conditions had not been met for final approval, construction plans would not be signed by the Surveyor.

Regulated Drain(s) Right of Entry

Responding to KD's inquiry, the Attorney noted by Indiana Statute the County has 75' right of entry from the top of bank or centerline of tile on a regulated drain. There is also a statute which states it may be reduced to as little as 25' from top of bank or 15' from the centerline of the tile. It also states one is not allowed to erect any permanent structure within the right of entry. If there was a special reason why one might want to reduce the right of entry it should be done on a case by case request in his opinion. The Surveyor was in agreement and stated this is often referred to a Regulated Drain Easement and it was actually a Right of Entry as the Attorney stated. The Attorney stated another area which you would get the request was subdivision drainage plans and these do not necessarily regard a regulated drain. In this case you are not talking about a Right of Entry but a platted Drainage and Utility Easement. In this instance the issue would be; is there adequate room for someone to maintain / install or repair utilities or drainage facilities within the easement? This is why for practical reasons; you have a standard 25' easement.

Public Comment

John Knochel asked for public comment, there was none. Ruth Shedd made a motion to adjourn the meeting. KD Benson seconded the motion. The meeting was adjourned.

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John Knochel, President

_____
Ruth Shedd, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
May 2, 2007_
Regular Meeting

Those present were:

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

Approval of Minutes

KD Benson made a motion to approve the April 4, 2007 Regular Drainage Board minutes as written. John Knochel seconded the motion. The April 4, 2007 Drainage Board meeting minutes were approved as written.

Purdue Research Park Phase 3 Part 1 Infrastructure

Brandon Fulk of Schneider Corp. appeared before the Board to request final approval for the Purdue Research Park Phase 3 Part 1 Infrastructure project. The site located within the City of West Lafayette consisted of approximately 2.3 acres. An existing dry detention facility constructed with Phase II Part II would be used on an interim basis. Brandon stated the dry facility had the capacity for future growth and currently there was approximately 17 acres of undeveloped growth at the site. It was identified there would be a land swap as far as the volume in the dry facility of Phase II was considered to allow for this development. Approximately 3 acres would be developed which would take away from the 17 acres of undeveloped area in Phase II in the interim. The site drained to the Baker Dempsey Regulated Drain and extensive research of the drain was conducted by Schneider Corp. The said regulated drain routed along the back side of the proposed lots encompassed the dry facility and discharged to the northwest. Brandon stated he concurred with the conditions listed on the April 26, 2007 Burke memo and requested final approval. Responding to the Surveyor's inquiry, Brandon stated he would be submitting an encroachment petition regarding the Baker Dempsey Regulated Drain in the near future as the sanitary sewer would encroach into the regulated drain easement. The Surveyor asked if anyone else was tributary to the drain and Brandon stated there was no one upstream. The Surveyor recommended final approval with the conditions listed on the April 26, 2007 Burke memo. KD Benson made a motion to grant final approval to Purdue Research Park Phase 3 Part 1 infrastructure with the conditions as stated on the April 26, 2007 Burke memo. John Knochel seconded the motion. Purdue Research Park Phase 3 Part 1 Infrastructure was granted final approval with conditions.

Purdue Research Park Phase 3 Part 1 Lot 1

Brandon Fulk of Schneider Corp. appeared before the Board to request final approval for the Purdue Research Park Phase 3 Part 1 Lot 1 project. The site located on the north side of Kalberer Road was within the City of West Lafayette. It currently drained north to the Baker Dempsey Regulated Drain and would continue after the development. The Surveyor stated as this was located within the City of West Lafayette, the Board was concerned with the effect or discharge to the Baker Dempsey-Hadley Lake system only. The water quantity and quality issues had been reviewed by West Lafayette. Brandon stated Lot 1 would be developed for a Childcare Facility which was designed by C&S Engineering. Since the development north of Kalberer in Phase 3 had not been planned and allocated for in the volume of the dry facility and there was 17 acres in Phase II undeveloped there would be a land swap. Further growth would call for additional improvements to be made. The construction plans had been reviewed and approved by the City of West Lafayette's Engineer Office. He concurred with the conditions on the April 26, 2007 Burke memo and requested final approval. Responding to the Surveyor's inquiry, Brandon stated the lot at hand was in compliance with Schneider's original drainage study. The Surveyor recommended final approval with the conditions listed on the April 26, 2007 Burke memo. KD Benson made a motion to grant final approval to Purdue Research Park Phase 3 Part 1 Lot 1 with the conditions as stated on the April 26, 2007 Burke memo. John Knochel seconded the motion. Purdue Research Park Phase 3 Part 1 Lot 1 was granted final approval with conditions.

Orchard Phase 3 Section 1

Paul Couts of C&S Engr. appeared before the Board to request final approval for the Orchard Phase 3 Section 1 Subdivision. He provided the Board with an exhibit of the project site. The site was located east of County Road 300 West (Klondike Road) and north of State Road 26 West consisting of approximately 14.3 acres. Paul stated the topography would be

undisturbed as much as possible. He stated approximately 1/3 of the site drained to the detention storage facility located on outlot H and the remaining 2/3 to the detention storage facility located on outlot G and lot 121. Both of the facilities discharged to an unnamed tributary of Jordan Creek. The rear yards of Lots 142 through Lot 148 would drain westerly uncontrolled from the site. Paul stated there was approximately a 24 foot differential in elevations at different locations within the site. He concurred with the conditions as stated on the April 30, 2007 Burke memo and requested final approval. The Surveyor recommended a Variance for Stormwater Quality be granted subject to the condition listed on the April 30, 2007 Burke memo. Dave Eichleberger stated they would not meet the 80% TSS removal requirement however the overall weighted average would be approximately 75-78%. Lots 142 through 148 would not receive any water quality treatment however the runoff would be routed through a grassed lawn area. This is the area between the lots and the ditch that would not be developed per David Kovich (developer of the site). Dave Eichelberger stated since the pond was not designed as a stormwater quality pond, the amount of treatment could not be quantified. KD Benson made a motion to grant the Variance to the Stormwater Quality with the condition listed on the April 30, 2007 Burke memo. John Knochel seconded the motion. The Stormwater Quality Variance was granted with the condition listed on said memo. KD Benson made a motion to grant final approval with the conditions as listed on the April 30, 2007 Burke memo. John Knochel seconded the motion. The Orchard Phase 3 Section 1 Subdivision was granted final approval with the conditions as stated.

Other Business
Contract/ Elliott Ditch Revision Scoping /Christopher B. Burke Engr. LTD

The Surveyor presented the Elliott Ditch Revision Scoping Contract with Christopher B. Burke Engineering LTD to the Board. The Surveyor confirmed this would include the area of the County Extension Office and the County Highway Department. Dave Eichelberger stated Burke would specifically look at the reach from Brady Lane to US 52 and would also have to look up and downstream to see what areas impacted that reach. He stated this contract would scope out what items would require additional work. He noted it may actually be a study from the mouth to US 52. KD Benson made a motion to enter into the contract with Christopher B. Burke for the revision scoping on the Elliott Ditch. John Knochel seconded the motion. The Elliott Ditch Revision Scoping Contract with Christopher B. Burke Engineering LTD was approved as presented by the Surveyor.

Contract/Berlowitz Regional Detention /INDOT

The Surveyor presented a Regional Detention Plan contract with the County and Indiana Dept. of Transportation (INDOT) for payment of 3.13 acre feet of storage resulting from the State Road 26 East improvement for a total of $49,650.00. He recommended the Board sign and enter into the agreement. He stated there were two more agreements with INDOT. One contract was to pay for the upsizing of the storm sewer on County Road 550 East and one for the relocation of County Road 500 East to line up with the main entrance of the Brookfield Heights Subdivision north of SR 26. KD Benson made a motion to enter into the agreement with INDOT as presented by the Surveyor. John Knochel seconded the motion. The said contract with INDOT was approved by the Drainage Board and would be forwarded to the Commissioners for their signature at their May 7, 2007 meeting.

Petition to Partially Vacation of the Floyd Coe Regulated Drain / Bible Minor Subdivision

The Surveyor presented a Petition to Partially Vacate the Floyd Coe Regulated Drain located within the Bible Minor Subdivision site south of SR 28 and west of County Road 700 East. This was the very upper end of a branch of the F. Coe Drain. After discussion with the previous Surveyor and based on the original maintenance report, it did not appear the branch continued any further north or served any other properties or that this branch was intended to be maintained as part of the system. He recommended the Board grant the Petition to Partially Vacate the F. Coe Regulated Drain within the Bible Minor Subdivision. KD Benson made a motion to grant the Partial Vacation of the F. Coe Regulated Drain as presented by the Surveyor. John Knochel seconded the motion. The Petition to Partially Vacate the Floyd Coe Regulated Drain was granted as presented. The Petition would be recorded with the Recorders office by the petitioner.

Petition to Partially Vacate the Wilson Branch (Treece Meadows Relief Drain) of the SW Elliott Regulated Drain

Dan Teder of Reiling Teder & Schrier and Pat Jarboe of TBird Designs representing Cascada Professional Park/Ron Whistler appeared before the Board to present a Petition to Partially Vacate the S.W. Elliott Regulated Drain-Wilson Branch (Treece Meadows Relief Drain). Dan presented exhibits to the Board for their review. The exhibits indicated the site of the vacation requested. A portion of Phase III of Cascada Business Park consisting of 25 acres was being rezoned and the City of Lafayette was supportive of the request. On the North side of the overall tract was the Vineyard Residential Subdivision and to the West Treece Meadows Residential Subdivision. APC had required a stub street to connect the Vineyards Subdivision

to Cascada Subdivision. The vacation request was needed in order to add the 14 lots along the western portion of the Subdivision. Granting the vacation would give enough land for the various setbacks, pads etc required. After the vacation is granted there would still be a minimum of 26.5 feet from top of bank. He had spoke with Tim Balensiefer who designed the subdivision and was informed money was given out of TIF funds for the site purchase. The design had not been completed at time of payment and two easements were combined during the design phase. After the vacation there would be 25 feet easement on the Treece Meadows side and 50 feet on the Cascada side. Dan stated Ron Whistler was agreeable to a drainage easement on the western portion of Cascada Subdivision in the future. Additionally Dan asked TBird to investigate the 100 feet flood elevation; it was approximately 3 feet below the top of the bank along the ditch. Since TIF funds were used to purchase this property, they were in agreement to a perpetual maintenance of the east side of the ditch going from lots 43 to 56 along the ditch. This would include mowing and cleanout of ditch. Dan stated it was of his opinion this would offset any TIF money previously used. Additionally Dan stated Ron Whistler agreed to a one time mowing of the entire ditch within the tract from McCarty Lane to the Northwest corner of Phase III of Cascada or Lot 43. He did not feel it was reasonable to request the Subdivision Homeowners Association to continue mowing what is not on their tracts. In summary he stated they would do a one time maintenance mowing of the entire ditch within the tract from McCarty Lane to the Northwest corner or lot 43 Cascada Business Park Phase III, and continually maintain the east side of the ditch from lots 43-56. In response to the Surveyor's inquiry on adding a covenant to those lots which had not been sold to date, Dan stated the Subdivision's Covenants had been recorded already. They would have to have 100% of the landowners agree and it would be difficult at this point. He respectfully requested approval of the Petition to Partially Vacate S.W. Elliott Regulated Drain - Wilson Branch - Treece Meadows Relief Drain. The Surveyor stated he made a site visit and reviewed the easement in question. The Surveyor then reviewed the tract for the Board utilizing GIS and the exhibits provided. He stated if the developer would be willing to plot a five foot drainage easement at the rear of the lots it would give enough room to do any required maintenance on the ditch. The Surveyor recommended granting the petition subject to the platting of a five foot drainage easement only at the rear of the proposed new lots and submittal of a maintenance agreement satisfactory to the Surveyor by the next Drainage Board meeting. The Board Attorney will provide Mr. Teder with an agreement for review. In response to K D's inquiry, Dan stated the reduction of easement was requested for Phase III-the residential area only. KD Benson made a motion to grant the Petition to Partially Vacate the SW Elliott Regulated Drain – Wilson Branch- Treece Meadows Relief Drain subject to the 5 feet easement addition on the back of the lots along the east edge of the ditch lots 43-56 and a maintenance agreement satisfactory to the Surveyor. John Knochel seconded the motion. The Petition to Partially Vacate the S.W. Elliott Regulated Drain-Wilson Branch (Treece Meadows Relief Drain) was granted with conditions.

Maintenance Bonds

The Surveyor presented Maintenance Bond #104814555 in the amount of $18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2 for acceptance by the Board. KD Benson made a motion to approve Maintenance Bond #104814555 in the amount of $18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2. John Knochel seconded the motion. Maintenance Bond #104814555 in the amount of $18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2 was accepted by the Board.

Public Comment
Rob Noles

Rob Noles 8503 State Road 26 West, West Lafayette Indiana approached the Board. Rob stated he was in front of the Board two years ago with a major drainage problem at his location. A watershed pond of 3 acres had grown to an estimated 30 acres. Some tile work had been done but with the rain this year it was at an all time high. The property around his house and 26 other lots were affected as well the north side of SR 26. One landowner had to move out of his house and eventually was foreclosed on. He requested the problem addressed as soon as possible. KD stated this had been a problem for a couple years. She noted Norm Bennett was at the last meeting and expressed his concerns as well. The Surveyor at the last meeting stated he would speak to the owner to the north. He had spoken with the landowner since that meeting. Due to the fact there are no records on the drain (private/ mutual drain) and the amount of water present the investigation had been difficult. He stated with inflation the landowners were looking at approximately $35.00 per acre for a reconstruction. He was trying to get it drained down to see if some of the system was salvageable in order to keep the cost at a minimum. He stated this issue was at the top of the list for his office. Rob stated the work that was done a couple of years ago cleared it up somewhat but did not completely drain the area. He has lived at that location for 22 years and the area use to completely dry out in the summer time. The water was up to the road now and would soon be on top of it. The Surveyor stated he felt the problem worsened after INDOT replaced a culvert under the road. However if the water does not recede they will not be able to tell what the problem is. He felt a dye test would not work as it would dilute. Since the Whaley's have agreed to the construction of an open ditch on their property to the north to allow relief of drainage- an investigation can continue. However in order to pay for the construction of a temporary outlet (open ditch) money used from the General Drain Improvement Fund would have to

be authorized by the Board. He stated he received an estimate from Lauramie Creek Excavating for approximately $2800.00 to do the construction. John Knochel stated he was willing to authorize use of monies from the fund in this case. KD Benson made a motion to authorize the use of monies from the General Drain Improvement Fund for construction of a temporary outlet. John Knochel seconded the motion. John Knochel then requested the Surveyor make this issue one of the top priorities of his office.

Duke Westwood Substation Trees

KD Benson informed the Surveyor that she had visited the Duke Westwood Substation site and there were no trees planted at the site. As part of their final approval with conditions, they agreed to plant trees along the County Road as a buffer. The Surveyor stated they were to submit a plan for the file. She asked the Surveyor to check on this and report back to her.

As there was no other public comment, KD Benson motioned for adjournment. The meeting was adjourned.

_____
John Knochel, President

_____
Ruth Shedd, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
June 6, 2007
Regular Meeting

Those present were:
Tippecanoe County Drainage Board President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance. Vice President Ruth Shedd was absent.

Approval of Minutes
KD Benson made a motion to approve the May 2, 2007 Regular Drainage Board minutes as written. John Knochel seconded the motion. The May 2, 2007 Drainage Board meeting minutes were approved as written.

The Greens
Paul Couts of C&S Engineering appeared before the Board to request final approval for The Greens development. The existing Par View Golf Course located southeast of St. Rd. 26 and County Road 325 West intersection was approximately a 32 acre site to be developed into a 21 lot subdivision. A private access drive from St. Rd. 26 was to be designated as Outlot B and known as Par View Drive. Paul stated the lots would be one acre minimum. It is the intent of the developer to keep the character and nature of the course and plan to keep the topography as close to the present state as possible. A wet detention pond would be located on Outlot D with the outlet draining east to Jordon Creek. A dry detention facility would be located on Outlot F in the southeast corner of the site. This would have a 12 inch pipe with a 4 inch orifice plate for a controlled release. Approximately 80 acres offsite drained through a 36 inch culvert under WinWood Lane to the pond in Outlot F then through a culvert under County Road 350 West. An existing field tile (which drained the aforementioned 80 offsite acres) would be relocated alongside the boundary line between lots 9 and 10 and would drain to the pond in Outlot D. Swales would be added to provide post construction drainage to a culvert below the access drive. Paul stated the normal requirement into a dry detention facility was a 3-1 slope. He thought the wording of the Ordinance clearly stated below the water a 6-1 slope was required along with a maintenance ledge adjacent to the water. He felt the same criteria that exist for a dry detention facility should be allowed for a wet detention facility. He stated a 3-1 slope in the area above the pool was appropriate. The maintenance ledge in his opinion gave the same type of floor situation for a dry detention basin. He referred to his drawing the 3-1 slope, stating in he did not feel it was a steep slope. He requested a variance to Chapter 6 of the Ordinance for the construction of a 3-1 slope versus a 6-1 slope. KD Benson stated she reviewed the Water Safety Committee's recommendations and it was clear they recommended a 6-1 slope above the safety ledge (located below the water) and a 3-1 slope below the safety ledge. The Surveyor stated the final report and recommendations of the Water Safety Committee was to have a 6-1 slope above the water level. He verified this by emails and the Water Safety final report. He noted the pond cross sections in the Ordinance were put in per the recommendation of the Water Safety Committee. Paul stated he felt their situation had the same category of safety as a dry facility and felt the same perimeters should apply. The Surveyor stated the rational in leaving 3-1 on dry ponds were that they can be a maximum depth of four feet and drain out within 48 hours. Whereas a wet bottom pond always has a pool. Paul stated the only time there would be water on the safety ledge would be when it rains and that was the same situation for a dry detention facility as well. The water would recede just like a dry facility. The Surveyor stated the regulation was recommended in order to provide an additional level of safety for kids riding bikes, sledding etc. Paul stated he felt this was a reasonable request and as a private development with large lots they anticipated there would not be kids running around the neighborhood. Responding to KD's inquiry concerning the present location of the field tile, the Surveyor noted he spoke with Mr. Erwin and confirmed the tile's route through a low area within the golf-course to the existing pond. The site was reviewed utilizing GIS and shown to outlet into a tributary of Jordon Creek. KD then asked for public comment. Jim Turley 1030 Windwood Lane (2nd property south of the southwest retention facility) approached the Board and stated he lived in that area for 26 years and has seen a lot of water in that area. He stated they experience at least 3 rain events or more a year which causes flooding of the backside of his lot. He stated the water runs through his property to Tanners property and into Jim Poulis' pond. He does not believe the dry detention pond would be dry 90% of the time as stated. He stated he had concerns of the drainage of Erwin's property and hoped it did not affect his land in the future. The Surveyor noted he made a site visit on Monday and the existing pond was designed per the ordinance. There is a 12 inch outlet pipe with a four inch orifice plate (for restriction and currently there is a 24 inch pipe under the closest drive. He stated their plans had reduced the amount of discharge to the absolute least amount which could be released. He noted photographs were required of the present condition of the site and downstream. Mr. Bob Meister (Developer) approached the Board. He stated he has spent a lot of time making changes which the Surveyor & Engineer Consultant felt were necessary. He had thought all the changes were complete to include being informed last week of the requirement for a guardrail around the pond. He was unaware of the required 6-1 slope until today. The planned access road

would keep as many of the existing trees as possible. The change from a 3-1 to 6-1 slope on the pond would cause the development plans to be changed completely. Bob stated the cross section would be a guardrail, 3-1 slope and flat for 10 feet and then the 6-1 slope. Dave Eichelberger confirmed for KD the 10 foot flat area would be under water. Bob then stated most everyone contacting him for purchase of the lots were adults ready to retire and he felt there would be very few children in that area. Also the guardrail would be an added protection. Bob confirmed for KD that no children allowed was not a covenant. He repeatedly requested the Board to make an exception in this case for the 3-1 slope. He stated he had been more than cooperative with the Surveyor's office. Phyllis Windle 2955 St. Rd. 26 West approached the Board. She owned the property with Mary Fuqua adjacent to the present Par View Golf Course. She stated her concern was possible drainage backup into their basement and three car garage. Dave Eichelberger noted the pond was designed per drainage ordinance and the flow would be restricted and should result with less water discharged but at a longer period of time. The offsite water coming from the west will pass through with a reduction of flow due to the restriction from the orifice plate. So theoretically it would drain better. Jack Helkamp 1056 Windwood Lane approached the Board. As a downstream owner he was interested in the drainage route from the pond planned in Outlot F located in the southeast corner of the site. He felt the homes downstream would likely be more affected by that pond's drainage than the larger existing pond. Dave Eichelberger stated the drainage would not be changed. There was 3.1 acres that drained offsite through a 24 inch pipe under the drive. They will berm that off and put a four inch hole there to block flow and detain the water. It will still go through the 24 inch pipe under the drive at its present path. The Surveyor stated the dry detention pond was designed per the ordinance. The Ordinance was in place to insure someone did not create an impervious surface and not detain or retain water and also to release it an acceptable rate. He reiterated on the big pond there should be the same if not less quantity of water but may see it over a longer period of time because it was being held back and released through a four inch opening. Bob Meister stated he has worked with adjoining owners all along and hoped the Board would take this into consideration and agree to grant the variance as requested. Marion Pak 1040 Windwood Lane approached the Board and stated she had lived in the area since 1965. She informed the Board the larger pond had been a magnet for children to play around historically. Safety was a concern. She also asked if the dry pond would really be dry. She was concerned that it may overflow the road and drain into her basement. KD stated it was the intent of the ordinance to protect the citizens. Dave Eichelberger stated a dry pond is designed to periodically retain water with each rainfall. However after a couple weeks of no rain, the bottom would be dry- that is why it is called a dry bottom pond. Dave noted if the pond would overtop it would travel the same route it goes today, so it would be no different without the development. The Surveyor stated the maximum depth the pond could have was four foot and should drain out within 48 hours. The intent was for the pond to basically be dry- not having standing water of any depth other than after a rainfall. He noted the site would be inspected during construction and after construction. A maintenance bond would be required for the assurance of proper workmanship as well. He informed the Board he and the consultant did not feel comfortable in recommending granting the requested Variance. Dave Eichelberger responding to John Knochel stated a redesign would be in order if the Variance was not granted. John Knochel stated he agreed the Variance presented a problem in light of the events which happened this past weekend. (Pond drowning) This brought to reality one of the things which could happen with retention ponds. He understood the developer was trying to keep the lay of the land; however he could not support the granting of the Variance to the Ordinance. Responding to KD, Dave stated upon the plan's review on May 8th it was conveyed to American Structure Point that the requirements of Chapter 6 of the Ordinance Standards were to be complied with and reiterated at a later date. KD stated she agreed with John and could not approve the Variance as well. She made a motion to grant final approval with the conditions stated in the June 4, 2007 Burke memo as well as the additional condition to follow the pond design requirements as put forth in Chapter 6 of the Ordinance Standards. John Knochel seconded the motion. The Greens Subdivision was granted final approval with the conditions as stated on the June 4, 2007 Burke memo with the additional condition of following the pond design requirements as put forth in Chapter 6 of the Ordinance Standards.

Harrison HS Improvements

Tim Balenseifer and Justin Frazier from TBIRD Designs appeared before the Board to request final approval for multiple Harrison High School Improvements. Tim presented an overall plan for the Harrison High School Campus. Improvements included additional parking area, academic building, renovation of the baseball concession stand, and expansion of the Stormwater pond to accommodate the noted improvements. The side slopes of the pond were 10-1 for maintenance accessibility. A storm ceptor structure will be installed at the emergency spillway location. He stated he concurred with the May 29, 2007 Burke memo and would comply with the conditions as stated. Bids would be let in the next two weeks for construction. The Surveyor recommended final approval with the conditions as stated on the May 29, 2007 Burke memo. John Knochel made a motion to grant final approval with conditions as stated on the May 29, 2007 Burke memo. KD seconded the motion. Harrison High School Improvements was granted final approval with the conditions as stated on the May 29, 2007 Burke memo.

Harrison HS Master Drainage Plan

Tim Balenseifer and Justin Frazier from TBIRD Designs appeared before the Board to review the Harrison High School Master Drainage Plan. Tim stated the master plan projects to be discussed included Harrison High School and McCutcheon High School master plans. The projects began in 2004 and TBIRD has worked closely during this time with Christopher Burke Engineers and the Surveyor's office. Due to numerous small projects for both schools a master plan was designed. TBIRD researched the history of all the projects and noted the dates of improvements within the plan. Tim stated as new improvements were planned in the future for both Harrison and McCutcheon High Schools; the master plan would be followed. The Harrison High School Campus proved to be the most difficult as it involved two watersheds. The site was benefited by the Cole Regulated Drain as well as Burnett Creek. Dave Eichelberger stated that TBIRD was creating "a living document, which would be updated as projects were added". This would provide an outline for future projects on both sites. For instance due to it's proximity to Wea Creek, detention would not be required for McCutcheon on a normal basis unless there was a restricted outlet. Stormwater quality measures would be also met. This would aid greatly in planning of future projects. The Surveyor stated he had requested a master plan as numerous small projects had been completed without written record through the Drainage Board. He felt it was in the Board's and Tippecanoe School Corporation's best interest to have a document which summarized all the projects to date and to aid in the planning of future projects. Tim stated there had been some Stormwater quality measures taken at the McCutcheon Campus site as well. The Surveyor stated this was an informative presentation only and did not feel it was in need of a formal approval. KD noted her appreciation for the presentation and thanked TBIRD Designs for their extensive work on the master plan.

Other Business

S.W. Elliott Branch #9 / Petition for Reconstruction of Drain/Hoosier Concrete LLC-aka Prairie Materials

S.W. Elliott Branch #9 / Petition for Reconstruction of Drain/John C. Rice

The Surveyor presented the Petitions for Reconstruction for Branch #9 of the S.W. Elliott Regulated Drain submitted by Hoosier Concrete LLC-aka Prairie Materials as well as one submitted by the adjoining landowner John Rice. The Surveyor stated the aforementioned Branch was relocated along C.R. 350 South and discussed previously during the review of the Best Way Disposal project. The Hoosier Concrete/aka Prairie Materials site was also known as Lot 1 of Derhammer Industrial Subdivision. The Surveyor noted he required construction plans and calculations to be submitted for the record. The Concrete plant had requested to relocate the section of the tile which ran through their tract, however that would have left a section through Mr. Rice' property which would not have been reconstructed. Hoosier Concrete agreed to upgrade that entire stretch of Branch #9. The construction was coordinated with Mr. Rice and a new stand pipe was installed on his tract at his request. The petitions were coordinated with the Board's Attorney and the present 150 feet Regulated Drain Easement (75 feet on each side) were also requested to be vacated. The Regulated Drain Easement would be replaced with a 50 feet Regulated Drain Easement for the relocated branch through both properties. (25 feet on both sides of the centerline) He stated he spoke with Mr. Whaley who owned property on the west side of the road and he was satisfied with the plans. He felt the reduction of easement was fair since Hoosier Concrete had bore the cost of the relocation saving the watershed landowners the high cost as they replaced an aging agricultural clay tile with heavy duty corrugated smooth line tile. The Attorney stated there were two actions to take; one to approve the vacation and reconstruction and second the reduction of the right of entry from 75 feet to 25 feet. John Knochel made a motion to approve the vacation and reconstruction of the S.W. Elliott Branch #9 for Hoosier Concrete aka Prairie Materials as well as the Reduction of Easement from 75 feet to 25 feet on either side. KD Benson seconded the motion. The vacation and reconstruction of the S.W. Elliott Branch #9 for Hoosier Concrete aka Prairie Materials as well as the reduction of the Regulated Drainage Easement reduced from 75 feet to 25 feet on either side was approved. John Knochel made a motion to approve the vacation and reconstruction of the S.W. Elliott Branch #9 for John C. Rice as well as the Reduction of Easement from 75 feet to 25 feet on either side. KD Benson seconded the motion. The vacation and reconstruction of the S.W. Elliott Branch #9 for John C. Rice as well as the reduction of the Regulated Drainage Easement reduced from 75 feet to 25 feet on either side was approved.

Treece Meadows Relief Drain /Wilson Branch of the S.W. Elliott Regulated Drain Maintenance Agreement

The Surveyor presented a Maintenance Agreement for the Treece Meadows Relief Drain/ Wilson Branch of the S.W. Elliott Regulated Drain through the Cascada Business Park project. This agreement was required as a condition of approval for the May 2, 2007 approval of the reduction of easement for the Treece Meadows Relief Drain /Wilson Branch of the S.W. Elliott Regulated Drain within Phase III of the Cascada Business Park and had been reviewed by the Board Attorney. He recommended acceptance of the Maintenance Agreement as presented. John Knochel made a motion to accept the Maintenance Agreement for the Treece Meadows Relief Drain/Wilson Branch of the S.W. Elliott Regulated Drain. KD Benson seconded the motion. The Maintenance Agreement for the Treece Meadows Relief Drain/Wilson Branch of the S.W. Elliott Regulated Drain was accepted by the Board.

Public Comment

Norman Bennett 952 Kerber Road West Lafayette approached the Board. Mr. Bennett confirmed there was work being done on the Whaley tile. The Surveyor stated Mr. Tom Osborn was hired to dig out the old tile to Pine Creek to give a positive outlet. Unfortunately a sand vein was hit in that process. He had not been out there in a week however it was draining last week. He stated they are continuing to work on it. He noted dry weather was needed to complete the inspection. The tile was dug up in north of S.R. 26 and he felt the back pressure from water downstream filled those holes up again. Mr. Bennett stated he would like to see something done as quickly as possible and appreciated the work to date. In response to KD's inquiry, the Surveyor stated there was a large hole on the north side of S.R. 26 and four holes between S.R. 26 and the marsh area on Whaley property. They assume the major problem is through the marsh land. It had gotten bad enough that the tenant farmer was unable to get in to plant a sizable acreage north of where the tile ran between Pine Creek and the Marsh. So concern is greater now that additional tillable ground is being lost. He informed Mr. Bennett his office would continue to monitor the situation and try to come up with some solution as soon as possible.

J.Berlowitz Regional Detention Facility Cover Sheet
Lewis Jakes Regulated Drain #40 Reconstruction Cover Sheet
The Surveyor presented the J.Berlowitz Regional Detention Facility Project Cover Sheet and the Lewis Jakes Regulated Drain #40 Reconstruction Cover Sheet to the Board for signatures. He stated due to the removal of the 300+ cubic yards of dirt from the Clarian Arnett Project the plans and specifications for the Berlowitz Phase 1 project had to be revised. Christopher Burke was in the process of finishing up those contract documents. He hoped to go to Bid on that project as soon as those documents are completed. A signed cover sheet for the plans was needed in order to prepare the final contract plans and documents. By signing the cover sheet he noted they would be approving the revised construction plans. John Knochel made a motion to sign the Berlowtiz Detention Facility Cover Sheet. KD Benson seconded the motion. The J.Berlowitz Regional Detention Facility Project Cover Sheet was signed by the Board. The Lewis Jakes Regulated Drain #40 Reconstruction cover sheet was presented for signatures. The Surveyor stated he was in the process of finalizing the contract documents for this project and hoped to have the project ready for bid in the next several weeks. He also stated County Highway was working on the design of the Bridge at C.R. 750 North. He was close to having the documents completed and recommended the Board sign the cover sheet for the Lewis Jakes #40 Regulated Drain Reconstruction. John Knochel made a motion to sign the Lewis Jakes #40 Regulated Drain Reconstruction cover sheet. KD Benson seconded the motion. The Lewis Jakes Regulated Drain #40 Reconstruction cover sheet was signed by the Board.

Maintenance Bonds
Fiddlesticks Ph. 2/Maint. Bond #4392274/$8260.00/Fairfield Contractors/Date-January 3, 2005
Wal-Mart 350 South/Maint. Bond#MNT8859121/$91850.00/ Poindester Exc./Date-Oct.13, 2006
The Surveyor submitted Fiddlesticks Ph. 2 Maintenance Bond #4392274 in the amount of $8260.00 submitted by Fairfield Contractors Inc. and dated January 3, 2005 as well as Wal-Mart 350 South/ Maintenance Bond#MNT8859121 in the amount of $91850.00 submitted by Poindester Exc. and dated Oct.13, 2006 for approval by the Board. John Knochel made a motion to approve the acceptance of Fiddlesticks Ph. 2 Maintenance Bond #4392274 in the amount of $8260.00 submitted by Fairfield Contractors Inc. and dated January 3, 2005 as well as Wal-Mart 350 South/ Maintenance Bond#MNT8859121 in the amount of $91850.00 submitted by Poindester Exc. and dated Oct.13, 2006. KD Benson seconded the motion. Fiddlesticks Ph. 2 Maintenance Bond #4392274 in the amount of $8260.00 submitted by Fairfield Contractors Inc. and dated January 3, 2005 as well as Wal-Mart 350 South/ Maintenance Bond#MNT8859121 in the amount of $91850.00 submitted by Poindester Exc. and dated Oct.13, 2006 was approved as submitted.

_____
John Knochel, President

_____
Ruth Shedd, Vice President

_____
Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
September 17 2007
September 24 2007
Special Meeting

Those present were:

Tippecanoe County Drainage Board President John Knochel, Vice President Ruth Shedd, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

BERLOWITZ REGIONAL DETENTION FACILITY
John Knochel referred to the Surveyor regarding submission of bids for the Berlowitz Regional Detention Facility project. The Surveyor directed the Secretary to turn over the bids for said project to the Attorney for opening. The Attorney noted there were 9 bids total for the Berlowitz Regional Detention Facility project. The first bid was from F&K Construction in the amount of $1,293,609.00; the second bid was from Atlas Excavating Inc. in the amount of $1,638,674.00; the third bid was from Gradex Inc. in the amount of $1,339,900.00; the fourth bid was from Rhino Excavating LLC. in the amount of $1,213,107.62; the fifth bid was from Fairfield Contractors Inc. in the amount of $1,417,863.00; the sixth bid was from Kreager Brothers Excavating Inc. in the amount of $1,189,679.00; the seventh bid was from HIS Contractors LLC. In the amount of $1,568,000.00; the eight bid was from Milestone Contractors LP. In the amount of $1,437,465.50; the ninth bid was from Dwenger Excavating Contractors Inc. in the amount of $1,488,626.10. The Surveyor noted he would review all documents submitted by the Contractors for discrepancies and stated the Engineers Estimate was $1,688,366.00.
KD Benson made a motion to review all documents submitted and take the bids under advisement. Ruth Shedd seconded the motion. KD Benson then made a motion to recess until September 24th, 2007 at 10:00 a.m. Ruth Shedd seconded the motion. The Drainage Board then recessed until Monday Sept. 24, 2007 at 10:00 a.m. The bids would be reviewed for the appropriate documents.

Monday September 24, 2007
Those present were:
Tippecanoe County Drainage Board President John Knochel, Vice President Ruth Shedd, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, and Drainage Board Secretary Brenda Garrison. John Knochel President of the Drainage Board called the recessed meeting back to order. He referred to the Surveyor. The Surveyor stated he had reviewed all contract documents submitted and in particular the contract documents submitted by Kreager Brothers Inc. He noted while the total amount listed on the Itemized Proposal was correct, the per unit price for item #5 silt fence was in error. The unit price indicated .50 a foot and should have indicated $1.50 as reflected by the totaled amount on the proposal. He stated he would have the per unit amount corrected. This would not change the bid amount- as it was totaled correctly. The bid would remain at $1,189,679.00 and be the low bid. He recommended the Board award the contract to Kreager Brothers Excavating Inc. for the Berlowitz Regional Detention Facility Phase One. Ruth Shedd made a motion to grant Kreager Brothers Excavating Inc. the contract for the Berlowitz Regional Detention Facility. KD Benson seconded the motion. The contract for the Berlowitz Regional Detention Facility was awarded to Kreager Brothers Excavating Inc.
The Surveyor then presented a part time construction observation contract from Christopher B. Burke Engineering LTD for Berlowitz Regional Detention Facility project in the amount of $99,150.00 maximum not to exceed. He stated Dave Luhman had reviewed the contract. He stated at this time there were several projects under construction and their observation would be a great assistance. He recommended the Board approve the contract. Ruth Shedd made a motion to accept the professional services for the Part Time Construction Observation of the Berlowitz Regional Detention Facility Contract submitted by Christopher B. Burke Engineering LTD. KD Benson seconded the motion. The Part Time Construction Observation of the Berlowitz Regional Detention Facility contract from Christopher B. Burke Engineering LTD. was accepted by the board.

As there was no other business before the board, Ruth Shedd made a motion to adjourn. The meeting was adjourned.

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

_____
KD Benson, Member

Tippecanoe County Drainage Board
Minutes
November 14, 2007
Regular Meeting

Those present were:

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

Approval of Minutes

Ruth Shedd made a motion to approve the October 4th, 9th and 22nd, 2007 Drainage Board minutes as written. KD Benson seconded the motion. The October 4th, 9th and 22nd, 2007 Drainage Board meeting minutes were approved as written.

Wea Township Fire Station Building Addition

Adam Dehart Project Manager with Keeler Webb and Associates appeared before the Board to request final approval for Wea Township Fire Station Building Addition. A 3,380 square foot addition was proposed for an existing Wea Township Fire Station located at 1700 Wea School Road. The Stormwater would discharge to the west and southeast in a sheet flow pattern. Adam stated he conferred with the conditions on the November 6, 2007 Burke Memo and noted the project would be heard by the Board of Zoning Appeals on December 5th, 2007 regarding variances. He had been working with the Zoning staff since the site was located within the floodplain. Requests were submitted to remove both the existing structure and the proposed work from the floodplain district. The existing building and the new addition would be raised two feet to be built above the flood protection grade. Working with the township trustee, Adam stated they had obtained a LOMA (Letter of Map Agreement) from FEMA which exempted out the existing structure itself. Adjustments had to be made on the planning side for both the existing and the proposed condition. Responding to John Knochel's inquiry, the Surveyor stated both he and the Engineer Consultant had reviewed the plans. The Surveyor stated a Variance from the "No Net Loss" portion of the Stormwater Ordinance would be needed to place fill in the flood plain considering the age of the existing site, the fact that it was an addition for the Wea Twp. Fire Dept. and the amount of fill in the overall scheme of the Wea Creek Floodplain was nominal. Downstream owners were notified.

John Knochel asked for public comment. Adjoining property owner, Mr. Oscar Bussell 1708 Wea School Road Lafayette approached the Board. The Surveyor stated the additional hard surface (in addition to paving of the existing gravel lot) would be a 3380 square foot bldg. addition. His concerns regarded access to the building from the road (safety issue) and drainage of the site. Adam then reviewed the neighbors concerns of the site's drainage as well as the access to the site utilizing GIS. He stated the runoff sheet flowed to the ditch into a pipe which outlet at Wea Creek north of the site. The eastern portion of the site sheet drained to the east and south running into a pipe of the same ditch across the front of the site to Wea Creek. There would not be any runoff from the site onto Mr. Bussell's property. Mr. Bussell's concern was a low spot in the southwest corner of his site. Mr. Dehart stated the existing grades along the perimeter of the parking lot would stay the same and reiterated no water would flow on to Mr. Bussell's property. He noted any water sitting in the low area located on Mr. Bussel's site must be an isolated situation and was not related to runoff from the project site. Mr. Busell stated he also had safety concerns involving the children waiting for the school bus. Mr. Dehart stated the parking would be essentially the same with the exception of delineated parking spaces and paved parking area. He stated some fire trucks would be backed in as there would be two drive through bays. After a review of the construction site plan, Mr. Bussell stated he was satisfied. He thanked the Board for their time. Responding to KD's inquiry, Mr. Dehart stated the additional fill for the site would be brought from offsite. The building addition and the raised area within the area were requested to be removed from the floodplain by administrative action through the Zoning Administrator. The southwest corner of the property was above the 100 year elevation. The Surveyor requested a copy of the letter Mr. Dehart obtained from FEMA regarding the LOMA. Application had been made to the Zoning staff to delineate the floodplain boundary to remove that portion of the property which was above the 100 year elevation as previously stated. Responding to the Surveyor's inquiry, Mr. Dehart stated he would provide a copy of the request which he had submitted to the Zoning Administrator for the record.

The Surveyor recommended the Board grant a variance to the "No Net Loss" requirement. Ruth Shedd made a motion to grant the variance as requested by the Surveyor. KD Benson seconded the motion. A variance to the "No Net Loss"

requirement was granted for the project. The Surveyor then recommended final approval with the conditions as stated on the Nov. 6, 2007 Burke memo. Ruth Shedd made am motion to grant final approval with conditions as stated on the Nov. 6, 2007 Burke memo. KD Benson seconded the motion. The Wea Township Fired Dept. Building Addition was granted final approval with the conditions as stated on the Nov. 6, 2007 Burke memo.

St. Elisabeth Regional Health New Acute Care Hospital

Bob Doster of BSA Life Structures appeared before the Board and requested final approval for the St. Elisabeth Regional Health New Acute Care Hospital. The project was originally submitted as the Greater Lafayette Regional Health Services. The project site was located between County Road 100 South (McCarty Road) and County Road 200 South (Haggerty Lane) on the east side of Creasy Lane and consisted of approximately 57 acres. It was granted final approval with conditions for proposed mass earthwork only on Sept. 6, 2006. The site drained to the north to Treece Meadows Relief drain and south to the S.W. Elliott Drain. The site was located in the City of Lafayette and has been reviewed and ready for approval by the City. Mr. Doster stated they had met the outlet requirements and requested final approval at that time. The site was annexed into the city and this board's review was for the discharge or impact into the Treece Meadows Relief Drain (aka Wilson Branch). The Surveyor noted the release rate was satisfactory. He informed the Board he had requested an encroachment permit and an application for the outlet into the regulated drain. He informed the Board there were a couple regulated drains which terminated on the site and he had recommended they be vacated, although not mandatory it would benefit them if they followed through on the submission. If they were vacated, it would take those easements off the project site. Responding to K D's inquiry, the Surveyor stated the regulated drains were the J. Berlowitz and Branch 1of Branch 13 of the S.W. Elliott.

The Surveyor then recommended final approval with conditions as stated on the November 8, 2007 Burke memo. There was no public comment. Ruth Shedd made a motion to grant final approval with conditions as stated on the Nov. 8, 2007 Burke memo for St. Elisabeth Regional Health Acute Care Hospital. KD Benson seconded the motion. The St. Elisabeth Regional Health Acute Care Hospital was granted final approval with the conditions as noted on the Nov. 8, 2007 Burke memo.

Winding Creek Section 5 & 6

John Knochel stated at the last meeting it was determined an additional meeting by the participants in the project would possibly produce an agreement satisfactory to all involved. Pat Cunningham approached the Board and stated the parties did meet again and were unable to reach an agreement to date. He requested a continuance unto the next Drainage Board meeting in hopes of reaching an agreement yet. Dan Teder Attorney for Mr. Schuemann adjoining landowner approached the Board. He stated the following were present: John Schuemann, Derrin Sorenson, Pat Jarboe and Bill Davis of T-Bird Design Inc. He then presented the Board with copies of memos which had been passed between the parties and a timeline of events to date. Dan stated he was more than happy to meet again as they had not accomplished much to date. He confirmed the next regular Drainage Board Meeting would be on Dec. 5, 2007. He pointed out that Pat Cunningham's memo stated a memo was received by Dan on Nov. 8, 2007 when it was actually Nov. 12, 2007 and was in response to Dan's memo of Nov. 7; however Dan's memo was Oct. 29, 2007. Dan stated there was never a Nov. 7, 2007 memo. He then stated a meeting would be held between the parties which might require a special meeting by the Board. Ruth Shedd made a motion to continue Winding Creek Section 5 & 6 until the next scheduled meeting (Dec. 5, 2007) or otherwise specified. KD Benson seconded the motion. Winding Creek Section 5 & 6 was continued to the next meeting with the possibility of a special meeting to be held if necessary.

Harrison Highlands Lot 118 Indemnity Agreement

Regarding Lot 118 of Harrison Highlands Subdivision, the Surveyor presented an Indemnity and Hold Harmless Agreement between J.K. Quality Homes LLC and the Tippecanoe County Drainage Board. This was worked out between the Board's Attorney and Dan Teder Attorney for Joshua Krachinski. It was executed by Joshua L. Krachinski as a condition for a Variance granted. Dave Luhman recommended the Board accept the agreement as presented. Ruth Shedd made a motion to accept the Indemnity and Hold Harmless Agreement regarding Lot 118 in Harrison Highlands Subdivision. KD Benson seconded the agreement. The Indemnity and Hold Harmless Agreement for Harrison Highlands Lot 118 was accepted by the Board.

Mackey Vs Whaley Petition

The Surveyor updated the Board on the ongoing investigation for the Mackey VS Whaley Petition. The Whaley property had been sold to another individual since the petition was filed with the Board. The individual (Mr. Sondegrath) did not

seem to be interested in establishing a regulated drain. The Surveyor noted there were still some drainage issues with some properties south of State Road 26. Responding to the Surveyor's inquiry, KD stated she felt as the petition was submitted by people other than the owner of the property it still required a report to the Board. The Surveyor agreed and stated the watershed had been already been delineated. An estimate would be completed and his recommendation would probably be to establish it as a Regulated Drain and establish a maintenance fund. It appeared the system needs repairs not a total replacement. Since the property ownership had changed and he was under the impression the new owner did not want to make it a regulated drain, He wanted to update the Board of this situation. Ruth Shedd agreed with KD Benson on continuing the process. The Surveyor stated he would continue and prepare an estimate and recommendation and would submit it in the future.

Public Comment

There was no public comment. Ruth Shedd made the motion to adjourn. The meeting was adjourned.

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John Knochel, President

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Ruth Shedd, Vice President

_____
Brenda Garrison, Secretary

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KD Benson, Member

Tippecanoe County Drainage Board
Minutes
March 5, 2008
Regular Meeting

Those present were:
Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes
John Knochel made a motion to approve the February 6th Regular and February 19th Special Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 6th Regular and February 19th Special Drainage Board meeting minutes were approved as written.

Riverwood Subdivision
Paul Dietz with Vester and Associates appeared before the Board and requested final approval for Riverwood Subdivision. The site was located on the south side of Division Road at the intersection of Division and Kerber Roads. The site's northern portion drained toward Division Road and eventually to Indian Creek while the southern portion drained to the Wabash River. A depressional storage area was located within the central portion of the site. Paul stated the project previously was presented to the Drainage Board as two Minor Subdivisions totaling 7 lots at the same site. At that time the project was granted a detention storage waiver due to the flows to the ravine did not increase volumes or peak flows. Two previous conditions on the prior approval remain outstanding. One was a sediment basin design to be placed in the northeast corner of the site. The second was the requirement of site plans for the individual lots due to the concern of the steep slopes. The current project included 4 of the original lots. The remaining original lots were converted to a Rural Estate. Paul stated the layout had been remodeled and all agreed the original detention storage variance would stand. The main concerns were the erodible soils and the steep slopes toward the ravine. There was a strip of land which was originally cut for a road into the project from Division Road. The stability of that strip of land would be documented as soon as the weather permits. The requirement for the new project was now two sediment basins and those have been designed. Pads were required to be generally located and septic drain fields to be located on each property. This would be done when weather permits. A covenant would address the required tree preservation in the area of the ravine and included in the overall covenants and indicated on the final plat. The Surveyor noted there would be required tree preservation on any of the lots with the steeper topography. He noted since individual site plans were required; this would insure the preservation of the trees as well as document the location of the buildings on the lots. There would be a building minimum setback delineated on the plans. For sites where septic was required those locations would be shown as well. This would insure the septic locations would not be compacted or altered as would be the case if construction equipment was driven over them. The Surveyor recommended final approval with the conditions stated on the Burke review memo dated February 29, 2008. Responding to KD's inquiry, Paul stated the clear cut area would not be utilized for access. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 29, 2008 Burke review memo for Riverwood Subdivision. Ruth Shedd seconded the motion. Riverwood Subdivision was granted final approval with conditions as stated on the February 29, 2008 Burke memo.

Lafayette Medical Park PD
Dan Teder from Teder Reiling and Schrier appeared before the Board to address the maintenance agreement concerning the Lafayette Medical Park project. He stated he had worked with the Board's attorney concerning the maintenance agreement for the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain located on the western portion of the site. Mr. Teder requested the maintenance agreement indicate maintenance on their side of the said ditch and the bottom area only and indicated as such on the appropriate exhibit to accompany the said agreement. The Surveyor stated he reviewed the agreement and the exhibit drawing should show their side of the ditch only. Unity was required to mow both sides until such time as the opposite side was developed. In the future the Medical Park would be responsible for the maintenance of their side of the ditch only. Dave Luhman clarified the description should indicate the southeasterly side of the ditch. Mr. Teder stated an exhibit would be specific to the area of maintenance required by his clients. Justin Frazier from TBIRD Designs appeared before the Board and requested final approval for the said development. The site was located south of the intersection of Creasy and McCarty Lanes and on the east side of Creasy Lane. It consisted of approximately 14 acres and would have been phase 2 of the Cross Creek Lakes Planned Development which was planned in 2000. Cross Creek Planned Development Phase 1 and Cross Creek apartments were located to the north. The project was located within the Lafayette

City limits. The existing conditions were two detention ponds in the northeast and southwestern corners which were connected by a drainage swale. The said ponds drain westerly to the western most pond which discharged into the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain. The existing swale would be filled in and construction of a new storm sewer system would connect the ponds. A landscape berm would be constructed to physically separate the medical park from the residential community. There will be no access from the existing residential area to the medical park. Cross Creek Lakes Home Owners Association have been involved with the planning of the filling in the swale and the said landscaped berm. Justin stated they conferred with the conditions of the February 21, 2008 Burke review memo and agreed with the aforementioned maintenance agreement language. Responding to KD's inquiry, the Surveyor stated the ditch was originally designed without any quality measures in place. The City of Lafayette would be addressing the Stormwater quality issues. The Drainage Board's concern at hand was the discharge rate to the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain as well as a satisfactory maintenance agreement for said drain. The Surveyor stated the release rates were within the limits of the original study. He recommended final approval with the conditions as stated on the February 21, 2008 Burke review memo. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 21, 2008 Burke review memo. Ruth Shedd seconded the motion. Lafayette Medical Park PD was granted final approval with conditions as stated on the February 21, 2008 Burke review memo.

Alexander Ross Regulated Drain /Petition to Encroach
Pat Jarboe with TBIRD Design appeared before the Board to present the Petition to encroach on the Alexander Ross Regulated Drain for Lot 7A and Lot 28 of the Candlewood Suites (a project previously approved by the Board). The encroachment agreements were to put 2 drives across the relocated Regulated Drain. The Surveyor recommended approving the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. There was no public comment.

John Knochel made a motion to grant approval for the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. Ruth Shedd seconded the motion. The Petition to encroach on the Alexander Regulated Drain easement for lots 7A and Lot 28 in the Candlewood Suites Subdivision was approved. A portion of the easement was done by plat for the Alexander Ross Drainage easement including a sliver in the northeast portion of the relocation. This would be required to be dedicated to the Board of Commissioners. Mr. Luhman stated it would be sufficient to be dedicated through a Commissioner's meeting.

Champion Centre PD
Brandon Fulk appeared before the Board to present the Champion Centre PD. The site was located at Northwestern Avenue (presently US 231 to be turned over to the City of W. Lafayette by INDOT) specifically in the City limits of West Lafayette. Brandon stated he was seeking conceptual approval for the drainage of the site. This was due to the proximity to the Celery Bog and the outlet to the Cuppy McClure Drain and the jurisdiction relative to that. The preliminary drainage design phase was underground. The adjoining Golf Course Superintendent, Purdue officials, the City of West Lafayette's Engineers office and Schneider representatives re-evaluated the drainage situation working together. The adjoining neighbors along the boundary and east side of property had Stormwater runoff problems. Four acres, Northwestern Avenue and four pipes which discharge from the north side of Windsor Avenue all discharged into a box culvert under Northwestern Avenue. The discharge from the box culvert was either overland or drawn down by a 15 inch pipe which serviced the Golf Course. The Golf Course drainage system was self contained. There was a 15 inch pipe which drained to a wetland and then to a series of wetlands adjacent to the Bog. The drainage was used for irrigation of the Golf Course. Brandon stated he had discussed the Bog with the Golf Course Superintendent and there was an emergency routing spillway located in the Northwest corner. There was no direct discharge into the Bog. In speaking with them Brandon noted the Superintendent stated they would take as much water as the project could give. Working with the West Lafayette's Parks Department, the Engineer's Department, Purdue's Office of Architect and PRF (owners of property) a constructed wetland system was planned. The system would take the discharged water from the site and the aforementioned box culvert into a Stormwater management plan located on the Golf Course itself. It would not be stored underground or in vaults. The neighbors would see a marked difference in the efficiency of the drainage in that area. The lowest elevation point on the boundary was 713, 706 was the box culvert. The planned wetland elevation was 702. Brandon stated this was a win, win situation for the site and adjoining property owners. The Surveyor stated the City of West Lafayette's Engineer office (specifically David Buck) had sent him an email respectfully requesting the Board grant the request for conceptual approval. He stated ultimately the Board would approve the discharge rate only to the celery bog which eventually was drained at Cumberland Avenue by the Cuppy McClure Drain. He reiterated Brandon was asking for conceptual approval at this time. The Surveyor would then through the consultant insure the discharge rate would not have a negative impact on the said Cuppy McClure Drain. He did not see the possibility that it would have a negative impact. He recommended the Board grant conceptual approval subject to his final approval of the

rates. Responding to KD's inquiry Brandon stated the permeable surface would be less than exists today. The management of the runoff in the constructed wetland on the Golf Course was releasing approximately half of the present amount. The Surveyor stated Schneider was solving problems to the east side of the site, adding water which Purdue wants, and providing an additional wetland for the Purdue students to study. There was no public comment.

John Knochel made a motion to grant conceptual approval with the final approval of the discharge rate by the Surveyor's Office. Ruth Shedd seconded the motion. The Champion Centre PD was granted conceptual approval with the final approval of the discharge rate by the Surveyor's Office.

Legal Service Contract
Responding to KD, Mr. Luhman stated the Drainage Board's contract mirrored what was presented for the Commissioners Contract. The Surveyor noted his office was pleased with the representation to date. John Knochel made a motion to approve the Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC. Ruth Shedd seconded the motion. The 2008 Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC was approved.

Berlowitz Regional Detention Facility/ Design Contract Addendum
The Surveyor stated he had a request for an increase of the original Berlowitz Regional Facility design contract amount from $50,275.00 to $64,757.00. He explained there were four different surveying firms involved with the topography elevations on the project. Burke had to do extra work to resolve the discrepancies between the various services. The Surveyor noted the increase was for their costs only and recommended the Board accept the contract addendum as presented. John Knochel made a motion to approve the addendum to the design contract of the Berlowitz Regional Facility as presented. Ruth Shedd seconded the motion. The addendum to the design contract for the Berlowitz Regional Detention Facility was approved as presented.

Branch #1 of Branch #13 SW Elliott Regulated Drain/ Partial Vacation Petition
The Surveyor presented to the Board a Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. The Surveyor reviewed the area utilizing G.I.S. He stated the branch in question was an old agricultural tile which served the area of the northwest corner of State Road 38 and Creasy Lane. The tile stopped on the east side of Creasy Lane. When the Hospital site was approved one of the conditions was to vacate a portion of the said branch. They are in the process of obtaining the signatures and will present that to the Board at a later date. The petition at hand was for a stretch on property owned by Shook and Lambirth. He stated it was not needed and one would not be allowed to tie into it for any future development. The petition met the conditions for a partial vacation and the Surveyor recommended the Board grant the Partial Vacation of Branch #1 Branch #13 of the SW Elliott Regulated Drain. Mr. Luhman agreed a partial vacation was in order. John Knochel made a motion to grant the Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. Ruth Shedd seconded the motion. The Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth was approved by the Board.

JB Anderson Regulated Drain/ Town of Clarks Hill
Alan Jacobsen appeared before the Board to request approval of a Petition to Encroach on the JB Anderson Regulated Drain Easement by the Town of Clarks Hill Sanitary Sewer Service. The project involved installation of a pumping station on the southwest corner of the Industrial Pallet property. The extension of a three inch force main northward along US 52 to the south side of the abandoned rail corridor which ran northeast out of Clarks Hill to C.R. 975 East. It will then run under said County Road to a manhole which was part of the gravity Sanitary Sewer collection system. He stated they would have five or six crossings over he said tile drain (which fell into alignment of the force main). They would cross under the tile while maintaining an appropriate space from the bottom of the existing tiles. They will replace the tile with new pipe at the crossing locations. Alan stated the Surveyor requested digital color photos including annotations for each crossing location prior to backfilling the excavation at the locations. He also requested coordinates of the pipe inverts at said locations so the data can be incorporated into the field tile database. The easements were finalized with the landowners and they will be provided to the Surveyor's office when available. A three year five thousand dollar maintenance bond was also requested by the Surveyor applicable to the work at the said crossings. This would be in addition to a Performance Bond to the Town of Clarks Hill from the Contractor which covered all aspects of the construction. Alan added the sanitary sewer pumping station would initially only take flow from the Industrial Pallet Facility however it was sized for adding in future expansion of that area. The Surveyor noted the office had worked with Mr. Jacobsen to identify the tiles which may be cut or intercepted with the force main. He stated he had a letter dated March 3, 2008 which addressed some of the conditions and requested the letter be incorporated into the minutes and part of the Petition. (along with aforementioned photos, coordinates, and maintenance

bond) The Surveyor requested a couple days notification before the drain was crossed to have an inspector at site. At that time he recommended the approval of the Petition to Encroach on the JB Anderson Regulated Drain. Responding to John Knochel's inquiry, the Surveyor noted the Performance Bond would cover the work during construction and possibly up to 6 months after. The Maintenance Bond would cover three years after the work was completed. Responding to KD's inquiry the Surveyor stated the contractor would also be responsible for repair of private and regulated laterals which may possibly be disturbed or destructed during the construction of the project.

John Knochel made a motion to approve the Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by the Town of Clarks Hill. Ruth Shedd seconded the motion. The Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by Town of Clarks Hill was approved by the Board.

F-Lake Detention Facility

KD Benson stated a letter was received a couple days ago from Chancellor Bathe of Ivy Tech Community College requesting the postponement of construction on the F-Lake Regional Detention Pond. Bids were opened on February 19, 2008 for the project. Pat Corey approached the Board as project leader of campus growth for Ivy Tech Community College. The aforementioned letter outlined several arguments for postponing immediate construction on the F-Lake Detention Facility. Pat Corey stated she realized the project had been in the works for years if not decades; however the college certainly did not anticipate the speed of growth they have experienced in the last decade or so. The land on which the college is located was constrained by drainage issues. F-lake, SW Elliott Regulated Drain and the floodplain all are part of the Campus site issues. The buildings located there now including the large Ivy Hall were built and located with respect to the said drainage issues at the time. As growth had been reviewed, several steps had been taken. The first step was to engage several community partners with them. The YMCA, Junior Achievement Headquarters, Tippecanoe School Corp. has all expressed interest to locate alternative programs on the Campus site. Eventually with the YMCA in particular a facility would have to be built on Campus. Last fall a group of stake holders were convened together for land use planning. The issue had become a service learning project for one of Purdue Professor Kim Wilson's classes. The stakeholders consisted of their partners, personnel from the campus, City of Lafayette, City of West Lafayette, Purdue, Lafayette and West Lafayette's Development Commission and the County Surveyor who were invited to meet and discuss the issues. She noted the process had been going on since the end of October and should conclude by the end of April. The process from this point on would be to look at alternatives on how best to create buildable as well as functional land from what is there. This may include looking for alternatives for non buildable land. (Land close to creek or in the proposed F-Lake location) Fisher and Associates were contracted to help understand the drainage issues. Soil sampling has been done to see if the extension of Creasy Lane changed the configuration of the soil and made it more buildable. She respectfully requested rather than proceed with F-Lake project that the planning process be allowed to consider how F-Lake could fit into the Campus Plan. They felt it could be a tremendous asset to the Campus. It could be part of the curriculum for science labs, environmental issues, best practices of soil management, a place of recreation with trails etc. She requested the Board hold off on awarding the Bid for F-Lake Regional Facility. Responding to John Knochel's inquiry, Pat Corey stated the land use plan would be completed in April and at that time she would have options to show the Board. She noted the lack of campus parking was an enormous issue to them. John Knochel stated the request to put the project on hold came at the eleventh hour or even later for the Board as Bids had been received. The Surveyor's office or the Commissioner's should have been notified before the letter was received this week. Pat Corey stated from October 31 of 2007 they had tried to include the County in the process. The Surveyor stated he had talked with Professor Kim Wilson, and other members of the Ivy Tech administration. The question can you move or stop F-Lake was asked and his answer was no. He stated they were too far along in the process; the agreements had been in place since 1987. A relinquishment clause in the contract stated if IVY Tech or the County did not use the various pieces of property which was exchanged within a five year period they would get the property back. In 1991 that language was removed from the agreement and the County does physically own the piece and it was deeded as a barrow pit so the Campus could construct the Campus Parking lot. In order to use that piece of land as a parking facility it would have to be filled in as a portion was located in the floodplain. Another concern would be the overall watershed management plan that had been in place since the mid 1980's, F-Lake would help reduce downstream flooding along the SW Elliott Regulated Drain. He stated they were in the process now of installing a stream gage near the County Highway property to try and prove to IDNR (Indiana Department of Natural Resources) that the flood plain was lower than it appeared to be by conventional model. He noted there was some risk of increased damage and flooding and inability to develop property in those areas besides Ivy Tech's property. At one time 3 or 4 years ago (this is one reason why F-Lake had been delayed to this point) Ivy Tech's requested to review the redesigning the design of F-lake (which was ready to go to contract at that time). At that time the review was to accommodate a road across the north side due to their possible acquirement of property to the east. He was not sure legally the bids could be rejected at this time. The attorney stated he thought the request for bids gave one the right to reject the bids. He would have to review the law in that area. Generally you have the right to accept the lowest bidder or reject one or all bids. Steve stated his other concern was the cost to the public. In response to KD's inquiry, the attorney

noted the bids were good for 60 days. The Surveyor also noted if the low bidder was pushed back too far into the construction season they would have the right to request additional money since they were not allowed to start in a timely fashion. If a redesign was done the cost could be in access of $100,000.00 and delay the project at least another year. The permitting through IDNR and IDEM (Indiana Department of Environmental Management) was very difficult and he would not want to have to go through the process again. However, his biggest concern was the fact it has been almost twenty years and the facility was intended to provide protection for the landowners downstream and mitigate some of the flooding problems. Pat Corey stated they were cooperating with some of the property owners such as John Gambs. They offered to help pay for the gages in the SW Elliott Reg. Drain. She stated they would like to have the information from the gages as part of their land use planning. She went on to say the level of capital investment in the Campus they expect over the next 3-4 years was on the order of approximately 40 million dollars. Ruth Shedd asked if Ivy Tech was considering purchasing more property around their present site. Pat Corey stated it was an option that Professor Wilson was looking at, however they are trying to do the planning with the smallest amount of money and noted they were trying to be extremely frugal with their planning. The idea was to inform all of the stake holders so that they knew what to expect and could go forward without delay. She thought the Tippecanoe School Corporation would be the first builders on the campus site and they were prepared to go forward quickly. John Knochel stated he was unaware there was a land use study going on for the site. He continued as valuable as Ivy Tech was to the area he would be willing to hold out the awarding of the bid until April so that they could see what impact the design of F-Lake would have on their plan. He asked if they did not accept the F-lake bids at this time and it had to be rebid would Ivy Tech be willing to pay the difference. Pat Corey stated at the level of their campus they were not able to make that commitment. Chancellor Bathe stated they have had a long relationship for twenty years and would hope to continue that relationship. KD Benson stated while it had been twenty years she would hope another month would not upset that relationship. Pat Corey responding to KD's inquiry stated she did not think the plan would be in place by April 19th. She also stated not only were they interested in obtaining additional parking, they were also interested in the design of F-Lake and how they can incorporate it into their plan. The Surveyor stated that information was sent to their drainage consultants and also Ken Larson of the Ivy Tech Community College previously. John Knochel moved for the continuance of the awarding of the F-Lake Regional Detention Facility to the April meeting subject to the possible requirement of a special meeting. Ruth Shedd seconded the motion. The award of Bids for F-Lake Regional Detention Facility was continued until the April meeting unless a special meeting was required.

Maintenance Bonds

The Surveyor presented Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of $7035.00 dated February 13, 2008 for approval by the Board. John Knochel made a motion to approve Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of $7035.00 dated February 13, 2008. Ruth Shedd seconded the motion. Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of $7035.00 dated February 13, 2008 was approval by the Board.

Capilano Estates/Michael Preyss

Michael Preyss a resident of Capilano Estates in West Lafayette approached the Board to discuss his concern of the poor drainage in his subdivision. He noted the neighborhood was holding a meeting on the 6th of March at 7 p. m. at the public library on Klondike Road in West Lafayette. The meeting was for the affected residents of the recent flooding at the entrance of the subdivision. He stated they would discuss the current flooding as well as the 2004 flooding and steps they would be able to take as a neighborhood and a neighborhood association. He invited the Board and the Surveyor to attend. They hope to come to a permanent solution to prevent future flooding on the Subdivision as well as downstream. He noted this was just a heads up that the Board would see more of them and hopefully resolve their drainage issues in the future. The Surveyor stated this issue had been discussed with a multitude of the subdivision's property owners and he did not see a solution the Surveyor's Office could provide. It was not a regulated drain and he did not think it could be converted into a regulated drain since this was a natural stream. There had been instances in the northeast part of the state which IDNR brought suit against the Drainage Board as they want to keep streams in their natural states. There was an IDNR floodplain study which showed the entrance of the Subdivision within the Floodplain, which means it would periodically flood. Mr. Preyss stated his house was the fortunate one which only got water on the land and not in his house. While the Surveyor was willing to talk with them, at some point one has to state there is no good option. Mr. Preyss stated he understood however he hoped the Board could offer options in freeing up downstream flow if that is the case.

Drainage Issue/Susan Spaulding

Susan Spaulding of 3250 North 750 East Lafayette Indiana approached the Board to discuss the drainage issue at her property. She has experienced flooding ever since moving in to her home four years ago. She has flooding at a minimum of six times a year. She presented photos to the Board of the flooding at her home which was taken on Sunday (there was no rain on Sunday) as she thought it was significant since they showed the standing water on her tract. Susan stated the water

flowed from a field through the culvert and right through her drive across all of her back yard to a drain 12 inches in diameter (breather on a subsurface tile). The Surveyor stated the breather was over a subsurface tile and there was a lateral which ran to the north which provided some relief for the septic systems in the back yards for the houses to the north. Susan stated she had come to request the County repair, maintain or update the drainage on her tract. The Surveyor stated the Leslie Calvin ran through the area to a headwall. It stopped being a regulated drain at the headwall and was an open ditch from there on. He stated the previous Surveyor had met with them before. Her land was somewhat in a depressional area. He stated if the building site was requested today it would not be approved. The problem pre-existed her purchase of the home. Susan stated she was not aware of the drainage issue when they bought the home and had not been informed of the problem. The Surveyor stated they took shots a couple years ago across the farm field to the west to see if shaving it down a hair in that location it would provide some relief. It could possibly benefit them to construct a swale to the west to try to drain some of the water into the farm field. He stated if he had some reasonable easy fix it would have been done by now. Responding to KD, Mike Spencer stated if the highway department went out and dipped out the roadside ditches it would certainly bring water to her faster. The Surveyor reiterated this was a depressional area and basically the pipe acts as an equalizer. Some water was let through but the pipe keeps it from building up on one side or the other. She stated in a dry spell the drain in her back yard stood full and was constantly flowing. The Surveyor stated many county tiles run year round. He stated they could go out and inspect at the headwall to make sure it was not plugged as was done a couple years ago. Responding to John's inquiry, the Surveyor stated a lateral to the north on several occasions had been jetted. Part of the problem of the lateral to the north (not a regulated drain) was trees overtop of the tile. Anytime there is tree growth over a tile there was susceptibility of blockage from roots. When the main branch of the Calvin Leslie Regulated Drain was checked a couple years ago it was flowing fine. This was confirmed by the Project Manager. Susan stated when it rains and floods beside her driveway it bubbles when water stands and asked if this was an indication of a problem. The Surveyor stated this could be a private lateral. He stated tiles were put in around the County which the office was not aware of for various purposes. Responding to KD, the Surveyor stated the headwall and the inlet in the back yard could be inspected for blockage. The attorney stated it was not a legal question as it was an engineering question of what could be done. He stated she could get permission from an adjoining land owner to cut a swale and have the water go to an adjoining landowner (farmer). The Surveyor stated when the shots were taken they stopped at the inlet. As the weather and work load permitted his office would try to get a few more shots up into the lots. Shots previously taken indicated a little more surface relief could be obtained by regrading the farm field west of their properties. The Surveyor noted this was an old strip subdivision completed well before there was any kind of zoning ordinance and maybe even a subdivision ordinance. The attorney stated if the subdivision was done today, there would have to be some sort of detention storage required for the subdivision to provide a positive outlet. There would be restrictions on drainage and development there. Responding to KD, Susan stated she was the only one in neighborhood which had the standing water. KD stated it may be that her next step would be to talk with a tile company and the adjoining farmer to see if there were any options she could take to relieve her problem with the drainage because unfortunately the Board could not fix the problem.

Public Comments

There were no public comments. John Knochel made the motion to adjourn. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
May 7, 2008
Regular Meeting

Those present were:

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

Approval of Minutes

John Knochel made a motion to approve the April 2, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The April 2, 2008 Drainage Board meeting minutes were approved as written.

New TRW Facility

Terry Levin from HDC Engineering representing Becknell Development appeared before the Board to present the New TRW Facility for final approval. The site consisted of approximately 15.6 acres located on tract B and a portion of tract A of the Ichiya Industrial Subdivision specifically east of US52 and north of Co.Rd. 400S and west of Co.Rd. 500E. The facility would have a main access off of Dale Drive. Truck docking would be on the south side, employee and customer parking on north side. In coordination with the fire dept. a gravel access for emergency access only would be constructed from Co. Rd. 500E. It was also designed to account for a possible future 50,000 sq. ft. expansion; the drainage plan had taken that into account. A minor change was made to one of the original ponds(#7) as the site was previously designed with a system of 4-5 ponds with each tract designated its own pond. Since the tract being developed for this project was over an acre and with the truck docking configuration, the pond (#7) for this tract had to be reconfigured and extended further east. However it matched the original volume required. The parking lot drained east and west to a center swale, staying consistent to the original treatment swales for post construction BMP measures. Mr. Levin then requested final approval for the project.

The Surveyor stated a drainage plan was previously completed for the entire site which tied into US 52 Industrial Mid America Trailers. They were allowed to reconfigure the ponds as long as they met the original release rate and they have done that. Responding to KD's direction, Dave Eichelberger discussed the lowest grade allowed by ordinance and their request for variance. This was a special case as the loading docks would be 41/2 feet higher than the requirement. Burke felt a variance was certainly justified as the dock was actually above the 100 year requirement. (Compared with a walk out basement the lowest grade of entry would be the lowest point of entry therefore the 2' of freeboard required by ordinance would be warranted) In this situation the lowest part of the loading dock would not be the point of entry. The Surveyor recommended the Board approve the Variance as requested regarding the lowest point of entry. John Knochel made a motion to approve the Variance as requested. Ruth Shedd seconded the motion. The Variance to the lowest grade of freeboard policy was granted. The Surveyor recommended final approval with the conditions as listed on the May 1, 2008 Burke memo. John Knochel made a motion to grant final approval with the conditions as stated on the May 1, 2008 Burke memo. Ruth Shedd seconded the motion. Final Approval was granted with the conditions as stated on the May 1, 2008 Burke memo for the New TRW Facility. There was no public comment.

Other Business
Lafayette Medical Park/Maintenance Agreement Treece Meadows Relief Drain

The Surveyor presented a Maintenance Agreement from Lafayette Medical Park for the maintenance of vegetation on the Treece Meadows Relief Drain. He stated this agreement was worked out between Atty. Dan Teder and Atty. Dave Luhman. The Surveyor recommended the Board grant the approval for the agreement as presented. John Knochel made a motion to grant the approval of the Maintenance Agreement with Lafayette Medical Park for the maintenance of vegetation on the Treece Meadows Relief Drain as presented. Ruth Shedd seconded the motion. The Maintenance Agreement from Lafayette Medical Park for the maintenance of vegetation on the Treece Meadows Relief Drain was approved as presented.

Steve Murray
Davis Ferry Treatment Facility/ Performance Bond #929451702

The Surveyor presented Performance Bond #929451702 submitted by Bowen Engineering Co. for the Davis Ferry Treatment Facility in the amount of $75,000.00 for acceptance by the Board. John Knochel made a motion to accept the Performance Bond #929451702 submitted by Bowen Engineering Co. for the Davis Ferry Treatment Facility in the amount of $75,000.00. Ruth Shedd seconded the motion. The Bond #929451702 submitted by Bowen Engineering Co. for the Davis Ferry Treatment Facility in the amount of $75,000.00 was accepted by the Board as presented

The Surveyor also presented a Performance Bond for the F-Lake Regional Detention Pond (now under construction) for acceptance by the Board. Performance Bond #PRF887948870 in the amount of $1,089,210.43 was submitted by Poindexter Excavating regarding the F-Lake Regional Detention Pond for acceptance by the Board. The Surveyor recommended acceptance by the Board. John Knochel made a motion to accept Performance Bond #PRF887948870 in the amount of $1,089,210.43 and submitted by Poindexter Excavating regarding the F-Lake Regional Detention Pond. Ruth Shedd seconded the motion. Performance Bond #PRF887948870 amount- $1,089,210.43 submitted by Poindexter Excavating regarding the F-Lake Regional Detention Pond was accepted as presented.

Berlowitz Regional Facility

The Surveyor stated the construction had resumed for the season on the Berlowitz Regional Facility project.

Public Comment

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

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
July 9, 2008
Regular 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. Project Manager Zachariah Beasley was also in attendance. Drainage Board Attorney Dave Luhman and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited were absent.

Approval of Minutes
John Knochel made a motion to approve the June 4, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The June 4, 2008 Regular Drainage Board meeting minutes were approved as written.

Hardees
The Surveyor informed the Board Hardees had terminated the project at this item. There were no representatives present to explain why the decision was made.

Other Business
Steve Murray/Updates
The Surveyor informed the Board progress of the Berlowitz Regional Detention and F-Lake Regional Detention projects was progressing as well as can be expected with the weather. The next 2-3 months they should be completed. A meeting with the landowners concerning Branch 11 of the S.W. Elliott Regulated Drain was scheduled for the 10th of July. Reconstruction of said branch would be discussed. Branch 11primarily served the Brand and Schroeder property and outlet into the F-Lake Detention Facility. As this has been in the works for approximately 10 years, the Surveyor suggested reconstruction. INDOT would then have the cost of the pipes and installation of under S.R. 38. However reconstruction had not been agreed upon by the landowners to date. In response to KD's inquiry, the Surveyor noted F-Lake was approximately 60% complete and Berlowitz would be completed soon if weather accommodates. The Jakes and Anson Regulated Drain Reconstructions were completed this week.

Public Comment
Malcolm Miller 1 North 1025E Lafayette Indiana approached the board to discuss the John Hoffman Regulated Drain status. (Note: Mr. Miller spoke to the Board during the June 2008 meeting). He requested the balance of the said drain fund and inquired as to when maintenance work would be started. He stated maintenance had not been done in a number of years- other than tile patching. He requested the open portion cleaned out. The Surveyor stated since 2002, 120 tile repairs had been completed. Shots of the open channel had been taken, however it needed to be looked at again. The Surveyor if the ditch warranted a clean out, work would be done as the fund balance allowed. Responding to KD, he noted a tri-county board was not necessary to authorize the maintenance work. He noted if problems in Clinton and Carroll County were fixed first, it would cause more problems for those in Tippecanoe County. He stated there was one property owner who did not want any surface work done. The problem at hand was the stretch between 900E and 1025E and he would personally walk that stretch before the next meeting. He felt it was a combination of silt and debris built up in the ditch and at culverts. He will report to the Board his findings. Mr. Miller asked if the ditch could be sprayed yearly to keep the brush out of it as some landowners do not take care of the ditch properly. The Surveyor said it would be considered.

John Knochel made a motion to adjourn. As there was no other business before the Board, the meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Ruth Shedd, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
Minutes
October 1, 2008
Regular Meeting

Those present were:

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

Approval of Minutes
John Knochel made a motion to approve the September 3, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The September 3, 2008 Regular Drainage Board minutes were approved as written.

Lafayette Meadows PD
Brandon Fulk from Schneider Corporation appeared before the Board to request final approval for the Lafayette Meadows PD. The site consisted of approximately 20 acres located within the City of Lafayette specifically on the north side of County Road 100 South (McCarty Lane) east of Park East Boulevard. A nursing facility, assisted living as well as an independent living facility was planned for the site at this time. The main branch of the Alexander Ross Regulated Drain was located in the northwestern portion of the site. Branches 8, 9, 10 of said drain were located on the eastern portion of the site. Brandon stated the required encroachments, relocations and /or vacations of the main branch and/or its branches would be presented to the Board at a later date. The site drained through two wet ponds and ultimately outlet to the Alexander Ross Detention Pond located on the Wal Mart property to the north. Brandon noted due to the approximately 40 acre feet of storage available in the proposed ponds there would be an excess of storage area. An agreement with the upstream landowner was also in the works regarding a planned drain vacation and would be provided to the Board in the near future along with Petitions to Vacate, Relocate and Encroach regarding said drain and its branches. (Relocations and Encroachments were required due to the design of the ponds) Brandon noted they agreed with the September 26, 2008 Burke Memo and requested final approval with conditions.

The Surveyor stated the area was involved enough that he requested the Board Attorney review all the submitted petitions pertaining to the request. He noted he had met with Schneider Corporation prior to the submittal regarding the site as well as spoke with the affected property owners. New Horizons were willing to state within the vacation documents that they would take care of any unforeseen private tiles which may be tied into the branch or main tile which were to be vacated. The developer had indicated they would replace any existing tiles with new reinforced concrete pipes which may be crossed with the planned drainage infrastructure. They will verify ample coverage from the bottom of the pond to the top of the new tile. The Surveyor would recommend the vacations and encroachments when presented. Brandon noted they had met with the adjoining landowner on site and discussed the historic locations of the tiles. There was no public comment. The Surveyor then recommended final approval with the conditions as set forth in the September 26th 2008 Burke memo. He noted the acquired agreement with the property owner regarding providing ground and the pond storage must be submitted for the record. He stated the Board's responsibility was protection of the said regulated drain and the release rate to the Alexander Ross Detention Pond. He noted the project was within the City limits therefore they would review the plans for Stormwater Quality. John Knochel made a motion to grant final approval with the conditions as stated on the September 26th Burke memo while noting condition #1 under Variances/Encroachments would be reviewed by the Board at a later date. Ruth Shedd seconded the motion. The Lafayette Meadows P.D. was granted final approval with the conditions as stated on the September 26, 2008 Burke memo.

Chapelgate Park Apartments
Eric Gleissner from CivilSite Group appeared before the Board to request final approval for Chapelgate Park Apartments. The site consisted of approximately 12 acres (approximately 8 disturbed for the project at hand) located on the south side of U.S. 52 west of the Klondike Road intersection. The project was a multi family development with 6 buildings (8 units) and a small clubhouse. Access would be through the existing Blackthorne Subdivision and a potential access off Klondike Road via an existing Easement. The site drained northwest to Indian Creek. The current patterns would be maintained in the developed condition. A forebay, constructed wetland and a vegetated swale was planned to direct the water into Indian Creek. Eric noted the measures would address the post construction Stormwater Quality requirements. A large amount of offsite water would enter the site from the south, the majority of which hit the southwest corner of the site. Two 48 inch RCP storm pipe culverts were proposed to be installed under Chapelgate Drive to convey the offsite runoff. A swale along the southern property line would convey a small amount of runoff entering the site to Indian Creek. The northern half of the site was floodplain or floodway based on the most current modeling data as well as the new FEMA maps to be published in 2009. The project was designed using the more conservative data. A compensatory floodplain analysis indicated in the developed condition there was slightly more storage in the floodplain. He then requested final approval for Chapelgate Park Apartments.

The Surveyor noted this project was part of a larger ongoing development and recommended final approval with conditions as stated in the September 26, 2008 Burke memo. There was no public comment. John Knochel made a motion to grant final approval with conditions set forth in the September 26th, 2008 Burke memo for Chapelgate Park Apartments. Ruth Shedd seconded the motion. Chapelgate Park Apartments was granted final approval with the conditions listed on the September 26, 2008 Burke memo.

John Hoffman Regulated Drain
Malcolm Miller requested a time frame for the cleanout/dredging of the John Hoffman Regulated Drain. The Surveyor stated F&K Construction would be scheduled to do the work once the crops were out. He requested Mr. Miller inform the office once the crops were out. Mr. Miller thanked the Surveyor.

Reschedule Meeting Dates November/December 2008
The Board agreed to reschedule the November 5th meeting to November 12th 2008 at 9 a.m. and the December 3rd meeting to December 2nd 2008 at 10 a.m. John Knochel made a motion to move the meeting dates and time as previously scheduled to November 12th at 9 A.M. and the December meeting to December 2nd, 2008 at 10 A.M. Ruth Shedd seconded the motion. The November meeting date and time was changed to November 12th at 9 A.M. The December meeting date was changed to December 2nd at 10 A.M.

Steve Murray
The Surveyor stated he discussed Indiana Code 36-9-27-79.1 "Contracts estimated not to be more than $75,000.00" with the Board Attorney. This was a streamline version of requirements for Public Works projects. Through that procedure the Board may authorize the County Surveyor to contract for the work in the name of the Board. There were two ditch dredging jobs he would like to complete this fall and requested the Board's authorization to do so. The ditches were known as the Train Coe Regulated drain and the J.K. O'Neal Regulated drain. Only a portion of these drains would be dredged at this point. John Knochel made a motion to authorize the Surveyor to contract in the name of the Board the projects (estimated to be under $75,000.00) known as the Train Coe Regulated drain and the J.K. O'Neal Regulated drain. Ruth Shedd seconded the motion. The Board authorized the Surveyor to contract the two projects as requested.

Drainage Board Award/INAFSM
Berlowitz Drain Regional Detention Basin
KD Benson announced the Indiana Association for Flood Plain and Stormwater Management awarded the Tippecanoe County Drainage Board and the Surveyor with an Outstanding Stormwater Project Award regarding the Berlowitz Drain Regional Detention Basin project.

F-Lake Regional Detention Basin Update
The Surveyor presented a slide show regarding the F-Lake regional Detention Basin project. He informed the Board the project had been completed. Discussion was held concerning the pictures he presented. He noted the project site had been seeded and in the southeast corner there was southeast grasses which eventually would flower.

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

KD Benson

KD Benson, President

John Knochel

John Knochel, Vice President

Brenda J. Garrison

Brenda Garrison, Secretary

Ruth E. Shedd

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
April 1, 2009
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Steve Benagh from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

David Byers made a motion to approve the March 4, 2009 Regular Drainage Board minutes as written. John Knochel seconded the motion. The March 4, 2009 Drainage Board meeting minutes were approved as written.

Cherry Creek Estates

Paul Dietz from Vester & Assoc. appeared before the Board to request final approval for the Cherry Creek Estates Subdivision. The 29.6 wooded site consisted of eleven lots located on the south side of Co. Rd. 650N east of Co. Rd. 50W. A substantial portion of the site (approx. twenty acres) was within the Burnett Creek Basin, largely wetlands and floodplain. Paul stated the project was originally planned as a later phase of the Harrison Highlands project. This project's compensatory storage was previously included in the design of the detention facility located along Co. Rd. 600N. Regarding the treatment requirement, they have designed two swales; one at the bend and one at the end of the cul-de-sac. A rock check dam was designed at the end of each swale. In addition, two check dams were located along the road. The entire area located in floodplain/wetland which ran along Burnett's Creek would be protected as a conservation area. A small portion to the east boundary would also be protected. At that time he stated they agreed to the final conditions as stated on the March 26, 2009 Burke memo and requested final approval. Responding to Tom Murtaugh's inquiry, Paul stated the runoff of the property would be a direct release to Burnett's Creek. Responding to David Byers inquiry, Steve stated the Health Department would review all individual lot septic plans as submitted. The Surveyor noted he had two additional conditions. One - provide the information for a review of the proposed septic field locations. This could be done at the time of individual site plans were submitted for permits. His concern was the ability to meet the covenants regarding tree coverage and removal of trees. The second condition was- required additional photos of downstream and the location where the Creek returns back into the project site. The intent was to document the increased runoff was a nominal amount. (The photos should be taken along the eastern boundary) Proof of notification to downstream owners was required as well. There was no public comment.

The Surveyor then recommended final approval with the conditions as stated on the March 26, 2009 Burke memo with the addition of the required additional photos and documentation of location of septic field placements. David Byers made a motion to grant final approval with the conditions as stated on the March 26, 2009 Burke Memo to include the addition of the required additional photos and documentation of location of septic fields. John Knochel seconded the motion. To clarify, the Surveyor stated the required documentation of septic field location could be submitted at the time the conditions were met or with the individual lot site reviews. Cherry Creek Estates Subdivision was granted final approval with the conditions listed on the March 26, 2009 Burke memo including the added conditions of the required additional photos and the documentation of septic field locations.

Felbaum Main Branch and Branch #8 Vacation and Relocation Petitions
(Previously combined with Berlowitz Regulated drain fund)

The Surveyor stated a Petition for Vacation and Relocation of a portion of the Felbaum Regulated Drain and Branch 8 of the Felbaum Regulated Drain was submitted to his office for acceptance by the Board. The Felbaum Regulated Drain was previously combined with the Berlowitz Regulated Drain and its maintenance fund. Attorney Dan Teder approached the Board and stated the site was located west of Co. Rd. 550E and north of Co. Rd. 100S (McCarty Lane) and east of I65. He then referred to the drawing (Exhibit B attached to the Petition) for the Board. In addition to the drawing of the relocation, the affected landowner's deeds were included as Exhibit C and D and would be recorded with the Petition as well. He then asked for acceptance of the Petition as submitted to the Board. The Surveyor stated at the SE corner of Co. Rd. 550E a pond was constructed last spring called the hammer head pond. The tile had to be rerouted which in turn caused the branch in question to be inactive and did not serve any other property. A swale was extended to along I65 to catch runoff from McCarty Lane

Bridge on the north side. The Surveyor noted the improvements were part of the Berlowitz Regional Detention Facility. The relocation of the tile was planned however the swale issue arose during the construction of the project. The surface outlet (swale) was required due to the runoff of I65 and runoff on the north side of the McCarty Lane Overpass. David Byers made a motion to approve the vacation for the Petition for Vacation and Relocation of a portion of the Felbaum Regulated Drain and Branch 8 of the Felbaum Regulated Drain under the proposed easement with the deeds attached. John Knochel seconded the motion. The Vacation and Relocation of a portion of the Felbaum Regulated Drain and Branch 8 of the Felbaum Regulated Drain under the proposed easement with the deeds attached was accepted by the Board.

2009 Regulated Drain Status List

The Surveyor presented the 2009 Regulated Drain Status list to the Board. He explained to the Board every year the Surveyor's office notifies the Auditor's office which drains were active or inactive for the calendar year. The County with the most acreage controlled the maintenance fund and maintenance of the joint drain. He noted the adjoining Counties had notified his office drain status. He recommended the Board approve and accept the 2009 Drain Status list as submitted. David Byers made a motion to approve and accept the 2009 Drain Status list as submitted. John Knochel seconded the motion. The 2009 Regulated Drain Status was approved as submitted. (A copy of the list would be added to the Official Minutes Book as an addendum to the April minutes)

Public Comment

Tom Devault 12705 South 475West Romney Indiana approached the Board to discuss the Leader Newton Regulated Drain Reconstruction. David Byers stated he had spoke with the Surveyor after the Board had made a site visit regarding a complaint Mr. Devault had raised. David Byers stated he had a couple of questions regarding the situation. He began" I guess farmer to farmer knowing this was a young ditch - I know Tom probably brought it up it- looks like you continue to run through the waterway and it basically needs to get established before you can really run through it" Devault stated" I would like to see the banks seeded now, cause man this is a good time to get it done" Byers: " So you think we need to seed it I mean you can see where the chemical kill has basically hurt the grass" Devault: " There wasn't any seed ever put up there" Where it's green that is as far as they went up on the bank when he seeded it. Cause he said he had more work to do on the edges of it, he never-this thing all blowed up and that is as far as it's gotten." Byers:"ok" The Surveyor stated to the Board"You've been there and you have the pictures, there was seed up to the top of bank" Devault:"No there wasn't" Surveyor:"Look at the pictures that is from last fall" Byers: "That's basically showing cutting through" Devault: Interrupting and pointing to a photograph" Cutoff right in here wasn't seeded and that is where it is starting to gulley back into my field. This wasn't done" Byers: "OK- you can see that part. You can see it being a new waterway and driving through it when you know it needs to be self established. You definitely know you need grass up there to stop the erosion part" Devault:" The edge is far as he went, he just went and wallered around, he said well I got to face the banks 'cause the banks need to be cut back." Byers:"ok so" Devault interrupted:" I need a crossing down there. It's not going to get any better" Byers continued: " Well we talked about the crossing at the same point are you still going to look at farming through there or continue to cut through there?" Devault interrupted:" That should have been followed up on" Byers continued: " I mean if we can get the crossing back in there will that stop you from chiseling and driving right through it for now at least until it is established?" Devault interrupted:" Yeah there wasn't any grass there anyway." Tom Murtaugh continue to say" So if we can get that crossing done you would not need to be in the waterway" Devault:" Oh no I wouldn't want to be in it anyway" "I'll even come back, I'll dress that up if you get somebody down there to seed it" The Surveyor stated "I've already contacted two contractors to look at really more of it than just his area that needs reseeded, but my main concern is whether or not he continues to drive through the waterway as opposed to farming parallel to the top of bank. We can take care of it and if we're going to seed other spots reseeding what he worked up this spring is a nominal amount, I don't mind doing that. Every time we seeded it, it hasn't been optimum conditions, the last time or time before last they got a one inch and three quarters of rain in an hour. Mother Nature has not been kind to us on this one. I did find out and double checked they are considering putting in a crossing on the Leader Group property as part of the NRCS Waterway. They ran out of money last year evidently, but they have some potentially this year- so if we do put in a crossing on Mr. Devault's property it would probably behoove us price wise to do both at the same time and hopefully build them both to the same specifications and standards. The other concern is that we have enough cover over the tile at that location but if we don't there is stuff we can do to take care of that. We can replace it with smooth core heavy duty just underneath the crossing but like I said we fault Mother Nature on this, you guys were out there last week, I was out earlier in the week even the straw blanket on the NRCS part has rolled up and needs attention as well. So what we need to do is get it seeded and the optimum seeding season which is a window in the spring and fall. As I said I talked to two contractors this last week the contractor that did the original tile work and waterway as well as Tom Osborn to see if either of them would be able to go out and do some reseeding. I don't know when I'm going to have an answer on the NRCS waterway crossing on the Leader Group property." Devault:"You going to come back in there and feather that dirt on back" Surveyor: "Which dirt would that be?" Devault; "Where he stood the water up on my crops" Byers: "Where about you talking Tom?" Devault:" Over there where the culvert was, they put the rock in, there is a

pond that they created out there and in that corner there is some other spots going back through there." Looking at the photo Devault stated;" Right here along the road, that dark spot there- that's where it drowned out" Byers: "I guess we did not see that spot then" The Surveyor stated he was not aware it was doing that. Devault stated" He pushed the dirt out there and he never feathered it, he never feathered along there and that is where you are getting them gulleys in field. Hell the water's going to channel someplace when it gets so full." Surveyor:" When looking at the waterway there is other places it's done that too besides your property, I mean until you get them stabilized." Devault interrupted:" I'm not saying about stabilizing the banks, I'm saying when he pushed the dirt out there he didn't feather it far enough." Surveyor:"I'll take a look at that" Devault:" Hell we're getting ready to put another crop in." The Surveyor asked Mr. Devault if there were any other spots. Devault stated" there was two or three of them you know where water stood on them." Byers: Basically any time you change..." Devault interrupted" But you know I'm the guy that's out the money on that." Tom Murtaugh tried to ask the Surveyor a question "Steve is..." Devault interrupted saying" Boy I tell you this ditch when you started this thing it's been a damn mess you called it phasing, when are we going to phase it on down to the head wall?" Surveyor:"As soon as NRCS gets back with us about how much of the waterway on the Shaw property that their going to participate in. We have been waiting for an answer for over a year on that-so..." Devault:"Hell to me this project shouldn't even got started until everything was..." The Surveyor responded "I contacted the farm manager and the tenant on that and made them aware that we were doing this phase and that for a period of time roughly a year to two or three years they were going to get more water, so they were advised. They are also aware we need an answer from NRCS as to how much their going to do on the Shaw property, I talked to Dick Shoemaker and until they give us an answer we can't move forward. We have every intention of doing that, as that was part of the overall plan." Tom Murtaugh:" Steve..." Devault interrupted" Well you know my problem is so." Tom continued " Steve did you say there is no time frame on when their going to put that other crossing in?" Surveyor" As of last year they weren't going to do it, because they ran out of money. I checked with Mr. Birge two days ago to confirm because Mr. Goings had said that he thought they were still going to pay for a crossing which was contrary to what I heard at the end of last year. So I called Darrel and Darrel said yes Montgomery County NRCS and FSA are looking at paying for a crossing on the Leader Group property. When they'll have an answer, I don't know." Tom Murtaugh:" Well because we probably..." Devault interrupted: "I don't even qualify for that." Surveyor:" No you don't. We'll have to put it in out of the maintenance money." Tom continued:' If they don't do that until the end of the season, that causes further damage on this, in other words I think we would want to do his crossing as soon as possible." Surveyor:" We would, as I said we would get a cheaper price if we do both at same time. I will try to get an answer as fast as I can, but it's in Montgomery County hands." Devault:"I'm not that hurry to get a crossing, what pisses me off is he pushed that dirt out there and he knowed he run out of money and by God he packed up and left. Here I'm stuck with that. Hell I've picked up rocks out there, that's been terrible." David Byers:" Well anytime you move dirt, you're going to get that, you know that." Devault:" I know that, but I know them guys that ran the bulldozers out there what they was doing, they was making damn sure they got them covered up and they didn't have to pick 'em up." David Byers:" Theoretically Steve we got 150 feet -what we're supposed to have? " Surveyor responded" yes." Byers continued" This is about fifty, so we could bring the grass considerably out then right?" Surveyor:" That would be my preference to get outside the bank a little so he's not farming right up to the edge of top of bank, so we got a little bit of filter strip basically." Devault:" You got to get up so you can hold it." David Byers:" That's what I'm saying, because the other day you could see where you've worked, you worked right along the edge of it. So by the time we bring..." Devault interrupted:" Hell that was washed down through there, there wasn't any grass." Surveyor:"Also when you chiseled, you went down through it and crossed it, correct?" Devault:" Well you know why, 'cause he left that edge on there and hell that's when I raised the chisel up that's when I dropped off. That's what's done that. Hell the chisel dug in." Surveyor:" But you said you didn't need to go through it, why did you go through it last fall?" Devault:" Had to get across it. You know I've been up here I don't know how many times over this damn ditch, I shouldn't even have to come once. You know something I'm getting a little pissed off." Surveyor:" Well your entitled I guess, but this hasn't been an easy project for us either. That had to be reworked five times and it..." Devault interrupted:"I know but you look what you left me." Surveyor:" I don't think it's in the overall scheme terrible....Devault interrupted:" You know that crops out there ain't nothing out of your damn pocket." Surveyor responded:" Well, no." Devault interrupted:" Well I tell ya what you guys make a decision and call me, if (inaudible word) pay for I don't know... When I come back, I'll have a lawyer." Surveyor:" You're entitled to that." Devault:" They make them every day." Tom Murtaugh:" If we do the crossing ok, does that meet your immediate need? I mean it seems to me like that needs to be done ASAP..." Devault:" So does the banks." Murtaugh:"O.K." Devault:"You're gonna have to wait to feather that dirt out, cause hell I'm getting ready to put a crop out. I don't want them out there and I'm gonna re- fertilize that." Tom Murtaugh:" OK, if we put the crossing in and we reseed this up through here, you know you'll back off on farming and do it parallel and so on and so forth. Obviously not have to drive in this whatsoever, so to protect this until it gets set." Devault:" Yeah." Murtaugh:" I mean to me that seems like the answer." David Byers said:" Right I agree with you. As the same point as Steve's basically saying and I'm agreeing with you to a point Tom, I mean we can't keep driving through it when it is trying to get established. I spent $30,000.00 my own money for a waterway on my property." Devault:" I even said I was going to pay for it myself until I get a thing in the mail and I thought the hell with it the rest of them are getting." Byers:" When I did my own waterways I spent $30,000.00 my own pocket in them but I stayed out of them until they were extremely established and that's what I did. That is basically what Steve is saying here if we get

the crossing in and this grass comes up, can you stay out of it at least until it is good and established?" Devault:" I'll stay out if it will help, you know the project was started and not finished, mine should have been done." Byers:" Because end rows you know you have to run the opposite direction that is what I do. Follow the planter this way, follow the planter that way. Unfortunately it becomes two separate fields in a roundabout way, but once it's established then ... "Devault interrupted: "Better get up there and get it flagged and let's get that done, hell that's a mess for me." Byers continued:" Anytime you move dirt I mean I got a wet spot in my field and that's been fifteen years." Devault:" They pushed it out themselves." Byers:" Same here and they had panders I mean they had come through and it wasn't bulldozers it was guys picking up dirt and moving on." Devault:" By God Birge was there and he knowed there was a pond there and he said he'd take care of that and the money run out and he left." Surveyor stated:" The money didn't run out, it ran over. "Byers:" Soil and Water has that drill and it won't take much to run." Surveyor:" No and that is what their looking at, using either Montgomery County or Tippecanoe County's S.W.C.D.'s drill." Byers:" Drop that drill and start running back and forth, flag it back and forth so you know how far out they went and go that direction." Tom Murtaugh:" You lost me there." Byers:" Soil and Water has a no till drill that works and does grass seed and everything else. You just hook on to it and take off and start going back and forth and back and forth until you have the spots out." Surveyor:" That's exactly what we've talked about using." Byers:" Need to flag it so he knows exactly how far out he needs to get up to what it's gonna be and hope that Mother Nature will let the stuff grow. Now might be the best time to go out there and let's get it flagged, so when you got the planter running you know alright I'm coming up to here and they can still go in and run the seed. You can come in off the side and run your seed or whatever." Surveyor:" So will you stay back enough to give us some room to seed?" Devault:" Yeah, cause all I'm wanting is to get it done." Surveyor:" It was reseeded at least three if not four times." Byers:" Well you said Mother Nature's hit it." Devault:" Yeah well he's reseeded on down the line, he's only reseeded mine once, and then the straw all went down the other end." Byers:" But laying flags out through there, we'll know how far it needs to be seeded and you will know how far to get close and then we can get the drill in there -even if it's in May when you get the grass in. I mean alfalfa seed -now is the time to put it in. April 10th is the date supposedly. That's usually the day to seed." Surveyor:" There is a seeding season." Byers:" Yes, 100th day of the year is when your suppose to start. " Surveyor:" I've actually gone as so far as to ask Tom Osborn to take a look at what it would take to put a crossing in there on your property, since he was already down there working in your area. He hasn't got back to me yet, but that was just a couple days ago." Tom Murtaugh:" Do we have any further questions or do we need a motion?" The Attorney stated:" I don't think it takes any formal action, you already know what you got to do. The Surveyor's got the project and it's a matter of arranging for the reseeding, arranging for the crossing." Tom Murtaugh:" O.K." Attorney:" He has already asked for an estimate on the crossing, so you've done all you can do at this point. He's just waiting on a response from the contractor." Tom Murtaugh:"O. K." Devault:"Thank You."

As there was no other public comment David Byers moved to adjourned. The meeting was adjourned.

Thomas Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
September 15, 2009
Regular Meeting

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the August 5, 2009 Regular Drainage Board minutes as written. John Knochel seconded the motion. The August 5, 2009 Drainage Board meeting minutes were approved as written.

Purdue Research Park Phase 3 Part 2

Ross Nixon represented Schneider Corp. and appeared before the Board to request final approval for Purdue Research Park Phase 3 Part 2. The site consisted of approximately 100 acres and located north of Kalberer Road and west of Yeager Road (aka County Road 100West) and within the City limits of West Lafayette. The site included a detention facility developed during Phase 2 of Part 2 located at the tract's west side. The Baker-Dempsey Regulated Drain began at the north side of Kalberer Road and followed an open ditch through the detention facility. The drain was rerouted around the cemetery and eventually outlet to Hadley Lake. The Simeon Yeager Regulated Drain began on the north side of Kalberer Road crossed through the site continued to the north as well. Portions of the regulated drains located onsite were planned to be vacated in the near future and required documentation would be presented to the Board. Roadway and utility infrastructure would be added across the site connecting Yeager Road on the east. A canal and pond system would be constructed onsite which would discharge to an existing open ditch. The existing detention facility would be expanded on the eastern side for additional storage. Mr. Nixon stated the existing outlet was functioning and would be maintained. He concurred with the September 10, 2009 Burke memo and requested final approval.

There was no public comment. The Surveyor reiterated the Board's only concern was discharge/ release rates into the Baker Dempsey Regulated Drain and based on the September 10, 2009 Burke memo they met the allowable release rate. He recommended final approval with conditions based on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval for the Purdue Research Park Phase 3 Part 2 with the conditions as stated on the September 10, 2009 Burke memo. John Knochel seconded the motion. Purdue Research Park Ph. 3 Part 2 was granted final approval with conditions stated on the September 10, 2009 Burke memo.

Wyandotte Elementary School

Justin Frazier represented TBIRD Design as he appeared before the Board to request final approval for Wyandotte Elementary School. The site consisted of approximately 19 acres on the south side of Co. Rd. 50 South and east of the intersection of County Road 50 South and County Road 550 East. The site drained to the open ditch at Co. Rd. 50 South westerly to the Berlowitz Regional Detention Facility recently constructed. The entire site was located within the Berlowitz Detention Basin watershed; therefore no onsite detention was planned. An entrance drive would be constructed from County Road 50 South. Runoff from the site would be collected by vegetated swales located around the site's perimeter and storm inlets located in parking lots and driveways. Runoff would be collected into the main storm infrastructure and routed to the Berlowitz Detention Facility for storage. Stormwater Quality was provided by onsite vegetated swales and Stormwater treatment units. Justin concurred with the September 10, 2009 Burke Memo and requested final approval. Responding to Mr. Byers' inquiry, the Surveyor noted there was a sanitary lift station located near the site. Also responding to Mr. Byers' inquiry, Justin noted they were actively pursuing easement acquisitions for the Tippecanoe School Corporation across the YMCA property for a storm sewer outlet. (100 yr. emergency overflow)

There was no public comment. The Surveyor recommended final approval with conditions as stated on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval with conditions stated on the September 10, 2009 Burke memo for Wyandotte Elementary School. John Knochel seconded the motion. Wyandotte Elementary School was granted final approval with conditions as stated on the September 10, 2009 Burke memo.

Other Business

Resolution 2009-01-DB/Acceptance of Warranty Deeds

The Surveyor presented Resolution 2009-01-DB "Acceptance of Warranty Deeds" from Eastland LLC. , Sheumann Properties and Saddlebrook Development. These easements were to be granted to the Drainage Board based on an agreement between Saddlebrook and various companies in that area for the Berlowitz Phase 1 project (pond and property to the west of Co. Rd. 550 to I65). These had been executed and recorded by the owner. However there are two steps when property is deeded to the County. The first one was dedication and/or conveyance and the second was the actual acceptance. In order to complete the legal transaction the acceptance was required. He recommended the Drainage Board accept the Warranty Deeds as submitted. Responding to Mr. Murtaugh's inquiry, the Attorney stated it was acceptable for Drainage Board to accept on behalf of the County.

David Byers made a motion to accept Resolution 2009-01-DB "Acceptance of Warranty Deeds". John Knochel seconded the motion. Resolution 2009-01-DB Acceptance of Warranty Deeds was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities

The Surveyor presented Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" regarding the relocation (Felbaum Branch of the Berlowitz Regulated Drain north of McCarty Lane and east of I65) which took that portion of the Felbaum Branch into the Berlowitz Regional Detention Facility. The Easement was previously prepared and recorded. He recommended acceptance by the Board as presented.

David Byers made a motion to approve Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities. John Knochel seconded the motion. Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

Steve Murray

Petition to Encroach/J.N. Kirkpatrick Regulated Drain/Lot 41 Waterstone Subdivision

The Surveyor presented a Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur of Lot 41 Waterstone Court Lafayette Indiana. Mr. Gbur requested to build a wooden bridge crossing the J.N. Kirkpatrick Regulated Drain (Phase 1 of the reconstruction). It would be at his own risk. If maintenance was required on that stretch of the J.N. Kirkpatrick and the bridge was damaged the County would not be responsible. He recommended the Board approve the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain as submitted by Mr. Gbur.

David Byers made a motion to grant approval of the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur was approved.

Surveyor Update Report/Branch #11 S.W. Elliot Regulated Drain

The Surveyor updated the Board on the progress to date for the reconstruction Branch #11 of the S.W. Elliot Regulated Drain. Mr. Eichelberger and Mr. Koons on the Burke staff have reviewed the plan to reconstruct from Butler Fairman Seifert (BFS). He also discussed with BFS what additional survey information they may have and if they would make it available to him. He received a cost estimate and rough time frame from Christopher Burke Engr. LTD for the project. He spoke with the City of Lafayette -Jenny Miller and Bob Foley - they were both in favor of the project. He had a preliminary meeting with an appraiser who has done work for the County Highway Department and INDOT regarding benefits and damages, as he felt a professional review and submission of a written appraisal of damages was in order.

The Surveyor's staff was presently working on a composite aerial which would include property owners, acreages, easements, the existing tile and new F-Lake Regional Detention Facility locations. He planned to set up a meeting in the near future with the Board Attorney regarding the exact process. He wanted to discuss with the Attorney the possibility and

benefits of declaring it a "Drainage Impact" area. He also wanted to discuss the possibility of the County paying up front for the project from the EDIT Drainage fund. This would involve setting up a drainage cost recovery for the development's storage fees (i.e. developers pay as storage was needed). He noted as there were not that many property owners involved, he hoped to have a contract and direction to proceed by the next meeting of the Board.

US 231 INDOT Update

The Surveyor updated the Board concerning the US 231 Relocation project. He stated he met with Kenny Franklin Project Manager with INDOT along with Randy Truitt, and a representative from the Governor's office to discuss the status of the relocation of US 231. A future meeting was scheduled with County Highway, Area Plan and several local officials in the upcoming week. He provided them with Christopher Burke's review of the detention area which addressed the Sherwood Forest Subdivision drainage issue. He was verbally informed INDOT would review the discharge location at the US52 side ditch (which eventually outlet to Indiana Creek), however he had not received any information from their consultant to date. He noted he didn't feel the reply to Mr. Luhman's letter gave a definite answer regarding INDOT's future submissions of Drainage plans for this project or others or even if they would comply with the local Drainage Ordinance. He stated that issue had not been resolved to date. He hoped to receive more answers at the next meeting with the INDOT representative, local officials, APC and County Highway officials. Responding to Mr. Murtaugh's inquiry, Opal Kuhl Highway Engineer confirmed that INDOT called the upcoming meeting. He then stated he would continue to keep the Board updated on his progress. The Board thanked him for his update.

David Byers then congratulated the County Surveyor on his 29 years of service to the County.

Public Comment

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

Thomas Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
October 7, 2009
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

Steve Murray stated a correction was in order regarding the September 15, 2009 Drainage Board minutes. Referencing the US 231 update, he stated Rep. Randy Truitt's name should be included. David Byers made a motion to approve the September 15, 2009 Drainage Board minutes with the correction included. John Knochel seconded the motion. The September 15, 2009 Drainage Board meeting minutes were approved with the correction to be included.

Heritage Woods

Mr. Brandon Fulk from Schneider Corp. appeared before the Board and requested final approval for Heritage Woods. Brandon stated a residential care facility was planned. The site was located northwest of County Roads 100 South and 550 East and consisted of approximately 13 acres. The initial phase of the project would involve 7 of the 13 acres with access to the site from County Road 550 East. Brandon stated a Master Plan was in place for the entire site. The western portion of the site was undeveloped at this time. The site would have a direct outlet to the Berlowitz Regional Facility. He stated there would be a treatment facility on the south and north end of the site for water quality. All the water would drain to the west into an existing vegetated swale and into the Berlowitz Regional Facility. He stated they would have an agreement regarding the stabilization of the north swale and the Berlowitz treatment facility banks using fabric and rip rap. He stated they agreed with the conditions set forth in the October 1, 2009 Christopher Burke review memo and requested final approval. There was no public comment. The Surveyor recommended final approval with the conditions listed on the October 1, 2009 Burke review memo. David Byers made a motion to grant approval for Heritage Woods with conditions as stated on the October 1, 2009 Burke review memo. John Knochel seconded the motion. Heritage Woods was granted final approval with the conditions as stated on the Oct. 1, 2009 Burke review memo.

Altus Minor

Mr. Joe Couts from Masson and Assoc. appeared before the Board to request final approval for the Altus Minor Subdivision. The site was located north of County Road 725 north, west of State Road 43 and consisted of approximately 17 acres. The existing wooded condition on the western end would be preserved as much as possible. Covenants and Restrictions would restrict clearing of the trees to thirty feet around the proposed homes. The site outlet into two existing ditches located along the southern boundary of the site and one of which was a County Regulated Drain known as the Wesley Mahin Regulated Drain. The Regulated Drain routed southwesterly across the southeast portion of the property. A 48 inch box culvert crossed under State Road 43 containing a significant amount of Stormwater runoff from east of State Road 43. A wet pond was proposed for Stormwater quantity and quality located to the west of the Wesley Mahin regulated drain. A portion of the offsite Stormwater would be routed through the pond and the site. Existing drainage patterns would be utilized throughout the site with the easterly portion's runoff to be treated by the facility for quality and quantity. The western portion's runoff would outlet to an existing ditch as was currently. Vegetated swales were designed for each of the residential lots for Stormwater quality treatment. (Joe noted: the western portion's runoff would not be increased.) He stated his client agreed with the conditions as stated on the October 5, 2009 Burke review memo and requested final approval. There was no public comment. Responding to the Surveyor's request Joe stated he would provide the downstream notification documents for the record. The Surveyor recommended final approval with the conditions as stated on the October 5, 2009 Christopher Burke review memo. David Byers made a motion to grant final approval with the conditions as stated on the Oct. 5, 2009 Burke review memo for the Altus Minor Subdivision. John Knochel seconded the motion. The Altus Minor Subdivision was granted final approval with the conditions as stated on the Oct. 5, 2009 Burke review memo.

Resolution #2009-04-DB S.W. Elliott Regulated Drain Branch #11 Establishment of Drainage Impact Area

The Surveyor presented Resolution #2009-04-DB S.W. Elliott Regulated Drain Branch #11 Establishment of Drainage Impact Area to the Board. He stated the Drainage Ordinance allowed the Board to declare impact areas where there was inadequate drainage or other problems. The Surveyor recommended the Board adopt Resolution #2009-04-DB in order for his office to move forward with the design and reconstruction of Branch #11 of the Samuel W. Elliott Regulated Drain. This could be paid for with remaining monies in the EDIT Drainage Project fund. A cost recovery would be implemented as development happened. This would assist the tax payer as they would not have to pay any monies on the reconstruction up front. The Board's Attorney stated the main portions of the resolution did establish the Samuel W. Elliott Branch #11 as an impact area and provided that in addition to normal compliance with the Drainage Code on a reconstruction, any developer within the area must participate in the regional detention basin as a condition of drainage approval. Any drainage improvements in the developments would become regulated drains. This would insure the Board had continuing authority to monitor the function of the drain. Additional requirements for new development could also be added under the code (due to the impact area). The most significant impact or result would be that the development would be required to participate in the regional detention of the basin system. The cost of the reconstruction would be paid for up front by the County and the landowners would not have the initial cost. Responding to Mr. Murtaugh's inquiry, the Surveyor stated no further development could happen north of State Road 38 until there was a positive outlet. Mr. Murtaugh clarified any new development would not be able to have their own detention on their property as the Resolution required they would have to participate in the regional detention. The Attorney reiterated there would be no new cost on the exiting facilities. However expansion of an existing facility or the construction of additions to or a new development would require adhering to the said Resolution. If the development was constructed in future years down the road, their cost would be allocated regarding the actual cost of the reconstruction. There would not be an inflation factor. The Attorney stated this was the same procedure used with other facilities in the county such as F-Lake Regional Facility located near the Ivy-Tech Campus. The Upper JN Kirkpatrick Regulated Drain did not have a positive outlet and a Regional Facility was constructed to meet that demand. People within the watershed would pay a pro ratio share for the detention once they developed their property. Pat Jarboe of T-Bird Designs Inc. appeared before the Board and stated it was a good idea to have deferred cost of development. He asked if there would be a document that could be reviewed prior to acceptance. The Attorney stated a participation agreement (cost recovery agreement) had not been developed to date and only the Resolution was in front of the Board today. Mr. Jarboe asked when the agreement would be available for viewing. The Surveyor stated the design would have to be completed first. INDOT would be responsible to pay for the structure under State Road 38. The last estimate for that was approximately $500,000.00. (This was an estimate and would need to be updated after the design was completed) The gas company should lower the gas line at their own expense as well. Both of these would result in a significantly lower cost to the property owners. Mr. Jarboe stated he felt the Drainage Board was definitely going down the right path and requested to be kept "in the loop" regarding the impact area specifically and any requirements for future development in that area. The Surveyor recommended the Board adopt "Resolution #2009-04-DB for the Samuel W. Elliott Regulated Drain Branch #11 Establishment of Drainage Impact Area". David Byers made a motion to adopt Resolution #2009-04-DB S.W. Elliott Regulated Drain Branch #11 Establishment of Drainage Impact Area. John Knochel seconded the motion. Resolution #2009-04-DB S.W. Elliott Regulated Drain Branch #11 Establishment of Drainage Impact Area was adopted as presented. The Attorney noted the next step would be to develop a design of the reconstruction of Branch #11 of the Samuel W. Elliott Regulated Drain.

S.W. Elliott Branch #11 Reconstruction Design

The Surveyor presented a contract for the S.W. Elliott Branch #11 Reconstruction Design written by Christopher B. Burke Engr. LTD. to the Board. He stated the Attorney had reviewed the contract. The contract listed the various 5 tasks which included basically the field survey, hydrologic and hydraulic analysis, 50% complete design plan, task force coordination between entities (INDOT, Duke Energy etc.), and finally 100% complete design plan. The estimated fee was $45,000.00; he recommended the Board enter into the contract with Christopher B. Burke Engr. LTD as presented. David Byers made a motion to approve the contract as presented. John Knochel seconded the motion. The Reconstruction Design for Branch #11 of the S.W. Elliott Regulated Drain Contract was approved as submitted.

USGS Geological Survey Joint Funding Agreement/S.W. Elliott Regulated Drain Gaging Station

The Surveyor presented the USGS Joint Funding agreement regarding the installation and operation maintenance of a stream flow gaging station located at the Tippecanoe County Highway Garage. The Tippecanoe County Drainage Board would provide $8400.00 and USGS would provide $3600.00 for the station. He explained Burke tried to model the flood plane of the Elliott upstream basically Concord Road and Brady Lane up through Ivy Tech. The 100 year flood plain was much larger than presently. This was a method to prove to USGS that the modeling was not working in this location. This had been done

on a couple of streams in other communities within the state. The Surveyor recommended the Board execute the agreement as presented. David Byers made a motion to sign the USGS Geological Survey Joint Funding Agreement/S.W. Elliott Regulated Drain Gaging Station. John Knochel seconded the motion. The USGS Geological Survey Joint Funding Agreement/S.W. Elliott Regulated Drain Gaging Station was accepted as presented.

Steve Murray Updates

The Surveyor noted the Petitions for Vacations on the Agenda today were pulled and would be more than likely be presented at the next monthly meeting. He noted he was moving forward with the S.W. Elliott Regulated Drain Branch #11 reconstruction preparations. The resolution and contract were presented to the Board today and Christopher Burke Engineering had met with Beutler Fariman and Seiffert (BFS) to acquire all the previous survey information available on the said drain. This would reduce any additional surveys needed for the design. A US231 meeting was held with INDOT which was more about the status of the project (both phases). He did request a separate meeting regarding drainage at the meeting; however it had not been scheduled to date. He stated INDOT was addressing the comments from Christopher Burke regarding the detention storage area near Wake Robin and Sherwood Forest. He had a side conversation with the lead engineer on the north section. They were going to look at trying to do median or side ditch detention where they were discharging north to the US 52 side ditch which eventually found its way to the Indian Creek watershed. He had not received any documents yet but was led to believe they would do their best to supply drainage calculations on the two areas of concern. Responding to Mr. Murtaugh's inquiry, the Attorney stated it was a continuing battle to receive drainage information from INDOT regarding their projects. The Surveyor noted he did not believe they looked at the effect they would have at their discharge points when it goes out across private property and which do not outlet directly into a major stream or facility. He noted we were not the only county with this issue. He stated the Association of County Surveyors discussed this particular problem with INDOT at their latest meeting. He noted legislation could be proposed to remedy this. The Attorney stated under common law INDOT was responsible for any damages occurred from a project. However the Surveyor noted this was always after the fact and usually at the expense of the property owner. The intent was to protect the property owner up front before any damage could occur. He would continue to try and work with INDOT to resolve the issues.

Public Comment

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

Thomas Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
March 3, 2010
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, Drainage Board Attorney Dave Luhman, Project Manager Zachariah Beasley and Drainage Board Secretary Brenda Garrison. County Surveyor Steve Murray and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited were absent.

Approval of Minutes
David Byers made a motion to approve the February 3, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The February 3, 2010 Drainage Board meeting minutes were approved as written.

Other Business
Wetland Mitigation Monitoring Berlowitz Regional Facility Contract
Zachariah Beasley presented the Wetland Mitigation Monitoring Berlowitz Regional Facility Contract submitted by Christopher B. Burke Engineering LTD to the Drainage Board. Zachariah explained the contract as follows: As a condition of Indiana Department of Environmental Management (IDEM) and U.S. Army Corps of Engineers (USACE) permits issued in 2002 for the Berlowitz Regional Detention Facility, a minimum of three (3) years of monitoring is required to insure that the wetland mitigation activities have been performed and completed in a satisfactory manner. If the wetland mitigation site does not meet the success criteria for two (2) consecutive years then additional monitoring will be required. This proposal covers mitigation monitoring for three (3) years, as additional monitoring may not be necessary. Services will include the collection of field data during six site visits, completion of three annual Mitigation Monitoring Reports, and coordination with necessary agencies as required by IDEM and USACE. There was no public comment. David Byers made a motion to accept the Wetland Mitigation Monitoring Berlowitz Regional Facility Contract from Christopher B. Burke Engineering LTD as submitted. John Knochel seconded the motion. The Mitigation Monitoring Berlowitz Regional Facility Contract was approved as submitted.

Drainage Board Legal Service Fees Contract
Attorney Dave Luhman reviewed the 2010 Legal Service Fees Contract submitted by his firm Hoffman Luhman and Masson PC to the Board. He explained his hourly rate had not changed from last year's rate. There was no public comment. David Byers made a motion to approve the 2010 Legal Service Fees Contract with Hoffman Luhman and Masson PC. John Knochel seconded the motion. The 2010 Legal Service Fees Contract submitted by Hoffman Luhman and Masson PC was approved as submitted.

Bonds:
Harlow Borrow Pit Performance Bond
Zachariah Beasley presented Performance Bond #7613557 in the amount of $100,000.00 submitted by Crider and Crider and written by the Fidelity and Deposit Company of Maryland regarding the Harlow Borrow Pit. David Byers made a motion to accept the Performance Bond #7613557 in the amount of $100,000.00 submitted by Crider and Crider. John Knochel seconded the motion. Performance Bond #7613557 in the amount of $100,000.00 submitted by Crider and Crider and written by the Fidelity and Deposit Company of Maryland regarding the Harlow Borrow Pit was approved as submitted to the Board.

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

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
Minutes
April 14, 2010
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, Doug Masson Drainage Board Attorney, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Project Manager Zachariah Beasley and Drainage Board Secretary Brenda Garrison. County Surveyor Steve Murray was absent.

Approval of Minutes
David Byers made a motion to approve the March 3, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The March 3, 2010 Drainage Board meeting minutes were approved as written.

Monitor Substation
Brandon Fulk of Schneider Corporation representing Wabash Valley Power appeared before the Board and presented Monitor Substation for final approval. The following people were also in attendance representing Wabash Valley Power: Gary Stein, Brent Reylier and representing Tipmont R.E.M.C. was: Tim McCarthy, Mark Sessler, Ron Alting, Dick Harlow and Steve Traylor. Brandon stated the standard substation project consisted of approximately 2 acres located on an overall 7 acre site east of County Road 550 East on the north side of County Road 50 South. The site drained north and west to the Berlowitz Regulated drain located along the western boundary of the site and routed ultimately to the South Fork of the Wildcat Creek. A filter strip in addition to vegetated swales would provide water quality treatment from surface runoff. Due to the proximity of the site to the Berlowitz Drain, onsite detention would not be required. However, storage compensation to the Berlowitz Regional Facility was required and the applicant had paid the required fees prior to the meeting. There were no encroachments or crossings associated with this site.

Brandon Fulk requested final approval with conditions as stated in the April 8, 2010 Burke memo. Zachariah Beasley Project Manager stated the Surveyor's office recommended final approval with conditions as stated on the April 8, 2010 Burke memo. There was no public comment. Dave Byers made a motion to grant final approval with the conditions as stated on the April 8, 2010 Burke memo. John Knochel seconded the motion. Monitor Substation was granted final approval with the conditions as stated on the April 8, 2010 Burke memo.

Midwest Rentals
Robert Gross of R.W. Gross and Assoc. appeared before the Board to request final approval for Midwest Rentals.The site was redeveloped from the former Henry Poor Lumber facility located across from Klondike School on Klondike Road. It was an approximately 5 acre site located on the west side of Klondike Road and south of US 52. Runoff would cross the site from south to north and east to west. There would be a dry bottom detention facility constructed at the western edge of the site. The facility would discharge into a natural waterway within a wooded area at the western portion of the site. The runoff would ultimately reach Indian Creek northwest of the site. There were no encroachments or crossings on the site. Mr. Gross noted minor modifications would be required for the new project. Robert Gross requested final approval with the conditions as stated on the April 12, 2010 Burke memo. Responding to Tom Murtaugh's inquiry, Mr. Eichelberger stated there was a "very well defined" natural waterway therefore no easement was necessary for this project. Dan Teder represented Midwest Rentals and approached the Board to discuss the said memo's requirement of a Geotechnical Engineer onsite certification. He requested this condition be revised to allow a local Registered Engineer to certify the work onsite due to costs involved and the scope of the project. He stated his clients felt a local Registered Engineer could certify the requirements and requested the Board's revision concerning item #3 under Stormwater Quality on the April 12, 2010 Burke Memo.

Dave Eichelberger stated this had always been a condition however; the condition's verbiage regarding certification had been revised in the last couple of months due to problems from past projects. The revision was meant to insure certification DURING construction of the required material and degree of compaction. In the past some projects were certified AFTER the construction which later resulted in a blow out of the berm causing flooding on downstream neighbors. He stated the condition was meant more for the construction of a high berm in the creation of a detention area etc... However technically speaking he felt it should be required. He noted he recognized this was a very small berm (approx. 2-3 foot). He reiterated he preferred to leave the condition in, however he recognized the fact it was a very low berm and if the Board was inclined they could change the requirement from a Geotechnical Engineer to a Registered Engineer for the certification. John Knochel

made a motion to waive the requirement of the onsite Geotech Specialist certification due to the small height of the berm. He stated Item #3 under Stormwater Quantity of the April 12, 2010 Burke memo should be revised and the verbiage "Geotech Specialist" be deleted and "Registered Engineer"be inserted. Dave Byers seconded the motion. The verbiage of Item #3 under Stormwater Quantity in the April 12, 2010 Burke memo was revised. A Registered Engineer rather than a Geotech Specialist was approved for the certification of construction onsite. There was no other public comment. John Knochel made a motion to grant final approval with the conditions as stated along with the amendment to Item # 3 of April 12, 2010 Burke memo. Dave Byers seconded the motion. Midwest Rentals was granted final approval with conditions (to include the amendment as aforementioned) on the April 12, 2010 Burke memo.

Reith Riley Asphalt Plant
Pat Jarboe of TBird Designs Inc. appeared before the Board to request final approval for the Reith Riley Asphalt Plant. Patrick Williams of TBird Designs and Tom Buck of Reith Riley were also in attendance. The site consisted of 2 existing asphalt plants which would be torn down and replaced with one more efficient modern asphalt plant located east of US 52 and south of Schuyler Ave. No vegetative cover would be affected as the site was comprised of stone and gravel. Due to the nature of the onsite soil the storm runoff left the site through ground filtration. Therefore, no exposed soil was expected during construction at any time. Mr. Jarboe stated as a previous gravel pit, there were high infiltration rates onsite and due to the soil conditions there was up to 100 year zero runoff and 100% quality. Underground detention was being excavated. He noted the numbers were way above the Ordinance standards/requirements. There were no encroachments or crossings on this site. Mr. Jarboe requested final approval with the conditions as stated on the April 8, 2010 Burke memo. There was no public comment. Dave Byers made a motion to grant final approval with the conditions as stated on the April 8, 2010 Burke memo. John Knochel seconded the motion. Reith Riley Asphalt Plant was granted final approval with the conditions as stated on the April 8, 2010 Burke memo.

Other Business
Petition to Encroach W. Mahin Regulated Drain/Altus Minor Subdivision
Joe Couts of CoCal Consulting appeared before the Board and presented a Petition to encroach on the Wesley Mahin Regulated Drain for approval. He stated the berm around the detention facility was constructed away from the underground tile. Zachariah Beasley noted the action today was tying up loose ends as the project was previously granted final approval with conditions and this was a condition. John Knochel made a motion to grant approval of the Petition to encroach on the W. Mahin Regulated Drain. David Byers seconded the motion. The Petition to encroach on the W. Mahin Regulated Drain was approved as presented.

Maintenance Bonds:
K.F.C. (Lot 4-Concord Plaza) Maintenance Bond #0923274/ $1850.00/ West Bend Mutual Insurance Co.
Project Manager Zachariah Beasley presented Maintenance Bond #0923274 written by West Bend Mutual Ins. Co. in the amount of $1850.00 and submitted by McKenzie Properties for the K.F.C. located on Lot 4 of Concord Plaza. Dave Byers made a motion to approve Maintenance Bond #0923274 written by West Bend Mutual Ins. Co. in the amount of $1850.00 and submitted by McKenzie Properties for K.F.C. John Knochel seconded the motion. Maintenance Bond #0923274 in the amt. of $1850.00 submitted by McKenzie Properties for K.F.C. in Concord Plaza was approved as submitted.

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

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Thomas P. Murtaugh, President

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David Byers, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member

Tippecanoe County Drainage Board
Minutes
June 2, 2010
Regular Meeting

Those present were:
Tippecanoe County Drainage Board Vice President David Byers, member John Knochel, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Project Manager Zachariah Beasley. Drainage Board President Thomas Murtaugh, Drainage Board Engineering Consultant Dave Eichelberger and County Surveyor Steve Murray were absent. Larry Underwood from the SWCD office attended as well.

Approval of Minutes
John Knochel made a motion to approve the May 5, 2010 Regular Drainage Board minutes as written. David Byers seconded the motion. The May 5, 2010 Drainage Board meeting minutes were approved as written.

Petitions to Encroach on the Rettereth, Kuhns, and Berlovitz Regulated Drains/ Duke Energy
The Project Manager presented the following petitions for approval by the Board. A Petition to Encroach on the P. Rettereth Regulated Drain, a Petition to Encroach on the J. Kuhns Regulated Drain, and the Petition to Encroach on the J. Berlovitz Regulated Drain. The Project Manager noted the submittal of these petitions was a condition from the previous meeting regarding the Duke Energy Utility Relocation and the Surveyor's office recommended approval of the Petitions as submitted. David Buyers asked for public comment and there was none. John Knochel made a motion to approve the Petitions to Encroach on the P. Rettereth, the J. Kuhns and the J. Berlovits Regulated Drains as submitted by Duke Energy. David Byers seconded the motion. The Petitions to Encroach on the P. Rettereth, the J. Kuhns and the J. Berlovits Regulated Drains were approved as submitted.

Duke Energy Utility Relocation Violation
David Byers noted the issue regarding a fine for the violation of the Tippecanoe County Stormwater Quality Ordinance was tabled at the last month's meeting. John Knochel made a motion to open the issue regarding the fine for the violation of the Tippecanoe County Stormwater Quality Ordinance for discussion. David Byers seconded the motion. John Knochel stated he would seek advice from the project manager regarding the amount of cooperation received from Duke Energy on the issue. The Project Manager stated since the last meeting discussions were held with Duke Energy regarding the petitions to encroach as well as the Rule 5 specifically the Stormwater Pollution Prevention Plan (SWPPP). Brandon Fulk from the Schneider Corporation had worked with the Surveyor's office to provide the information as requested. The petitions were submitted as well as the required SWPPP. He was contacted yesterday by Lauramie Excavating hired by Duke Energy to take care of the sediment erosion control measures. He provided a set of SWPPP plans this morning. He discussed the tile replacement as well. In addition to that it was discussed with Duke Energy the possibility of encroaching upon Duke's easement in relation to Branch 11 of the S.W. Elliott Regulated Drain project. They had been cooperative on that project also. David Byers asked for input from Duke Energy at that time. Jim Shields from Duke Energy approached the Board and stated they had internal reviews over the last thirty days with their engineering groups, construction group and all the departments which do work in this county. The discussions involved not only the Tippecanoe County Ordinance but also the IDEM Rule 5 Regulation. Dan Arndt from their environmental group reviewed the Rule 5 Regulations with the various groups within Duke's organization. Their legal dept. also went through all the state statues regarding Regulated Drains. He stated he felt in total they touched approximately 70 people within their organization. Most were Supervisors who would relay that information to their employees doing the work locally. He stated he just wanted to inform the Drainage Board of the review within their organization. John Knochel noted the local ordinance called for a fine of $500 a day and thought it would be pretty hefty if kept to that. He stated he felt due to the fact they had been very cooperative with the Board and also the fact that this was the second violation by Duke Energy; he made a motion to impose a fine of $2000.00 for the violation. David Byers seconded the motion. David Byers stated the fine could have been as high as $30,000.00. The Duke Energy Violation fine was set at $2000.00 by the Board.

As there was no public comment John Knochel moved to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
Minutes
July 7, 2010
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, Project Manager Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Dale Snipes Surveyor's Office. Brenda Garrison Drainage Board Secretary was absent.

President Tom Murtaugh opened the meeting with a moment of silence for the former Surveyor Steve Murray. Mr. Murray passed away in the latter part of June.

Approval of Minutes

David Byers made a motion to approve the June 2, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The June 2, 2010 Drainage Board meeting minutes were approved as written.

McCarty Lane Extension

Alan Mize with DLZ appeared before the Board to request final approval for the McCarty Lane Extension project. Jon LaTurner project manager with DLZ was also in attendance. The extension was located at County Road 550 East and north toward State Road 26 to just west of County Road 675 East. He noted that County Road 675 East would be a cul-de-sac at that location. The extension would be a four lane section similar to the existing McCarty Lane west of County Road 500 East. There would be a 5x7 box culvert located at the Carr property directing the approximately 27+ acreage runoff to the Berlowitz Regional Detention Facility. They were in the permitting approval process presently. There was an existing manhole at the southeast quadrant of McCarty and 550 East which would be utilized. He also noted there would be a storm sewer outlet located at a Wildcat Creek Tributary. A 60 inch pipe under State Road 26 would tie into the tributary as well. Equalizer pipes were planned to be utilized due to elevation of the roadway. Construction would begin next summer or fall as the letting of bids was planned for this November 2010. Anticipated construction phase was approximately 2 years. A connection was planned from County Road 50 South to County Road 675 East. The project manager recommended final approval with the conditions as stated on the July 1, 2010 Burke Memo. John Knochel made a motion to grant final approval with conditions as stated on the July 1, 2010 Burke memo. David Byers seconded the motion. McCarty Lane Extension was granted final approval with the conditions as stated on the July 1, 2010 Burke memo.

Other Business
Petition to Encroach J.N. Kirkpatrick Regulated Drain/Church of Latter Day Saints

A Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Latter Day Saints (L.D.S.) was presented to the Board by the Project Manager Zach Beasley. Schneider Corporation submitted this to the Surveyor's office for their client L.D.S. The project manager stated this was a condition to be met when the project received final approval and recommended the approval of the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain. There was no public comment. David Byers made a motion to approve the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain as submitted by L.D.S. John Knochel seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain was approved as submitted.

Public Comment

Judy Bower 3750 North 300W West Lafayette Indiana approached the Board to discuss a drainage issue at her location. She stated she had lived at this address since July 1985. Her house was the 4th house north of US52 stop light at Klondike school. In 2002 they remodeled and expanded their home, at which time her property was considered to be on the flood fringe of Indian Creek. This ran through the Elks Golf Course just north of her property adjacent to the Maleys property. On June 12th in 2004 her home flooded with the basement filled completely and 4-6inches of water throughout the house. She noted the flood water did not come from Indian Creek but rather from Hadley Lake approximately one mile east. At that time they did

not have flood insurance nor was it required by the lender. Following the 2004 flood, FEMA representatives said the flood map for that area was being revised. Eventually the property was put in the floodplain and flood Insurance was required. Since that time Menards was constructed east of her location. At that time they did some significant drainage work. She stated they had hoped the new development requirements from the Drainage Board would protect them from future problems. However, on June 22, 2010 her home flooded again. At 8 am, the water came into the northwest corner of her property from Indian Creek which flooded the Elks Golf Course as well. Menards retention ponds drain into Indian Creek as well. At 10 am, on June 22, Menards retention ponds overflowed, the water crossed the road from the east like in 2004 and flooded her property again. This time with the experience of the flooding in 2004 and the help of approx. 30 volunteers that showed up nine pumps were installed. Four pumps were industrial size. The water was prevented from rising above the top block of the basement. (In 2004, the water rose from the basement through the air conditioner vents into the rest of the house.) They used 380 sand bags along with the pumps and volunteers so that the damage was to what water seeped through the doors upstairs. The Surveyor's office project manager made another site visit (he was there in 2004) to review the situation and specifically the drainage of the area.

She stated the landowners came up with a few recommendations for flooding relief. The first was to install a holding pond anywhere upstream of this area to slow down the water flow. Second suggestion was the installation of a smaller culvert on the Menards site that would feed into the larger culvert under the road. This may relieve some of the water quicker from the Menards ponds. The third suggestion was to regrade the open waterway where the water flows from under County Road 300W as that area was no longer downstream and now it is an uphill rise. The fall in that area is not correct. The fourth suggestion was to consider making a holding pond just west of her property which was now a farm field. This might also help the flooding situation at the Capilano Subdivision entrance as it was located downstream from her location. If a holding pond was not possible it was hoped that the farm field could be regraded so that it would better protect the property with high edges rather than low spots as was presently the case. She respectfully thanked the Board for their time and consideration.

The project manager stated Judy was speaking about the area just south of her residence. The area was where the culvert was located underneath Taft Road (County Road 300W). There was a natural surface conveyance that continued south westerly through the farm field and eventually curved and entered Indian Creek. Specifically at the location of the natural surface conveyance there were a couple different things going on. It appeared from review of this, approximately in the middle of the parcel there was a high point and on the southwestern corner of the property there appeared to be a sanitary sewer manhole that was approx. 6-8 feet above the natural surface elevation. This was somewhat of an obstruction. Upon his site visit, he explained the grading would be a private matter since this was not a regulated drain maintained by the County. It would not take a whole lot to regrade that area which would allow some runoff to pass through quickly. The bigger issue was discussed with Judy, her dad and her neighbor as this was a large watershed of approximately 13-15 square miles.

Mr. Cary Maley 3756 300W West Lafayette approached the Board and stated he had 6-8 inches of flooding in his basement as well. He had lived there since 1991. His house elevation was higher than the Bowers. Prior to Menards being developed he stated he had sandbagged along County Road 300W occasionally during rains as it would run over the road onto his property. This event had increased since Menards was developed. He noted they tend to believe the water was backing up along the road someplace which would fill almost the entire farm field with the exception of the hill in the middle. He was not sure where exactly where the obstruction was however. The project manager noted a restriction was located at the Indiana Creek culvert under the Kankakee Beaverville Railroad track. This was causing the restriction and water to pond up behind it as it could not overtop the railroad track. It was only able to take so much quantity of water in a certain amount of time. This culvert was not large enough at it's opening to allow the water to run though it fast enough. Mr. Maley noted this would require a good study of the area and hoped to protect his property. He stated he appreciated the Board's time on this matter.

Commissioner Murtaugh asked the attorney if a study was done in the area would it be best if this was a regulated drain. The attorney stated yes in order for the Board to have jurisdiction to do improvements it would need to be a regulated drain. A study might be done perhaps with Economic Development funds because the existence of this flooding problem does impact the development of the whole area consisting of approx. 13-15 square miles. This would be a legitimate use of Economic Development monies. The development potential of either commercial or residential was impacted by the problems with the flooding, however depending on the recommendation of the study it might not be cost effective as the Board could be limited to results due to cost and legalities. The County Drain fund could not be used if the area was not a regulated drain. Comm. Murtaugh stated this *not* being a regulated drain could impact the ability to implement any suggestions from the study. The attorney agreed. He noted if it *was* established as a regulated drain, the route of the drain and the Drainage Board's required 75 feet right of entry on either side of the location of said drain would be established.

Improvements could be done within the easement once established. The cost of the improvements would then be paid by the landowners within the watershed. The alternative as an Economic Development project would require the purchase of the real estate that the pond would be constructed on. At Comm. Murtaugh request, the attorney reviewed the steps to make this a regulated drain. First a petition to establish a regulated drain representing more than 50 percent of the acreage within the watershed was required to be submitted and referred and then would be referred to the Surveyor by the Board. A study would then be done by the Surveyor for what was required to make it a regulated drain open or tiled etc. This would then return to the Drainage Board for a landowner hearing and a decision of whether the benefits outweighed the costs. Once it was decided the board would then enter an order establishing a regulated drain. The next step would be to proceed with the specifications, bids etc for whatever improvements were required to construct the drain. The project manager noted a watershed map with the landowners listed would be provided to a landowner who would take the petition around to be signed by the affected landowners. That is how it gets started. Ms. Bowers stated she was willing to help with the petition. Comm. Murtaugh noted any concerns should be relayed to the Surveyor's office so that during this process they were kept informed and the study was complete. Comm. Murtaugh stated as one member of the board he would feel more comfortable recommending a study for the entire area knowing that the petition to make this a regulated drain was moving forward. The Board would be less committed to spending the money knowing the Board's hands would be tied to doing anything once the study was completed. He stated the Board would appreciate any help the landowners could give. He then thanked the landowners for attending the meeting and explaining their situation. He stated he would refer to the Surveyor on his recommendation for the start and end point (route) of the newly established regulated drain. The project manager stated he would need to review the area and all contributing factors to make the appropriate decision of the route for the area's newly established drain. He would report this back to the Board.

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

Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
August 4, 2010
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison. Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited was absent.

Approval of Minutes

David Byers made a motion to approve the July 7, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The July 7, 2010 Drainage Board meeting minutes were approved as written.

Other Business
Petition to Encroach Berlovitz Regulated Drain

The Surveyor presented a Petition to Encroach on the Berlovitz Regulated Drain submitted by the Schneider Corporation. Mr. Brandon Fulk from Schneider Corp. represented Saddlebrook Dev. and appeared before the board. Brandon stated the developer was in agreement with the school corporation and other entities of the proposed water main extension along the north side of County Road 50South into the aforementioned regulated drain's easement. The main would extend across their properties and cross County Road 50South. The site of the crossing would be north of County Road 50South, east of County Road 550East and south of Bluegrass Drive. The Surveyor noted Brandon had submitted detailed encroachment drawings and the drawings did meet the 5 foot separation requirement by ordinance.

He recommended approval of the petition as submitted. John Knochel made a motion to grant approval of the Petition to Encroach on the Berlovitz Regulated Drain. David Byers seconded the motion. The Petition to Encroach on the Berlovitz Regulated Drain was approved as submitted.

Petition to Encroach Treece Meadows Relief Drain (S.W. Elliott Regulated Drain)

The Surveyor presented a Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain) submitted by TBird Designs. Clem Kuhns from TBird Designs appeared before the Board to request approval of the Petition to Encroach as submitted by the Surveyor. A fiber line between Unity Campus and Raintree Medical Park development would be installed. The said line was shown to cross over Treece Meadows Relief Drain at Creasy Lane and within the City of Lafayette's Right of Way. The Surveyor noted the encroachment was located on the east side of the road. The detailed encroachment drawings met the 5 foot separation between the flow line and the top of the bore casing as required by ordinance.

He recommended approval of the petition as submitted. David Byers made a motion to grant approval of the Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain). John Knochel seconded the motion. The Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain) was approved as submitted.

Zachariah Beasley
Indian Creek Watershed Review Update

The Surveyor stated at the previous meeting of the Board, landowners within the Indian Creek watershed -specifically directly west of West Lafayette Menards location on Taft Road aka County Road 300West- appeared before the Board. Landowner Judy Bower 3750 North 300W West Lafayette and landowner Mr. Cary Maley 3756 300W West Lafayette discussed their flooding issues with the Board. The landowners requested the Board convert the Indian Creek watershed into a newly established County Regulated Drain. The Board directed the Surveyor to review the Indian Creek watershed and report back to them before a study of the aforementioned Creek was contracted. It should be noted the said landowners were not present at this meeting.

The Surveyor had four different options to discuss with the Board. He noted after the review it would be the landowners' responsibility to pursue the request for a new regulated drain with signatures on a petition. He began by reviewing the overall watershed (1st Option) of Indian Creek. The watershed boundary was based on a Department of Natural Resources (D.N.R.) study and began at the confluence of Indian Creek and Wabash River and continued north to County Road 850North and Morehouse Road. (east and west of that location) The watershed consisted of approximately 19000 acres or 4200 parcels. The majority of the land within the watershed was in agricultural production. Responding to Tom Murtaugh and David Byers inquiry, the Surveyor noted historically the Drainage Board required 50% of landowners with the ACREAGE BENEFITTED signatures to move forward on a petition process. Using the overall Indian Creek watershed would be almost impossible to get that amount of signatures to convert it to a County Regulated drain.

He noted using the Kankakee Beaverville Railroad (2nd Option) as a southern boundary of the watershed would cut the watershed in half. He thought approximate 70% agricultural land and 30% residential with this option. The next watershed (3rd Option) reviewed was basically the same as the second option - it was north of the Kankakee Beaverville Railroad track with the exception of the Hadley Lake/Cuppy McClure and Dempsey Baker Regulated Drain watersheds included. (The aforementioned overall Indian Creek Watershed included those County Regulated drain watersheds.) He pointed out Hadley Lake and the other established county regulated drain routes within the overall watershed as well as the Hadley Lake outfall area. (A manmade conveyance system/open ditch which drained Burnett's Creek). Those included were county regulated drains which outlet into Hadley Lake. He subtracted that area out of the Indian Creek watershed to get the 3rd option. He noted that the agricultural land versus residential land was still at approximately 60% to 40%.

The Surveyor then referred to the Attorney regarding established regulated drains lying within an overall watershed and the statutory assessment guidelines for this type of situation. In response the Attorney stated he would review the statutes and inform the Board of his findings at a later date. The Surveyor then informed the Board a natural conveyance of water (creek) was owned by D.N.R. and the bed itself was owned by the landowner. He noted, there were some instances in the state where a creek was converted into a New County Regulated Drain controlled by the County Drainage Board.

The 4th watershed option involved an area of approximately 30 acres and 21 parcels. The boundary lines were created by using Taft Road aka County Road 300West as the East boundary line, Indian Creek as the North and West boundary lines and U.S. 52 as the South boundary line. This smaller area included the Bowers and the Malley tracts of land. An existing natural surface conveyance from the culvert underneath County Road 300West southwest to Indian Creek was used for this option. He said his technical opinion was that it may take care of small rain events and nuisance water; however it would not solve the larger rain event flooding issues. There were 10 to 12 square miles of upstream drainage areas routing to the area in question. The conveyance system was located in the flood plain. In his technical opinion while it was possible to address the issue on paper he did not think it would solve the overall issue of flooding in the area. He noted even with the other three options, he was concerned that since the greater amount of land was in agriculture, he did not think those agricultural landowners would sign the petition. However, at this point it was left up to the residents to pursue one of the options at hand and he asked for guidance on how to proceed. Responding to David Byers inquiry, the Surveyor reiterated a regulated drain was determined by the landowners with the greater percentage of BENEFITTED ACREAGE within the watershed signing not the greater percentage of landowners within the watershed signing

The Board directed the Surveyor to contact Ms. Bowers and Mr. Maley to attend the next meeting of the Drainage Board so that they would be informed of the options before proceeding. The Board's Engineer Consultant and the Surveyor had discussed completing an overall watershed study of Indian Creek similar in nature to the completed studies of the S.W. Elliott Regulated and the Alexander Ross Regulated drain Watersheds. However both studies were County Regulated Drains when they were completed and Indian Creek was not. In the Surveyor's opinion even if the study was completed since it was not a county regulated drain, it would be very hard to implement any of the measures recommended. Responding to an inquiry, the Surveyor noted a couple of the options would not benefit the Capilano Subdivision. Another option which might be looked at was (even though this was not a County Regulated drain) by the Stormwater Drainage Ordinance the Board may be able to declare it a Drainage Impact Area. This would require any future developments to release their water at a lower rate than the minimum standard. It was noted there have been instances where regulated drains were combined into one drain and those monies in the individual accounts were pooled together for maintenance of the newly combined drain. However even if those regulated drains that were located within the overall watershed were combined into one drain fund there would not be enough monies to alleviate the problem of flooding. There were a couple options from a technical standpoint of controlling the water that the Board may have. Option #1 was to remove the structure at Kankakee Beaverville Railroad track causing the obstruction. The obstruction was located under the railroad tracks and causing the water to pool approx. 12-15 feet upstream of tracks and create a dam. However, removing the structure would cause problems for the downstream owners. One way to change that would be to create larger basins upstream which would collect the water. Option #2 would be to slow the water down in the upper portion of the watershed which would involve creating a storage basin or detention facility. He stated this

had been discussed many times in the past and there were no easy or clear solutions to the multiple problems of this area. If so it would have already been taken care of.

John Knochel made a motion to continue this discussion at the September meeting of the Board. David Byers seconded the motion. This issue would be continued to the September Drainage Board meeting at which time it would be discussed with the noted landowners present.

Public Comment

There was no public comment. Tom Murtaugh congratulated the new County Surveyor Zachariah Beasley for the Board and stated they looked forward to working with him in the future.

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

_____
Thomas P. Murtaugh, President

_____
David Byers, Vice President

_____
Brenda Garrison, Secretary

_____
John Knochel, Member

Tippecanoe County Drainage Board
Minutes
September 1, 2010
Regular Meeting

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the August 4, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The August 4, 2010 Drainage Board meeting minutes were approved as written.

Petition to Partially Vacate the James L. McClure Regulated Drain

A Petition to Partially Vacate James L. McClure Regulated Drain was submitted by Schneider Engineering to the Surveyor's office regarding the St. Franciscan Eldercare Services project. The Surveyor presented the submittal to the Board for approval. He noted there were no other parties affected by this request. He stated the Surveyor's office had no objection to the request and recommended approval. John Knochel made a motion to grant approval for the Petition to Partially Vacate the James L. McClure Regulated Drain. David Byers seconded the motion. The Petition to Partially Vacate the James L. McClure Regulated Drain was approved as submitted.

Petition to Encroach J. Berlovitz Regulated Drain

A Petition to Encroach on the J. Berlovitz Regulated Drain was submitted to the Surveyor's office by Tipmont R.E.M.C. for the Wabash Valley Power Assoc. regarding their project. The Surveyor presented the submittal to the Board for approval. Responding to Commissioner Byer's inquiry, the Surveyor noted Wabash Valley Power Station was located on the east side of the J. Berlovitz open ditch and on the north side of County Road 50South. Tipmont R.E.M.C. was boring under the open ditch for conduit and that is the reason for the request. He stated the Surveyor's office had no objection and recommended approval. David Byers made a motion to grant approval for the Petition to Encroach on the J. Berlovitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the J. Berlovitz Regulated Drain was approved as submitted.

Maintenance Bonds/Letters of Credit

The Surveyor presented Maintenance Bond #5036050 in the amount of $21,186.00 written by the Bond Safeguard Insurance Company, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments. The Surveyor explained to the Board how the amounts are established for the bond amounts or letters of credit amounts. John Knochel made a motion to accept the Maintenance Bond as presented by the Surveyor. David Byers seconded the motion. Maintenance Bond #5036050 in the amount of $21,186.00 and dated August 24, 2010 regarding Chapelgate Park Apartments was accepted by the Board as submitted.

The Surveyor presented Letter of Credit #3230 in the amount of $5000.00 written by Tower Bank, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments. The attorney noted this Letter of Credit was a backup to the Maintenance Bond. David Byers made a motion to accept the Letter of Credit as presented by the Surveyor. John Knochel seconded the motion. The Letter of Credit #3230 in the amount of $5000.00 written by Tower Bank, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments was accepted as submitted.

Indian Creek Watershed

The Surveyor stated this issue was discussed two months ago with Mrs. Bower and Mr. Maley landowners within the watershed who have experienced problems with their drainage. Since then the Surveyor's office has worked to come up with different watershed options. Last month those options were presented to the Board however there were no landowners present at that time. Therefore the Board requested the watershed options be reviewed again today with landowners Bowers and Maley present. Option #1 was the overall watershed for Indian Creek. The watershed boundary was determined by The Indiana Department of Natural Resources (I.D.N.R.) study and began at the confluence of Indian Creek and Wabash River and continued north to County Road 850North and Morehouse Road. (east and west of that location) The watershed consisted of approximately 19,000 acres or 4,200 parcels. The land within the watershed was approximately 60% agricultural use and 40% residential units. This option involved the entire stretch of Indian Creek. Option #2 was approximately the northern half of the overall watershed. The Kankakee Beaverville Railroad would be used as the southernmost watershed boundary for this option. It consisted of approximately 9,200 acres and/or approximately 1,200 parcels. This option cut the overall watershed in approximately half and was approximately 70% agricultural and 30% residential tracts. Option #3 would be the smallest area of all the options. The east boundary would be Taft Road/County Road 300West, the northern and western boundary would be Indian Creek and the southern boundary would be U.S. 52. There were approximately 30 acres agricultural and 21 parcels within this option. This option would convert the natural surface area from Taft Road/ Co. Rd. 300W to Indian Creek into a County Regulated Drain. This was an option discussed with Mr. Maley and Ms. Bower on an earlier site visit. If the surface conveyance was made a county regulated drain it would potentially help some of the smaller rain events or nuisance water. He cautioned the landowners stating on paper it was possible to do this, however the area was still mostly in the flood plain as roughly 11 to 13 square miles upstream drainage area flowed to this location. If this area was to get a 100 year rain event there would still be problems. With that said he turned the meeting over to the landowners. Mr. Cary Maley 3756 North 300West West Lafayette asked if the northern half of the watershed's drainage was improved (by expanding the flow under the said railroad tracks) would affect landowners south of the tracks. The Surveyor responded yes it would affect those landowners. The Surveyor stated the DNR study showed the culvert underneath the railroad track acted as a restrictor and the railroad track was high enough that the water was not able to overtop it. The water would then pool up behind it. The report showed approximately 11 to 13 feet of pooling. So it acted as a large dam and backed up the water. One could implement a larger regional detention facility (or holding pond) in the upper portion of the watershed to collect the water and slow it down before reaching the railroad tracks. Responding to Mr. Murtaugh's inquiry, the Surveyor stated if the entire Indian Creek watershed was made a County Regulated Drain it could be studied and a master plan could be put together over the next few years. This would give the Drainage Board the ability to implement the recommendations within the watershed. The improvements would not have to be directly on Indian Creek. Mr. Maley stated it was understood that those actions would affect the entire area in a positive way. Mr. Maley then stated Indian Creek on occasion was affected by the overflow of Hadley Lake. This could be taken into consideration by the study, and meant one would make sure Hadley Lake did not interconnect with Indian Creek and it flowed in its intended direction. Mr. Maley continued that he felt it was important to do this as his area and south (Capilano) were greatly affected by Hadley Lake's overflow. The Surveyor stated this could be looked at as well as he had originally four options for the Board with the original study of Indian Creek by DNR included Hadley Lake. There was the 4th option which included the northern portion without Hadley Lake and was presented last month at the Board meeting. The reason why was it was omitted on that option was there were two county regulated drains which flowed into Hadley Lake and one that exits Hadley Lake.(outfall) Hadley Lake is a natural glaciated lake. An open ditch was constructed to take the overflow to a tributary which routed into Burnett's Creek. So it actually flowed in the opposite direction of Indian Creek. It could be studied from the aspect when it rains enough it did have the tendency to overflow to the west or southwest. The options were put together so the landowners could decide which one to go with and how to proceed. Mr. Byers noted in order to regulate a drain; the statute states landowners owning 51% or more of the ACREAGE (not just landowners) within the watershed were required to sign the petition. The Attorney reiterated to set up a County Regulated Drain required the signatures of owners with 51% or more of the acreage within the watershed not just 51% of the total of owner's that determined the outcome. Judy Bower 3750 North 300West West Lafayette stated she did not know which option would include the Menards retention area. She felt they also drain into Indian Creek. The Surveyor stated the entire Menards site would be included in options #1 and #2. Mr. Murtaugh asked if option #3 would have to be included in this area in order to eliminate possible problems downstream. The Surveyor stated when he made the site visit with Mr. Maley and Ms. Bower they walked their properties and the issue was brought up at that time. The Surveyor stated he felt a more complete study was needed in order to give an accurate answer. He did not necessarily look on the east side of the road then. He said it could be possible. As far as putting in a holding pond facility the area would have to be studied in greater detail than the D.N.R. study had shown. His fear is the area is shown in the floodplain. Regrading the swale may help small rain events but in larger rain event even the ponds would not help. There was just too much water flowing through that area. Mr. Maley stated he agreed. Mr. Maley explained they were flooded on the back or west side of house first then it came over the road on the east side. In his case option #3 even in a heavy rain, would relieve some of the water on the east side of the

road as there was about a 2 feet difference between the water on the east side of Co. Rd. 300W and the west side during the flooding event. So this was a significant difference. Option #4 was the overall watershed excluding Hadley Lake. The Surveyor stated he thought the outfall was constructed in the mid to late 1980's. Was there any reason why the area should not be regulated in stages as the options were presented? The Attorney noted that cost was a consideration. Option #3's improvement cost would be divided by five or six landowners who were affected versus option #1's cost which would be more expensive due to the size of watershed. However Option #1's cost would be divided by many more landowners and could result in a lower cost to each landowner within the overall watershed. Since this area was a mix of rural and urban development and increasingly becoming more urban, the result of the report may indicate the need for it to be designated as a County Regulated Urban Drain. Designating it a County Regulated Urban Drain would cause the assessment to be variable. With an Urban Drain assessment, a residential lot's benefit would defer from agricultural or a commercial lot. Responding to Mr. Maley, the attorney stated the drainage code set up a mechanism whereby landowners within an area could solve a drainage problem and share the costs. So that landowners in Wea Township do not have to pay the costs of solving a drainage problem in Wabash Township, only the landowners within a designated watershed pay the costs of improvements within their watershed. Traditionally in an agricultural/residential area it was common to assess a per acre/ per lot assessment. When there was a mix of commercial, residential and agricultural it was more appropriate to have different assessments as tract characteristics are different. Patricia Useem 3901 Capilano Drive (Capilano Subdivision) West Lafayette asked if there were flooding problems within option #1 now. The Surveyor noted there were problems with some areas south of the tracks however not to the degree the landowners were having north of the tracks. With the original DNR study, it was apparent the railroad tracks were acting as a restrictor as it showed how water pooled up. Ms. Useem noted there were numerous areas in Capilano Subdivision that had flooding issues but some which did not. She stated it seemed to her Option #1 would not take any more time to fix the problem because the problem really was in the northern section. If they went with option #1 the benefit would affect a larger area. The Surveyor noted there was not one single fix to the problem. For example the S.W. Elliott County Regulated Drain was the biggest watershed in the county and designated an Urban Regulated Drain. In the early 1990's or late 1980's it was known there were large drainage problems, so the affected landowners, entrepreneurs-businessmen and farmers got together and requested the Drainage Board compose a watershed study. What this did was allow research and data collection which indentified the problem locations. This information was used to propose a large scale plan to be put in place. A plan like this could involve restrictions on future developments, multiple facilities whatever the case may be for that issue. The issue at hand could take a combination of actions. Ms. Useem stated looking back at the meeting minutes from July there was lots of information gathered and the D.N.R. study was mentioned then. She stated her concern would be if the additional study would give any more useful information than the previously DNR study. Perhaps it was time to move forward rather than wait for another study. The Attorney stated he did not believe it would be wise as he recalled the existing D.N.R. study was at least 20 years old and did not take into consideration the development within the watershed since then. She stated she was unaware of the age of the study. The Attorney noted if you look at the delineation of Option #1 as including everything within the watershed and the costs spread out over more landowners one would have the challenge of getting the required amount of people to sign the petition. The statue required the petition to be signed by owners of 10% of the ACREAGE of the entire watershed or 25% of the assessed value in the petition. While the area was larger it would also be a bigger challenge to get the required amount of people to sign for it. Mr. Maly stated the northern half seemed to have most the problem. It really seemed to flood around the Morehouse Rd (aka U.S. 52) and the train bridge. With that said if only the people affected by the flooding sign it may not be enough signatures by statue to accomplish creating a new regulated drain and implementing a study. The Attorney noted however that as additional development occurred in the affected northeast area more people would be inclined to sign the petition. The area's runoff had backed up over the years and would continue to do that, so there would be an interest for those to sign the petition-even though they may not see an immediate problem. Mr. Maley stated it would be logical for them to get as many people within the overall watershed to sign the petition then an option could be chosen. This would allow no commitment until the signatures were obtained and presented at the hearing. The Attorney stated by the exhibit shown it looked as if the northern half had the majority of acreage (more than 10%) If everyone within the northern half signed the petition to make the entire watershed a regulated drain, then the Drainage Board would refer it back to the Surveyor. At that time the engineering work would start. The Surveyor would have to determine what would be required from an engineering standpoint to construct a regulated drain. This would address the storm water runoff problems in the entire watershed as well as the cost and benefit. Then the Drainage Board would have to determine if the benefits of making it a County Regulated Drain for the entire watershed out way the costs of implementing the improvements. If that was the case, the Board would then order the creation of the County Regulated Drain for that watershed. As stated previously it only takes 10% of the ACREAGE within the proposed watershed to bring it in front of the Board to start the process. Responding to Mr. Murtaugh's question regarding specific area problems within the watershed could potentially be split off into County Regulated drains for just that area. The Attorney stated that is reason for the current regulated drains within the overall possible watershed area such as the Lewis Jakes County Regulated Drain. Responding to Ms. Bower's inquiry, the Surveyor noted boundaries had to be determined before the process could be started. The Attorney stated petition requirements were names, addresses and legal descriptions of the tracts affected by the

proposed regulated drain. A general route and statement from the Surveyor of costs and benefits would be required as well. Ms. Useem asked if this would include the area of the Coyote Crossing golf course. The Surveyor stated he believed Coyote Crossing drained into Burnett's Creek - a different watershed. Ms. Bower asked what impact or what information might they gain from the upcoming U.S. 231 project? This relocation would travel through Maley's land and the Hadley Lake location. Would any information be gained from that project as the roads runoff would affect that area as well? John Knochel stated he wholeheartedly agreed with that however he was not aware of any drainage plans submitted for that relocation yet. The Surveyor stated he was not sure if his office had received a complete set of drainage calculations for U.S. 231 relocation to date. He stated some of the runoff north of the s curve did go through that direction. Some of the landowners in Brindon Woods south and west of the church on U.S. 52 had concerns regarding the relocation of U.S. 231and visited the Surveyor office. He had been in the process of obtaining the information from INDOT on that issue. He noted Christopher B. Burke Engineering Consultants had been reviewing some of the plans for drainage among other reasons. His point was the relocation of the U.S. 231 had very little affect and only the north segment would be routing that direction. It would be a small amount. However this will definitely be looked at. He just wanted to clarify that a small amt. of runoff from that project ran that direction. The U.S. 231 drainage study would be looked at however, he did not anticipate seeing any major differences. Mr. Murtaugh asked if the landowners had a chance to discuss this with other neighbors and if they would like a chance to do so and return to the next meeting of the Board. Mr. Maley stated he would like to do that as everyone was interested in obtaining a corrective study and work done at this time. Mr. Maley stated they would be willing to discuss the options with their neighbors and pass the petition around for signatures. Ms. Useem stated she felt the neighbor's concern would be the cost of the project. Mr. Maley stated he understood the S.W. Elliott drain was an urban drain and wondered if one could look at its assessment to get an idea of fees. The Surveyor noted each drain was unique in its issues therefore costs would defer. The individual fees would be spread across a few years for each landowner. Mr. Maley asked if there would be state or federal help with construction costs. The Surveyor noted there could be financial assistance potentially but it varied drastically upon the assistance available (government private organizations etc.). Those processes may be lengthy but were not guaranteed. He reiterated while most regulated drains were rated per acre or lot, the S.W. Elliott Regulated Drain was designated an "Urban Drain" therefore it had a variable rate which depended on the type of land use (ag, residential, industrial, commercial etc.). In addition variable rates were determined by the zoning of the tract in question. He felt the approximate general fee for the S.W. Elliott Regulated Drain study was approximately $100,000.00. The Attorney stated fees for the construction of a newly regulated drain would be due on the date assessments were certified to the County Auditor, however a landowner may elect to pay with equal installments over five years with penalty. Mr. Maley asked if a detailed list of landowners would be provided to the person taking the petition around for signatures. The Surveyor stated yes that his office would provide the list which included the landowner names, address and benefited acreage amount. Ms. Useem asked to be informed of the steps to be taken. The Surveyor stated his office delineates the watershed (sets the boundaries) and provides those names to the person who would take the petition around for signatures. Mr. Murtaugh stated once a signed petition was presented to the Board, they could direct a study to be completed. Responding to Ms. Useem's inquiry regarding cost of a study and new construction, Mr. Murtaugh stated depending on the cost the County may be able to pay for the study. The Attorney stated as long as the petition received met the minimum criteria a study may be started before the construction of a new drain. He then reviewed the steps for a new drain construction that a petitioner and affected landowners could expect. Ms. Useem asked if the ball was in their court and the Surveyor responded that it was. The Surveyor noted his office would provide the appropriate documents to start the process in motion and send the information in the mail to each of them. Ms. Useem stated she would be the contact person regarding the Capilano Subdivision landowners. Mr. Maley asked that the landowner list provided would be split up in the northern half and southern half of the watershed. Mr. Maley stated he could receive the list electronically as well. The attendees today, Mr. Maley, Ms. Bower and Ms. Useem would provide their contact information to the secretary for the Surveyor to send them the information once collected.

Other Business
Tippecanoe County Stormwater Quality Ordinance Retention Pond Revisions

The Surveyor updated the Board regarding retention ponds and revisions discussed to the Stormwater Quality Ordinance and Technical standards. The main intent was to look at low impact developments and also pond safety measures which were in the current ordinance. The Drainage Consultants Christopher Burke Engineering has worked with other counties to update their storm water ordinance standards and review safety mechanisms on detention ponds. They have looked at numerous standards nationwide as well as within the state. The new Drainage Ordinance and Technical Standards were in the process of being revised.

Public Comment

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

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
Minutes
November 3, 2010
Regular Meeting

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the October 6, 2010 Regular Drainage Board minutes as written. Tom Murtaugh seconded the motion. The October 6, 2010 Drainage Board meeting minutes were approved as written.

Zach Beasley
Berlovitz Regional Detention Facility Agreement

The Surveyor presented the Berlovitz Regional Detention Facility Agreement between the Drainage Board, Clarian Health Partners Inc and Arnett Real Estate LLC. The Surveyor noted Steve Murray previous surveyor had worked on this agreement with the aforementioned parties. The facility's site location was just east of County Road 500 East and north of County Road 100 South (McCarty Lane) and just north of the new Clarian Arnett Hospital. There was an open ditch installed a number of years ago shaped like an L. Also the J. Berlovitz Regulated Drain tile ran at an angle through the site. The hospital would transfer said property (existing ditch location with an additional 20-30 feet on the north and south side) to the Tippecanoe County Drainage Board. This would allow the Drainage Board to proceed with construction on the next phase of the Berlovitz Regional Detention Facility as planned. The Surveyor recommended approval of the agreement as presented to the Board.

The Attorney reiterated this agreement had been in the works for a while and acreage involved was approximately 6.68 acres. This acreage would be conveyed to the County with fee simple so that it could be used to construct the next phase of the detention facility. In exchange for transfer of the land, Clarian Arnett would get a credit against their regional detention storage fees of $112,500.00. This represented the fact they would have 7.5acre feet of storage for their development at the standard rate of $15,000.00 per acre foot. The agreement did provide it would become effective once the Drainage Board have vacated the existing location of the tile on the site (J. Berlovitz Regulated Drain tile). It also reduced the right of entry of the newly located Berlovitz tile from the required 75 feet right of entry down to a 25 feet right of entry. A partial vacation of the aforementioned tile would require a hearing so affected landowners would have a chance to address. There was no public comment. David Byers made a motion to approve the Berlovitz Regional Detention Facility Agreement between the Tippecanoe County Drainage Board, Clarian Health Partners Inc and Arnett Real Estate LLC. Tom Murtaugh seconded the motion. The Berlovitz Regional Detention Facility Agreement between the Tippecanoe County Drainage Board, Clarian Health Partners Inc and Arnett Real Estate LLC was approved as presented.

J. Berlovitz Regulated Drain Partial Vacation

The attorney noted a hearing for a partial vacation regarding the existing J. Berlovitz Regulated Drain tile and its aforementioned location was required as part of the previously discussed agreement. He noted the hearing could take place during the regular meeting of the Drainage Board on December 8, 2010. David Byers made a motion to set the required hearing regarding a partial vacation of the J. Berlovitz Regulated Drain on December 8, 2010 during the regular Drainage Board meeting. Tom Murtaugh seconded the motion. A Partial Vacation Hearing regarding the J. Berlovitz Regulated Drain was approved for December 8, 2010 during the regular Drainage Board meeting. The required notice to affected parties would be sent out by the secretary.

Meadow Lake Wind Farms aka Horizon Wind Farms Maintenance Bond #09109816

The Surveyor presented Maintenance Bond #09109816 regarding Meadow Lake Wind Farms aka Horizon Wind Farms in the amount of $1000.00 from Berkley Insurance Company. This bond was submitted to insure the Lean Wilder Regulated Joint Drain tile crossed by the transmission line installed for their wind towers would not be damaged during construction. The location was on the Tippecanoe County side of the site and just north of the North County Line Road. David Byers made a

motion to accept Maintenance Bond #09109816 regarding Meadow Lake Wind Farms aka Horizon Wind Farms as presented. Tom Murtaugh seconded the motion. Maintenance Bond #09109816 for Meadow Lake Wind Farms aka Horizon Wind Farms in the amount of $1000.00 regarding the Lean Wilder Joint Regulated Drain tile was accepted as presented.

Other Business/Public Comment

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

_____
Thomas P. Murtaugh, President

_____
David Byers, Vice President

_____
Brenda Garrison, Secretary

_____
John Knochel, Member

Tippecanoe County Drainage Board
Minutes
December 8, 2010
Regular Meeting

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the November 3, 2010 Regular Drainage Board minutes and the November 3, 2010 Audley Oshier Regulated Drain #60 Hearing minutes as written. John Knochel seconded the motion. The November 3, 2010 Regular Drainage Board meeting minutes and the November 3, 2010 Audley O'Shier hearing minutes were approved as written.

2011 Drainage Board Meeting Dates

David Byers made a motion to approve the 2011 Drainage Board meeting dates as presented. John Knochel seconded the motion. The 2011 Drainage Board meeting minutes were approved as submitted. The Secretary will post these dates on the website and send out to media.

Wea Substation /Tipmont R.E.M.C.

Jim Pence from Schneider Engineering appeared before the Board to present the Wea Substation/Tipmont R.E.M.C. for final approval. The site consisted of approximately 4.63 acres and located just north of County Road 450 South and west of the intersection of County Road 450 South and County Road 450 East. Access would be provided from County Road 450 South. The majority of the site's runoff outlet northwest into the existing JN Kirkpatrick Regulated Drain, and the remaining outlet to the County Road 450 South side ditch. Mr. Pence stated they agreed with conditions stated on the December 3, 2010 Burke memo. He requested final approval with the conditions as stated on the December 3, 2010 Burke memo. He stated Steve Traylor from Tipmont R.E.M.C. was in attendance today. Construction of the facility would start in the spring of 2011. Responding to Mr. Byers' inquiry, Jim stated the existing substation located approximately 0.5 miles from the site was owned by Duke Energy not R.E.M. C. He also noted a permit pending with the Highway department was for the access drive. David Byers made a motion to approve the Tipmont R.E.M.C. Wea Substation with conditions as stated on the December 3, 2010 Burke memo. John Knochel seconded the motion. David Byers withdrew the motions as stated to discuss the requested Variance and Encroachment Petition before the final approval was given. Mr. Pence requested a variance to the Stormwater Ordinance regarding Chapter 3 and more specifically as the required 30 feet easement to be reduced down to 10 feet. He stated due to the proposed 12 inch storm pipe to be located underground below and parallel to an existing overhead transmission line and high powered gas main utility easements, the requested 10 foot easement was sufficient to maintain the infrastructure when necessary. This was also at the request of Mr. Standiford the landowner. The Surveyor recommended approval of the variance. David Byers made a motion to approve lowering the required variance from 30 feet to 10 feet as requested. John Knochel seconded the motion. The requested easement variance was lowered to 10 feet as requested. A Petition to Encroach on the J. N. Kirkpatrick Regulated Drain was submitted for approval at that time. John Knochel made a motion to grant the petition to encroach on the J.N. Kirkpatrick Regulated Drain easement. David Byers seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain was approved as submitted. David Byers then made a motion to approve the Tipmont R.E.M.C. Wea Substation with conditions as stated on the December 3, 2010 Burke memo. John Knochel seconded the motion. The Wea Substation was granted final approval with the conditions as stated on the December 3, 2010 Burke memo.

Chapelgate Senior Apartments/Earthwork & Grading

Dan Teder Attorney with Reiling, Teder and Schrier appeared before the Board to present Chapelgate Senior Apartment Eaqrthwork & Grading for final approval. He noted Art Kaser with Evergreen planners; Dave Tilman and Joe Whitsett owners of Chapelgate Apartments were in attendance today and would answer any questions the Board may have. The site consisted of approximately 6.90 acres and was located south of U.S. 52 west of County Road 300 West (Klondike Road). The site's grading and placement of fill would be located within the floodplain of Indian Creek. It would be used to construct on-

site floodplain compensation ponds (2) and prepare the site for future construction of buildings and parking areas. One of the ponds would be located within the floodway of the Indian Creek; however no fill would be placed within the floodway of the creek. He stated a Dept. of Natural Resource (D.N.R.) approval would be required for one pond and there would be no increase to the existing runoff. He reiterated at this time the approval was for the earthwork and grading only as they planned to return to the Board for approval of the detailed construction plans regarding the building and parking areas. Responding to Mr. Murtaugh inquiry, Mr. Teder stated they would be working closely with D.N.R. during the process of construction of the pond in question. Mr. Kaser stated there would be some fill in the floodplain area of the site. Responding to Mr. Knochel's inquiry, it was noted that all excavated materials would be used on site. Mr. Kaser stated they agreed with the conditions as set forth in the December 3, 2010 Burke memo and requested approval. Mr. Murtaugh stated the area had been discussed in length by the Drainage Board. A master drainage study was planned by the Board regarding the potential impact of development within Indian Creek watershed. Mr. Teder stated the owners understood the present conditions of the site and were willing to work closely with the Surveyor on this project to insure adequate drainage. Discussion was held regarding the release rate requirement for future building and parking area construction on site. The Surveyor reiterated historically this area has had problems with the drainage and his office was looking at this closely. A more restricted release rate would be required as one condition for any future planned construction approvals. Dave Eichelberger stated it would be prudent to use the most restrictive release rate from the Ordinance and Technical Standards of .07 cfs per acre for the 10 year and .23 cfs per acre for the 100 year in their calculations as they start to develop the site. He noted they should check with the Surveyor's office in case the master drainage study had been completed before submission. If it was completed at that time they would need to follow the master drainage study recommendation regarding release rates. Responding to Mr. Teder's inquiry, Mr. Luhman stated the area's landowners were presently circulating a petition to establish a new regulated drain regarding Indian Creek north of the railroad. It was not known when the petition would be submitted. He also noted any time there was a catastrophic flood in the area; the Board has heard multiple complaints etc. regarding the lack of drainage. He continued this area may well be declared a Drainage Impact Area if the study indicated it. Mr. Teder asked if his clients submitted a future building and parking area construction plan using .1cfs rate before the study was completed, would they have to refigure and resubmit their plans. Mr. Luhman stated no they would not be required after the fact. Mr. Eichelberger noted if possible they should use .1 cfs release rate for their future development calculations. Boone County (as a result of a newly established master drainage study) cut their release rates to .1 and .25 cfs. Joe Whitsett owner of Chapelgate Apartments stated they had many conversations with the neighbors in the area. They certainly planned for drainage improvement of the area and being good neighbors. Mr. Eichelberger stated the existing pond was a constructed wetland put in as a BMP measure as well as the channel from past development. Due to flood elevations there was no way the ponds could be used as detention and the developer was fully aware of that. John Knochel made a motion to grant final approval with the conditions as stated on the December 3, 2010 Burke memo for Chapelgate Senior Apartments Earthwork & Grading only. David Byers seconded the motion. Chapelgate Senior Apartments Earthwork and Grading only was granted final approval with the conditions as stated on the December 3, 2010 Burke memo.

Industrial Pallet Master Drainage Study

Patrick Williams of TBird Designs Inc. appeared before the Board to submit Industrial Pallet Master Drainage Study for final approval. He noted Jay Wiegand was in attendance as well. The site consisted of approximately 26 acres and was located on the east side of U.S. 52 approximately a quarter mile just north of State Road 28. Currently the west side of the site was developed for business. This portion of the site drained west to east. The submitted Master Drainage Study would bring their current development into compliance as well as the eastern portion of the site. Two variances for the project were requested. A half acre of impervious area on the west side and a quarter acre of impervious area for the south side was planned to expand driveways and a small amount of business storage. A variance from the storm water quantity and quality was requested for these portions. In addition an emergency route was provided for offsite drainage on the south and east side of the site. There would be a small meadow or grass swale for some treatment in the area. No additional impervious area runoff would be sent to that area of the site. He stated he was available for questions at that time. Responding to Dave Byers inquiry, Mr. Williams noted they expect the storm water quality to be improved. There was presently a small amount of offsite runoff which ran to a natural depression/swale on the site. The development would impact this area of the site. The flow would bypass the pond because it was physically impossible to get the runoff into it. Hence it would be bypassed to its natural outlet and be used for emergency flow only. Storage would be provided within the swale. Discussion was held concerning the existing offsite runoff flow and the present conditions. From the culvert under the railroad the runoff crossed over the road into the ditch system. After construction instead of runoff routing through the property offsite runoff will be routed around the property. Pat Jarboe stated while the offsite runoff would be reduced it would be outlet to the same location at present. Responding to the Surveyor's inquiry, Pat Williams stated the existing onsite drainage tile would be abandoned and they would not be connecting to it. After the construction of the pond and new outlet the tile would remain in place and basically act as a farm tile for acreage to the north and noted there were private tiles tying into it. They were only proposing to obtain the Master Drainage Study approval only at this time. When the time came for construction to cross County Road

1075 South they would seek approval not only from the Surveyor Office but from County Highway as well. Pat Jarboe noted there had been discussion with the highway department regarding the culvert at that location. Regarding Dean Rusk's (5983 Broadview Road Colfax In.) inquiry, Mr. Williams stated the underdeveloped portion of the site would flow into and be contained in the pond. Marshall Palmer (10818 E 1075 S Clarks Hill In.) asked if the gas station, diner and lodge runoff flowed to his tract. Mr. Williams stated he believed it flowed south and into a depression area. The natural depression area straddled Industrial pallet's site and the south site. Mr. Weigand stated they have kept that area mowed however it was not owned by them. (small triangle tract) Pat Williams noted there would be no change on the Lincoln Lodge Property site and no investigation had been done regarding wetland etc of the depression area. Mr. Eichelberger stated when the project is submitted for approval a report would be required regarding the possible wetland issue. Kenny Johnson of Johnson Excavating (2105 S CR930W Clarks Hill In) responded to Mr. Murtaugh' inquiry and stated there was a 6 inch tile that went into an 8 inch tile in the undeveloped portion of the site. Mr. Palmer noted his property was directly north of the site. He has one area of his property which acts as a nice bio-filter full of willows, cat tails etc. and he did not want to see it destroyed. Mr. Williams stated any future expansion would be designed and based on a plan adhering to the Ordinance requirements. Tom Osborne (8536 E 1000S Clarks Hill In) asked if they had a Rule 6 permit. Jay Wiegand responded they had applied for a Rule 6 permit from Ind. Dept of Environmental Management (IDEM). He stated they were also required to do quarterly testing of any and all industrial contaminates specifically tailored to their business. He stated it was public information and could be obtained from IDEM. An engineer firm from Indianapolis performed the testing on a quarterly basis. He stated they have had a Rule 6 permit since 2006. A chain of custody of the samples was followed and they were submitted to IDEM for testing. He noted they have had no compliance issues to date. Mr. Eichelberger noted while a copy of the Rule 6 permit was on hand, a copy of the SWPPP was not. The Surveyor requested a copy of the report from IDEM (specifically the testing results) be submitted and recommended it to be a condition of approval today. Mr. Eichelberger suggested the developers submit a copy of their latest annual report from IDEM which includes testing data and any recent correspondence from IDEM as well. A current annual report would show key information from all the periods to date and would be sufficient. Mr. Wiegand noted they do have some industrial waste water which is totally separate form their storm water. They presently haul this waste offsite to a facility in Indianapolis as it is cheaper than to route the waste to the plant at present time. Eventually the industrial waste will be routed to the Clarks Hill Waste Water Plant. Currently only sewage from their restroom facilities are pumped to Clarks Hill Waste Water facility. He noted any and all industrial waste water was hauled off their site to a facility in Indianapolis. Responding to Dean Rusk's inquiry, Mr. Weigand stated their drinking water was tested by IDEM as well. Mr. Palmer stated at the present time there was a black sludge with the runoff from the site. Mr. Williams noted the pond was designed to treat for sediment, and approximately 80% of the sediment should be eliminated from the outflow. He also reiterated the release rate from the larger 2 acre pond would be restricted as the Ordinance allows. Responding to Mr. Murtaugh' inquiry, Pat stated presently the onsite ponds were undersized. Dave Luhman noted due to the additional onsite area retained in the pond the release rate would continue for a longer duration. Mr. Eichelberger stated it would create a higher volume, longer duration; the peak discharge would be about the same. During the 100 year storm the project site would produce 8 cfs (assuming fully developed) release rate, which was several times less than the contribution of the farm field at present. He also stated there were 10 year and 100 year flood restriction plates as well. Mr. Luhman, Board Attorney reiterated the developers were requesting approval for a master drainage study only for their future development plans. When they were ready to construct anything on site they would have to appear before the Board and plans would be reviewed for compliance to the Stormwater Ordinance. Action today would set the general ground rules however they would still be held to the standards as set in the Ordinance for the project at that time. Mr. Eichelberger stated that the two variance request would not be appropriate until the applicant submitted future plans for actual construction improvements on the site. David Byers made a motion to approve the Industrial Pallet Master Drainage Study with the conditions as stated on the December 3, 2010 Burke memo and the added condition of submission of the most recent IDEM report . John Knochel seconded the motion. The Industrial Pallet Master Drainage Study was approved with the conditions as stated on the Dec. 3, 2010 Burke memo and the added condition of submission of the most recent IDEM report.

Uniform Fee Schedule Ordinance/Amended for Alcohol Certification Permit Fees

The Surveyor presented the Uniform Fee Schedule amended to include a fee for the Alcohol Certification Permit Fees. He noted presently several counties were charging a fee for the process of said forms. In 2006 the law changed that businesses were to get annual renewal of their license which included obtaining a location certification permit from the County Surveyor office. The forms were more frequently submitted and required a significant amount of staff time and effort. Other County's fees for renewal were reviewed before setting the price at $100.00. He noted the fee was for the service and costs associated with the renewal process. John Knochel made a motion to approve the Uniform Fee Schedule Ordinance/Amended for Alcohol Certification Permit Fees as presented. David Byers seconded the motion. The Uniform Fee Schedule was approved as amended.

J. Berlowitz Regulated Drain#08 / Partial Vacation request

The Surveyor presented an order to partially vacate a portion of the J. Berlowitz#08 regulated drain. He explained this was an item included within the previously submitted Clarian/Arnett/County Agreement regarding the Berlowitz Regional Storage Facility. The order involved the Berlowitz tile portion which was routed through the subject property only. He noted the agreement was previously approved by the Drainage Board and Commissioners. He requested approval at that time. David Byers made a motion to grant the vacation order as presented by the Surveyor. John Knochel seconded the motion. Order #2010-12-DB Vacating a Portion of the Berlowitz Regulated Drain in Tippecanoe County Indiana was approved as submitted. The Attorney noted a second condition of the agreement was to reduce the right of entry for the relocated Berlowitz drain to 25 feet and would be effective as of the deed transfer date was recorded. John Knochel made a motion to grant approval of the reduction of the right of entry on the J. Berlowitz regulated drain relocated portion to 25 feet. David Byers seconded the motion. The J. Berlowitz regulated drain right of entry was reduced to 25 feet as requested. (Relocated portion only)

Audley Oshier Regulated Drain

The Surveyor noted his office sent out request for quotes on the Audley Oshier regulated drain. Quotes were received and the job was awarded to Tony Garriott as lowest bidder. He will begin work as soon as weather permits.

Petition to Encroach on the John McCoy #50 Regulated Drain

The Surveyor presented a Petition to Encroach on the John McCoy #50 Regulated Drain submitted by Gary D. Kirkham. He stated the location was just south of the Wea School Road on Co. Rd. 200 East. The residence was located on the west side of the road with an existing driveway. The relocated drive would be over said drain. The county regulated tile would be replaced under the drive as well as an additional 10 feet to each side. (Approximate total - 40 feet.) David Byers made a motion to grant approval of the Petition to encroach on the J. McCoy Regulated Drain as presented. John Knochel seconded the motion. The Petition to encroach on the J. McCoy Regulated Drain #50 was approved as presented.

Petition to Reconstruct/Calvin Lesley Regulated Drain #48

The Surveyor presented a Petition to reconstruct on the Calvin Lesley Regulated Drain #48 submitted to the Surveyor office by Jack Buck and Paul Pence. The Lesley drain tile was located at Co. Rd. 750 East and north of Co. Rd. 300 North (just north of East Tipp. Middle School). It involved approximately 55 parcels and 900 acres within the watershed of this drain. He noted approximately 60-70% of the benefitted landowners signed the petition. John Knochel made a motion to approve the submission of the petition and direct the Surveyor to prepare a report for the Board. David Byers seconded the motion. The Petition to reconstruct on the Calvin Lesley Regulated Drain was approved as submitted and the Board referred the Petition back to the Surveyor to prepare a report.

Petition to Establish a New Regulated Drain Maintenance Fund/John Hengst Drain

The Surveyor presented a Petition to Establish a New Regulated Drain Maintenance Fund for the John Hengst Regulated Drain. Mr. Jack Buck submitted the petition. The Surveyor noted there was no maintenance fund set on this drain and stated approximately 60% of benefitted landowners signed the petition. John Knochel made a motion to refer the petition back to the Surveyor for a report. David Byers seconded the motion. The Petition to Establish a New Regulated Drain Maintenance Fund regarding the John Hengst Drain was approved as submitted and referred to the Surveyor for a report.

Petition to Establish a New Regulated Drain Maintenance Fund/Combs Tile

The Surveyor presented a Petition to Establish a New Regulated Drain and Maintenance Fund for the Combs tile Legal drain submitted by Jack Buck. The Surveyor stated this tile was NOT a County Regulated Drain and at this time was a private system. He stated approximately 72% of benefitted landowners signed the petition and were in agreement with Mr. Buck. The Attorney noted the requirement was 10% of the acreage or 25% of the value. David Byers made a motion to approve the petition as submitted and refer it back to the Surveyor for a report. John Knochel seconded the motion. The Petition to Establish a NEW Regulated Drain and Maintenance Fund regarding the Combs tile was approved as submitted and referred back to the Surveyor for a report.

Maintenance Bond/ Tipmont R.E.M.C/ Battleground Substation

The Surveyor presented Maintenance Bond #929506906 in the amount of $15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. Battleground for approval by the Board. He recommended Board approval. John Knochel made a motion to grant approval for the Maintenance Bond #929506906 in the amount of $15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. Battleground. David Byers seconded the motion. Maintenance Bond #929506906 in the amount of $15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. regarding the Battleground substation was approved as submitted.

Public Comment

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

Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
March 2, 2011
Regular Meeting

Those present were:

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

Approval of Minutes
David Byers made a motion to approve the December 8, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The December 8, 2010 Drainage Board meeting minutes were approved as written.

Election of Officers
John Knochel made a motion to nominate Thomas Murtaugh as the 2011 Drainage Board President. David Byers seconded the motion. John Knochel made a motion to nominate David Byers as Vice President. David Byers seconded the nomination. Thomas Murtaugh was elected the 2011 Drainage Board President and David Byers as the 2011 Drainage Board Vice President.

Appointment Drainage Board Secretary
John Knochel made a motion to appoint Brenda Garrison as the 2011 Drainage Board Secretary. David Byers seconded the motion. The 2011 Drainage Board Secretary was appointed as stated.

County Road 50 South Reconstruction
Jim Pence with Schneider Corporation appeared before the Board to present County Road 50 South Reconstruction for final approval. The site was located at the intersection of CR 50 South and CR 550 East and extended approximately 5570 feet along the present route. The project would be completed in two separate phases. The first phase would consist of starting at County Road 550 East and extend to the east line of the Wyandotte School property. The second phase would begin at the said east line of the school property to the proposed McCarty Lane Extension just west of County Road 675 East. The road would be widened up to approximately 20 feet and become asphalt throughout the project length. Storm water runoff would discharge to existing side ditches. Jim stated proof of landowner notification would be submitted once receipt of mail certification was obtained. He confirmed specifically Edwin & Doris Verkwitz 495 South 675 East Lafayette Indiana 47905 were notified. Runoff from a depression area north of their tract would route through a culvert and outlet in the ditch along their tract. Jim stated he would follow up on this notification. He noted he was conferring with Mike Spencer of the County Highway department regarding water quality along the county road. He requested final approval from the board. The Surveyor recommended final approval with the conditions as stated on the February 25, 2011 Burke memo. John Knochel made a motion to grant final approval with conditions as stated on the February 25, 2011 Burke memo. David Byers seconded the motion. County Road 50 South Reconstruction was approved with the final conditions as stated on the February 25, 2011 Burke memo.

Cottages on Lindberg
Pat Cunningham with Vester and Associates appeared before the Board to present Cottages on Lindberg for preliminary approval only. The site was located northeast of the intersection at County Road 250 West and County Road 200 North (Lindberg Road) and contained approximately 18 acres. The previous owner of the tract planned a tree farm at the location; however the plan was never followed through. The present project would consist of approximately 129 cottages single family and duplex along with amenities. An existing 24 inch storm sewer was designed to convey runoff from the site to the detention ponds which were located to the east and within the Willowbrook Apartments site. The two ponds were designed previously and intentionally oversized to include any future development of the 18 acre site. He noted watershed for that area was approximately 85 acres. Pat further stated there was a small area at the southeast corner of the tract which drained uncontrolled; however the bulk of the emergency routing would be conveyed through the 24 inch culvert at the northeast corner of the site. Responding to the Board's inquiry, Pat stated the small area of runoff sheets off into the McCormick Place area. He stated additional work was anticipated regarding the storm sewer design. He requested preliminary approval for the project to proceed. The Surveyor reiterated their request was for preliminary approval only at this time. Additional design work would be required before final approval was requested. He then recommended preliminary approval for Cottages on

Lindberg as requested. John Knochel made a motion to grant preliminary approval for Cottages on Lindberg with the conditions as stated on the February 26, 2011 Burke memo. David Byers seconded the motion. Cottages on Lindberg was granted preliminary approval with the conditions as stated on the February 26, 2011 Burke memo.

Hawthorne Lakes - Redesign
Jim Pence from Schneider Corporation appeared before the Board to present Hawthorne Lakes Redesign for final approval. This project was originally a 180 lot subdivision which was granted final approval during the December 3, 2003 Drainage Board meeting. The site was located at the northeast corner of County Road 550 East and the future McCarty Lane extension. The said site consisted of approximately 43 acres and the lots were reduced down to 156 in total. The Berlowitz Regional Detention Facility was located north of the site. Stormwater from the site would be conveyed to the facility. The Felbaum branch tile of the Berlowitz Regulated Drain (main-north of the site) was located within the site. The intent originally was to intercept the branch tile with their projects infrastructure; however the future McCarty Lane extension plans indicate the interception of the branch tile. Jim stated the timing of the interception of the branch tile was a concern with the proposed development. It was planned to develop the northwest quadrant in the spring. Depending on the timing of the McCarty Lane extension it may be necessary to temporarily reroute the branch tile around the Phase 1 project, then return to the board with a Vacation of the Felbaum Branch tile Petition. A diversion swale located above the proposed 72 inch culvert (part of the future McCarty Lane infrastructure) was planned to divert approximately 1.7 acres of the site runoff as well as the offsite area from the east to the Berlowitz Regional Detention Facility. The Surveyor reiterated timing issues were a concern regarding the Felbaum Branch tile vacation/relocation at this location. The developer would have to work very closely with the Surveyor office as well as the Highway department as it was his responsibility to resolve this issue. The Surveyor noted there was a Petition to Encroach on the J. Berlowitz Regulated Drain for the Hawthorne Lakes project on today's agenda and informed the Board the Petition regarding the Felbaum branch of the Berlowitz Regulated Drain would be presented next month. He recommended approval for the Petition to Encroach on the J. Berlowitz Regulated Drain today as well final approval with conditions as stated on the February 25, 2011 Burke memo for the Hawthorne Lakes project. John Knochel made a motion to grant approval for the Petition to Encroach on the J. Berlowitz Regulated Drain. David Byers seconded the motion. The Petition to Encroach on the J. Berlowitz Regulated Drain regarding the Hawthorne Lakes project was approved as submitted. John Knochel then made a motion to grant final approval with the conditions as stated on the February 25, 2011 Burke memo for Hawthorne Lakes Redesign. David Byers seconded the motion. The Hawthorne Lakes Redesign project was granted final approval with the conditions as stated on the Feb. 25, 2011 Burke memo.

2011 Drainage Board Professional Engineering Services Contract /Christopher B. Burke Engineering LTD.
The Surveyor presented the 2011 Proposal for the Drainage Board Professional Engineering Service contract submitted by Christopher B. Burke Engineering LTD. He stated the contract amounts had not changed from the previous year and recommended acceptance. The Board Attorney stated he had reviewed the contract and concurred with the Surveyor. John Knochel made a motion to accept the 2011 Drainage Board Professional Engineering Services with Christopher B. Burke LTD as submitted. David Byers seconded the motion. The 2011 Drainage Board Professional Engineering Services contract with Christopher B. Burke LTD. was accepted as presented.

2011 Proposal for Drainage Board Legal Services/Hoffman Luhman & Masson P.C.
The Surveyor presented the 2011 Drainage Board Legal Services contract with Hoffman Luhman & Masson P.C. and noted contract amounts had not changed from the previous year contract. He then recommended the acceptance of said contract. John Knochel made a motion to grant acceptance of the 2011 Drainage Board Legal Fees contract with Hoffman Luhman & Masson as presented by the Surveyor. David Byers seconded the motion. The 2011 Drainage Board Legal Fees contract with Hoffman Luhman & Masson P.C was accepted as presented.

Zachariah Beasley
2011 Regulated Drain Status List/ 2011 Regulated Drain 25 % Rate Increase list
The Surveyor presented the 2011 Regulated Drain Status list to the Board for approval. He reviewed the process of submission for the public. He noted attached to the status list were thirteen regulated drains listed for a onetime Regulated Drain 25% Rate increase as Indiana Drainage Code allowed. The increase on those thirteen drains would start in the present year. (Please note: Status and Regulated Drain 25% Rate Increase lists in their entirety would be included in the official minutes and directly follow official minutes of this month) The Surveyor noted many of these drains had balances which required the assessment to be active at this time. He also noted the drain assessment was established on most of the drains in the 1970's and did not reflect today's economical situation. Therefore he would be reviewing them for possible landowner rate hearings in the future. He recommended the Board accept and approve the 2011 Regulated Drain Status List as well as the 2011 Regulated Drain 25% Rate Increase list. John Knochel made a motion to grant acceptance and approval of the 2011 Regulated Drain Status List. David Byers seconded the motion. The 2011 Regulated Drain Status List was approved as

submitted. John Knochel made a motion to grant acceptance and approval of the 2011 Regulated Drain 25% Rate Increase list. David Byers seconded the motion. The 2011 Regulated Drain 25% Rate Increase list was approved and accepted as presented. The lists would be filed with the Auditor to be placed immediately on the 2011 tax assessment rolls.

2011 Regulated Drain Surveyor's Classification Report
The Surveyor then submitted the Surveyor 2011 Regulated Drain Classification Report to the Board. He noted the Indiana Drainage Code provided for this list to be presented to the board from time to time. Also it was required to indicate those regulated drains in need of periodic maintenance, reconstruction and the regulated drains in need of being vacated. He stated this report established the three needs and included additional information of drains in need of a rate increase hearings etc. He then recommended the Board accept and approve the 2011 Regulated Drain Surveyor's Classification Report as submitted. John Knochel made a motion to accept and approve the 2011 Surveyor's Regulated Drain Classification Report as submitted to the Board. David Byers seconded the motion. The 2011 Regulated Drain Classification Report was approved and accepted by the Board. (Note: The said report will appear in its entirety directly follow the official minutes of this month.)

Dismal Creek Regulated Drain/Ilgenfritz Branch Quotes Results
The Surveyor informed the Board he sent out quote requests regarding the Ilgenfritz Branch of the Dismal Creek Regulated Drain Maintenance project. He was in receipt of the following three; Birge Farm Drainage-$31,597.50, Fairfield Contractors Inc. - $35,840.00, Lauramie Excavating Inc. - $25,136.00. The project was awarded to Lauramie Excavating. He had met onsite with them and reviewed the project. Approximately two miles of dredging was planned as soon as weather permitted. He reviewed the location utilizing G.I.S indicating the location as south on US 52 right on Co. Rd. 450E (just south of Veterans Memorial Parkway) and south to the intersection of Co. Rd. 500 South. The scope of the dredging project would begin at the confluence of Ilgenfritz Branch and Dismal Creek located south of Co. Rd. 500 South approximately ½ mile west of 450 East. The dredging would continue to Co. Rd. 575 East. John Knochel made a motion to accept the Lauramie Excavating quote in the amount of $25,136.00. David Byers seconded the motion. Lauramie Excavating was awarded the Maintenance Dredging project for the Ilgenfritz Branch of the Dismal Creek Regulated Drain.

S.W. Elliott Regulated Drain Branch #11 Update
The County Surveyor's office received a Request for Relief and Release from Impact Drainage Area regarding Branch #11 of the S.W. Elliott Regulated Drain from Mr. Gary Schroeder 5650 East 700 South Lafayette Indiana 47909 which was dated February 14, 2011. Since this document was just recently submitted the Surveyor requested the Board take it under advisement and give him and the Drainage Board Engineering consultants time to review it then report back to the Board. Responding to John Knochel's inquiry, the Surveyor confirmed there was a present study underway regarding this drainage area. John Knochel made a motion to take the Request for Relief and Release from Impact Drainage Area regarding Branch #11 S.W. Elliott Regulated Drain area under advisement. David Byers asked Mr. Schroeder (in attendance) if that was agreeable with him and he stated it was. David Byers seconded the motion to take the said document under advisement. The Surveyor and the Boards Engineering Consultant would review the Request for Relief and Release from Impact Drainage Area regarding Branch #11 S.W. Elliott Regulated Drain and report back to the Board at a later date.

Bonds:
Chapelgate Sr. Apartments Performance Bond #929519927
The Surveyor presented Chapelgate Senior Apartments Performance Bond #929519927 dated February 15, 2011 written by Western Surety Company, submitted to his office by TWG Construction LLC. in the amount of $200,000.00. He recommended acceptance of the Bond. John Knochel made a motion to accept the Performance Bond #929519927 as submitted. David Byers seconded the motion. Chapelgate Senior Apartments Performance Bond #929519927 submitted by TWG Construction LLC. in the amount of $200,000.00 was accepted by the Board.

Other Business:
Ordinance #2011-01-CMDB Uniform Fee Schedule/ Amendment of Alcohol Certification Fees
The Surveyor presented Ordinance #2011-01-CMDB Uniform Fee Schedule Amendment of Alcohol Certification Fees for approval. The Ordinance had previously been approved in December by the Commissioners as well as Drainage Board; however the verbiage regarding alcohol permits required revision. The Amended Ordinance was processed through the Commissioners for first and second reading and required the Drainage Board approval to finalize. John Knochel made a motion to approve the Ordinance #2011-01-CMDB/Amended Uniform Fee Schedule as presented. David Byers seconded the motion. The following votes were taken: John Knochel yes/ David Byers yes/ Thomas P. Murtaugh absent. Ordinance #2011-01-CMDB Uniform Fee Schedule (Amendment of Alcohol Certification Fees) better known as "Ordinance #2011-01-CMDB Amending Tippecanoe County Code Repealing Section 155.18 Adding New Section 155.18", " Adopting an

Administrative Fee in Relation to the Certification of Alcoholic Beverage Permits by the Tippecanoe County Surveyor" was approved as submitted to the Board.

Clarian Arnett Health Services/J. Berlowitz Regulated Drain #08 Partial Vacation Revised
The Surveyor presented a revised order to partially vacate a portion of the J. Berlowitz#08 Regulated Drain. He explained this was previously approved by the Board in the December 8, 2010 Drainage Board meeting in relation to the Berlowitz Regional Storage Facility Agreement with Clarian Arnett Health Services and in particular the partial vacation description of said drain. The order involved the Berlowitz tile portion which was routed through the subject property only. The Attorney confirmed Order #2011-01-DB amended Order #2010-12-DB Vacating a Portion of the Berlowitz Regulated Drain in the County of Tippecanoe, Indiana. more specifically the attached document known as "Exhibit B" and the typo error therein. The Exhibit document's instrument number therein was corrected to read **07020231.** He recommended the Board approve the Amended Order indicating the correct Instrument number. John Knochel made a motion to approve Order #2011-01-DB. David Byers seconded the motion. Order #2011-01-DB Amending Order #2012-12-DB "Vacating a Portion of the Berlowitz Regulated Drain in the County of Tippecanoe, Indiana" was approved as submitted. John Knochel made a motion to approve the Amended Order #2011-01-DB as submitted. David Byers seconded the motion. Order #2011-01-DB was approved by the Board.

Public Comment

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

Absent
Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
June 1, 2011
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Board President Tom Murtaugh was absent for the approval of minutes and the Nanshan project presentation only.

Approval of Minutes

John Knochel made a motion to approve the May 4, 2010 Regular Drainage Board minutes as written. David Byers seconded the motion. The May 4, 2011 Drainage Board meeting minutes were approved as written.

Nanshan America Mass Earthwork and Grading
Jim Pence from the Schneider Corporation appeared before the Board to request final approval for Nanshan America Mass Grading. The site consisted of approximately 50 acres located on the southwest corner of U.S. 52 and C.R. 350S (Veterans Memorial Parkway) and within the city limits of Lafayette. He also requested an encroachment on the Upper JN Kirkpatrick Regulated Drain. He stated this project was granted a one hundred fifty feet (150') easement from the Park 350 Partners for a drainage ditch alongside the Park 350 site and the ditch would outlet into the Upper JN Kirkpatrick Regulated Drain. He noted they were constructing the outlet channel with a temporary sediment trap connecting to JN Kirkpatrick drain to maintain sediment runoff, both in the interim condition of mass grading and the ultimate construction of the outlet into the ditch. Mr. Pence requested final approval for Nanshan America mass earthwork and grading as well as approval for the encroachment on the Upper JN Kirkpatrick regulated drain.

The Surveyor then reviewed the site location and plans reiterating this project would be located in the City of Lafayette. He explained the open ditch would be constructed along the southwestern portion of the site which would outlet into the JN Kirkpatrick Regulated Drain. He noted the Board was hearing this project to approve the drainage - mass earthwork and grading only. He stated a petition to encroach on the JN Kirkpatrick regulated drain was submitted for this project as well. He recommended final approval with the conditions as stated on the May 16, 2011 Burke memo for Nanshan America Mass Earthwork and grading. John Knochel made a motion to grant final approval with the conditions as stated on the May 16, 2011 Burke Memo for Nanshan America mass earthwork and grading. David Byers seconded the motion. The Nanshan America Mass Earthwork and Grading was granted final approval with the conditions as stated on the May 16, 2011 Burke Memo. John Knochel then made a motion to grant the encroachment on the Upper JN Kirkpatrick Regulated drain as submitted. David Byers seconded the motion. The Petition to Encroach on the Upper JN Kirkpatrick Regulated Drain was accepted as requested. There was no public comment on this project.

Chapelgate Sr. Apts.

Arthur Kaiser from Evergreen Planners (Indianapolis Indiana) appeared before the board requesting final approval for the Chapelgate Senior Apartments project. The site was located south of US 52 and west of Co. Rd. 300 W (Klondike Rd.) and consisted of approximately 6.9 acres with the apartment building location in the northeast corner. Earthwork for this project received final approval during the February 2011 Drainage Board meeting. He noted the removal of the site within the flood zone was approved and a retaining wall was constructed along the eastern portion of the site as planned. The site was ready for the final drainage improvements and construction of the apartment building. He requested final approval for the project. The Surveyor requested the status of as builts for the compensatory storage area. Mr. Kaiser stated they had been completed and he would submit those to the Surveyor office as requested. Mr. Kaiser also stated he had received the required letter from FEMA certifying the building location out of the flood hazard area. The Surveyor noted his office would require copies of all documentation from FEMA as well as the previously mentioned as builts for the file. He then recommended final approval with the conditions as stated on the May 25, 2011 Burke memo for Chapelgate Sr. Apartments. Responding to Mr. Murtaugh's inquiry, the Surveyor noted directly west of the building site location (less than 1000 feet) 2 detention basins were excavated to compensate for the fill area of the building site. He stated the requested as builts submittal regarded the excavation of the detention basins. David Byers made a motion to grant final approval with the conditions as stated on the

May 25, 2011 Burke memo for Chapelgate Sr. Apartments. John Knochel seconded the motion. Chapelgate Sr. Apartments was granted final approval with the conditions as stated on the May 25, 2011 Burke memo. There was no public comment.

Huntington Farms Phase 4 (previously tabled from May 2011 Drainage Board meeting)

David Byers made a motion to remove from the table of the May 4, 2011 Drainage Board meeting, Huntington Farms Phase 4 project. John Knochel seconded the motion. The project was opened for discussion. Joe Couts from Cripe Architects and Engineers (Indianapolis Indiana) appeared before the board to request final approval for the Huntington Farms Phase 4 project. The site was located between Co. Rd. 200 N (Lindberg Rd.) and SR 26 West- west of Co. Rd. 300 W (Klondike Rd.) and consisted of approximately 9.89 acres. This phase was the continuation of the overall 75 acre Huntington Farms development site. Mr. Couts stated Mr. Lee Brand's concern from the previous May meeting was addressed. He reviewed the plan as a 4 inch tile or outlet pipe would be tied into the existing 12 inch clay Vanderkleed drain tile. A section approximately 60 feet in length of the Vanderkleed tile would be replaced and a "berm" (not a compacted bank) would be constructed above it to provide protection for the outlet. The 4 inch tile would be approximately a foot lower than the main outlet pipe of the detention basin. He noted in smaller rainfall events (up to approximately an inch) Mr. Brand should not see any water from the pond. In larger rainfall events he would see runoff however as the pond drained down the runoff would decrease. He met with Mr. Brand onsite and received his approval for the plan. He stated they felt it was a viable way to address the nuisance runoff which crossed his property. This would be included on the revised construction plans when resubmitted. A petition to encroach on the Vanderkleed Legal Drain easement had been submitted regarding this plan. He requested a waiver from item one under the Stormwater Quality section of the April 27, 2011 Burke memo regarding the 80% removal requirement as this was the last phase of the development approved in 1996 prior to the existing Stormwater Quality Ordinance. Mr. Couts requested approval of the petition and final approval for the project at that time. The Surveyor stated they had reviewed the resubmitted plans and Mr. Couts had addressed many of the concerns previously stated by the Board at the May meeting. Mr. Couts had also met with landowner Mr. Lee Brand and addressed his concerns for the nuisance runoff over his property. He then recommend final approval with the conditions as stated on the April 27, 2011 Burke memo. Responding to Mr. Byer's inquiry, Mr. Eichelberger stated concerning the circumstance of the previously submitted and approved master drainage plan (prior to the Stormwater Quality ordinance in effect at this time) for the overall Huntington Farms project and the fact of the limitations within the site and their TSS removal percentage was at approximately 70 % he felt the project could be approved with an amended condition regarding the TSS removal percentage to 70%. David Byers made a motion to amend item number one under the Stormwater Quality section within the April 27, 2011 Burke memo to a 70% TSS removal John Knochel seconded the motion. The April 27, 2011 Burke memo regarding item number one under Stormwater Quality was amended to read 70% TSS removal. David Byers made a motion to grant final approval with the conditions as stated on the April 27, 2011 Burke memo with the amended item number one under Stormwater Quality to read 70% TSS removal for the Huntington Farms Phase 4 project. John Knochel seconded the motion. Huntington Farms Phase 4 was granted final approval with the conditions as stated and amended in the April 27, 2011 Burke memo. A petition to encroach on the Vanderkleed legal drain was submitted for this project and tabled at the May meeting as well. David Byers made a motion to open for discussion the Petition to Encroach on the Vanderkleed Legal Drain. John Knochel seconded the motion. The petition was opened for discussion. David Byers made a motion to grant approval of the encroachment on the Vanderkleed legal drain as petitioned. John Knochel seconded the motion. The petition to encroach on the Vanderkleed legal drain was approved as submitted. There was no public comment.

Cottages on Lindberg

Steve Roeshlein from Vester and Assoc. appeared before the Board to request final approval for the Cottages on Lindberg project. The site was located northeast of Co. Rd. 250 W and Co. Rd. 200 N (Lindberg Road) intersection and consisted of approximately 18 acres. He noted comments on the May 31, 2011 Burke memo were being addressed and revised plans would be submitted as required. The Surveyor reviewed the site for the Board using GIS. This site was directly west of the existing Willowbrook Apartment complex. There would be 129 structures. This was a high density development. The major concern of the Surveyor's office was that the construction plans previously submitted indicated two or three of the buildings did not have the required freeboard minimum. He noted he would not sign off on the plans without this being addressed and revised. He noted it was difficult to understand by the plans how the runoff would access the ditch from the paved surface at the driveway location. He had a concern that the runoff would not route down the street. There were other issues but these were the major concerns and would need to be addressed. He indicated using the GIS website the area in question for the Board. Mr. Eichelberger also reviewed the area in question and reviewed existing construction plans. Responding to Mr.

Byers' concern regarding locations of the buildings on the existing construction plans, Mr. Roeshlein stated they would be relocated and revised plans would be submitted to the Surveyor's office. Several structures were located within or close to the emergency runoff area. The Surveyor indicated on the GIS site the area in question for the Board. Mr. Eichelberger then reviewed the areas in question and the existing plans for the board. The Surveyor then recommended final approval with the conditions as stated on the May 31, 2011 Burke memo. Due to time restraints approval and the fact the Surveyor must sign off on plans before APC would approve the final plat, drainage approval was requested. Mr. Travis Triniton owner of the project site approached the Board and requested to move forward with the approval with conditions. The Surveyor stated it would have to be turned around fast and he would NOT sign off on the plan if not revised as discussed and submitted in a timely manner. The Attorney clarified a verbiage should be added under Stormwater Quantity item #1of the May 31, 2011 Burke memo that revised plans submitted would be to the satisfactory to the Surveyor and that which verified there was a minimum of one foot of freeboard under **each** structure. David Byers made the motion to amend Stormwater Quantity number one on the May 31, 2011 Burke memo with the added verbiage as stated by the Attorney. John Knochel seconded the motion. Item number one under Stormwater Quantity was amended with the added verbiage "revised plans submitted would be to the satisfactory to the Surveyor and would verify there was a minimum of one foot of freeboard under **each** structure". David Byers made a motion to grant final approval with the conditions as stated on the May 31, 2011 Burke memo for Cottages on Lindberg. John Knochel seconded the motion. Cottages on Lindberg was approved with the conditions as stated and amended on the May 31, 2011 Burke memo. There was no public comment.

Petition to Partially Vacate the Felbaum Branch of the Berlowitz Regulated Drain

Dan Teder from Reiling, Teder and Schrier LLC appeared before the Board and submitted a Petition to Partially Vacate the Felbaum Branch of the Berlowitz Regulated Drain. The site was located just north of the McCarty Lane extension on the east side of Co. Rd. 550 E within the development to be known as Hawthorne Lakes. The Surveyor reviewed the site and route of the Branch for the Board using the GIS website. He recommended approval to the Board. David Byers made a motion to grant the partial vacation of the Felbaum Branch of the Berlowitz Regulated Drain. John Knochel seconded the motion. The Petition to partially vacate the Felbaum Branch of the Berlowitz Regulated Drain was approved as submitted.

Public Comment

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

Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
July 6, 2011
Regular Meeting

Those present were:
Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

Approval of Minutes
David Byers made a motion to approve the June 1, 2011 Regular Meeting minutes, the June 1, 2011 J. Hengst, J. Blickenstaff Regulated Drains Special Hearings and the June 30, 2011 Special Drainage Board meeting minutes as written. John Knochel seconded the motion. The June 1, 2011 Regular Meeting minutes, the June 1, 2011 Special Hearing minutes regarding the J. Hengst and J. Blickenstaff Regulated Drains and the June 30, 2011 special Drainage Board meeting minutes were approved as written.

Romney Dollar General Store
Dale Kruse of Kruse Consulting Inc. 7384 Business Center Drive Avon Indiana appeared before the Board to request final approval of the Romney Dollar General Store. The site was located southwest of the intersection at SR28 and US 231 in the town limits of Romney Indiana which consisted of approximately 1.3 acres. On and off-site storm water would outlet to the existing storm sewer along S.R. 28. John Galloway, previous owner of tract owned the surrounding tracts. Mr. Kruse stated they were working together on the offsite Drainage Easement required regarding the route of the runoff. He would submit the finalized easement at a future date. They would meet today onsite to work out any issues of the easement. Underground detention would be stored in pipes located under the parking lot. At that time he requested final approval. The Surveyor reiterated the easement must be obtained and recorded as he would not sign off on the plans until this was completed. He then recommended final approval with the conditions as stated within the June 30, 2011 Burke memo to include the recorded easement condition. There was no public comment. David Byers made a motion to grant final approval with the conditions as stated in the June 30, 2011 Burke memo which included the condition of a recorded drainage easement from the adjoining landowner Mr. Galloway. John Knochel seconded the motion. The Dollar General store in Romney was granted final approval with the conditions as stated in the June 30, 2011 Burke memo which included the condition of a recorded drainage easement from the adjoining landowner Mr. Galloway.

Nanshan America Advanced Aluminum Technologies
Mr. Jim Pence from Schneider Corporation Inc. appeared before the Board to request final approval for the Nanshan America Advanced Aluminum Technologies project. The project was located within the City of Lafayette's limits. The actual development would be approved by the City. The Drainage Board was responsible for the approval of drainage only. This project lied within the Upper J.N. Kirkpatrick Impact Drainage Area and the S.W. Elliott's Ditch Priority Watershed. The site was located on the southwest corner of the intersection at U.S. 52 and C. Rd. 350 South (Veterans Memorial Parkway) and consisted of approximately 51.75 acres. Mr. Pence sated they agreed with the Burke memo conditions as stated in the June 21, 2011 Burke memo and requested final approval at that time. The Surveyor stated mass earthwork and grading was presented and granted approval by the Board in the June meeting. A Petition to Encroach on the J.N. Kirkpatrick Regulated Drain during the interim and as a permanent condition was approved at that time as well. He noted the Board's approval today regarded the special discharge rate into the J.N. Kirkpatrick Open Ditch. He stated this project was in compliance with the restricted rate and recommended approval with the conditions as stated on the June 21, 2011 Burke memo. There was no public comment. David Byers made a motion to grant final approval for Nanshan America Advanced Aluminum Technologies with the conditions as stated in the June 21, 2011 Burke memo. John Knochel seconded the motion. The Nanshan America Aluminum Technologies was granted final approval with the conditions as stated in the June 21, 2011 Burke memo.

Hawthorne Villas
Jim Pence from Schneider Corporation Inc. appeared before the Board to request final approval of Hawthorne Villas. Mr. Pence stated the site was located south of the intersection of C. Rd. 50 South and C. Rd. 550 East on the west side and approximately 37.67 acres. The site would drain to the J. Berlowitz Regulated Drain via storm sewers, swales and two dry detention facilities. Mr. Pence stated this project was brought before the Board in 2003 as a single family residential site. The developer has revised those plans to an 89 unit duplex condominium project. Pursuant to the signed 2006 Storage Fees Agreement with the developer, 2.63 acre feet of detention storage would be credited. This would leave 1.37 acre feet of storage credit for the Hawthorne Villas site to be used as directed by the agreement. Mr. Pence stated they were requesting a

variance to the required 80% TSS removal. He proposed several BMP measures such as vegetated swales, two dry detention ponds, a filter strip and stormwater quality measures to treat stormwater runoff. The current TSS removal percentage planned was at 77% so he felt it was adequate. Responding to Mr. Murtaugh' inquiry, Mr. Pence stated there was an entrance constructed from C. Rd. 50 South based on the project proposed in 2003. They have kept that entrance for this project. At the Surveyor's request Mr. Pence stated the following: Based on the Berlowitz Regional Facility, there was an overflow berm along the south side of Co. Rd. 50 South which was constructed higher than the 100 year elevation requirement. He also noted there were no building pads less than 46.6 feet onsite. He noted an extra foot of freeboard (height above 100 year elevation requirement) was added based on the worst case scenario. The Surveyor stated he felt they had gone above and beyond the building pad elevation requirement as their lowest elevation was approximately 3 feet above the requirement. He reiterated the BMP measures regarding this request were a good faith effort to accommodate the percentage. He referred to Mr. Eichelberger to elaborate. Mr. Eichelberger reiterated the aforementioned and stated he felt they had made a good faith effort in this case and saw no problem with the requested variance. The Surveyor then recommended final approval with the conditions as stated in the June 29, 2011 Burke memo in with the amendment to condition #2 under "Variances/Encroachments" concerning replacement of the stated 80% TSS removal to 77% TSS removal as requested. There was no public comment. David Byers made a motion to amend Condition #2 under "Variances/Encroachments" as aforementioned within the June 29, 2011 Burke memo and grant the variance as requested. John Knochel seconded the motion. Condition #2 under Variances/Encroachments on the June 29, 2011 Burke memo was amended to read 77% TSS removal. David Byers made a motion to grant the Variance as amended. John Knochel seconded the motion. The requested variance was granted with the amendment. David Byers made a motion to grant final approval with the conditions as stated and amended on the June 29, 2011 Burke memo. John Knochel seconded the motion. Hawthorne Villas was granted final approval with the conditions as stated and amended on the June 29, 2011 Burke memo. The Surveyor then presented a Petition to Encroach on the Berlowitz Regional Facility as well as a Petition to Vacate Branch #10 of the Berlowitz Regulated Drain for Hawthorne Villas and recommended approval. David Byers made a motion to approve the Petition to Encroach on the Berlowitz Regional Facility as well as approve the Petition to Vacate Branch#10 of the Berlowitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the Berlowitz Regional Facility as well as the Petition to Vacate Branch #10 of the Berlowitz Regulated Drain was approved as presented.

Hawthorne Gardens

Clem Kuns from TBird Designs Inc. appeared before the Board to present Hawthorne Gardens for final approval. The site was located west of C. Rd. 550 East and north of McCarty Lane and consisted of approximately 12.2 acres. A multifamily apartment complex was planned for this site. This site was filled with soil excavated from the Berlowitz Regional Detention Facility located along the north boundary. Currently the drainage pattern routes to the northwest directly into the Berlowitz Regional Facility via a storm sewer system with a small portion of runoff to C. Rd. 550 East ditch. An infiltration trench would provide a measure of detention and a vegetative swale was planned for storm water quality. Pursuant to the signed 2006 Storage Fees Agreement with the developer, this site was identified under the stated" R-3 West of CR 550 East" and 1.73 acre feet of detention storage would be credited for this project site. A total of 1.27 acre feet of credit remained for a remaining portion of the "R-3 West of CR 550 East" to be used as directed by the signed agreement. The developer submitted a Petition to Vacate Branch #6 of the Berlowitz Regulated Drain which served this site only and flowed from south to north within the site. The developer had also submitted a Petition to Encroach on the Berlowitz Regulated Drain. Mr. Kuns stated in all cases all storm water flows were restricted onsite up to the 100 year requirement before it would overtop the bank of the Berlowitz Regional Facility with the exception of a small amount of sheet flow from the rear of the lots. He noted there were two Drain Petitions included with this project. A Petition to Encroach on the Berlowitz Regulated Drain as well as A Petition to Vacate Branch #6 of the Berlowitz Regulated Drain. He stated they were in agreement with the June 29, 2011 Burke Memo and requested final approval for the project as well as approval for the Petitions as presented. The Surveyor stated this project site was higher in elevation than the Hawthorne Villas site approved by the Board. He reiterated the 100 year elevation in the hammerhead pond was 643.75 and this site's elevation was over five feet higher than that elevation. He noted Branch #6 of the Berlowitz drain was an old tile approx. 8-10 inch to be vacated and tied into the storm sewer. The Petition to Encroach involved two outlets that encroached upon the Berlowitz Regional Detention Facility and Tippecanoe County actually owned the property it was not just a drainage easement. He then recommended approval of Hawthorne Gardens with the conditions as stated on the June 29, 2011 Burke memo as well as approval for the Petitions as presented to the Board. There was no public comment. David Byers made a motion to grant approval of the Petition to Encroach upon the Berlowitz Regional Facility as well as the Petition to Vacate Branch # 6 of the Berlowitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the Berlowitz Regional Facility and the Petition to Vacate Branch # 6 of the Berlowitz Regulated Drain were approved as presented. David Byers made a motion to grant final approval with the conditions as stated on the June 29, 2011 Burke memo. John Knochel seconded the motion. Hawthorne Gardens was granted final approval with conditions as stated on the June 29, 2011 Burke memo.

Zachariah Beasley/ Regulated Drains Update
Samuel W. Elliott Regulated Drain #100: Branch #11
The Surveyor updated the Board regarding the Samuel W. Elliott Regulated Drain #100 Branch #11 appraisal status. Traynor and Associates 6750 East 75th Street Indianapolis Indiana 46250 were contracted to conduct appraisals on the properties within the Branch #11 watershed regarding the benefits and damages required for the Reconstruction Report. The appraisals were completed and the reports were delivered to him last week. He was reviewing them at this time and would finalize the Reconstruction Report when completed. He then would present the Reconstruction Report to the Board. He stated he planned to present the report along with the appraisals during the August meeting.

Dismal Creek Regulated Drain #09: Ilgenfritz Branch
The Surveyor updated the Board regarding the Ilgenfritz Branch of the Dismal Creek Regulated Drain #09. The clearing and dredging project was roughly two miles in length. (from the confluence of the creek approximately half mile west of C. Rd. 450 East and south of C. Rd. 500 South upstream or east to C. Rd. 575 East- approximately 500 feet east of S.R. 52) This project was close to completion (approximately 90%). The wet weather had slowed them down a bit..

2011 Open Ditch Spraying
The Surveyor presented the following list to the Board regarding the 2011 Open Ditch spraying to control the growth of obnoxious weeds and vegetation. The ditches were Otterbein #112, Hadley Lake #104, E.F. Haywood #35, J.N. Kirkpatrick #46. He stated this also helped with Beaver control as studies showed spraying on a regular basis saved money in the long run. Open ditches should be dredged every 15-20 years and spraying on a regular basis assisted with the keeping cost of brush removal before dredging to a minimum. This program was started a few years ago and will continue under his leadership.

Indian Creek Watershed Study
The Surveyor updated the Board regarding the Indian Creek Watershed Study. He noted he had signed a contract with Christopher B. Burke Engineering LTD. They were currently working diligently t and he hoped to have the final study by the end of this year for presentation to the Board. He stated this was one step in identifying what was and locations of the problem areas within the watershed. Restrictions (such as release rates for future developments) would be reviewed and may be warranted by the problems identified within the study.

Other Business
The Surveyor presented Performance Bond #7623870 for Spitznagle Borrow Pit submitted by Crider and Crider in the amount of $25,000.00 for approval by the Board. David Byers made a motion to approve the Performance Bond as presented. John Knochel seconded the motion. Performance Bond #7623870 for Spitznagle Borrow Pit submitted by Crider and Crider in the amount of $25,000.00 was approved as submitted and presented to the Board.

Public Comment
Jennifer Parks 8058 North Meridian Line Road, West Lafayette 47906, approached the Board. Her home was located just west of Meridian Line Road and east of Interstate 65 - north of the intersection at C. Rd. 800 North and Meridian Line Road. She stated her drainage problem started in 2004 when at that time the farm field north of her tract was plowed during wet weather. She stated it was too wet to plow at that time in her opinion. She stated a tile within the field was smashed by heavy farming equipment. From that time forward she has had numerous problems with drainage. Her septic flooded under her home on many occasions and she has replaced their well pump as well as the switches for it numerous times. She noted that her son must walk through standing water in the mornings to reach the school bus on many occasions. They hired Snow White Services at their cost to investigate the problem and jetted the tile. She presented a letter from the company which indicated a blockage was found. She also paid for a breather pipe installed at the tile location in hopes to lessen the flow of water. Lori Koches 8211 North Meridian Line Road W. Lafayette 47906 northeast of her property also experienced standing water issues. They even cost shared an open ditch hoping to solve the issue with another landowner (not named). The open ditch was created to assist in the surface water. However neither the open ditch nor the breather relieved her drainage issue. She then presented pictures of properties owned by her and Ms. Koches that indicated the location of the standing water from the last rainfall. She stated Ms. Koches property usually drained before her property. The Surveyor stated the tile ran along the west side of Meridian Line Road and drained to the north. Responding to Mr. Byers' inquiry, the Surveyor stated a few years ago work was being done on the Anson County Regulated drain and Snow White services was in the area. Therefore he directed them to her location in order to investigate her complaints since they were in the area. Just north of her home approximately 100 feet on the west side of Meridian Line Rd. was a vertical riser. They attempted to insert the jet hose and were unable to insert it down into the tile. Upon observation of the area it appeared that a farm implement of some sort had driven across the vertical riser and smashed it down into the field tile. Therefore the jet head could not go either direction in the field tile. The Surveyor agreed that only minimal amount water was able to enter the tile. Mrs. Parks stated water had

backed up through her septic in her toilet and shower since damage of the tile occurred. She stated the farmer in question admitted to her that he indeed ran over the tile while plowing, therefore he should have to bear the cost of repair. She reiterated they had no problem with drainage until the tile was damaged. She requested assistance from the Board to remedy the ongoing problem. The Surveyor confirmed this tile or riser was not part of the Anson County Regulated Drain. He would investigate further with the Health Department, however he thought this tile was required by them when the house was built and served as an outlet to the perimeter drain around her septic field. As this was the only outlet they had for the perimeter drain, they ran it to the north and tied it into the Anson County Regulated Drain. This would be a typical requirement from the Health Department to keep the water table down. He would confirm with the Health Department this was the case and if approval was granted at the time. It would stand to reason this was what was done. Responding to the Surveyor's inquiry, Mrs. Parks stated they moved into the home in 1999 and had no drainage issues until 2004. They originally thought the issue was septic related however it was not the case. Responding to Mr. Byer's inquiry, Mrs. Parks stated originally Phil Kerkhoff owned the property where the tile was located however it was owned at the present time by Denton Sederquist. Mrs. Parks noted Mr. Kerkhoff had recovered and inspected the tile in the past but would not accept blame for the damage. He blamed the damage on the willow tree located north of the damaged tile on the Koches property. Mr. Byers stated the riser could have been shoved down into the tile while farming - if it was an old clay tile. Theoretically an agricultural tile should be located down deep enough that farming over it should not cause a problem. The Surveyor reiterated monies from a County Regulated Drain maintenance fund could not be used on private tiles. The attorney stated in the case of obstruction to a mutual drain, a Petition to Remove an Obstruction to a Mutual Drain could be filed with the Drainage Board. The Board would then hold a hearing to decide whether this was an intentional or unintentional obstruction. He reviewed in more detail the drainage law for Mrs. Parks regarding this situation. The Surveyor stated the petition would be available for Mrs. Parks if she chose to proceed. She stated she would proceed with the process.
David Byers made a motion to direct the Surveyor to investigate the private tile subject to Mrs. Parks filing the petition with the Surveyor's office. John Knochel seconded the motion. The Surveyor was directed to investigate the private tile subject to Mrs. Parks filing a Petition to Remove an Obstruction to a Mutual Drain.

Delphine Anson Drain/ Ernest Agee and Bret DeCamp
Mr. Ernest Agee 8533 North C. Rd. 100 West, West Lafayette Indiana 47906, approached the Board to discuss the Delphine Anson Regulated Drain and the drainage issue associated with it. He stated Mr. Bret DeCamp 8832 North C. Rd. 100 West, West Lafayette Indiana 47906 and Alan Gray 8822 North C. Rd. 100 West, West Lafayette Indiana 47906 were in attendance as well. He submitted pictures of standing water on his, Mr. DeCamps and Mr. Gray's properties. He noted that he felt the foamy substance on the top of the standing water shown in the pictures was runoff from chemicals used on the farm fields which ultimately entered into the Anson Ditch. He stated it had been stagnating this year as long as 17 days. He stated he was not against farming he knew well its importance. He informed the Board, he had spoken with Mark Eastman from the Soil and Water Conservation District concerning the farm to the north however they won't put any waterways in. He stated this issue was getting worse and at present time the water had sat for 4-5 days within the ditch. The standing water hindered Mr. Gray's ability to enter his home through his drive. He reiterated the seriousness of the problem. The Surveyor stated it was important to note there were two different regulated drain watersheds (Delphine Anson and Andrew Brown) involved with this drainage issue. The watersheds boundary cuts northwest and southeast through Mr. Alan Gray's driveway. He further explained the watersheds were the Andrew Brown Regulated Drain watershed which routes northeast and the Delphine Anson watershed which routes to the southwest. He reviewed the driveway in question using the G.I.S. site for the Board and the entire drainage for their benefit. He noted the watershed boundaries were completed using the old U.S.G.S. Quadrant Angle maps with 2 foot contour intervals. He stated when he investigates this issue he would confirm the boundaries. He stated the boundaries could be off a hundred foot or more horizontally due to the accuracy of the historical information at that time. He also stated there was a depressional area near Mr. Gray's driveway. Last fall he worked with Allen Gray to investigate the branch of the A. Brown drain which ran under the interstate as he was unable to locate any maintenance records for information on it. He noted when the A. Brown Regulated Drain was originally constructed the interstate was not in existence. He had the branch excavated east and west of I65 and potholed in several areas on both sides of it. He found nothing that indicated the branch had a blockage of any kind. He reviewed the construction plans for I65 and then conducted an onsite inspection of the pipe, it's size etc. The I65 construction plans were followed regarding installation and size of the pipe in question. He went further and hired a jetting company to jet under the interstate and it proved to be open. A breather was installed on the west side of I65 for future investigation due to the dry weather last fall. He noted the maintained portion of said branch stopped short of the aforementioned depressional area. Mr. Agee interjected stating the D. Anson drain was also a problem in addition to the A. Brown drain. He noted the main tile of the D. Anson Drain was located between Mr. DeCamp and Mr. Gray's homes. Mr. Allen Gray approached the Board and stated he had been working with the Surveyor over a year now and he was very accommodating and great to work with. He stated the issue for him was the A. Brown ditch was not flowing fast enough for whatever reason. He stated from his perspective he did not care if the depression area was drained. He stated he did not want the standing water on his "road" (driveway). He noted this road was approved by the County Highway to put it at that location and in the three years he has lived there it has been under water 8 times. Almost all

of the water flows from the farm fields to the north and from the interstate overflow ditch. There was an overflow pipe that route the interstate drain into the farm field north of his location and then drained to his location. The additional water from the interstate's runoff along with the runoff from the farm fields, created the enormous amount water in the depressional area. It continued to get worse as time goes by. He requests the Board take action to fix the problem. He then reviewed a video taken a few days earlier with the Board using his IPAD. The water had not moved in 4 days. He noted his power electrical box located between his home and Mr. DeCamp's home was under water. He stated there would be no way any emergency vehicles could access his home through the standing water over his drive. He would like the Board to consider some way to move the water out of the depressional area faster and route it to the Anson ditch. He noted he was in agreement with Mr. Agee that there was a large amount of chemical substance within the runoff from the farm fields to the north them this last event and it continues to get worse. He felt a filter strip should be placed down to disable the chemical substances from exiting the farm fields. Responding the Surveyor's inquiry, Mr. Gray noted this last rainfall was over 5 inches as Mr. Agee's 5 inch rain gauge overflowed. He reiterated he knew this happened from time to time however his driveway had been under water seven to eight times since he lived there. He expressed his frustration that the road/driveway was approved by the County to be put in that location and he did not understand how they could have approved it in this location. Mr. Bret DeCamp 8832 North C. Rd. 100 West, West Lafayette Indiana 47906 stated in the past he and Mr. Gray have rented a 4 inch waste water pump and it ran for 3 days nonstop pumping the water back into the Anson Ditch. This was done on 5 different occasions just to access the driveway/road and enter their homes. His wife runs a daycare out of their home and the water over the drive hindered the business greatly. She informed her clients when the water is up (often) that there is no way for an emergency vehicle to access their home. This was also a great concern for his own family if something should happen. He expressed concern that the Anson Ditch had not been completely reconstructed to date. Only part of the ditch was reconstructed and that did not include his area. He felt if the entire drain had been completed the problem would not be as bad. Farm runoff has started to erode the ground in his area due to the amount and speed of the overflow. The tile had not been fixed in that area yet. He would like the reconstruction to get started in this area even if it meant a new hearing and an additional assessment. The Surveyor reviewed the Anson tile location for the Board. He clarified a reconstruction hearing was held regarding the Anson Tile Drain. A reconstruction and maintenance rate was set at that time. Presently the balance of the reconstruction cost was close to being paid off. The entire Anson Drain watershed was studied and onsite inspections were completed prior to the said hearing. The reconstruction would be done in four phases. In phase one fifteen hundred feet of fifteen inch pipe was replaced. There was more work to be done to complete the entire reconstruction. The phases would be completed as time and money allowed. The job was stopped on the north side of C. Rd. 850N; the tile underneath the road was replaced last year. He noted from the time the reconstruction rate was set to the time the project started the price of gas and pipe skyrocketed due to the economy. The monies were depleted so the project was halted at that point. The initial reconstruction phase would be paid in full this year. His intention was to let the fund build back up and proceed to the next phase. He felt it would be a hard sell to the farmers within the watershed to raise the assessment rate again (to increase the fund balance quicker) since the present rate was set in the last 5-6 years. Mr. DeCamp noted a culvert was installed between the two houses by the bend and it was close to being destroyed by the overflow. If this happened his driveway culvert would be next.

Responding to Mr. Murtaugh' funding inquiry; the Surveyor stated that area could potentially be reconstructed next year. Monies would have to be borrowed from the General Drain Fund. At this time there were numerous projects in the works which had impacted that fund greatly. He stated he planned to ask the County Council for funds budgeted to the General Drain Fund during the Budget hearings. The balance of the General Drain Fund was at an all time low due to the many projects at hand and drains minimal assessment rates. Also the Drainage Code stated the Council will from time to time allocate funds for it. In researching this it was found there had not been any monies allocated for this fund for twenty to thirty years by the Council. It has been planned from the beginning to reconstruct the entire drain not just part of it. However due to money constraints and cost of reconstruction it would have to be done in phases. He agreed with all three landowners the tile was not in working order and had not been in years, it was plugged and in need of the reconstruction completed as soon as possible. Discussion was held of possible solutions regarding eliminating the standing water over the drive. The Attorney explained the process in submitting a Petition to Establish a New Regulated Branch of a Anson Regulated Drain as well as a Petition to Establish a New Regulated Drain (one that did not connect to an existing regulated drain) and a Petition to Connect into the Anson Regulated Drain. Mr. Agee thought a short extension pipe under the driveway and routed to the Anson drain would be a better solution. The Surveyor noted his office would provide the Petition of choice. Mr. Agee stated to the Board water behind his house (first house north of C. Rd. 850N) was draining properly and he had seen a great improvement with the first phase of reconstruction. Mr. Decamp and Mr. Gray thanked the Board for their time.

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

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
Minutes
November 2, 2011
Regular Meeting

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the October 5, 2011 Regular Drainage Board and October 19, 2011 Regulated Drain Maintenance Rate Increase Hearing minutes as written. John Knochel seconded the motion. The October 5, 2011 Regular Drainage Board and October 19, 2011 Regulated Drain Maintenance Rate Increase Hearing minutes were approved as written.

St. Alexis Orthodox Church

Kyle Betz with Fisher and Assoc. appeared before the board to present St. Alexis Orthodox Church for final approval. The site was located at the southeast corner of the intersection at State Road 43 and State Road 225 and consisted of approximately 3.29 acres. He noted the site was located on lots 1 and 2 of the replat of Mystic Woods Subdivision. There was an existing drainage swale which routed through the site and outlet into a previously approved drainage system for Mystic Woods Subdivision. Due to the previously approved drainage for said subdivision a release rate had been predetermined and the release rate for this project was in compliance. A small church, parking and drives were proposed mainly on the east half of the site. Mr. Betz noted any other improvements would require additional drainage approval and most likely storm water detention and storm water quality measures. A diversion bypass swale was planned on the west side of the site for offsite runoff routing. He stated they agreed with the October 28, 2011 Burke Review Memo and requested final approval with those conditions at that time. There was no public comment.

The Surveyor stated he recommended final approval with conditions as stated on the October 28, 2011 Burke Review memo. David Byers made a motion to grant final approval with conditions as stated on the October 28, 2011 Burke Review memo. John Knochel seconded the motion. The St. Alexis Orthodox Church project was granted final approval with conditions as stated on the October 28, 2011 Burke Review Memo.

Cumberland Avenue Extension

The Surveyor presented the Cumberland Avenue Extension project to the Board for their review. He stated the site was located within West Lafayette and would start at County Road 300 West (Klondike Road) and extend approximately 1.3 miles east. He reviewed the depressional areas and in particular the Sherwood Forest area to make sure the system would not be overloaded. He felt after the review it would not be overloaded. There was no public comment.

The Surveyor recommended approval with the conditions as stated on the October 26, 2011 Burke memo. John Knochel made a motion to grant final approval with conditions as stated on the October 26, 2011 Burke memo for the Cumberland Avenue Extension. David Byers seconded the motion. The Cumberland Avenue Extension was granted final approval with the conditions as stated on the October 26, 2011 Burke memo.

Moose Lodge /Lot 1 Monitor Subdivision

Pat Jarboe with TBird Design Services appeared before the Board to present the Moose Lodge project for final approval. The site was located east of County Road 550 East on the north side of County Road 50 South and consisted of approximately 1.81 acres. This site was also known as Lot 1 of the Monitor Subdivision. He noted the site was immediately downstream of the Berlowitz Detention Facility and immediately adjacent to the Berlowitz Regulated Drain. The lot was designed for direct discharge to the Berlowitz Regulated Drain and as such there was no onsite detention. To accommodate the TSS removal at the downstream end of the storm pipe collection system was a "downstream defender" designed to remove 80% of suspended solids. Regarding condition #7 under Stormwater Quality on the October 27, 2011 Burke memo, he noted the designed downstream defender was configured in a way which had not been previously tested or approved for this county. He stated he would like the designed solid grate remain in the place of the recommended solid lid casting. He proposed to employ a filter strip to attempt to assist in the 80%

removal rate. Responding to Mr. Eichelberger' inquiry, Mr. Jarboe stated he calculated the removal rate with the filter strip added and the amount was in the mid 70's. Mr. Eichelberger then explained with an open grate allowing water to drop into the unit it was feared sediment would enter the unit. Without third party testing it was an unknown on how this design would function. He preferred to recommend a variance since the rate was in the mid 70's than allowing the open grate on the unit as presented. He did not want to run the risk of the unit not functioning correctly since it was providing the majority of the TSS removal for this site. A filter strip along with the solid lid would be sufficient. Mr. Jarboe stated Mr. Eichelberger' concerns regarding the unit were valid as he was relying on what the vendor had informed him. Mr. Jarboe also noted an encroachment from the outfall pipe at the west edge of the property line upon the Berlowitz Regulated Drain Easement was also in the plans. An Encroachment Petition would be submitted in the near future. There was no public comment.

The Surveyor reviewed the site for the Board and recommended final approval with conditions as stated on the October 27, 2011 Burke memo in addition the added condition of an Encroachment Petition and variance on the TSS removal amount for this project. Mr. Eichelberger recommended approving a variance rate with a minimum of 73%. David Byers made a motion to grant final approval with the conditions stated on the October 27, 2011 Burke memo along with the condition of the submittal of an Encroachment Petition on the Berlowitz Regulated Drain and a variance for a 73% TSS removal rate. John Knochel seconded the motion. The Moose Lodge project was granted final approval with the conditions as stated.

Roberts Ridge Preliminary Plat

Justin Frazier of TBird Design Services appeared before the Board to present Roberts Ridge Subdivision Preliminary Plat for preliminary drainage approval. The site was located north of Co. Rd. 450 South approximately 1 mile east of Co. Rd. 250 East (Concord Road) and consisted of approximately 60 acres. Woodland Elementary School adjoined to the west. The JN Kirkpatrick Regulated Drain was located in the northern portion of the site and the project was located within the JN Kirkpatrick Impact Area. Two detention ponds with a drainage swale were planned for the project. Construction of the ponds and swale would require a Petition to Encroach on the JN Kirkpatrick Regulated Drain. Emergency outfalls were planned for each pond. The offsite runoff routed through a culvert below Co. Rd. 450 South around the entire site into the ponds. The detention ponds, BMP, primary outfalls, emergency outfalls and mass grading have been designed at this point. He stated they planned on returning at the next meeting for the remaining of the drainage infrastructure approval. He noted they agreed with the October 28, 2011 Burke memo and requested preliminary drainage approval at this time. Responding to the Surveyor, Mr. Frazier confirmed he had submitted the required Petition to Encroach on the JN Kirkpatrick Regulated Drain and it would be presented at the next meeting. There was no public comment.

The Surveyor then recommended preliminary approval with the stated conditions on the Oct. 28, 2011 Burke memo. John Knochel made a motion to grant preliminary approval with the conditions stated on the Oct. 28, 2011 Burke memo. David Byers seconded the motion. Roberts Ridge Preliminary plan was granted preliminary approval with the conditions as stated on the Oct. 28, 2011 Burke memo.

SIA Motor Pool Truck Parking Expansion

The Surveyor presented the SIA Motor Pool Truck Parking Expansion project to the Board for final approval. The project site was located along St. Rd. 38 between Co. Rd. 475 East and Interstate 65 within the City of Lafayette and consisted of approximately 1.3 acres. He recommended final approval with the conditions as stated on the October 26, 2011 Burke memo. There was no public comment.

David Byers made a motion to grant final approval with the conditions as stated in the October 26, 2011 Burke memo. John Knochel seconded the motion. The SIA Motor Pool Truck Parking Expansion project was granted final approval with conditions as stated on the October 26, 2011 Burke memo.

Zach Beasley/Other Business

The Surveyor presented the Revised Comprehensive Stormwater Management Ordinance of Tippecanoe County for the 1st reading. The revisions consisted of expanding the menu of options for Low Impact Development (L.I.D.) to allow developers additional flexibility regarding storm water quality and quantity practices and requirements. He recommended the Board approve this revision on the first reading. The Attorney stated Ordinance 2011-27-CM Comprehensive Stormwater Management. Ordinance of Tippecanoe County reflects in full the existing Stormwater Management Ordinance of Tippecanoe County and incorporates by reference the Tippecanoe County Technical Standards Manual attached. This Ordinance would be available for inspection by the public with any questions directed to the Surveyor's office. Mr. Byers made a motion to accept the stated

Ordinance as presented. Mr. Knochel seconded the motion. The vote was as follows: Commissioner John Knochel: Yes Commissioner David Byers: Yes Commissioner Tom Murtaugh: Yes. Ordinance #2011-27-CM passed on 1st Reading 3-0.

Andrew Brown Regulated Drain #13 Status Update

The Surveyor reminded the Board landowners Ernie Agee, Brett Decamp and Alan Gray located in the general area of Co. Rd. 850 North and Co. Rd. 100 West appeared before the Board at a previous meeting regarding the drainage within their area. The tile branch of the Andrew Brown Drain was investigated as a result of their complaints. It was found that the steel pipe placed under the interstate approximately in the 1960's had developed rusting and a hole which had allowed sediment and debris to drop down into the pipe and caused an obstruction. The pipe was video recorded all the way under the interstate which revealed this finding. He stated he had contacted INDOT and provided them with a copy of the tape to inform them of the present situation. INDOT stated the problem was sent to design and they anticipated replacement of the pipe construction to be bid out by the middle of next year. He noted INDOT was being cooperative and it would be a large project. Responding to Mr. Knochel's inquiry, the Surveyor noted he thought the pipe was 10 or 12 inch in diameter. He would stay on top of the issue and hoped to see some movement by INDOT on the project sometime in May-July of 2012.

As there was no public comment David Byers made a motion to adjourn.

Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
December 7, 2011
Regular Meeting

Those present were:

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

Approval of Minutes
David Byers made a motion to approve the November 2, 2011 Drain Maintenance Hearings and Regular Drainage Board minutes in addition to the S .W. Elliott Branch #11 Reconstruction Hearing minutes. John Knochel seconded the motion. The November 2, 2011 Drain Maintenance Hearings and Regular Drainage Board minutes in addition to the S .W. Elliott #100 Branch #11 Reconstruction Hearing minutes were approved as written.

Roberts Ridge
Justin Frazier with TBird Design Services approached the Board to request final approval for Roberts Ridge Subdivision. The site consisted of approximately 59 acres and located on the north side of Co. Rd. 450 South east of Co. Rd. 250 East (Concord Rd.). The JN Kirkpatrick Regulated Drain was located in the northern portion of the site and the project was located within the JN Kirkpatrick Impact Area. The detention ponds, BMP, primary outfalls, emergency outfalls and mass grading was granted preliminary approval by the Board at their previous meeting. The subdivision's storm sewer design was presented today for approval. Justin stated his client agreed with the Nov. 30, 2011 Burke memo and requested final approval from the Board. The Surveyor reviewed the area for the Board. He stated he had been contacted by two concerned landowners located on the south side of Co. Rd. 450 South across the southwest corner of the site. Their concern regarded agricultural (field) tiles in the farm field south of Co. Rd. 450 South which drained north across their site. The Surveyor added a condition of the agricultural tiles to be located and shown on the plans. Responding to Mr. Murtaugh' inquiry, Mr. Frazier stated they would locate any tiles on the project site and incorporate them in the design where warranted. The Surveyor added an additional condition that the field tiles onsite would be located and indicated as such on plans. Justin stated they had three options. One- the tile (s) could be tied into the designed storm sewer, two- the tile could outlet into the swale, three- run the tile under the swale and on into the JN Kirkpatrick Regulated Drain. The Surveyor noted the additional condition of the field tile(s) located prior to earth work on site. He required the invert information gathered prior to the grading. He recommended final approval with the conditions as stated on the Nov. 30, 2011 Burke memo along with the additional condition of locating and incorporating the farm tiles into the design where warranted. David Byers made a motion to grant final approval with the conditions as stated on the Nov. 30, 2011 Burke memo as well as the additional condition of locating and incorporating the aforementioned farm tiles into the design where warranted. John Knochel seconded the motion. Roberts Ridge was granted final approval with the conditions as stated on the Nov. 30, 2011 Burke memo and the additional condition of locating and incorporating farm tiles into the design where warranted. The Surveyor then noted a Petition to Encroach on the JN Kirkpatrick Regulated Drain had been submitted for this project. He recommended approval. David Byers made a motion to approve the Petition to Encroach on the JN Kirkpatrick Regulated Drain as submitted. John Knochel seconded the motion. The Petition to Encroach on the JN Kirkpatrick Regulated Drain regarding Roberts Ridge Subdivision was approved as presented.

Industrial Pallet Expansion Phase 1
Pat Williams from TBird Design Services approached the Board to request final approval for the Industrial Pallet Phase I Expansion. The existing site was located near the intersection of US 52 and St. Rd. 28, along the East County Line Road. Pat Stated the Master Drainage Study for the overall improvement of the site was approved in December of 2010. Approval of the drainage design and construction plans for the storm water infrastructure was granted approval in May of 2011 as well. The site was currently under construction with the storm water infrastructure near completion. The expansion included a 45,000 square feet building addition to the existing industrial facility on the east side. The site design was in compliance with the Master Drainage Study for the site. He noted two variances were requested with this project. The first related to a loading dock and the second to storm sewer inlets and emergency routing. He noted the December 2, 2011 Burke Review memo explained the variances request made. He noted it was critical the dock's finished floor match the existing floor and stated site restrictions of the grading basically established where the pond elevations needed to be. He stated the bottom of the dock was above the emergency overflow and the finished floor of the building was 4.5 feet above the 100 year flood elevation. He felt there was adequate protection of the building itself. The second was related to a couple small storm inlets on the north side of the building and their emergency routing. The reasons for this design were well documented. The

required pad grades were not met at this location. The client was aware that some onsite flooding may occur, however it was felt the structures were protected as designed. Most importantly he stated the adjoining property owners would not be affected by this design. He then asked for approval and stated they were in agreement with the December 2, 2011 Burke memo conditions and would meet all the conditions stated within the memo. The Surveyor reviewed the site for the Board and stated he recommended approval of the variances as requested and also final approval with the conditions as stated on the Burke December 2, 2011 memo John Knochel made a motion to grant the two variances as requested. David Byers seconded the motion. John Knochel made a motion to grant final approval with the conditions as stated on the December 2, 2011 memo. David Byers seconded the motion. The Industrial Pallet Expansion Phase 1 was granted two variances as discussed in the December 2, 2011 Burke memo. The Industrial Pallet Expansion Phase 1 was granted final approval with the conditions as stated on the December 2, 2011 Burke memo.

US 231 Road Improvements Spoil Site
Brad Miller from DJ McQuestion and Sons approached the Board to request final approval for the US 231 Road Improvements Spoil Site project. The site was located between SR 26 (State Street) and US 52 and consisted of a mound approximately 600'x300' and 40' high. Runoff would be conveyed to the proposed detention pond by diversion channels along the base of the said mound. Mr. Miller indicated a detention pond would be constructed by INDOT and located east of the "S curves". The Surveyor then reviewed the site for the Board. Responding to the Surveyor Mr. Miller stated they would truck in approximately 150,000 cubic yards of dirt for the mound. Mr. Eichelberger confirmed there was no development proposed with this project. He noted the diversion channel on the east side of the proposed mound would convey any offsite runoff to the said detention pond. The Surveyor noted the project was reviewed to insure any adjoining developments would not be affected by the proposal. He then recommended final approval with the conditions as stated in the December 2, 2011 Burke memo for the US 231 Road Improvements Spoil Site. David Byers made a motion to grant final approval with the conditions as stated on the December 2, 2011 Burke memo for the US 231 Road Improvements Spoil Site. John Knochel seconded the motion. The US 231 Road Improvements Spoil Site was granted final approval with the conditions as stated on the December 2, 2011 Burke memo.

Ivy Tech Southeast Parking Lot and Pedestrian Bridge
Kyle Bets from Fisher and Associates approached the Board to request final approval for the Ivy Tech Southeast Parking Lot and Pedestrian Bridge project. The site was located within the city of Lafayette; therefore the Board was reviewing drainage only on this project. A parking lot and pedestrian bridge was planned. A portion of the project would encroach on the S.W. Elliott Regulated Drain easement. There were two encroachments one regarded the parking lot and one regarded a pedestrian bridge. Mr. Betz stated the encroachment was discussed in detail with the Surveyor previously. After much discussion a 15 feet wide strip was planned for access regarding any future maintenance of the drain. The Surveyor agreed to this. Direct discharge was planned into the S.W. Elliott Regulated Drain. Mr. Betz stated they agreed with the comments on the December 2, 2011 Burke memo and requested final approval. The Surveyor then reviewed the area for the Board. He stated the City Engineer's office, Mr. Betz and the Surveyor had discussions regarding the encroachments and he felt compromise with the 15 feet access was sufficient. He noted if the access was any larger the project would not be feasible. Maintenance of the encroached area would be covered by a Maintenance Agreement between the Drainage Board and Ivy Tech Community College. He discussed the slope ratio and suggested a possible retaining wall. Mr. Betz stated they were limited somewhat by the flood plain and floodway to the 4 to 1 slope but would review it again. Mr. Betz stated he would return to the Board with the Encroachment Petitions for approval at a later date. The Surveyor recommended final approval with the conditions stated on the December 2, 2011 Burke Memo as well as the additional condition of the Petition to Encroach regarding both the Ivy Tech Southeast Parking Lot and the Pedestrian Bridge submission. David Byers made a motion to grant final approval with the conditions stated on the December 2, 2011 Burke Memo as well as the additional condition of the Petition to Encroach regarding both the Southeast Parking Lot and the Pedestrian Bridge submission. John Knochel seconded the motion. The Ivy Tech Southeast Parking Lot and Pedestrian Bridge was granted final approval with the conditions stated on the December 2, 2011 Burke Memo as well as the additional condition of the Petition to Encroach regarding both the Southeast Parking Lot and Pedestrian Bridge submission.

Zach Beasley
Other Business
Revised Comprehensive Stormwater Management Ordinance Tippecanoe County: 2nd/final reading #2011-27-CM
The Surveyor noted the Revised Comprehensive Stormwater Management Ordinance for Tippecanoe County was passed on its first and second reading by the Commissioners prior to this date. He requested the 2nd and final reading by the Drainage Board. He noted changes to the Ordinance were discussed in previous meetings. David Byers made a motion to approve the Revised Comprehensive Stormwater Management Ordinance for Tippecanoe County on its 2nd and final reading. John Knochel seconded the motion. The vote was as follows: David Byers Yes/John Knochel Yes/Thomas Murtaugh Yes. The Revised Comprehensive Stormwater Management Ordinance was approved with a vote of 3-0.

Petition to Encroach/Berlowitz Regulated Drain #08
The Surveyor presented the following petition for approval by the Board: Petition to Encroach on the Berlowitz Regulated Drain #08 regarding Lot 1 Monitor Subdivision aka Moose Lodge. John Knochel made a motion to accept the Petition as presented by the Surveyor. David Byers seconded the motion. The Petition to Encroach on the J. Berlowitz Regulated Drain#08 submitted by TBird Design Services regarding Moose Lodge on Lot 1 of the Monitor Subdivision was approved.

Petition to Reconstruct/ Mary McKinney #52 Regulated Drain
The Surveyor presented a Petition of Reconstruction regarding the Mary McKinney #52 Regulated Drain. John Knochel made a motion to accept the Petition and refer it back to him for his report. David Byers seconded the motion. The Petition of Reconstruction regarding the Mary McKinney #52 Regulated Drain was accepted as presented by the Surveyor and referred to him for a report.

Petition to Reconstruct/Alonzo Taylor #77 Regulated Drain
The Surveyor presented a Petition for Reconstruction regarding the Alonzo Taylor #77 Regulated Drain. John Knochel made a motion to accept the Petition as presented by the Surveyor and refer it back to him for his reconstruction report. David Byers seconded the motion. The Petition of Reconstruction regarding the Alonzo Taylor Regulated Drain #77 was accepted by the Board and referred to the Surveyor for a report.

Maintenance Bonds
The Surveyor then presented the following Maintenance Bonds for approval by the Board: Maintenance Bond #6010890 from Ohio Famers Ins. Co. in the amount of $23,510.80 submitted by Merritt Construction regarding Wyandotte Elementary School project, Maintenance Bond#929537947 from Western Surety Co. in the amount of. $6,190.00 submitted by TWG Construction regarding Chapelgate Sr. Apts. David Byers made a motion to accept the Maintenance Bonds as presented by the Surveyor. John Knochel seconded the motion. Maintenance Bond #6010890 from Ohio Famers Ins. Co. in the amount of $23,510.80 submitted by Merritt Construction regarding Wyandotte Elementary School project, Maintenance Bond#929537947 from Western Surety Co. in the amount of. $6,190.00 submitted by TWG Construction regarding the Chapelgate Sr. Apts. were accepted by the Board.

2012 Meeting Dates
The Surveyor presented the 2012 Drainage Board Meeting Dates Request for the Boards approval. David Byers made a motion to accept the proposed 2012 meeting dates as presented by the Surveyor. John Knochel seconded the motion. The 2012 meeting dates as presented by the Surveyor were approved by the Board.

Public Comment

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

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
May 2, 2012
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Tom Murtaugh made a motion to approve the April 4, 2012 regular and special hearing minutes as written. John Knochel seconded the motion. The April 4th, 2012 regular meeting minutes, April 4, 2012 special hearing minutes were approved as written.

Roberts Ridge Subdivision

Justin Frazier of TBIRD Designs Inc. appeared before the Board to present Roberts Ridge Subdivision for final approval. This project was granted final approval with conditions at the December 11, 2011. In April, the project was resubmitted due to revisions of the original pond 1 location as well as an addition of 15 lots. Pond 1 was previously located immediately adjacent to the JN Kirkpatrick Regulated Drain location. It was relocated to a more central location with lots around it. A road now extended along the northern portion and continued easterly to the east side of the subdivision. There were two cul-de-sacs previously planned; now a continuous drive made a loop within the subdivision. Additionally, the lots located along the J.N. Kirkpatrick Regulated Drain required a reduction from the existing 75 feet maintenance easement to 30 ft. maintenance easement. (The overall drainage infrastructure (storm sewers etc.) remained as originally planned.) Justin Frazier requested final approval with the revisions as stated and the approval of the Petition as submitted. He noted they agreed with the conditions as stated on the April 25, 2012 Burke Review Memo. The Surveyor recommended approval of the easement reduction on the JN Kirkpatrick Regulated Drain as well as final approval with the conditions as stated on the April 25, 2012 Burke memo. Tom Murtaugh made a motion to accept the Petition for Easement Reduction on the J.N. Kirkpatrick Regulated Drain as well as grant final approval with the conditions as stated on the April 25, 2012 Burke memo. John Knochel seconded the motion. The Petition for Easement Reduction on the J.N. Kirkpatrick Regulated Drain was accepted as presented. Roberts Ridge Subdivision was granted final approval with the conditions as stated on the April 25, 2012 Burke memo.

Petition to Encroach / Jakes #40 Regulated Drain

The Surveyor presented a Petition to Encroach with a crossing on the Jakes Regulated Drain #40 submitted by Joseph R. Herbst. The Surveyor reviewed the Petition previously and recommended approval to the Board. Tom Murtaugh made a motion to grant approval for the Petition to Encroach on the Jakes Regulated Drain #40 submitted by Joseph R. Herbst. John Knochel seconded the motion. The Petition to Encroach with a crossing on the Jakes Regulated Drain #40 submitted by Joseph R. Herbst was granted approval by the Board.

Petition to Partially Vacate/ Berlovitz Regulated Drain #08 –Felbaum Branch

Dan Teder of Reiling, Teder and Schrier, LLC appeared before the Board to present a Petition to Partially Vacate a portion of the Berlovitz Regulated Drain #08 known as the Felbaum Branch. This Branch was located within the Hawthorne Lakes Subdivision tract. Exhibit C of the Petition documents indicated the area of vacation requested. Mr. Teder noted the western portion of the Felbaum Branch had previously been vacated by the developer. The eastern portion of the Felbaum Branch was requested to be vacated today. A new drainage structure was in place to direct runoff into the designated drainage channel. Mr. Teder then requested approval for the Petition. The Surveyor stated the developer's request referred to the area at Co. Rd. 50South and Co. Rd. 550East- where the Berlowitz Detention Facility was located. An open ditch at the southeast corner of the facility was constructed along McCarty Road. Hawthorne Lakes was located directly south of the said large detention facility. The open ditch and drainage infrastructure was located on the east side of the development and routed to McCarty Lane ditch. The Felbaum Branch of the Berlovitz Regulated Drain originally routed around the Hawthorne Lakes development in a horseshoe style. It had previously been rerouted with not only this development but also the McCarty Lane Extension project. The areas' runoff was directed into the Berlovitz Regional Detention Basin/Facility. The Surveyor then recommended approval of the Petition as presented to the Board. Tom Murtaugh made a motion to grant approval for the

Petition to partially vacate the Felbaum Branch of the Berlovitz #08 Regulated Drain. John Knochel seconded the motion. The Petition to Partially Vacate a portion of the Berlovitz Regulated Drain #08 known as the Felbaum Branch located within the Hawthorne Lakes Subdivision tract was approved.

Public Comment

There was no public comment. Mr. Tom Murtaugh made a motion to adjourn. John Knochel seconded the motion. The meeting was adjourned.

David S. Byers, President

Thomas P. Murtaugh, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
August 7, 2013
Regular Meeting Minutes

Those present were:
Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel , County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.

Approval of Minutes
David Byers made a motion to approve the July 10, 2013 regular minutes as written. John Knochel seconded the motion. David Byers made a motion to approve the July 10, 2013 landowner hearing minutes regarding the Thomas Ellis #27 Regulated Drain. John Knochel seconded the motion. The July 10, 2013 regular meeting and the July 10, 2013 Thomas Ellis #27 Regulated Drain Hearing minutes were approved as written.

TKO Graphix/ Lafayette Operations
Randy Peterson from Starr Associates appeared before the Board to present TKO Graphix Lafayette Operations. The site was located on the north side of County Road 450 South and consisted of approximately 30 acres. A new commercial building with additional parking and a drive was planned. While a drainage tile existed in the depressional area onsite it was in poor condition and would not be utilized. The entire site's runoff would be contained in an infiltration basin that will be located in the northern portion of the site. A vegetative filter strip would be placed along the end of the gravel area to capture the runoff prior to entering the basin. He stated the site's runoff would not impact the private drive to the east of the site. He requested conditional approval for the project at that time. The Surveyor inquired if a Petition on the S.W. Elliott Regulated Drain (tile onsite) had been submitted for review as noted in the August 2, 2013 Burke memo under Variances/Encroachments. Mr. Peterson stated it had not to date. However he would submit the Petition as soon as possible. The Surveyor noted the drainage tile was a branch of the SW Elliott #100 drain which ended just west of the private drive located on the east property line. There would be no runoff discharged into that tile. He directed Mr. Peterson to submit the required petition for his review and Board's approval during the September meeting. Responding to Mr. Byer's inquiry, Mr. Peterson stated the parking area would be compacted stone and would basically become an impervious area draining to the infiltration basin. Mr. Peterson noted there was ½ % slope for 1400 feet to the north end of the tract. The discharge would flow overland to the rear of tract. Responding to Mr. Byers, the Surveyor stated homes adjoining the northern portion of the site were at a higher elevation. Mr. Eichelberger noted presently, east of the project site, runoff sheet flows to the west during large rain events. This would not change, as it would flow to the depressional area within the project site and discharge out of the basin to the northwest.

The Surveyor recommended conditional approval as stated in the August 2, 2013 Burke memo. The required Petition would be submitted for Board's approval during the September meeting. David Byers made a motion to grant conditional approval as stated in the August 2, 2013 Burke memo. John Knochel seconded the motion. Tom Murtaugh asked for public comment.

Jack Ricks 5502 East 430 South Lafayette Indiana 47905 approached the Board. Mr. Ricks stated he is the landowner to the east of the project site. He stated currently when the drain tile located on his tract was full - water would stand for a period of time. He expressed his fear the addition of impervious area on the project site would cause additional standing water on the private drive. At that point attendee Bruce Collings Jr. 5504 East 430 South Lafayette Indiana approached the Board. Mr. Collings stated the Board was having private conversations and he did not appreciate it. He stated he could not hear anything the Board was discussing and did not learn anything today. Tom Murtaugh stated if he was having a hard time hearing the Board's discussion, a headset was available for his use. He declined and asked the audience if anyone else was having trouble hearing, at that point he left the meeting. Responding to Mr. Rick's statement, the Surveyor stated the basin would be constructed in the natural depressional area. The drainage analysis conducted for the project indicated if and when the water got high enough it would flow out of the basin to the northwest. Mr. Peterson stated the high water elevation of the project site would be approximately 1 ½ feet lower than the low point of the private drive between the properties. Mr. Peterson answering Mr. Eichelberger's inquiry stated the existing 100 year water elevation condition was roughly a foot lower as he did not have the exact numbers with him today. Mr. Eichelberger replied the 100 year existing condition elevation of the site was 668.14 and the existing road elevation was 666.74. He continued, the drainage analysis for the 60 acres which drained through the depressional area indicated water would be 1.4 feet above the road in existing condition. Mr. Byers stated due to the elevation change, runoff from the tract on the east side would leave quicker than in present conditions. Mr. Peterson stated based on the ordinance and the present design, the pond should drain within approximately 37 hours. He further stated the pond would be maintained after development as required by Ordinance. IE: mowing etc.

Tammy Ricks 5502 East 430 South Lafayette Indiana 47905 approached the Board and stated there was a drain under their lane. At times they could hear water flowing to their tract. The Surveyor stated the SW Elliott branch tile under their lane flowed to the east and was a county regulated tile for ground water NOT stormwater. He noted the developer was not allowed to discharge water into this tile. The tile's present discharge point was just east of Newcastle Road and south of the railroad track. He noted

the SW Elliott was one of the largest drainage systems in the county and had miles of tile. There was no other comment. The motion on the floor was passed as stated. TKO Graphix was granted approval with the conditions as stated on the August 2, 2013 Burke memo. The outstanding condition of the required petition would be addressed in the Sept. meeting.

The Orchard Phase 4 (Continued)
Dave Byers made a motion to take the project "The Orchard Ph. 4 off the table and John Knochel seconded the motion. The Surveyor stated Mr. Dave Kovich developer for The Orchards development had presented his office with a maintenance agreement for the earthen dam structure on the project site. He reviewed the agreement which included among other items, structure maintenance, soil borings, a maintenance inspection program, etc. with the Board. (Agreement would be recorded and located in the project file) The main item of the agreement was the creation of one spillway. That spillway would be located on the west side of the earthen dam structure. Currently there was a spillway on the east side of the structure. Per the agreement, the spillway on the east side of the structure would be blocked off and the spillway on the west side of the earthen dam would be utilized. The Surveyor then recommended approval of the three variances referred to in the April 12, 2013 Burke memo. He then recommended conditional approval as stated on the April 12, 2013 Burke memo. Mr. John Knochel made a motion to approve Variance #1,#2 and #3 as stated in the April 12, 2013 Burke memo. David Byers seconded the motion. Variances 1, 2 and 3 were granted approval by the Board. John Knochel made a motion to grant conditional approval as stated in the April 12, 2013 Burke memo. Dave Byers seconded the motion. The Orchard Phase 4 was granted three variances and conditional approval as stated on the April 12, 2013 Burke memo.

Other Business/Zach Beasley
Hester Mottsinger #58 Regulated Drain
The Surveyor requested a maintenance hearing regarding the Hester Mottsinger #58 Regulated Drain be scheduled immediately after the regularly scheduled November 6th, 2013 Drainage Board meeting. Responding to Mr. Byers, the Surveyor noted a petition was not required for a maintenance increase hearing. This regulated drain was approximately $5000 in the red and with the present assessment as stands it would take 15-20 years to pay off. Therefore a maintenance increase was warranted. Dave Byers made a motion to schedule the Hester Mottsinger #58 Regulated Drain maintenance hearing to directly follow the regularly scheduled Nov. 6, 2013 Drainage Board meeting. John Knochel seconded the motion. The maintenance hearing on the Hester Mottsinger #58 Regulated Drain would be held on Nov. 6, 2013 directly following the regular Drainage Board monthly meeting.
Waterstone Subdivision
The Surveyor stated he had attended a meeting of the landowners in the Waterstone Subdivision regarding the JN Kirkpatrick Regulated Drain and Nanshan America's pumping of ground water into the open ditch. He noted the subdivision was located at the southwest corner of 18th street and Veterans Memorial Parkway (CR350S). He investigated the situation thoroughly and had met with the landowners. He received a letter from Mr. Doug Griffin 1121 Stoneripple Circle Lafayette In. 47909 (resident of Waterstone Subdiv.) regarding the situation. The letter was read as follows by the Surveyor into the minutes: "Drainage Board: Please accept this written request in place of an in-person testimony at the August 7th board meeting, as I am unable to attend. Over the past several weeks, the residents of Waterstone (of which I am one) that live along the J.N. Kirkpatrick Ditch have recently had a perception altering experience as Nanshan America was forced to drain ground water into the ditch. Over the years, the Kirkpatrick Ditch has functioned very well. The engineering of the ditch for high-level storm water retention and drainage is quite impressive. Up until recent events, the pilot channel has also functioned exceptionally well in retaining the nominal or low-level flow rate. So well, that most of the residents in Waterstone are able to keep their yards, right up to the pilot channel, very well manicured. The recent events surrounding the increase of the nominal flow rate has raised some concerns, specific to Waterstone residents, for the future. The concerns are as follows:

1. Another Nanshan (one-off) type event in which the nominal flow rate exceeds what the pilot channel can effectively handle for an extended period of time. 2. Future commercial and or residential development, along the ditch, which results in an aggregated increase in the nominal flow rate that exceeds the pilot channel's capacity.

I am fully aware that we live on a drainage ditch and that there is an easement in play on either side. However, I would suggest that the section of the Kirkpatrick ditch between 18th St and 9th St. represents a unique portion of the ditch. It is unique in that we own property and manage upkeep on both sides. This creates a section of ditch in which the state of nominal flow rate is quite significant to our quality of life. In light of this reality, I am formally requesting that the drainage board consider approving a kind of 360 degree study that considers all relevant factors related to the current and future concerns regarding the ditch. I would personally like to thank Zach Beasley for his handling of the Nanshan situation, and Tom Murtaugh for his efforts to support best interests. As a constituent, I greatly appreciate your time and attention. Sincerely, Doug Griffin"

The Surveyor stated as it stands now pumping of uncontaminated ground water is one of the exempt discharges within the Ordinance. In the area between 18th street and 9th street the flow capacity was generally between 900 and 1000 cubic feet per second. Nanshan America was at one time pumping up to 8000 gallons per minute. This equated to approximately 7-10 cubic feet per second. The capacity was not an issue. The issue for the landowners was the detriment it caused to their properties. They had not been able to mow their yards during this time and the extra water killed some of their vegetation. He requested Nanshan America test the ground water for contamination and they complied. The testing indicated the water was not contaminated. He stated he had reviewed that extensively. Ms. Elizabeth Butler 1201 Stoneripple Circle Lafayette In. 47909 approached the board at that time. Ms. Butler stated properties east of the subdivision were being developed and she wondered how the new

development would affect the ditch and its surrounding properties. The Surveyor stated the ditch was designed as what is now referred to as a two stage ditch. There was a pilot channel and then the ditch banks were "stair stepped" designed. He noted this was also designated an "Urban Drain". He noted this situation was unique and an anomaly. Nanshan America's property site was within the city of Lafayette limits and drainage plans for the site was approved by the City of Lafayette. The County Drainage Board's responsibility was to review and approve the proposed discharge rates into the J.N. Kirkpatrick Ditch only for the project. Since the pumping of uncontaminated ground water was allowed by ordinance, he was not aware of actions which could be taken to control it. He stated he planned to work with Consultant Christopher B. Burke Engineering and investigate further to see if any communities within the state had experienced this issue and if so their response. He noted the ditch was designed for stormwater use and not the pumping of ground water continuously 24 hours 7days a week over an extended period of time. The ditch would handle it, however the killing of vegetation in and surrounding the ditch was a concern for those landowners who owned property on both sides. John Knochel stated the pumping of the ground water was due to Nanshan America digging a pit for one of their presses. If a new industrial company came in that required something similar it was safe to assume this could happen again. The Surveyor stated the watershed of J.N. Kirkpatrick was designated a "Drainage Impact Area." This required a stricter set of release rates (lower volume) to be followed by developers within the watershed boundaries. Mr. Murtaugh expressed appreciation to the landowners at Waterstone Subdivision for their patience and understanding of the situation. He also expressed his appreciation to Nanshan America for their prompt attention to the matter. Mrs. Ricks stated her neighbor Doug Griffin had made a site visit with a Nanshan representative. The press pit being dug was complete and the level of water in the ditch has receded. She thanked Tom Murtaugh and the Surveyor for their quick responses to the issue.

Public Comment

Pat Jarboe of TBIRD Design Services approached the Board. Mr. Jarboe stated he needed clarification of the Drainage Ordinance. TBIRD Designs had an opportunity to complete a Master Drainage Study for large tract of land approximately 90 + acres remaining to be developed with approximately 42 acres having been developed over the last decade or so. The tract had drainage challenges due to the numerous developments in and around the tract. A" Master Drainage Study" was suggested to the developer. In addition the developers were not sure when construction would begin and it could be several decades. He asked the Board what constituted a master drainage study. He stated he did not expect an answer today however did request guidance. He read the following from the Ordinance: "Chapter 2 of Prohibited Discharge and Connections"- Finally any construction project which has had its drainage plan approved by the Board prior to the effective date of this Ordinance shall be exempt from all requirements of this Ordinance" etc... Assuming this happens in future Ordinances, what is meant by drainage plan and construction project? Traditionally, any construction plans which were approved prior to a particular Ordinance were requested to meet the in force Ordinance as much as possible. The developer asked how a Master Drainage Study benefited them. Construction plans could be a large investment that they would not get a return from. He stated his guidance inquiry was as follows: What constitutes a construction project that can be approved by the Drainage Board for a large area with a non-defined scope of use in the future. The Engineer Consultant Dave Eichelberger stated he brought up a good point. He would be willing to look at this inquiry and provide a response after consulting with the Surveyor. He asked Mr. Jarboe to request this in writing to the Board/Surveyor Office. Mr. Eichelberger agreed completing a Master Drainage Study for a large area in the county was a winning situation for the county as well as developer. Mr. Eichelberger stated in years past Eastland Development did a Master Drainage Study for their properties within the Berlowitz Watershed. Mr. Jarboe thanked the Board for their time. As there was no other public comment John Knochel made a motion to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David S. Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
March 5, 2014
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Tom Murtaugh made a motion to approve the February 14, 2014 regular meeting minutes as written. David Byers seconded the motion. The February 14, 2014 regular meeting minutes was approved as written.

Copper Moon Coffee

Clem Kuns of TBird Design appeared before the Board to present Copper Moon Coffee. The project site was located on the east side of Veterans Memorial Parkway south of the McCarty Lane (Co. Rd. 100 South) intersection and consisted of approximately 10 acres. He stated the site was known as the former Brennaco site. The former Halsema Runway was also located southwest to northeast on site. A new approximately 30,000 square feet building would be built to the east of the existing building. The project's site was located within the City of Lafayette; therefore the request for direct release to the Berlowitz Regulated Drain was the Board's review today. The site discharged at the northeast corner and ultimately drained to the detention facility of same name and located north of McCarty Lane near I65.
*Vice President John Knochel entered the meeting.
Christopher B. Burke Engineering completed a Master Plan of the area. One of the basins within the Master Plan split down the runway and passed to the west through storm infrastructure to the Berlowitz Regulated Drain. The eastern basin use to pass over the top of the Berlowitz drain tile and ultimately drained into the same location. Currently it still routed to the same location. Due to the proximity of the Berlowitz Regulated Drain and the project's location inside the Berlowitz Master Plan Study, an approval for the direct release was requested. Mr. Kuns stated it was determined that 0.42 acre foot of detention storage within the Berlowitz Detention Basin would be required. He requested approval for direct release discharge to the Berlowitz Regulated Drain. The Surveyor reiterated approval for direct release into the Berlowitz Regulated Drain and the storage fees for 0.42 acre feet in the Berlowitz Detention Facility were required. He then recommended approval with the conditions as stated on the February 11, 2014 Burke memo as requested.

The President asked for public comment. There was none. Tom Murtaugh made a motion to approve the tile connection to the Berlowitz Regulated Drain tile as requested. John Knochel seconded the motion. Tom Murtaugh made a motion to grant approval with the conditions as stated on the February 11, 2014 Burke memo. John Knochel seconded the motion. Copper Moon Coffee project was granted approval with the conditions as stated on the February 11, 2014 Burke memo.

Buffalo Wild Wings Parking Lot Expansion

Mike Deboy of Deboy Land Services appeared before the Board to present Buffalo Wild Wings Parking Lot Expansion project. The site consisted of approximately 1.8 acres and was located on the southeast corner of Creasy Lane at the intersection with State Road 38. (Aka Lot 2 of Creasy at the Crossing Section 1) He noted the client's Attorney Joe Bumbleberg was in attendance. He requested approval (regarding Branch #13 of the S.W. Elliott Regulated Drain#100) of a Maintenance Agreement between the owner and Tippecanoe County Drainage Board. He noted he has had many discussions with the Board's Engineer Consultant and Surveyor's office regarding the 2 -66" corrugated pipes known as Branch #13 of the S.W. Elliott Regulated Drain. Following the Board's request, a televised pipe investigation to determine the integrity of the pipes was completed and results submitted to Surveyor's office. The Agreement stated the owner and successors would be financially responsibility for the replacement of said pipes if necessary. The project at hand involved the addition of asphalt pavement for an additional 30 parking spaces which is sorely needed at this time. The pavement would be placed over the pipes. He informed the Board, due to the current corporate conference of Board Buffalo Wild Wings, he was unable to obtain the required signatures prior to today's meeting. He stated he spoke with senior management and they were in

agreement of the content and would sign upon return. He asked the Board to approve the Maintenance Agreement and Petition to Encroach on the condition signatures would be obtained, documents recorded and provided to the Surveyor Office asap. He requested approval.
The Surveyor stated this site has had parking issues since built. From a safety point of view he requested investigation of the pipe along with a structural engineer report. The televised investigation and report had been provided to his office. He stated he felt confident approving the request. He recommended approval of the Maintenance Agreement as well as the Encroachment Petition when signed by the owner. He then recommended approval with the conditions as stated on the February 11, 2014 Burke memo as well as an added condition for payment of the yet to be determined amount of detention storage within the F-Lake Detention Storage Facility. This amount should be determined by the client's project engineer and submitted to the Surveyor's office for approval. The Board President asked for public comment, there was none.

Tom Murtaugh made a motion to grant approval with the conditions as stated on the February 11, 2014 Burke memo along with the added condition of the yet to be determined per acre foot detention storage fees to be paid as required. John Knochel seconded the motion. Tom Murtaugh made a motion to approve the SIGNED Petition to Encroach on Branch #13 of SW Elliott Regulated Drain. John Knochel seconded the motion. Tom Murtaugh made a motion to approve the SIGNED Maintenance Agreement between the Board and the owner of Buffalo Wild Wings and/or successors. John Knochel seconded the motion. Buffalo Wild Wings and Tippecanoe County Drainage Board Maintenance Agreement and the Petition to Encroach were approved by the Board as aforementioned. Buffalo Wild Wings Parking Lot Expansion project was approved with the conditions as stated on the February 11, 2014 Burke memo along with the added condition of the yet to be determined F-Lake Detention Basin Storage payment. All conditions must be met prior to final approval from the Surveyor's office. Mr. Deboy thanked the Board and the Surveyor Office for working with Buffalo Wild Wings to provide additional parking at the establishment's site.

Zach Beasley/Other Business:
Alexander Ross Master Plan Contract

The Surveyor presented an Alexander Ross Regulated Drain Watershed Master Plan Study contract written by Christopher B. Burke Engineering LLC. in the amount of $67,180.00 (county share) for approval by the Board. He noted this was a joint contract between the County and the City of Lafayette and Christopher B. Burke Engineering LLC. The Regulated Drain was located within the City's limits specifically west of Interstate 65, south of State Road 26 and north of McCarty Lane. There was a large tract of developable ground in the watershed. The Master Plan Study on the aforementioned Regulated Drain would assist in the future development of the tract. He recommended the Board approve the Alexander Ross Master Plan Study contract. There was no public comment.

Tom Murtaugh made a motion to approve the Alexander Ross Regulated Drain Watershed Master Plan Study contract written by Christopher B. Burke Engineering LLC. in the amount of $67,180.00. John Knochel seconded the motion. The Alexander Ross Regulated Drain Watershed Master Plan Study contract with Christopher B. Burke Engineering LLC in the amount of $67,180.00 was approved as presented.

Resolutions

David Luhman Board Attorney stated the following resolutions were presented to document the previously established fees for regional detention basin participation in the 3 detention storage basins owned by the county at the rate of $15,000.00 per acre foot of storage. The Resolutions would be numbered 1, 2, 3 and are identical except with the name of the regional detention basin involved. The first one will be Resolution #2014-01-DB Establishing F-Lake Detention Basin Storage Fees: The Fee for detention storage in the F-Lake Regional Detention Basin is hereby set at the rate of fifteen thousand dollars ($15,000.00) per acre foot of detention storage used by land in the watershed. The Tippecanoe County Surveyor shall be responsible for determining the usage of detention storage required by the parcels located within the watershed. The detention storage fees shall be deposited in the F-Lake detention Fund. Tom Murtaugh made a motion to approve Resolution #2014-01-DB Establishing F-Lake Detention Basin Storage Fees. John Knochel seconded the motion. The Attorney presented Resolution#2014-02-DB Establishing Berlowitz Detention Basin Storage fees at $15,000.00 per acre foot. Tom Murtaugh made a motion to approve Resolution #2014-02-DB Establishing Berlowitz Detention Basin Storage Fees and fees deposited in the Berlowitz Detention Fund. John Knochel seconded the motion. The Attorney presented Resolution #2014-03-DB Establishing Alexander Ross Detention Basin Storage Fees in the amount of $15,000.00 per acre foot and those monies to be deposited in an Alexander Ross Detention Fund to be created by the Auditor. Tom Murtaugh made a motion to approve Resolution #2014-03-DB Establishing Alexander Ross Detention Basin Storage Fees and said fees to be deposited in the Alexander Ross Detention Fund. John Knochel seconded the motion. Resolutions #2014-01-DB, 2014-02-DB, and 2014-03-

DB were approved by the Board as presented by the Attorney for approval. There was no public comment concerning the Resolutions.

Public Comment

Tom Murtaugh made a motion to adjourn as there was no public comment.

David S. Byers President

John Knochel, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
February 5, 2014
Regular Meeting Minutes

Those present were:
Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, member Thomas P. Murtaugh , County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. James Butcher, County Surveyor's Office Project Manager and Evan Warner County Surveyor's office G.I.S. Technician were also in attendance.

Approval of Minutes
John Knochel made a motion to approve the January 8, 2014 regular minutes as written. Thomas Murtaugh seconded the motion. The January 8, 2014 regular meeting minutes was approved as written.

Annual Tile Bids
The Board Attorney stated there were three submissions for the Annual Tile Bids Requested by the Surveyor's Office for the Board. The first submission was received from Advanced Drainage Systems. The total amount was $8,067.21. The second submission was received from Baughman Tile Company. The submitted bid did not include a total amount therefore the Attorney read the amounts as follows: 10" Poly Smooth-Line Dual Wall w/Bell Solid Perf-$3.75, 12" as same-$4.38, 15"as same-$5.58, 18" as same-$8.53, 24" as same-$13.86, 30" as same-$21.49, 36" as same-$26.10, 42" as same-$37.94, 48" Poly Smooth-Line Dual Wall w/Bell Solid Perf -$45.83, 10" Smooth Tee-$43.81, 12" as same--$58.82, 15" as same-$82.54, 18" as same-$122.49, 24" as same-$178.60, 30" as same-$289.41, 36" as same-$444.41, 42" as same $643.12, 48" Smooth Tee-$753.31, 10" Outside/Split Coupling Band- 10"- $4.59, 12" as same-$5.83,15" as same $10.00, 18" as same-$14.05, 24" as same- $24.53, 30" Outside/Split Coupling-$39.56, 36" Mar-Mac Coupling Band- $117.00, 42" as same-$125.00, 48' Mar-Mac Coupling Band-$135.00. The final submission was from CPI Supply. The submitted bid did not include a total amount the Attorney read the amounts as follows: Corrugated Dual Wall Poly Pipe prices as follows: 10" -$4.46, 12" -$5.26, 15" -$6.95, 18" -$9.46, 24" -$15.72, 30" -$23.77, 36" -$30.60, 42" -$44.69, 48" -$48.38, 60" - $99.66. Prices for Pre-Manufactured HDPE Poly Tees as follows: 10"-$63.44, 12"-$101.54, 15"-$142.87, 18"-$206.28, 24"-$249.02, 30"-$517.63, 36"-$630.63, 42"-$1,057.03,48"-$1,325.25. Tees requiring couplers were priced as follows: 10"-$5.89, 12"-$7.31, 15"-$14.05, 18"-$27.27, 24"-$33.79, 30"-$62.23, 36"-$141.39, 42"-$204.78, 48"-$293.32. 1-1/2"x 1/4" Spiral Corrugated Pipe prices as follows: *Galvanized Pipe*: 6" 18 *Gage*-$5.85, 8" *16 Gage*-$9.03, 10" *16 Gage*-$9.91, *Aluminized Pipe* : 6" *16 Gage*-$8.99, 8" *16 Gage*-$11.83, 10" *16 Gage*-$14.88, *Asphalt Coated Pipe*: 6" *16 Gage*-$11.31, 8" *16 Gage*-$14.98, 10" *16 Gage*-$18.78. *Aluminum*: 6" *16 Gage*-$9.23, 8" *16 Gage*-$12.61, 10" *16 Gage*-$16.66. *Notes: Standard connecting bands are priced as two (2) feet of pipe.* The Attorney noted a round and arch pipe standard price list was also submitted with the bid. Responding to President Byer's inquiry, the attorney stated the Board may accept all three bids for review at this time. John Knochel made a motion to accept the bids as submitted for review. Thomas Murtaugh seconded the motion. The bids would be reviewed by the County Surveyor's Office Project Manager. There was no public comment. To be continued to the end of today's meeting.

2014 Legal Services Contract/Hoffman Luhman Masson PC
John Knochel made a motion to accept the 2014 Contract for Legal Services with Hoffman, Luhman and Masson PC. Thomas Murtaugh seconded the motion. The 2014 Hoffman Luhman Masson PC Legal Service Contract with the Tippecanoe County Drainage Board was accepted as presented. There was no public comment.

Berlowitz Detention Pond #3 Final Design Professional Services Contract/Christopher B. Burke Engineering LLC
The Surveyor presented the Berlowitz Pond #3 Final Design Professional Services Contract with Christopher B. Burke Engineering LLC for approval by the Board. He stated he had reviewed the contract and recommended approval by the Board. There was no public comment.

John Knochel made a motion to approval the contract as presented by the Surveyor to the Board. Thomas Murtaugh seconded the motion. The Berlowitz Pond #3 Final Design Professional Services Contract with Christopher B. Burke Engineering LLC was approved by the Board.

Beck Property
Todd Starr of Starr and Associates appeared before the Board to present Beck Property to the Board. The site was located on the west side of Co. Rd. 775 East north of State Road 26 and consisted of approximately 3.6 acres. Two new buildings were proposed with the project as well as removing the existing old concrete foundations and pads. Notifications to downstream

landowners were sent and documentation was presented to the Secretary for the project file record. The runoff discharges from northeast corner of the site along the west property line along the southern portion in existing drainage patterns. Due to no net increase in flow, a variance to Chapter 8 of the Stormwater Quality Ordinance regarding Stormwater Treatment (for projects less than 3 acres) was requested. As existing drainage patterns would be utilized and there were no practical locations on site for post-construction BMP measures, the aforementioned variance was requested for the project. Responding to Thomas Murtaugh's inquiry, Mr. Starr stated the septic mound areas known as lagoons were currently a vegetative area and for this project treated as impervious areas. He stated further at this time they are not noticeable as over time vegetation has grown and the areas are not detectable. The owners would have to get septic approval when they apply as an office area is planned onsite. Ron Noles was aware of the plans and was willing to work with the owners on this issue. Responding to the Surveyor Mr. Starr provided the Secretary with downstream owner notifications required by Ordinance. The Surveyor stated his office recommended the variance as requested. There was no public comment.

John Knochel made a motion to grant a variance as requested. Thomas Murtaugh seconded the variance. A variance to Chapter 8 of the Stormwater Ordinance was approved as requested. The Surveyor stated they had reviewed the project and recommended approval with the conditions as stated on the January 17, 2014 Burke memo. John Knochel made a motion to approve Beck Property with the conditions as stated on the January 17, 2014 Burke memo. Thomas Murtaugh seconded the motion. Beck Property was approved with the conditions as stated on the January 17, 2014 Burke Memo.

Legado Development Phase 1

Clem Kuns from TBird Design appeared before the Board to present the Legado Development Phase 1 project for approval. The site was located southwest of Conservation Club Road on the northwest side of Schuyler Avenue and consisted of approximately 11.5 acres. Springvale Cemetery was located on the west side of the proposed development. He stated a Master Drainage Plan which included the future expansions of the site was proposed. The adjoining properties' drainage - the tire site and the Cemetery –was also taken into consideration with this plan. A large detention basin constructed onsite would act as an infiltration system for the project site as well as the adjoining property aforementioned. A new entrance to Schyler Avenue was planned removing the current entrances to the site at present. He requested approval from the Board. The Surveyor asked for clarification of the phasing of the site. Clem stated this initial phase included a 6,000 square feet commercial building and 12,000 square feet engineering research building and associated parking and drives. This current phase also included the detention basin (pond). Commercial and indoor sports facility buildings for future phases along with parking and drives were anticipated in the near future and would also require Board approval. A master plan for the entire area was completed so that the future site plan approvals would adhere to the master plan presented today. The Surveyor noted soil testing, perk results, etc. had been completed and submitted for review. The Surveyor pointed out the detention basin would capture all the rain events for the area up to and including the 100 year. With the basin's design, the drainage of the Cemetery would improve immensely as this site's runoff would no longer drain onto the Cemetery tract during high-frequency rainfall events. However, if we get a 6-8 inch rainfall within 24 hours the pond would overflow and run onto the tract and follow the same current path. He noted if the pond was at a 100 year capacity, the area's flood plain would have water in it as well. The Surveyor recommended approval with the conditions as stated on the January 30, 3014 Burke memo. There was no public comment.

John Knochel made a motion to grant approval for Legado Development Phase 1with the conditions as stated on the January 30, 2014 Burke memo. Thomas Murtaugh seconded the motion. Legado Development Phase 1 was approved with the conditions as stated on the January 30, 2014 Burke memo.

Burnett Creek Elementary- Additions and Renovations

Pat Jarboe from TBIRD Design appeared before the Board and presented the Burnett Creek Elementary Additions and Renovations project for approval. The site was located on the west side of Co. Rd. 50West south of Co. Rd. 600North and Additions were planned on the north and south side of the existing building. He noted the approved drainage analysis was completed in 1997 with a beat the peak methodology. This method was not incorporated in the current Stormwater Ordinance. He noted beat the peak methodology did not go well with stormwater storage however both analysis were met. This resulted in a reduction of the overall release rate outletting into the County Regulated Cole Ditch and ultimately outletting into Burnett Creek. Due to the fact the developer utilizes a stormwater mgmt. plan that incorporated stormwater detention which lowered peak discharge and keeping the "Beat the Peak" methodology, Mr. Jarboe requested a variance from the current Stormwater Ordinance. He then requested a variance and approval noting the developer was in agreement with the conditions as stated on the January 29, 2014 Burke memo. The Surveyor recommended approval of the Variance and noted the "Beat the Peak" methodology was used in the previous approvals for this project site. He stated his office recommended the variance as well as approval with the conditions as stated on the January 29, 2014 Burke memo. There was no public comment.

John Knochel made a motion to grant a variance to the Stormwater Ordinance as requested. Thomas Murtaugh seconded the motion. John Knochel made a motion to grant approval with the conditions as stated on the January 29, 2014 Burke memo. Thomas Murtaugh seconded the motion. Burnett Creek Elementary School Additions and Renovations was granted a variance as well as approval with the conditions stated on the January 29, 2014 Burke memo.

Zach Beasley
Waiver Request/White County Drainage Board
The Surveyor presented a waiver request from the White County Drainage Board regarding a maintenance project for the J.C. Vannatta Branch #03 of the Joint Emmet Rayman Regulated Drain for approval. He stated as a Bi-County Drain between White County and Tippecanoe County the larger amount of acreage within the watershed is located within White County therefore White County is in charge of the administration of the drain. He spoke with the White County Surveyor concerning the maintenance project. The request was a courtesy to the Board as a Landowner Hearing was not required for completion of the project. He spoke with one landowner Mr. Haan and noted the project was located on two properties within White County. With that being said, he recommended the Board grant the waiver as requested by White County Drainage Board. The White County Surveyor Office stated they would provide this County with pertinent information of the project for our record. There was no public comment.

John Knochel made a motion to grant the waiver request to White County as requested by White County Drainage Board. Thomas Murtaugh seconded the motion. The waiver for a Joint Drainage Board regarding the maintenance project of the J.C. Vannatta Branch #03 of the Emmet Rayman Regulated Joint Drain was granted as requested. The Secretary would notify White County of the approval for the Waiver.

Bonds
The Surveyor presented Maintenance Bond #1028326 written by Hanover Insurance and submitted by Atlas Excavating for Winding Creek Section 5 in the amount of $16,428.90 for acceptance by the Board. John Knochel made a motion to accept the Maintenance Bond #1028326 written by Hanover Insurance and submitted by Atlas Excavating for Winding Creek Section 5 in the amount of $16,428.90. Thomas Murtaugh seconded the motion. Maintenance Bond #1028326 written by Hanover Insurance and submitted by Atlas Excavating for Winding Creek Section 5 in the amount of $16,428.90 was accepted by the Board as presented by the Surveyor.

2014 Regulated Drain Classification /Status Report
The Surveyor presented his 2014 Regulated Drain Classification /Status Report for approval. He noted Indiana Code stated "from time to time" a classification report of the County Maintained Regulated Drains would be presented to a Drainage Board by a County Surveyor. He noted while he submitted this report yearly it was not required by Code to do so. He reminded the Board the report included information regarding drains in need of reconstruction, those submitted for a one-time rate increase (25% allowed by Code) or proposed drains in need of a landowner hearing, a list of urban drains as well as a list of drains to be vacated if any.

John Knochel made a motion to accept and approve the 2014 Classification Report with the 2014 Regulated Drain Status List. Thomas Murtaugh seconded the motion. The 2014 Regulated Drain Classification /Status Report were approved by the Board. (The secretary would submit to the Auditor for 2014 collection of regulated drain assessments as the list reflects.)

Frank Kirkpatrick #45 and Elijah Fugate #30 Joint Regulated Drain Reconstructions
The Surveyor requested the Board schedule a Regulated Drain Landowner Hearing on May 7, 2014 immediately following the scheduled monthly meeting. He clarified the need for two separate hearings- one for each drain as stated. He informed the Board his office had sent a Waiver Request to Montgomery County regarding waiving their right to a joint drain board. He felt since there was very little acreage in Montgomery County they would adhere to the request.

John Knochel made a motion to hold a Reconstruction Hearing on the Frank Kirkpatrick #45 Regulated Drain Reconstruction on May 7, 2014 and immediately following the scheduled 10:00 a.m. meeting of the Board. Thomas Murtaugh seconded the motion. Frank Kirkpatrick #45 Regulated Drain Reconstruction Hearing was set for May 7, 2014 immediately following the regular monthly meeting of the Board. John Knochel then made a motion to hold a Reconstruction Hearing on the Elijah Fugate #30 Regulated Drain on May 7, 2014 and immediately following the scheduled Frank Kirkpatrick Regulated Drain Reconstruction Hearing. Thomas Murtaugh seconded the motion. Elijah Fugate #30 Regulated Drain Reconstruction Hearing was set for May 7, 2014 immediately following the scheduled Frank Kirkpatrick #45 Reconstruction Hearing on same date.

Other Business

Mary McKinney Regulated Drain #52 Update
The Surveyor informed the Board his office sent 2 Waiver requests; one to Warren and one to Benton County Drainage Boards regarding waving their right to a Joint Drainage Board Hearing for the Mary McKinney#52 Regulated Drain Reconstruction planned project. Benton County waived their right to the joint board however Warren County did not. Since Warren County did not agree to the waiver a joint board was in order. Tom Hetrick Warren County Drainage Board President was elected to serve on the Joint Drainage Board for the landowner hearing of the Mary McKinney#52 Regulated Drain Reconstruction. He noted a member was also appointed from White County Drainage Board for Benton County. The member was Steve Burton, currently White County Drainage Board President. A Board member from Tippecanoe County was required for the Joint Board. He recommended a member be appointed to the Joint Board as required from Tippecanoe County Drainage Board as required. John Knochel made a motion to appoint Thomas Murtaugh. Thomas Murtaugh stated he would not be available that day. Thomas Murtaugh then made a motion to nominate David Byers to serve on the Joint Board for the Mary McKinney Regulated Drain #52. John Knochel seconded the motion. David Byers was elected to serve on the Tri-County Joint Board at the March 5, 2014 Mary McKinney #52 Regulated Drain Reconstruction Hearing. There was no public comment.

Continued /ANNUAL TILE BIDS
John Knochel made a motion to accept the annual tile bids which were submitted to the Board for acceptance. Thomas Murtaugh seconded the motion. There was no public comment. The Annual Tile Bids submitted were accepted as submitted by the Board.

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

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
June 4, 2014
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Project Manager James Butcher and GIS Technician Evan Warner were also in attendance.

Approval of Minutes

Tom Murtaugh made a motion to approve the May 5, 2014 Drainage Board Regular Meeting minutes as written. John Knochel seconded the motion. Tom Murtaugh made a motion to approve the May 5, 2014 Frank Kirkpatrick #45 and May 5, 2014 Elijah Fugate #30 Drainage Board Landowner Hearing minutes as written. John Knochel seconded the motion. The May 5, 2014 regular Meeting minutes and the May 5, 2014 #45 F. Kirkpatrick Drain and #30 E. Fugate Drain Drainage Board Landowner Hearing minutes were approved as written.

Rogers Group Bosma Quarry Site

Pat Jarboe of TBird Design Services appeared before the Board to present the Rogers Group Bosma Quarry site for approval. The project site was located on the north side of Old State Road 25 at the intersection of County Road 800 North and consisted of approximately 133 acres. Mr. Jarboe introduced accompanying attendees as Eric Hart-TBird Design, Rogers Group representatives: Andy Williams and Dan Medlock along with the Attorneys Andy Gutwein and Christopher Shelmon. Mr. Jarboe supplied the Board with exhibits of the site. He stated the pit location was located inside the floodplain area and closer to Old State Road 25 the processing area was planned. He stated this was a fairly straightforward site and they had met the ordinance regarding stormwater runoff. However, they were requesting 3 variances regarding Channel Protection Volume, Water Quality Volume and the required number of BMP structures for the project. While the project plan met the intent of the ordinance, there were site specific perimeters which did not meet the exact technical requirements of the ordinance. He noted these were listed in the May 28, 2014 Burke Review Memo. He stated they agreed with conditions as stated on the memo and noted the requested variances were recommended within the review memo as well. At that time he requested approval from the Board. The Surveyor requested a representative from the Rogers Group speak on the required Rule 12 for the project. Dan Medlock Director of Environmental Services of the Rogers Group approached the Board to discuss the Rule as requested. He stated Rule 6 was applied for and granted by IDEM (Indiana Dept. of Environmental Mgmt.) regarding the construction phase of the operation. He stated the Rogers Group then opted to request coverage from IDEM under Rule 12 with the Notice of Intent submitted to them. He stated they will keep the approval for Rule 12 dormant until the dewatering process began and at which time it would then be made active with IDEM. Rule 12 covers the Industrial discharges associated with Quarry Operations. The industrial discharges associated with this project involved the pit dewatering. Rule 12 would grant the right to discharge the groundwater that infiltrates behind the slurry wall or accumulates within the pit to the Wabash River. That is the main difference between IDEM's Rule 6 and Rule 12. Responding to Mr. Murtaugh, Mr. Medlock stated they had not submitted the NOI to IDEM for the Rule 12 approval. He noted as it was a general permit and it was only a formality in the matter of IDEM processing the Rule 12 NOI and issuing the permit. The Surveyor stated a thorough review had been completed and noted the IDEM approval of Rule 6 and Rule 12 must be in his office prior to the start of any operations. He stated he recommended approval with the conditions as stated on the May 28, 2014 Burke memo to include the submittal of the IDEM Rule 6 and Rule 12 permits to his office for the official record. Mr. Murtaugh requested explanation of Item #3 statement as follows: The applicant is requesting a variance to allow the stormwater quality units to be constructed in-line instead of off-line. The Surveyor stated basically there are different types of units that are made. The Ordinance specifically requires off-line structures. A structure must be constructed off line of the pipe not in line with it. Technology changes faster than the Ordinance and there are newer units which function on line and capture unwanted components as is the intent of the ordinance for stormwater quality purposes. Engineer Consultant Dave Eichelberger stated basically the requirement in the ordinance is so that one does not resuspend the material as it is discharged. The first structure is a diversion structure to divert the low flow into the unit to treat it then the larger flows would bypass that and continue on down. The developer has a unit designed to lessen the chances of resuspension by placing the sediment in a separate chamber within the structure. Also this would be the second treatment as it would flow into the pond first then into the unit with a controlled release. He stated due to this it justified recommending approval of the variance

request of the required number of BMP structures. There were no other inquiries from the Board. The President opened the floor for comments regarding the project's drainage only. He stated he would limit the comments to 3 minutes per person. Landowner Allen Hoffman approached the Board and stated he was prepared to give a short 11 minute presentation and was not aware of the limits for speaking. He noted he had attended many meetings on this subject and there was never a limit set at any of those meetings. John Knochel interjected he would allow the 11 minute presentation to the Board. Allen Hoffman stated he would have made his presentation shorter had he been aware of the time limit. As Mr. Hoffman gave his presentation he stated as follows:

Quote "Good Morning- my name is Allen Hoffman and I am on the Advisory Board of the Americus Area Community Coalition. I am the liaison between our group and the County Surveyor's office. First let me say it has been a pleasure to work with Zach and Brenda during this project. The County can certainly be proud of the professional manner in which the County Surveyor's Department is run. I would like to speak today specifically against the Drainage Board granting any variances for the Quarry project. I would assume you place importance on the level of channel protection volume and quality water volume that you've set. TBird cannot achieve the levels which you have set. The Rogers Group currently operates ten facilities in Indiana and has over 103 nationwide. This is not their first rodeo. They have been in business for over a hundred years; yet they are barely adhering or not adhering to your specifications. Is this indicative of how they wish to run their operation in our county? Let's look at the numbers and the deviations they are requesting. Ok? Let's begin with the number TBird submitted but did not discuss, peak water surface elevation. It should be noted that all three ponds are in compliance, but by what value? (A power point was presented along with the verbal presentation to the Board) The chart you are viewing is a blowup of the information submitted by TBird in its most recent re re resubmittal. If you look at the peak event value, you see a safety of 1.4 feet to 1.66 feet above the ten year peak. But let's look at the 100 % values; here the safety level is .02 feet, .18 feet and .73 feet. That is just ¼ inch, 2 and 1/8, and 8 ¾ inches. I would call that barely meeting your requirements with 0 margin for error. TBird never said this in their basic -that you just meet their basic requirements. Let's move on in my analysis remembering the precision demonstrated in just meeting the requirements for the hundred year flood plain. Channel Protection Volume (CPV) – here you're interested in providing the extended water detention for the one year in 24 hour event. Reviewing your requirements we see a maximum store value no more than 40% released in 12 hours volume event. No more than 10% maximum store volumes to be retained after 36 hours. Let's review the data provided by TBird to show compliance with this for all three ponds. Here is the table presented by TBird to show compliance with your specifications. Remember your requirements. We see pond 3 has already released too much water- 41.4% versus your 40% required value. In essence they are releasing the water nearly a half hour to fast. It is supposed to release more slowly over twelve hours' time not eleven and half. They are not meeting your requirements. Your requirement is there for a reason. TBird stated they only missed it by 27 minutes, but again why did you miss it in the first place? What design changes would TBird need to make in order to obtain total compliance with your requirements. We see at the 36 hour mark pond 2 still has a level of 17% detention versus stated maximum detention at 10%. That's extra 7% exceeds your requirements by a large number- 70%. Here TBird states it is quote" reasonably close" unquote, and they only missed it by quote "five hours and 42 minutes" unquote. Reasonably close? If you were waiting for an extra 5 hours and 42 minutes for somebody, would you consider they arrived reasonably close to your apt. with you? It is not reasonably close to achieve compliance when you only meet four of six specified values. Let's see if they can do better on water quality volume (WQV). Here the Bosma stormwater system would be required to provide 80% total suspended solids (TSS) removal utilizing one of the best management practices (BMP). The system must provide extended detention of the water volume based on a storm of 1inch rainfall in a 24 hour period and meet the following criteria: 40% maximum stored values at least in 12 hours, 10% maximum stored value in 36 hours. Let's dig into the numbers and see how TBird's calculations fall from this 1 inch rainfall. We reviewed the volume stored value at 12 hours- the 40% maximum release = 60% or more retained that meets your requirements. The new verbiage TBird states it only needed a variance for not meeting the requirements specified for pond #. They can only achieve 55.8%. They cannot meet your 60% specification for pond 2 either. The last time I checked, 59.5% that they are proposing is less than 60.0% but they did not request a variance for that number. Oversight, rounding error, I don't care. There was no request for a variance for not meeting your requirements and they need one. They claim not meeting your specification is quote "not a significant issue" unquote, why not? If you agree with TBird's own calculation, they will be releasing 10% greater volume of water that is not acceptable. Finally let's review the maximum stored volume with 10% retained at the 36 hour mark, TBird exceeded that value in all three ponds. Thus none of the three ponds meets the specifications. As you can see pond 3 exceeds the requirement by 32%, pond 2 exceeds the requirement by 120% and pond 1 exceeds the requirement by a whopping 154%. How is this total disregard for your explanation/your specifications explained by TBird? Quote " This excess volume stored is insignificant compared to the excess WQV provided" unquote. This is not the point. Why don't they meet the specifications, why are your own requirements repeatedly termed as insignificant? They also give the explanation for doing your requirement; quote" it will only take an additional 26 hours to get down to the 10% mark" unquote. So if you have a specification for 36 hours, it will only take just 62 hours to achieve and that should be ok. That's not best management practice in my eyes. Tom Murtaugh asked at this time if the charts used were TBird charts. Allen Hoffman said yes the

yellow charts were TBird's charts. The percentages are the calculations off the values they are presenting raw data. I am giving you percentages off the values. Every quote that I give you in quotations is a quote off TBird's refilings of their report. The percentages are the calculations off the values - they are presenting raw data. So let's summarize the information that's being presented to you indicating the best management practices offered by TBird off their design of these three holding ponds in the processing and storage areas only. There are two calculated values required for the channel protection volume and two additional calculated volumes for the water quality volume. Thus there are four calculated values for each pond and twelve total calculations for the three ponds. Pond one fails one of the four requirements, pond two fails three of the four requirements, pond three fails three of the four requirements. Thus the total project fails seven of your twelve specifications. TBird fails to meet 58% of your specifications. No matter how you look at it, that is pretty pathetic. TBird obviously does consider your specifications once again in their own words"insignificant". I am sure that TBird has many capable professional engineers that are more than capable of designing three simple retention ponds that are in a hundred percent compliance with the Tippecanoe County Stormwater Management mandate. So why haven't they done that? I have read your Stormwater Comprehensive Stormwater Mgmt. Ordinance for Tippecanoe County and I understand you are limited to granting approval or denial solely on the stormwater discharge not the merits of the project itself. AACC (Americus Area Community Coalition) certainly has been frustrated in its opposition with this project, as each county board will only examine their piece of the total pie. I also know your mandate is not to weigh in on the concerns of over 200 homeowners adversely affected by the location of this Quarry in this exact spot, but what you can do and should do is insist on 100% compliance with your very own specifications in which you have written to protect the citizens of this county. As I have followed the four filings by TBird for this project, I have been frustrated by the phrases they use. They say their lack of compliance with your specifications are their own words" not a concern" , variations according to them are" acceptable- very close to- close to- minor deviations and not a significant issue." Well let me assure you that none of this lack of compliance, none of the shoulder shrugging by TBird is acceptable for a project of this magnitude which would affect so many people's lives so adversely. As an Engineer I am also frustrated by something else. Nowhere in TBird's discussions, any of our attempts to running multiple computer simulations to verify they are presenting to you the best scenarios of drainage possible. No where can I see comments about trying alternate solutions that may have brought them into compliance with your specifications. Nowhere did I see any comments concerning alternate scenarios which may have been tried and abandoned as less effective. Maybe it would have cost them too much to run simulations. Maybe there is no better practices available to solve these problems or maybe the plan was just good enough in their eyes. I strongly urge this Board to exercise its prerogative and reject this proposal. Please return it to TBird and tell them to design three ponds that meet the requirements of the Stormwater Management Ordinance of Tippecanoe County. Tell them to meet the specifications that you have put in place to protect the citizens of Tippecanoe County. Thank you for your time." Unquote

Mr. Nate Hoffman approached the Board and also utilized a power point exhibit for his presentation and stated as follows: Quote" My family and I live at 7701 Rolling Hill Drive about 100 yards from the proposed Quarry site. I am a Teacher for the Tippecanoe County School Corporation. While my knowledge of Engineering is limited, I do at least have the ability to identify incomplete paperwork and to discern when someone handing in that paperwork put no effort into the paperwork. Today I will be addressing the lack of appropriate effort with respect to the permit process and how frequently you are asked to trust Rogers Group and TBird. Now essentially these people are asking you to trust them. They say that they will get all the permits they need. Just give them your stormwater drainage approval and they will take care of everything. Just trust them. Now before you do that I would ask that you look through their filing history and see if you think that trust is warranted. On Feb. 10, 2014, Rogers Group through TBird made its initial filing for Drainage Board approval. However they said and submitted nothing pertaining to Rule 6 or Rule 12 permits. Now this well thought out submittal was received by the County Surveyor's department and also the consulting engineering group in Indianapolis. Among the more than 50 errors and/or incomplete items, was the following request to reference Rule 6 and 12. So you see there is a request for both Rule 6 and 12 permits and also a request for the SWPPP report. This is the first of several similar requests. Now Rogers Group says they have Rule 6 approval. Sounds good, but let's dig into the documents. IDEM received Roger's Rule 6 information during mid-June of 2013. The cover letter and Notice of Intent letter are both dated May 9, 2013. If they were submitting them, then why were they not received by IDEM for five weeks? Reviewing the next document shows what may have caused the delay. They did not run the legal notice until eight days after the dating of the Notice of Intent filing. The notarized publisher's affidavit appears not to have been received until it was date stamped June 13, 2014 by the Rogers Group and you are supposed to trust them and take their word that everything will be taken care of. You can see by the time that IDEM gave Rogers Group the formal permit approval it was 6 months after the supposed date of their original filing. Timely I think not. The second letter of rejection by CBBEL states that Rogers acknowledged the need for Rule 12 compliance. Quote: The de-watering process will be permitted under IDEM MPDES General Permit Rule 12" Unquote I guess they thought that restating the request would be sufficient. Now this slide shows the second request for the same document. Now they try to tell you to trust them and they will even make a quarterly report on top of that. Almost a month later CBBEL made the exact same request. The following response was added to the exactly the same prior response by Rogers Group to Quote:"Rogers Group

has acknowledged that it is their policy to apply for the Rule 12 permit when it becomes applicable. The Rule 12 will be easy enough to obtain but is costly to comply with. A certified operator must perform sampling and complete it with review of outfalls. For this reason Rogers Group is holding off on the Rule 12 application until they have approval to mine the site." Unquote So if it is easy enough to obtain, why haven't they obtained it? Oh you're waiting for approval to mine the site? Please remember that when you see what they tell you four weeks later. After 4 formal submittals with almost 300 pages of documents and exhibits, CBBEL gave up. They made the exact same request with reference to Rule 12 permitting. Except this time CBBEL essentially is saying we are sure eventually you will provide the requested documents. So we will recommend drainage approval. Now let's look at the May 22, 2014 response and to see how Rogers's response instilled all this trust. Quote "Rogers Group has filed their Rule 12 and has submitted the NOI to IDEM" Unquote I must have missed it. Did they receive approval to mine the site? If so where is it? May be the high cost of comply was reduced to a more manageable number for the Rogers Group. I kind of doubt that also. But regardless it appears they are well along with their rule 12 permit. Has the Rogers Group been working hard on the permit since it has been noted on four responses from CBBEL to them over the past four months? Let's find out. IDEM as of this morning at 8:45 am says they have received nothing from the Rogers Group with reference to Rule 12 filing. Natta, Nothing - really working hard on the permit. On May 13, 2014 a legal notice was buried in the Journal and Courier. This small notice drew a number of responses to IDEM from potentially grieved parties and it's expected more parties will enter the action when Rogers finally gets around to submitting its formal NOI filing to IDE and the notice is then posted for all concerned parties to see. So the AACC and IDEM are waiting patiently around for Rogers Group to get their act together and deliver on CBBEL's request for a Rule 12 permit and their asking you to trust them to not worry about it, to just let it slide through your approval process. I don't think that any of these inconsistencies, half-truths or blatant disregard for the constant request for information from the representatives of Tippecanoe County warrants your trust or ours. I would request that you do not approve this project. I ask that you send it back to Rogers Group until they get the proper permits from IDEM and the residents of Americus are given their due process. Why reward someone for sloppy or incomplete work? Why give trust when it has not been earned? Why approve a project before the necessary steps of a process have been conducted. I thank you for your time and for your consideration." Unquote

The President asked for any additional comments from the attendees. Dan Medlock with Rogers Group approached the Board and stated he could not speak for the IDEM family however he just emailed his office to see if they had the green certification card back from IDEM. They had not. He noted the holdup is typically with the newspaper and getting proof of publication back, as it took almost three weeks after they ran the notice. He stated the notice was run and it had been submitted to IDEM. As far as permitting goes, Rogers have a lot of permits with IDEM. He stated this has been a contentious site and one does not want to involve IDEM, burden them with permitting issues if it is not going to go through. He stated, out of respect for landowners and their concerns we have been cautious in the process of submission. He noted as the process moved forward they felt more confident about the site and what could be done.

The Board President thanked all for the comments. He then referred back to the Surveyor or Consultant for a response. Consultant Dave Eichelberger Director of Engineering Mgmt. with Christopher B. Burke Engineering stated as follows: Quote: "When we looked at the variance requests, basically we look at the releases and the timing issues are set out to make sure the wet pond operates the way it is supposed to operate. You are not supposed to release more than 40% of the peak volume within the first 24 hours and a little bit under that or over and under several different cases. The numbers actually changed with the latest submittal. The second one is about making sure the pond is empty enough to operate again in case you get another storm. So in the first case with some of the guesswork that goes into hydrology and hydraulics, to get close to the 40% mark we have historically said it has been adequate for a variance request. On the second issue there was 10-25% was going to be left after 36 hours and that is a number related to the smaller volume of the channel protection volume or water quality volume. That volume was a much smaller number as you compare it to the peak detention volume- which is what we were considering here. So yes it does take 10% but since the pond is going to be used for the peak detention we are trying to make sure it is available for use for the 100 year storm for peak detention. Those numbers are actually much smaller when you compare it to the 100 year storage volume we are trying to trap. So that is why we have recommended approval for the Variance requests regarding the timing on the ponds for both water quality volume and channel protection volume and historically have done. It is very difficult to meet both the numbers exactly because you have an orifice plate in or some sort of structure. What we are talking about here is a difference like if you had a 6 inch or a 5.9 inch orifice plate or a 6.1 inch orifice. So we get to a certain place where we are talking about a minute difference in that diameter. You start questioning whether or not someone can build it with that exact specification with 6 inches, 5.85 inches or whatever you are going to come up with. When we get to the point where we feel they have met the spirit of the way it was intended and they have balanced it out as back they can between retaining the water enough to get the sediment to drop out, but yet letting the water be gone so it is ready for its next use- we call it quits at that point and say it doesn't actually have the exact numbers, let's grant a variance request and move on. That is basically it on the variance issue. "Unquote Tom Murtaugh asked for clarification on the statement 17% left in pond 2 represents only 9% of the peak detention storage. Mr. Eichelberger stated,

Quote "It is 17% when you compare it to what is for that storm volume. When doing a channel protection volume, it is a much smaller storm than the 100 year detention storm. The channel protection and water quality are much smaller storms. So as an example we are talking about the amount of volume left is going to be .065, .097, and .048 I think it was acre feet. The storage volume we are talking about is more like for peak detention is more like an acre foot. So we are talking about less than 1/10th of an acre foot left in the pond as compared to our peak detention volume of about an acre foot. So the percentages correctly pointing out in the table exceed the 10% yes, but the bigger picture is and this is what I want to stress is that we want that pond to be available for use again for the peak detention event. So that is what we compared it to a bigger picture issue. It will still be available for use for the next channel protection volume or next water quality volume because the pod is so much bigger – because it is actually sized for the peak 100 year detention. I care more about that 17% is going to take up too much of the peak detention so it does not overtop during a 100 year storm. " The Surveyor then stated he understood the concern and Mr. Eichelberger just explained the intent and he reiterated historically the Drainage Board have granted variances of this nature. The precedent has been set. The President stated no activities could start until the Rule 12 Permit issued from IDEM was submitted to the Surveyor. Mr. Eichelberger stated they try to get all State/Federal permits in for review when writing the review memos. When it gets down to one issue such as in this case the Rule 12 it is stated this must be submitted prior to the start of the dewatering process. That is our recommendation that this be a condition of the approval. So the dewatering could not start until the Rule 12 IDEM permit is submitted to the Surveyor.

Board Attorney Dave Luhman stated as follows: With regard to variances, they are not allowed only because the Drainage Board has granted them in the past. The standard is a variance can be allowed if application of the particular provision that they want a variance from (1) would cause extraordinary difficulty to the developer or expense (2) the variance would not prevent the goals and purposes of the ordinance (3) it would not result in less effective management of storm water runoff. This is the standard the Drainage Board considers when looking at the large picture and determining whether it meets those criteria. Strict adherence to this standard would require extraordinary difficulty or expense and if you allow the variance it would not prevent the goals and purpose of the Ordinance in the overall effective management of stormwater runoff. This should be kept in mind as the Board considers the request for and request against the variances. Responding to Mr. Murtaugh's request for clarification, Mr. Hoffman approached the Board. He stated quote" We are talking about the three ponds exceeding the requirements of the 10% retained after 36 hours maximum. It said that the 10% volume was exceeded by 154% was the exact comment with reference to Pond #1. The primary pond as pond 1 drains into pond 2 and pond 3 may never be built as far as the whole discussion is concerned. But Pond 1 is the critical pond. Pond 2 is supported by pond 1and is also critical. But that was the point I was trying to make in that." unquote There were no other questions from the Board. Tom Murtaugh made a motion to approve Variance #1 as requested and recommended on the May 28, 2014 Burke review Memo. David Byers seconded the motion. John Knochel opposed. Tom Murtaugh made a motion to grant the variance#2 as recommended in the May 28, 2014 Burke review memo. David Buyers seconded the motion. John Knochel opposed. Tom Murtaugh made a motion to grant variance #3 as requested and recommended on the May 28, 2014 Burke review memo. David Byers seconded the motion. John Knochel opposed. Tom Murtaugh made a motion to grant approval with the conditions as stated on the May 28, 2014 Burke review memo. David Byers second the motion. John Knochel opposed. The Rogers Group Bosma Quarry site was granted the requested three variances and a drainage approval with conditions as stated on the May 28, 2014 Burke review memo.

Meadowgate Estates Phase 4

Joe Couts with C&S Surveying appeared before the Board to present Meadowgate Estates Phase 4 to the Board. The site was located north of County Road 500 North and east of County Road 75 East and consisted of approximately 28 acres. He stated half of the site drained to the west to an existing pond which was constructed with Section 3 of the overall Subdivision. The east side drained to a natural ravine onsite and both ultimately discharged to Burnett Creek. He stated they had received the May 15, 2014 Burke memo and was in agreement with all the conditions as stated and they were currently working toward meeting all the conditions at this time. An approximately 2 acre portion of the site would be undeveloped and remain a tree preservation area. There will be a small amount of clearing for Lot 28 that is not included in the tree preservation; however the majority of the trees would be preserved. The vast majority would be preserved with a platted tree preservation easement. He stated the owner was intimately involved in the maintenance of the drainage for the existing Meadowgate Subdivision and would be as involved in the maintenance of the drainage infrastructure for the new section/phase planned as well. He then requested approval of the variance as requested and drainage approval. There were no questions from the Board. The Surveyor informed the Board each individual site plan would be reviewed by his office prior to approval for site construction. He recommended approval of the variances as requested and drainage approval with the conditions as stated on the May 15, 2014 Burke review memo.

The President asked for public comment. Mark Hilton 5497 Shooting Star Lane West Lafayette approached the Board. He stated his lot was located across the pond and adjacent to the woods. He noted he fishes in the pond often and it was a big reason for his move to this location. His home was located approximately two hundred feet from the pond and noted there was no cropland draining into the pond as it was complete pasture. His concerns were how close would the next house be constructed to the pond and what amount of drainage would go into the pond. He said he had no issue with having a neighbor his only concern was the pond and the amount of additional drainage into it and as well as the current need for cleaning out the pond prior to new construction. Upon moving in to this location, he had asked how deep the pond was and Mr. Kuipers informed him then it was 17 feet deep. He stated the pond was actually 9 feet deep and disagreed with Mr. Couts in that Mr. Kuipers was helpful with pond maintenance. He explained that when he bought the lot he asked Mr. Kuipers to clean up the pond as it was completely grown up and covered over by a number of species. Finally, after two years Mr. Kuipers finally cleaned the pond. However said pond was once again in bad shape and shallow in several areas. The President asked for Mr. Couts reply. Mr. Couts addressed the comments as follows: quote" To address the comments, I think the maintenance of the pond is more an issue for the Homeowners Association. I believe the maintenance of the pond is very clearly covered in the homeowner's covenants and restrictions for the existing phases and would be included with this next phase also. This subdivision was approximately 50% farmland and 50% uncultivated land. A portion of the land to the south of Mr. Hilton's location drained into the pond via a farm tile and open ditch as well as drained to the northeast. Regulations dictate how close one can build near a pond as well as elevation regulations and each building site would be reviewed by the Surveyor office prior to approval for home construction. The Consultant stated he personally inspected the pond years ago and at that time made maintenance recommendations. He stated the rate of runoff to the pond would not increase by this expansion. Mr. Couts stated the owner commented to him when construction crews were building the new the roads for this section they could possibly clean out the pond as it would be a good opportunity to do it then." Unquote

Tom Murtaugh made a motion to grant the variance as stated on the May 15, 2014 Burke review memo. John Knochel seconded the motion. Tom Murtaugh made a motion to grant drainage approval with the conditions as stated on the May 15, 2014 Burke review memo. John Knochel seconded the motion. Meadowgate Section 4 Subdivision was granted the variance as requested and drainage approval with all the conditions as stated on the May 15, 2014 Burke review memo.

Blackthorne Phase 3

Pat Cunningham with Vester and Associates appeared before the Board and presented Blackthorne Subdivision Phase 3 for approval. The site was located southwest of intersection US 52 and Klondike Road and consisted of approximately 11.25 acres. An additional 44 lots would be developed in this phase. The original plan for this area when the development was planned was condominiums in this area; however since that time a new owner will build residential homes. The drainage infrastructure planned had been followed and would be as planned. Storm sewers and swales would route the runoff to the existing pond on site. He requested a variance for the use of the pond as a stormwater quality measure. He stated the owners were in agreement with the conditions as stated on the May 29, 2014 Burke review memo and requested drainage approval. Drainage Board Consultant David Eichelberger interjected the following: He stated he wanted to clarify for the record their variance recommendation -as it was not recommending using a pond as a water quality measure. When we recommend a variance request we are not really recommending the pond can be used as a water quality device, because it was not designed that way. We are acknowledging that it provides some sort of water quality benefit. Really the variance regards constructing one device for water quality only. Mr. Cunningham stated basically the pond does provide water quality control however not to the extent the Ordinance requires.

The Surveyor stated he recommended approval of the Variance as well as drainage approval with the conditions as stated in the May 29, 2014 Burke review memo. There was no public comment. Tom Murtaugh made a motion to grant approval for the variance as requested. John Knochel seconded the motion. The variance was approved as requested. John Knochel made a motion to approve Blackthorne Subdivision Phase 3 with the conditions as stated on the May 29, 2014 Burke review memo. Tom Murtaugh seconded the motion. Blackthorne Subdivision Phase 3 was granted a variance and drainage approval with the conditions as stated on the May 29, 2014 Burke review memo.

Contracts

Berlowitz Wetland Mitigation Contract Amendment

The Surveyor presented the Berlowitz Wetland Mitigation Contract Amendment in the amount of $8,000.00 to the Board for approval. He noted this was an IDEM requirement and the amount would be added to the previously approved contract.

There was no public comment. Tom Murtaugh made a motion to approve the Berlowitz Wetland Mitigation Contract Amendment in the amount of $8,000.00. John Knochel seconded the motion. The Berlowitz Wetland Mitigation Contract Amendment in the amount of $8,000.00 was approved as presented by the Surveyor.

Upper JN Kirkpatrick Drain Extension Contract

The Surveyor presented the Upper JN Kirkpatrick Drain Extension Contract in the amount of $89,000.00 to the Board for approval. This would extend the current open ditch from Co. Rd. 450 to the east side of US 52. He stated this was a part of the Build Tippecanoe project. There was no public comment. Tom Murtaugh made a motion to approve the Upper JN Kirkpatrick Drain Extension Contract in the amount of $89,000.00. John Knochel seconded the motion.

Petitions

The Surveyor presented the following petitions for Board approval; Petition to Encroach on the JN Kirkpatrick Regulated Drain #46 submitted by The City of Lafayette, Petition to Encroach on the John McCoy Regulated Drain #50 submitted by Nathan Buche, Petition to Encroach on the Grant Cole Regulated Drain #19 submitted by Larry Underwood. He noted his office had reviewed the petitions and he recommended approval by the Board. There was no public comment. Tom Murtaugh made a motion to approve the Petitions as presented by the Surveyor. John Knochel seconded the motion. Approval from the Board was granted for the Petition to Encroach on the JN Kirkpatrick Regulated Drain #46 submitted by The City of Lafayette, Petition to Encroach on the John McCoy Regulated Drain #50 submitted by Nathan Buche, Petition to Encroach on the Grant Cole Regulated Drain #19 submitted by Larry Underwood .

Requests

The Surveyor presented a letter received by his office and written by the White County Drainage Board. The letter requested a Waiver be issued by the Drainage Board regarding the Emmitt Rayman Joint Regulated Drain #64 planned public hearing. Tippecanoe County has approximately 800 acres within the watershed and White County has approximately 6700 for a total of 7500 acres benefited by this joint drain. The waiver would allow White County Drainage Board to hold the hearing without a Tippecanoe County Drainage Board member. They are planning to increase the rates to the following variable amounts: 0.50, $1.00, $1.50, $2.00 with a minimum rate of $5.00. Since White County has the majority of acreage benefitted by the drain - they are the County in charge of its maintenance. The Surveyor recommended the Board provide the waiver as requested. There was no public comment.

John Knochel made a motion to grant a waiver for the Emmitt Rayman Joint Regulated Drain #64 as requested by White County Drainage Board. Tom Murtaugh seconded the motion. A Waiver to participate in the Emmitt Rayman Joint Regulated Drain #64 public hearing was granted to White County Drainage Board.

Public Comment

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

David S. Byers, President

John Knochel, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
July 9, 2014
Regular Meeting Minutes

Those present were:

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

Contracts BIDS Opening

The President opened the meeting. He referred to the Attorney for the reading of Contract Bids for two projects. The Attorney read the first project known as the F. Kirkpatrick #45 and E. Fugate #30 Regulated Drain Reconstruction bids as follows: Rinehart Excavating $356,939.45.45, Maxwell Farm Drainage Inc. $314,644.00, Dwenger Excavating Contractors Inc. $356,377.40. The Attorney recommended the bids be taken under advisement for review. John Knochel made a motion to take the submitted bids under advisement and review. Tom Murtaugh seconded the motion. Motion carried. The President thanked the companies who submitted bids on this project. The Bids would be reviewed and the contract awarded at the end of this meeting.

The Attorney then read the Contract Bids for the Berlowitz Pond 3 project. He read the bids as follows: Atlas Excavating Inc. $754,486.80, Rinehart Excavating Inc. $769,143.51, F&K Construction Inc. $771,192.00, Thieneman Construction Inc. $749,000.00, Fairfield Contractors Inc. $574,263.00. He recommended the bids be taken under advisement for review. John Knochel made a motion to take the bids under advisement and review. Tom Murtaugh seconded the motion. Motion carried. The President thanked the companies who submitted bids on this project. The Bids would be reviewed and the contract awarded at the end of this meeting.

Approval of Minutes

John Knochel made a motion to approve the June 2, 2014 minutes as written. Tom Murtaugh seconded the motion. Motion carried. The June 2, 2014 meeting minutes was approved as written.

Other Business:

The Surveyor presented the Berlowitz Regional Detention Pond #3 Construction Observation Contract from Christopher B. Burke Engr. LLC in the amount of $58,331.00 for approval by the Board. Historically the Surveyor office and Drainage Board have utilized Christopher B. Burke Engineering LLC. for the larger urban projects. The Surveyor noted as his office is very busy with agricultural drain reconstructions, Christopher B. Burke Engineering LLC. would assist in the preparation of the Urban Drain Reconstructions. This included the day to day construction observation of those urban projects. John Knochel made a motion to approve the Berlowitz Regional Detention Pond #3 Construction Observation Contract from Christopher B. Burke Engr. LLC in the amount of $58,331.00 as presented. Tom Murtaugh seconded the motion. Motion carried. The Berlowitz Regional Detention Pond #3 Construction Observation Contract from Christopher B. Burke Engr. LLC in the amount of $58,331.00 was approved as presented. There was no public comment.

Bonds:

The Surveyor presented Maintenance Bond #9122945 submitted by Gradex Inc. for the Meijer #186 West Lafayette Indiana and dated June 11, 2014 in the amount of $103,846.00 written by Fidelity and Deposit Co. of Maryland and recommended approval by the Board. John Knochel made a motion to approve the maintenance bond as presented by the Surveyor. Tom Murtaugh seconded the motion. Motion carried. The Maintenance Bond #9122945 submitted by Gradex Inc. for the Meijer #186 West Lafayette Indiana and dated June 11, 2014 in the amount of $103,846.00 written by Fidelity and Deposit Co. of Maryland was approved as presented by the Surveyor. The President asked if this project's runoff would negatively affect Indian Creek. Due to the drainage issues in the past which both the Board and the Surveyor's office have dealt with, the Surveyor noted the rates were actually less than the current Ordinance allows. The Surveyor reminded the Board an Indian Creek Drainage Impact Area Resolution was in force. This resolution included a stricter release rate and meetings with Meijer's engineers resulted in plans which followed those rates. The rates are actually much smaller than what the current Ordinance allows. The project in no way adds to the issues currently at hand in the Indian Creek watershed. The new store

would not make the drainage issues worse. The Surveyor stated the Maintenance Bond reflected on the Agenda regarding the S.W. Elliott Branch #11 Reconstruction project should be stricken. The Bond when reviewed was not in order as the amount was not correct. The Bond would be presented at a later date.

Petition to Establish a New Regulated Drain

The Surveyor requested a public hearing to be held in September regarding the Petition to Establish a New Regulated Drain presented by Brian Keene for Shepherds Point Subdivision. The location of which was Salisbury Road and County Farm Road in the southeast corner of the intersection. He reminded the Board; they had previously accepted the aforementioned Petition and directed him to submit a report for consideration of establishing a new regulated drain. His office was ready to go forward with the process. He noted the existing pond in this location was in need of maintenance at this time. John Knochel made a motion to conduct a landowner hearing for Shepherds Point Petition to Establish a New Regulated Drain on September 3, 2014 immediately following the regular scheduled meeting on that day. Tom Murtaugh seconded the motion. Motion carried.

Contracts

The President asked for the results of the Contract Bids at hand. James Butcher Surveyor Office Project Manager confirmed Maxwell Farm Drainage was the low bidder for the F. Kirkpatrick #45 and the E. Fugate #30 Regulated Drain Reconstruction in the amount of $314,644.00. John Knochel made a motion to award the F. Kirkpatrick #45 and the E. Fugate #30 Regulated Drain Reconstruction project to Maxwell Farm Drainage. Tom Murtaugh seconded the motion. Motion carried. Maxwell Farm Drainage was awarded the F. Kirkpatrick #45 and the E. Fugate #30 Regulated Drain Reconstruction project by the Board. James Butcher Surveyor Office Project Manager confirmed Fairfield Contractors Inc. was the low bidder for the Berlowitz Pond #3 project. John Knochel made a motion to award the Berlowitz Pond #3 project to Fairfield Contractors Inc. in the amount of $574,263.00. Tom Murtaugh seconded the motion. Motion carried. Fairfield Contractors Inc. was awarded the Berlowitz Pond #3 Construction project by the Board.

Public Comment

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

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
September 3, 2014
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, member Thomas P. Murtaugh , County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.(CBBEL). Evan Warner, G.I.S. Technician and James Butcher, Project Manager from the Surveyor Office were also in attendance.

Approval of Minutes

John Knochel made a motion to approve the August 6, 2014 regular minutes as written. Tom Murtaugh seconded the motion. Motion carried. The August 6, 2014 regular meeting minutes were approved.

CSX Raub Siding

James Inge from AMEC Engineering (Earth and Environmental) Inc. approached the Board to present CSX Raub Siding project for drainage approval. The project site was located approximately 800 feet south of County Road 800 South to approximately 1000 feet north of County Road 625 South. The site consisted of approximately 19.68 acres total area with approximately 14.63 acres disturbed with this project. Mr. Inge stated they agreed with the July 17, 2014 review memo and would continue to meet the conditions stated. The Surveyor stated the side rail being installed by CSX was located specifically just west of the County Road 800 South and U.S. 231 intersection, where an existing rail crossed County Road 800 South. He then reviewed the area for the Board utilizing G.I.S. He noted there were no regulated drains involved and CSX was in possession of the DNR permit required. He recommended approval with the conditions as stated on the July 17th Burke memo. Responding to Commissioner Byer's inquiry, Mr. Inge stated construction was planned to start next month. John Knochel made a motion to grant approval with the conditions as stated on the July 17, 2014 Burke memo. Tom Murtaugh seconded the motion. The motion carried. CSX Raub siding project was approved with conditions as stated on the July 17, 2014 Burke review memo.

Upper Berlowitz Master Plan

David Eichelberger with Christopher B. Burke Engineering LLC (CBBEL) approached the Board to present an update on the Master Plan regarding the Upper Berlowitz Regulated Drain Watershed. The City of Lafayette and the Tippecanoe County Surveyor Office joined forces and financial responsibility to establish a Master Plan for the upper portion of the Berlowitz Regulated Drain Watershed. Mr. Eichelberger stated the Master Plan included 4 regional detention ponds designed for the 100 year storm event. One pond was located on each side of County Road 550 South; one on the west side of Interstate 65 and one on the south side of McCarty Lane. The pond on the West side of McCarty Lane was partially constructed previously when the county road was extended as a positive outlet. Currently construction of this pond was being completed. The previously built ponds allowed continued development within the watershed to date. The upper portion of the watershed was bound by McCarty Lane, Haggerty Lane and Veterans Memorial Parkway as well as a development to the east. The goals of the plan were to meet the previously determined (1992) detention analysis, provide regional stormwater measures for the upper portion including stormwater collections in the most environmentally friendly way possible. The stormwater collection systems would be placed at convenient locations with minimal amount of disturbance to the area. This would allow future development positive drainage outlets. CBBEL worked with the City of Lafayette's Engineer's Office and the County Surveyor's Office keeping in mind any trails for walking/biking, roads and other amenities located within the watershed. An informal meeting was held on the 25th of August and all watershed landowners were invited to attend. No permits were required with the proposed construction included in the plan. He informed the Board he would be meeting with the City and the County Redevelopment Commissions on the 17th and the 18th of this month as well and would complete the official report in the near future. With this report would be a preliminary set of plans of major features such as; pipe sizes and elevations to be utilized for future developments within the watershed. All stormwater quality measures for the upper portion of the watershed would be provided for within the Master Plan. Developments would not be required to design stormwater quality measures or detention ponds to be included on their site as long as they met the preset perimeters within the Master Plan. Discussion was held regarding cost for detention storage as no amount other than the existing $15,000.00 per acre storage requirement has been determined. Commissioner Byers stated if there were any specific questions from the attendees they were welcome to speak with Mr. Eichelberger after the meeting today. He thanked Mr. Eichelberger for the status update.

Petition to Encroach Hadley Lake/Cuppy McClure

The Surveyor presented a Petition to Encroach on the Cuppy McClure Branch of Hadley Lake Regulated Drain submitted by M.E.D. Institute and dated August 18, 2014. He noted M.E.D. Institute plans to erect a fence along their boundaries to stop trespassers. This

action requires the Petition as the fence would cross the open ditch and tile of said drain. He stated he reviewed the request and recommended approval by the Board. John Knochel made a motion to approve the Petition to Encroach on the Cuppy McClure Branch of the Hadley Lake Drain as presented by the Surveyor. Tom Murtaugh seconded the motion. Motion carried. The Petition to Encroach on the Cuppy McClure Branch of Hadley Lake Regulated Drain submitted by M.E.D. Institute and dated August 18, 2014 was approved by the Board.

Maintenance Increase Hearings request

The Surveyor requested 2 December 10th 2014 landowner hearings regarding increases in maintenance assessments on the James Kellerman and Harrison Meadows Regulated Drains. The Hearings would immediately follow the regular meeting to be held on that date. John Knochel made a motion to set Landowner Hearings for the James Kellerman and Harrison Meadows Regulated Drains as requested by the Surveyor. Tom Murtaugh seconded the motion. Motion carried. The James Kellerman and Harrison Meadows Regulated Drains Maintenance Increase Hearings would be held immediately following the regular meeting scheduled on December 10th, 2014. (Note this is the second Weds. of the month due to scheduling conflicts with the Board members)

Bonds/Letters of Credit

The Surveyor presented a Performance Letter of Credit #305 submitted to his office by Superior Structures in the amount of $10,000 and written by the Lafayette Savings Bank for the Jessup Paper project. He recommended approval. John Knochel made a motion to approve the Letter of Credit as presented to the Board by the Surveyor. Tom Murtaugh seconded the motion. The motion carried. The Performance Letter of Credit #305 written by Lafayette Savings Bank for the Jessup Paper project in the amount of $10,000.00 was approved as requested.

Zach Beasley

The Surveyor noted he had been receiving complaints from landowners located in existing sections/phases of subdivisions regarding contractors not following the current Drainage Ordinance rules on individual residential lots during the construction of additional phases/sections. He provided the Board with pictures of several residential lots currently being developed / constructed with no stormwater measures being utilized. He noted someone was dumping paint down the storm sewer/curb inlets in one picture. In another photo a concrete pumping truck was being washed in the middle of a cul-de-sac and the dirt/cement off the truck was shown running into the curb inlet. Additional photos of residential lots within subdivisions showed mud in streets, no stormwater measures taken on lots where homes were being constructed, silt fences installed wrong or not at all etc. He stated his office has repeatedly met with contractors/home builders to review the requirements of the ordinance. He continues to get the complaints as many contractors are not following the stormwater measures. He requested the Board direct the Attorney to draft a letter signed by the Board members to all contractors/utilities regarding sediment control rules and the possibility of fines associated with not following rules outlined in the current Stormwater Quality and Quantity Drainage. John Knochel made a motion to direct the Attorney Mr. Luhman to prepare a letter to all contractors/utilities regarding sediment control measures required by Ordinance and the fines which could be implemented by the Drainage Board for failure to follow. Tom Murtaugh seconded the motion. Motion carried. The Attorney would prepare a letter signed by the Board members to all contractors/utilities regarding sediment control measures required by Ordinance and the fines which could be implemented by the Drainage Board. This letter would be sent out by staff in the Surveyor Office.

Public Comment

Commissioner Byers asked for public comment. There was none. John Knochel made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
December 10, 2014
Regular Meeting Minutes

Those present were:
Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner, G.I.S. Technician and James Butcher, Project Manager for Surveyor Office were also in attendance. Member Thomas P. Murtaugh was absent.

Approval of Minutes
John Knochel made a motion to approve the November 5, 2014 regular minutes as written. David Byers seconded the motion. Motion carried.

Bob Rohrman Property
Tori Tripp of Bunnell Land Surveying and Engineering appeared before the Board to present the Bob Rorhman Property project for approval. The existing site was located within the City of Lafayette, specifically a quarter (1/4) mile from State Road 38 and Creasy Lane intersection on the west side of Creasy Lane- across from St. Elizabeth East. The site was also located within the S.W. Elliott Drainage Impact Area and the Drainage Board review regarded the release rate only. Ms. Tripp stated Wilson Branch (aka Treece Meadows Relief Drain) of the S.W. Elliott Regulated Drain was located on the site's western boundary and the project outlet to three locations on the said Branch. Two of the three outlets were pre-existing and would be maintained by the owner. The third outlet would be a storm sewer replacing the existing swale. She reminded the Board during the August 6, 2014 Drainage Board meeting a drain encroachment of 75' from the top of the bank on the Wilson Branch of the S.W. Elliott Regulated Drain was approved for this project. The Surveyor reiterated the project was located within City Limits and stated the approval by the Board regarded the release rate only. Responding to the Surveyor, Ms. Tripp stated they did not anticipate additional encroachments. The Surveyor recommended approval with conditions as stated on the Dec. 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant approval with the conditions as stated on the December 4, 2014 Burke memo. David Byers seconded the motion. Motion carried.

Purdue Agronomy Center (ACRE)
Jim Pence of Schneider Corp. appeared before the Board to present the Purdue Agronomy Center project for approval. The center's expansion was northwest of the existing Beck facility. The site was consisted of approximately nine (9) acres and located on the Purdue Agronomy Farm approximately 1,300 feet east of Co. Rd. 500 West on the north side of U.S. 52. This site was located within the Indian Creek Drainage Impact Watershed. Two dry detention basins were planned for the project. Due to the restricted nature of the area's release rates, due diligence was exercised to reach the required rate or as close to the required rate as possible. He stated they were requesting three variances due to the strict release rate required for this watershed area.

The Surveyor stated Randy Baum of IDEM (Indiana Dept. of Environmental Mgmt.) would review this project for compliance with the Rule 5 SWPPP (Stormwater Pollution Prevention Plan). He stated any future Purdue projects would be submitted through SWCD and IDEM will review the Rule 5 information. He stated three variances were required due to the very restrictive rates required under the Impact area resolution. He noted if the said resolution was not in place, the ordinance would allow the 5.4cfs release rate. The said resolution required .13cfs release rate, the design had a .81cfs release rate. The detention ponds would function as designed within the 48 hour perimeter as required. Though not adhering to the resolution's required release rates, the detention draw down requirements were being met and the design release rates were substantially lower than the standard rates. Based on this, the Surveyor stated he was recommending the three variances as requested. He recommended approval with the conditions as stated on the December 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant the variances (1, 2, and 3) as outlined in the Dec. 4, 2014 Burke memo along with the additional conditions listed in the Burke memo. David Byers seconded the motion for the variances and the conditional approval. Motion carried.

Soleado Vista Subdivision
Patrick Williams of TBIRD Design Services appeared before the Board to present Soleado Vista Subdivision for approval by the Board. The site consisted of 31 acres located on the east side of Morehouse Road ½ mile north of Kalberer Road (Co. Rd. 350North) near the Tippecanoe County Memorial Gardens Cemetery. The Dempsey Baker County Regulated Drain was located along the south side of the property and was the primary outlet for the site. The project site was located within the Indian Creek Watershed Impact Area. Mr. Williams stated they agreed with the conditions as stated on the December 5, 2014

Burke memo, however one condition warranted discussion. He stated, when this project began it was located within the City of West Lafayette. As of December 9th, 2014 it was dis-annexed from the City of West Lafayette. As such, hit was their assumption the Drainage Board would adopt the comments prepared by the City prior to dis-annexation. He then asked the Board for their approval.

The Surveyor stated there were two items of concern and were additional conditions: 1. All items related to the offsite water from the east on PRF (Purdue Research Farm) and anything to do with that or the discharge of the water into the Dempsey Baker County Regulated Drain (open ditch and/or tile) will be required to be addressed as it was a major concern. 2. The Petition to Encroach and the Petition to Reduce the Easement on the Dempsey Baker Regulated Drain must be corrected and revised prior to approval by the Board. He recommended the variances as requested on the December 5, 2014 Burke memo. He then recommended approval of the project with the two aforementioned conditions along with those conditions listed on the December 5, 2014 Burke memo. Responding to John Knochel, the attorney clarified the petitions could be approved by the Board conditionally: subject to the Surveyor's approval of the corrected documentation. There was no public comment.

John Knochel made a motion to approve the variances requested on the December 5, 2014 Burke memo subject to the Surveyor's approval of the revised encroachment petition and reduction of easement petition documents aforementioned. The Board approval was subject to conditions on the December 5, 2014 Burke memo relating to the Dempsey Baker Regulated Drain specifically conditions #3 and #4 under Stormwater Quantity close review . Responding to David Byers inquiry, the Surveyor stated while there would be an increase in discharge to Hadley Lake, it would be released over a longer period of time due to onsite detention. David Byers seconded the motion. Motion carried.

Zach Beasley/Other Business
The Surveyor presented a list of the 2015 Drainage Board Meeting dates for approval by the Board. John Knochel made a motion to approve the 2015 Meeting Dates as presented by the Surveyor. David Byers seconded the motion. Motion carried.

The Surveyor requested a March Reconstruction Hearing for the Alonzo Taylor Regulated Drain. John Knochel made a motion to conduct a March 4, 2014 Reconstruction Hearing for the Alonzo Taylor Regulated Drain. David Byers seconded the motion. Motion carried.

The Surveyor requested an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. John Knochel made a motion to conduct an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. David Byers seconded the motion. Motion carried.

Petitions:
The Surveyor recommended approval for a Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision submitted by the Schneider Corporation. John Knochel made a motion to grant approval for the Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision. David Byers seconded the motion. Motion carried.

2014 STATUS UPDATE
The Surveyor stated his office had installed/constructed approximately 5 miles of new county regulated drains (tile sizes 24"-12" range), constructed/installed ½ mile of new county regulated ditch aka open drain, and moved in access of 35,000 yards of dirt for Berlowitz Pond#3 all within the calendar year of 2014. He was pleased with his office staff and the Boards work in these projects. He expressed his appreciation of Commissioner John Knochel's public service during his time in County Government. He stated Mr. Knochel had been a pleasure to work with and wished him well on his retirement.

David S. Byers, President

John Knochel, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
May 6, 2015
Regular Meeting Minutes

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

Approval of Minutes
Commissioner Thomas Murtaugh made a motion to approve the April 1, 2015 regular minutes and the April 1, 2015 landowner hearing minutes for the Clymer Norris Regulated Drain #122 as written. Tracy Brown seconded the motion. Motion carried.

Alonzo Taylor #77 Regulated Drain Tile Reconstruction
Commissioner Byers referred to the Attorney for the opening of Reconstruction Bids received for the Alonzo Taylor #77 Regulated Drain Tile Reconstruction. The Attorney stated the following: The first bid submitted was received from ADI (Ag Drainage Inc. Golden Illinois) in the amount of $123,544.20. The second bid submitted was received from Maxwell Farm Drainage Inc. Crawfordsville Indiana in the amount of $109,495.25. Commissioner Brown made a motion to take the bids under advisement. Commissioner Murtaugh seconded the motion. Motion Carried. Commissioner Byers stated the project would be awarded at the end of this meeting after the review if the bid packets were in order.

Villas at Creasy Springs
Clem Kuns with TBIRD Designs appeared before the Board to present Villas at Creasy Springs for their approval. The site was located within the City of Lafayette's boundaries more specifically on the west side of Creasy Lane north of the intersection of St. Rd. 38 and Creasy Lane. The site consisted of approximately 7.20 acres within the overall 15 acre Trilogy campus site. Due to the location within the city limits, the Board's concern today was discharge to the Wilson Branch of the S.W. Elliott Regulated Drain only. The project would utilize the existing detention facility as well as the outlet structure to said Wilson Branch. The release rates were set for the overall 15 acre site and approved in 2009 by the Board. The existing detention facility would be modified to meet the previously approved 10.79 cfs for a ten year storm event and 21.67cfs for the 100 year storm event. The existing outlet of the detention facility discharged directly into the Wilson Branch of the S.W. Elliott Drain. Mr. Kuns stated there would be no other direct discharge locations from this site into said drain branch. He reviewed the project utilizing G.I.S. He noted they were requesting a reduction in the drainage easement from 75 feet to 30 feet. This was due to the planned location of three units on the west side of the site. A trail was planned to circle the facility and an encroachment into the regulated drain easement was presented for approval as required. A maintenance agreement was also submitted which stated the owners would be responsible to maintain the portion of the ditch reflected within the agreement. He requested approval at that time. The Surveyor reiterated the site was located in the Lafayette city limits therefore approval of the discharge rate was the Board's only concern today. He stated he had reviewed the Maintenance Agreement and Petition to Encroach and approved as submitted. He then recommended approval with the conditions as stated in the April 29, 2015 Burke memo. Commissioner Murtaugh made a motion to approve the Maintenance Agreement and the Petition to Encroach on the Wilson Branch of the S.W. Elliott Regulated Drain. Commissioner Brown seconded the motion. Motion carried. Commissioner Murtaugh made a motion to grant approval with the conditions as stated on the April 29, 2015 Burke memo. Commissioner Brown seconded the motion. Motion carried.

Gild Estates
Kyle Betz with Fishers and Assoc. appeared before the Board to present Gild Estates for approval. The site was located east of Interstate 65 (I65) on the south side of Co. Rd. 200 North and consisted of approximately 9.5 acres. He stated this would be a highly vegetated development as only 6 tracts were planned on the 9.50 acres. He noted runoff would be routed through the site via culverts and swales through a dry detention basin in the southwest corner into the I65 right of way and ultimately to Wildcat Creek. He stated at this time they were waiting on INDOT's approval for the discharge into the right of way of I65. He did not anticipate any issues as the runoff naturally routes that direction currently. He stated they agreed with the conditions as stated on the April 29, 2015 Burke memo and requested approval. The Surveyor stated this was a direct release to the Wildcat Creek and the INDOT approval was required prior to final approval. He further stated the requirements listed in Item #7 under Stormwater Quantity on the April 29, 2015 Burke memo MUST be included on the final plat as stated. The Surveyor then recommended conditional approval as stated on the April 29, 2015 Burke memo. Commissioner Brown made a motion to grant conditional approval as stated on the April 29, 2015 Burke memo. Commissioner Murtaugh seconded the motion. Motion carried.

New East Branch Library
Robert Langager with the Schneider Corp. appeared before the Board to present the New East Branch Library for their approval. The site was located at the northeast corner of the intersection of Co. Rd. 550East and Co. Rd. 50South immediately north of the Berlowitz Regional Detention facility and consisted of 2.74 acres. He stated originally the site runoff outlet directly to the Berlowitz facility; however the existing outlet would be removed. The site runoff would be routed through newly designed storm sewers and inlets ultimately discharging into the Berlowitz Regulated Drain ditch (north side of Co. Rd. 50South). He stated the site was exempt from detention however provisions were made for water quality. The Surveyor stated in the EXISTING condition a portion of the Lexington Farms Development's runoff routed across this site into a tile under Co. Rd. 50South into the first Berlowitz facility located at the southeast corner of Co. Rd. 50 South and Co. Rd. 550East. In the PROPOSED condition (after development of the East Branch Library), the runoff would be re- routed and discharged into the open ditch located on the north side of Co. Rd. 50South. Due to the proposed route, an offsite drainage easement along with a maintenance agreement would be required to be submitted for the record by the developer. Robert Langager interjected a change in the emergency routing path had been made and the exhibit for such would be submitted for review. He stated the emergency routing path would continue north and east and outlet just south of the first lot as in existing condition currently. He noted there was an existing approved easement with the adjoining landowner for this. Dave Eichelberger stated the new routing information and exhibit had not been submitted to his office for review and as such the May 1, 2015 Burke memo did not reflect the revision Mr. Langager stated. Responding to Commissioner Byers and the Surveyor's inquiries regarding credit for storage in the Berlowitz facility, Mr. Eichelberger stated a review of the signed Berlowitz Storage Agreement - Credit of Fees (with Derrin Sorenson- Developer) would determine this. He would inform the Surveyor the outcome once the agreement was reviewed.
The Surveyor reminded the Board Mr. Sorenson gave the County a tract of land for the planned Berlowitz storage facility in exchange for storage credits within the facility -of future projects. It would be determined if this tract was included in the agreement prior to final approval granted. Responding to Mr. Byer's inquiry, Mr. Eichelberger sated the current routing plan would not cause problems in the future. He noted, in essence detention is overly detained in the south so that detention in the north may be undetained. Mr. Langager stated a signed Petition and Maintenance Agreement would be submitted to the Surveyor's office for review prior to final approval. The Surveyor recommended conditional approval as stated on the May 1, 2015 Burke memo. Commissioner Brown made a motion to grant conditional approval as stated on the May 1, 2015 Burke memo. Commissioner Murtaugh seconded the motion. Motion carried.

Zach Beasley
The Surveyor informed the Board his office's current work schedule regarding tile maintenance. He noted 6-10 tiles daily are being repaired due to tile holes. He has two crews working on tile repairs at this time.

Alonzo Taylor#77 Reconstruction Project Bid Award
Commissioner Murtaugh made a motion to award the Alonzo Taylor #77 Reconstruction project to Maxwell Farm Drainage Inc. in the amount of $109,495.25. Commissioner Brown seconded the motion. Motion carried.

Public Comment
As there was no public comment, Commissioner Brown moved to adjourn. The meeting was adjourned.

David S. Byers, President

Tracy Brown, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
June 3, 2015
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Mathew Salsbery, 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. Attorney Doug Masson was absent.

Approval of Minutes

Thomas Murtaugh made a motion to approve the May 6, 2015 regular minutes as written. Tracy Brown seconded the motion. Motion carried.

Clymer Norris #122 Regulated Drain Tile Reconstruction

The President referred to Attorney Mathew Salsbery to open the Clymer Norris #122 Regulated Drain Reconstruction Contractor Bids submitted to the Drainage Board for consideration. Attorney Salsbery noted there were four bids submitted regarding the Clymer Norris #122 Regulated Drain Reconstruction. The first bid opened was submitted by Bedino Construction Company- Terre Haute Indiana in the amount of $126,838.00; the second bid submitted by Maxwell Farm Drainage LLC-Crawfordsville Indiana in the amount of $76,745.00; the third bid submitted by Central Indiana Drainage-West Lafayette Indiana in the amount of $83,939.50; the fourth and last bid submitted was by Atlas Excavating- West Lafayette Indiana in the amount of $194,309.00. Comm. Murtaugh made a motion to take all bids under advisement. Comm. Brown seconded the motion. Motion carried. The President thanked the Contractors for the submissions and noted the bids would be reviewed for compliance and awarded at end of this meeting.

Auburn Meadows

Jim Pence from Schneider Corporation appeared before the Board to present the Auburn Meadows project for approval. The site was located on the east side of Co. Rd. 50 West (aka Salsbury Road) south of Co. Rd. 500 North and consisted of approximately 85 acres. He stated he had received the May 29, 2015 Burke Review Memo and was in the process of addressing the conditions as stated on the memo. He noted they had received Department of Natural Resources Approval (DNR) for the planned outlet into the unnamed tributary of the Grant Cole #19 County Regulated Drain. He stated they were staying out of the area on the site designated as floodplain. Planned for the overall subdivision were 222 lots. This phase of the overall project would be known as Section 1 and would involve 78 lots. He then requested conditional approval for the Master Plan and Section 1 of said plan. The Surveyor stated the presentation today regarded approval of the project's Master Plan in addition to specifically Section 1 only of the overall Master Plan. He noted a variance was requested regarding Chapter 8: Channel Protection Volume and Water Quality Volume. He recommended the requested variance and conditional approval as stated on the May 29, 2015 Burke memo. Comm. Murtaugh made a motion to grant conditional approval as stated on the May 29, 2015 Burke memo for the overall site's Master Plan. Comm. Brown seconded the motion. Motion carried. Comm. Murtaugh made a motion to grant a variance as noted on the May 29, 2015 Burke memo. Comm. Brown seconded the motion. Motion carried. Comm. Murtaugh made a motion to grant conditional approval for Section 1 of the overall Master Plan as stated on the May 29, 2015 Burke memo. Comm. Brown seconded the motion. Motion carried. There was no public comment.

Greater Lafayette Chinese Alliance Church

Kyle Betz of Fisher and Associates appeared before the Board to present the Greater Lafayette Chinese Alliance Church project for approval. The site was located on the south side of Co. Rd. 250 North west of Klondike Road and consisted of approximately 4 acres. Mr. Betz noted the site was specifically located at the northwest corner of Lindbergh Village Subdivision. The site plan was designed with two parts in mind, first part as a primary construction site and a second part for the future 2nd phase construction (currently the phase 2 timeline was undetermined). An approximate third of the site drained to the northwest –into a portion of the Indian Creek Drainage Impact Area; however the runoff's cfs impact would be reduced from the current amount draining into the impact area. The remainder of the site (approximate 2/3) drained into Lindberg Village Subdivision's existing drainage infrastructure. Rear yard inlets adjoining the project site and located within the

Lindberg Village Subdivision would route the project's runoff throughout the Lindberg Village Subdivision infrastructure. He noted due to this, owners, contractors and Lindberg Village Home Owners Association met and discussed the drainage plan for the church project. He noted a couple of the Lindberg Village lot owners whose rear lots were affected by this plan- met with the owner and contractors to discuss the developer's planned drainage. He stated he thought the landowner's concerns were addressed adequately. He would submit document verification by the parties affected. At that time Mr. Betz requested approval from the Board.

The Surveyor stated under the "Stormwater Quantity" portion of the May 29, 2015 Burke memo- "Items #1 and #2"- must be addressed prior to his signature on plans. As a public safety issue, he would not move forward until the items were addressed. Mr. Betz noted the owner was aware of the requirement and currently working on submitting the documents for future reference if needed. Mr. Betz stated the emergency routing verification would be provided. The Surveyor interjected and stated he felt it would be necessary for the area to be surveyed to insure no modifications have been made since the "As Built Plans" for Lindberg Village were recorded. The Surveyor stated the portion of the site which drained into the Indian Creek Impact Area was an insignificant amount. He directed Mr. Betz to discuss the site's entrance with Tippecanoe County Highway Department to eliminate any concerns they may currently have. Mr. Betz agreed to discuss as soon as possible with the Highway Department. The Surveyor recommended approval with conditions as stated on the May 29, 2015 Burke memo in addition to the added condition of surveying the emergency routing area to insure no modifications had been made since recording of the adjoining development's plans, Lindberg Village. Comm. Brown made a motion to grant conditional approval as stated in the May 29, 2015 Burke memo in addition to the Surveyor's condition of the emergency routing area to be surveyed. Comm. Murtaugh seconded the motion. Motion carried.

Comm. Byers asked for public comment. Kristin Perkis 2460 Hopkins Drive West Lafayette approached the Board. She stated her lot was one of the lots (third lot from intersection) with an existing inlet which runoff from the Greater Lafayette Chinese Church project site would outlet into. She stated her husband and she was in the process of building a fence in their rear yard and had met with the developer and contractor concerning the issue. They were told the fence project would not interfere with the infrastructure/outlet plans. She noted she had written a letter to the Drainage Board addressing concerns and submitted the aforementioned letter for the official record. (The letter will be added to the minutes at end of this transcript and scanned into the digital project file) She provided a copy of the letter to Mr. Betz of Fisher and Associates as well. The Surveyor informed Mrs. Perkis that he took these issues very seriously and would not sign off on the final plans until he was satisfied the developer met all the conditions as safety was of the utmost importance to him. He assured her he would not compromise with public safety as he took this very seriously. He thanked her for her comments. She thanked the Board for their time.

Zach Beasley/Other Business

New East Branch Tippecanoe County Library/Petition to Encroach & Maintenance Agreement/Berlowitz Regulated Drain #08

The Surveyor presented a Petition to Encroach and Maintenance Agreement regarding the Berlowitz Regulated Drain and the New East Branch Tippecanoe County Library project, submitted by Schneider Corporation. He stated his office had reviewed both documents and recommended approval. Tom Murtaugh made a motion to approve the Petition to Encroach for the Berlowitz Regulated Drain #08 as submitted. Tracy Brown seconded the motion. Motion carried. Tom Murtaugh made a motion to approve the Maintenance Agreement on the Berlowitz Regulated Drain as submitted. Tracy Brown seconded the motion. Motion carried.

Bob Rohrman Auto Group Expansion/Petition to Encroach and Reduction in Easement/Wilson Br. S.W. Elliott Regulated Drain #100

The Surveyor presented A Petition to Encroach and Reduction in Easement on the Wilson Branch of the S.W. Elliott Regulated Drain #100 for the Bob Rohrman Auto Group project submitted to his office by Bunnell Land Survey and Engineering for approval by the Board. Tracy Brown made a motion to approve the Petition to Encroach and the Reduction in Easement regarding the Wilson Branch of the S.W. Elliott Regulated Drain #100 as presented. Tom Murtaugh seconded the motion. Motion carried.

G.E. Aviation/Petition to Encroach J.N. Kirkpatrick Regulated Drain #46

The Surveyor presented a Petition to Encroach on the upper end of the J.N. Kirkpatrick Regulated Drain #46 to the Board which was submitted for approval by Schneider Engineering on behalf of Wintek. He noted he reviewed the document and

recommended approval by the Board. Tom Murtaugh made a motion to grant approval of the Petition to Encroach on the upper end of the J.N. Kirkpatrick Regulated Drain #46 as presented. Tracy Brown seconded the motion. Motion carried.

Clymer Norris Regulated Drain #122 Reconstruction Project Bid Award

The President referred to the Attorney for announcing the Clymer Norris Regulated Drain #122 Reconstruction Project lowest bid. Atty. Salsbery stated Maxwell Farm Drainage Inc. submitted the low bid in the amount of $76,745.00. He noted the Bid was in compliance with the contract as written. Tom Murtaugh made a motion to award the Clymer Norris Regulated Drain #122 Reconstruction Project to Maxwell Farm Drainage Inc. in the amount of $76,745.00. Tracy Brown seconded the motion. Motion carried.

Zach Beasley/Other Business

The Surveyor asked the Board to set dates for three Public Landowner Hearings regarding the regulated drains. He requested the following: The Peter Rettereth Regulated Drain #66 Reconstruction for August 5th 2015, Ann Montgomery Regulated Drain #56 Maintenance Increase for September 2, 2015 and Gustav Swanson #76 Regulated Drain Maintenance Increase for October 7, 2015 and each hearing to immediately follow the scheduled regular meetings on these dates. Tom Murtaugh made a motion to set dates for the Peter Rettereth Regulated Drain #66 Reconstruction on August 5th 2015, Ann Montgomery Regulated Drain #56 Maintenance Increase on September 2, 2015 and Gustav Swanson #76 Regulated Drain Maintenance Increase on October 7, 2015 and that the hearings were to immediately follow the scheduled regular meetings on said dates. Tracy Brown seconded the motion. Motion Carried.

Moses Baker Regulated Drain #114

The Surveyor presented a slide show of the dredging, clearing maintenance work recently completed on the Moses Baker Regulated Drain. The location of the slides was Co. Rd. 1000 South and Co. Rd. 500 East. The pictures were taken from the Bridge on Co. Rd. 500 East just north of Co. Rd. 1000 South. He stated the ditch would function much better now that it had been cleared of the trees in that area.

Alonzo Taylor#77 Regulated Drain Reconstruction

The Surveyor informed the Board the Alonzo Taylor#77 Regulated Drain Reconstruction project would begin at the first of the upcoming week with tile replacement.

Public Comment

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

David S. Byers, President

Tracy Brown, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
November 4, 2015
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Tracy Brown made a motion to approve the October 7, 2015 Drainage Board Minutes as written. David Byers seconded the motion. Motion carried.

Tracy Brown made a motion to approve the October 7, 2015 Gustav Swanson Regulated Drain Landowner Hearing minutes as written. David Byers seconded the motion. Motion carried.

I65 South Segment Added Traffic Lanes

Chris Schultz from CHA appeared before the Board to present INDOT's I65 South Segment project for approval. The North Segment of the INDOT project for I65 was approved by the Board in April 2015. This segment project site was located approximately .50 miles south of SR38 continuing approximately.70 miles north of SR26, approximately 5 miles total. Three County Regulated Drains were involved; the Charles Parker, Julius Berlowitz and the Alexander Ross drain. A new culvert would be installed by INDOT within the Alexander Ross Drain Easement; therefore a Petition to encroach would be submitted for approval as well. Detention storage for an overall total of 2.21 acre feet within the A. Ross and J. Berlowitz Detention Basins would be necessary. The Berlowitz Detention Basin storage required- totaled 1.439 feet for an amount of $21,585.00 per ordinance. The Alexander Ross Detention Basin storage amount required a total of 0.774 acre feet for an amount of $11,610.00 per ordinance. He noted, per the Ordinance a combined 2.21 acre feet would be required which totaled $33,195.00 ($15,000.00 per acre feet). Six new main line cross-culverts would be installed under I65, slip lining three existing culverts and replacing all the existing meeting inlets and pipes within this project. One travel land would be added in each direction. The project widens the pavement from 38 feet to 56 feet in each direction. (Approx. 19.5 acre for the South segment alone) Nine detention ponds were constructed with a combined capacity of 2.4 acre feet of storage for the added amount of pavement. Regarding Stormwater Quality; Grassed swales would be added on each side of the interstate for the runoff prior to entering the detention ponds. He stated they agreed with the October 29th 2015 Burke Memo conditions as stated and requested approval by the Board.

The Surveyor reiterated detention storage fees regarding the A. Ross and the J. Berlowitz Detention Basins were required and would be collected for the project. Regarding the Petition to encroach on the Alexander Ross Regulated Drain, he pointed out there were two existing county regulated tiles in that location; one which route to the Walmart pond and another tile which is the oldest. He noted if any damage to the existing tiles during construction would be required to be fixed. He then recommended approval with the conditions as stated on the Oct. 29, 2015 Burke memo. There was no public comment.

Tracy Brown made a motion to grant approval for the I65 South Segment added travel lanes project with the conditions as stated on the Oct. 29, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Mr. Schultz presented a Petition to encroach on the Alexander Ross Regulated Drain for approval by the Board. Installation of new box culverts within the aforementioned legal drain required encroachment approval. He noted two exhibits were attached, the first exhibit was a section view (referencing the Surveyor's concern, the first exhibit showed the existing location of the two tiles in relation to the new box culvert to be installed. This exhibit referenced the care of the existing tiles. The second exhibit showed an overall plan view). He requested approval by the Board for the Petition to encroach on the Alexander Ross Regulated Drain. There was no public comment.

Thomas Murtaugh made the motion to grant approval for the Petition to encroach on the Alexander Ross Regulated Drain as requested. Tracy Brown seconded the motion. Motion carried.

Public Comment

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

David S. Byers, President

Tracy Brown, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
May 4, 2016
Regular Meeting Minutes

Those present were:

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

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

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

Hawthorne Crossing Subdivision
Clem Kuns from TBird Design appeared before the Board to request approval for the Hawthorne Crossing Subdivision project. The site consisted of approximately 13 acres located just south of the previous Hawthorne Gardens project at the northwest corner of C.R. 550E and McCarty Lane. It is located within the City of Lafayette boundaries and will be multi-family apartment complex. The drainage was prominently east to west and released directly to the Berlowitz Regional Detention Facility via storm sewers and vegetative swales. He noted this project was located within the Berlowitz Master Drainage Plan and the design complied with the said plan. He presented a Petition to Encroach on the Berlowitz Regulated Drain Easement for approval on this project as well. He requested approval at that time.
The Surveyor reiterated this project directly released into the Berlowitz Regional Detention Facility and located within the City of Lafayette so the Board's review was the release rates into the Regional Detention Facility only. The City of Lafayette would review the sites infrastructure plan etc. He stated he had reviewed the Petition as submitted and it was in order. He recommended approval by the Board for the Petition to Encroach on the Berlowitz Regulated Drain Easement and approval of the project based on the April 15, 2016 Burke memo. There was no public comment.
Thomas Murtaugh made a motion to approve the as well as Petition to Encroach on the Berlowitz Regulated Drain. David Byers seconded the motion. Motion carried. Thomas Murtaugh made the motion to grant conditional approval as stated on the April 15, 2016 Burke memo. David Byers seconded the motion. Motion carried.

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

detail and felt there would be no downstream flooding issues. The release rates were well within the current Stormwater Ordinance. He reiterated the school project was completed in the 1950's. Due to this the designers had to retrofit their design to comply with the current ordinance regarding the stormwater quality portion as best as possible. He stated he recommended approval of the requested variance as the site would have water quality applications such as vegetated swales and grassed strips etc. in addition to the dry detention basin as well as conditional approval as stated on the April 26, 2015 Burke memo. There was no public comment.
Thomas Murtaugh made a motion to approve the variance as requested. David Byers seconded the motion. Motion carried.
Thomas Murtaugh made a motion to grant conditional approval as stated in the April 26, 2016 Burke memo. David Byers seconded the motion. Motion carried.

Fort Quiatenon Trailhead and Overlook Archaeological Site
Andy Mix with Vester and Assoc. appeared before the Board on behalf of the Tippecanoe County Historical Association to present the Fort Quiatenon Overlook and Trailhead Archaeological Site project for approval. Mr. Mix stated the site was adjacent to South River Road between Patrick Lane and CR.350W and consisted of approximately 14.8 acres. He noted the top third portion of the site was relatively flat with a sloping ridge to the river. Two naturally curved swales on the east and west sides take the sheet flow from the site to the river. The proposed plan included an entrance to the site, a one way roadway, parking area for buses and cars with handicap parking and a concrete walkway/bicycle path. He further stated; prairie restoration would assist in the stormwater quality improvement of the site and the post development runoff was minuscule compared to pre-developed runoff. He requested approval of the project at that time.
The Surveyor stated this was a minor project, basically a few parking spots for the trailhead access and archeological site. He stated construction would all be completed on high ground of the overall project site. Everything south of the aforementioned slope (natural transition) of the tract was floodplain. There were no sanitary facilities for the site, existing slopes would be utilized as Mr. Mix stated and there are no piping systems planned. He noted this project was reviewed in house. Mr. Mix was aware the project required a completed SWPPP prior final approval.
The Surveyor then recommended approval per the Surveyor's Office Review Summary dated April 29th 2016. There was no public comment.
David Byers recommended approval with condition as stated within the April 29th 2016 Surveyor's Office Review Summary. Thomas Murtaugh seconded the motion. Motion carried.

Stonehenge Phase 4 P.D.A. and P.D.B.
Marc Tolliver with Vester and Assoc. appeared before the Board to present Stonehenge Ph. 4 P.D.A. and P.D.B. for approval. The overall Stonehenge Development was located on the southeast corner of the intersection at CR. 450N and 375W and consisted of approx. 134.6 acres. Phase 4 was located in the northeast region (17.8 acres). The existing P.D. region was located in the southeast region; however there a fringe lots that would be developed as part of the current project. The Stonehenge Development Master Drainage Plan was previously approved by the Board during the January 8, 1997 Drainage Board meeting. The site's detention pond was previously planned on its eastern extremities. He noted there was an existing county regulated drain along the northeast corner of the site known as the E.W. Andrews County Regulated Drain #03. The planned fringe lots to be developed were located immediately south and further southeast of the northeast region (Phase 4) of the project. (South of the existing pond) He reviewed the overall plan for the Board and stated there would be subsurface storm sewers with overland vegetated swales through the site. (49 lots total to be developed with 20 lots planned within the P.D.A. and P.D.B. regions) A variance was in order regarding the detention pond to act as a secondary post construction bmp treatment method. This was in addition to tail water bio swales for stormwater quality treatment. He noted two variances were requested. The first variance was for the reduction of existing easement for the E.W. Andrews Regulated Drain #03 and the second for the detention pond to act as a bmp treatment method. He then asked for approval of the project as stated.
The Surveyor stated the applicant was here for preliminary approval only. The variances would not be acted upon today and the applicant was aware of this. The variances would be approved at a later date. The Surveyor stated the project's data at hand was reviewed with the 1997 Stonehenge Development Master Drainage Plan. He noted in general their plan complied with the master drainage plan as approved by the Board in 1997. He requested a meeting to discuss the regulated drain encroachment. He would like to discuss the amount of room needed for maintenance work of the said county regulated drain easement. This was due to a physical restriction in the area of CR.450N. A culvert routes under the said county road and the open ditch starts on the south side. There was a physical barrier on north side and another on the east side due to an existing driveway over the open portion of the drain. Other than the variances today, he recommended preliminary approval to the Board for Stonehenge Phase 4 P.D.A. and P.D.B. There was no public comment.
Thomas Murtaugh made a motion to grant preliminary approval for Stonehenge Phase 4 P.D.A. and P.D.B as stated in the April 27, 2016 Burke memo without acting on the variances as requested in said review memo. David Byers seconded the motion. Motion carried.

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

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

Public Comment
Lyle Bowman representing A.D.I. (Tile Company in area) approached the Board and stated the following: My Company submitted a bid on Monday via overnight. It arrived on Tuesday -election day- to this location and should have been received by the mailing authority at this location on Tuesday- in time to be read and accepted. The Surveyor's office Project Manager stated the office was aware of the bid and watching for it, however it was not delivered prior to the start of today's meeting. Mr. Bowman asked if he obtained a certification that the bid was delivered to this address prior to the start of the meeting would it still be considered. He stated it would have been the low bid by a significant amount. He asked if there would have been a place that accepted this delivery due to the election held at this location on Tuesday. Attorney Doug Masson stated if it would have to be a special circumstance as if it was not received prior to this meeting, it would not be considered by the Board. The Attorney stated the Board made the exception to allow the bid- if received by 10am today- to be submitted and opened (deadline receipt of bids 9:30am Weds. April 6, 2016). However the bid did not arrive prior to the meeting therefore it was not considered for the award. The circumstance would have to be extraordinary to change the award at this meeting. Maxwell Farm Drainage Contract award remains as accepted. Bart Maxwell approached the board and stated he hoped to learn whether he was awarded the contract today. Most instances contracts are not opened if not received prior to the deadline. Attorney Masson stated he was bound to double check the law; however the situation would have to be compelling before he would recommend a change in the Board's award of the contract today. He stated his preference would be to move forward based on his knowledge of the situation to date. Maxwell Farm Drainage submitted the lowest contract bid to the Board prior to the deadline as outlined in the Public Notice for Request for Contract Bids on the Waples McDill #85 Regulated Drain Reconstruction.
Dave Byers asked if the bid would re-pro rate the per acre assessments to the landowners since the amount was significantly lower than the Surveyor's estimated per acre assessment previously approved by the Board. The Surveyor stated it could possibly lower the assessment at the end of the process; however he referred to the Attorney for his legal opinion. He noted there are always unforeseen items that come up during reconstruction which could increase the total cost of a bid. The Attorney noted the reconstruction order would be reviewed, and a certified total cost of the project would be submitted to the Auditor next month.
Mr. Bob Devault 3200 SR.28E Lafayette Indiana 47909 approached the Board and stated as one of the largest landowners within the watershed he represented a few of the landowners and they all felt the designated time and date was stated regarding the request for contract bids on the said drain reconstruction. He stated he would not want the board to set precedence where once the amount of a received bid was read out loud it would enable a contractor to easily come in with a story and a lower bid to be accepted by the Board. He felt it would be a poor precedence to set. He stated the Board made a decision to award the contract today already and he hoped they stuck with it. He then congratulated the Surveyor for his win in the primary election. The Surveyor thanked him for his thoughts today.

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

Tracy Brown, President

Thomas P. Murtaugh, Vice President

Brenda Garrison, Secretary

David S. Byers, Member

Tippecanoe County Drainage Board
July 6, 2016
Regular Meeting Minutes

Those present were:

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

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

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

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

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

Zach Beasley
S.W. Elliott Drain #100/ D.N.R. David Knipe- Flood Maps/Elevations- Status Update
The Surveyor informed the Board a gaging station located on the S.W. Elliott drain at the northeast corner of the County Highway Garage on Brady Lane. It is time for the annual renewal of the Joint Funding Agreement Contract with the U.S Department of the Interior /U.S.G.S. Geological Survey. He stated he knew progress had been made on the revisions of Flood Elevation maps by DNR for this area. The area was from Concord Road to just east of Ivy Tech. The cost to the County was $9200.00 this term. (October 1, 2016- Sept. 31, 2017) It was noted in 2014 to revisit the issue in a couple years and re-evaluate the need of the devise. He stated he felt it prudent to invite David Knipe of D.N.R. to address the Board regarding the status of the aforementioned maps. This was the best way to determine whether to continue the agreement or not. He will make a recommendation to the Board at the meeting in August. The said agreement must be signed and returned by October 1, 2016. The Surveyor welcomed Mr. Knipe and thanked him for his time here today information the Board regarding the Flood Maps/Elevation Revisions in process. David Knipe approached the Board and stated the flood map updates project has been completed. However the legal process which is required to adopt the revised flood maps includes FEMA's approval. This has caused a longer process than expected due to issues which include funds within FEMA. The publication of registering the revised maps through FEMA has been completed and notices for the Newspaper will be published July 7 and 14, 2016. After the second notice on July 14, 2016 the 90 day appeal process begins. A letter of final determination will be issued once the 90 day appeal process and a review of -any comments /complaints received during this period has been completed. Mr. Knipe stated it would be approximately the latter part of December 2016 or first part of 2017. Once this is completed there is a 6month conversion process for communities to update ordinances and maps printed and digitized. The date for the availability of the revised flood elevation maps will be approximately July 2017. Mr. Knipe stated if the contract for the gaging station was not continued through 2017, D.N.R. would remove the equipment but leave the housing for possible future use. The data which the station has previously compiled was reviewed during this revision process of the flood maps. Any further data accumulated could be used in the future for additional revisions of the maps. He

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

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

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

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

Bonds:
Blackthorne Phase 3 Subdivision Maintenance Bond
The Surveyor presented Maintenance Bond #7649195 in the amount of $12,609.30 submitted by Midwest Paving and written by Zurich American Insurance regarding the Blackthorne Phase 3 subdivision for approval.

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

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

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

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

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

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

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

Tracy Brown, President

Thomas P. Murtaugh, Vice President

ABSENT
Brenda Garrison, Secretary

ABSENT
David S. Byers, Member

EVAN WARNER, GIS TECH.

Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business
Appointment of Drainage Board member to Tri-County Board
The Surveyor stated he was contacted by Benton County Surveyor David Fisher regarding the Sophia Brumm Joint Drain. The landowners have requested a joint meeting to discuss reconstruction of several lineal feet of the tile within the S. Brumm Drain watershed. The proposed time was February 21, 2017 at 10:00 a.m. at the Benton County Courthouse. An appointment from this Board was requested. David Byers noted there was a Commissioner Meeting at the same date and time. Tracy Brown made a motion to appoint Commissioner David Byers to the Sophia Brumm Tri-County Drainage Board as requested pending a new date and time is set due to conflict. David Byers seconded the motion. Motion carried.
Outstanding Reconstruction Assessments
The Surveyor informed the Board the five year reconstruction payment cycle was coming to a close on a few of the drain reconstruction projects. With that said there were a few landowners who had not paid any payments during this five year period. His understanding was these properties which had outstanding debt for the reconstruction of a drain should be included in the tax sale. He read Indiana Code 36-9-27-86 i.e. regarding the sale of the property due to outstanding drain

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

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

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

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

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

Classification of Drains
Per IC 36-9-27-34
February 2017

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

aa. James Kellerman (#42)
bb. Alonzo Taylor (#77)
cc. Clymer Norris (#122)
dd. Crist Fassnacht (#29)
ee. Peter Rettereth (#66)
ff. Ann Montgomery (#56)
gg. Gustav Swanson (#76)
hh. Nathaniel W. Box (#12)
ii. Lydia Hopper (#124)
jj. Amanda Kirkpatrick (#44)
kk. John McLaughlin (#97)
ll. Martin Erwin (#28)
mm. Waples McDill (#85)

3.) Urban Drains
(I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
a. S.W. Elliott (#100)
b. Julius Berlowitz (#8) (Include Filbaum)
c. Alexander Ross (#48)
d. Cuppy McClure

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

5.) Insufficient Maintenance Funds
a. E.W. Andrews (#03)
b. Floyd Kerschner (#43)
c. F.E. Morin (#57)
d. John Saltzman (#70)
e. Ray Skinner (#71)
f. Abe Smith (#72)
g. Joseph Sterrett (#74)
h. William Stewart (#75)
i. John Toohey (#79)
j. John Vannatta (#81)
k. Suzanna Walters (#83)
l. J.B. Anderson (#02)
m. Dismal Creek (#93)
n. Moses Baker (#114)
o. Grant Cole (#19)
p. Shawnee Creek (#94)
q. Kirkpatrick One (#96)

6.) Proposed Drains for hearing in the near future / Request these drains be referred to Surveyor for preparation of Maintenance Report)
a. Andrew Brown (#13)
b. F.E. Morin (#57)
c. Parker Lane (#61)
d. John Vannatta (#81)
e. Dismal Creek (#93)
f. Beutler Gosma (#95)
g. Jacob Taylor (#78)
h. E.W. Andrews (#03)
i. Suzanna Walters (#83)
j. Jesse B. Anderson (#02)
k. Floyd Kerschner (#43)
l. Joe Sterrett (#74)
m. Moses Baker (#114)
n. Grant Cole (#19)
o. Shawnee Creek (#94)
p. Kirkpatrick One (#96)
q. John Saltzman (#70)

r. Ray Skinner (#71)
s. Abe Smith (#72)
t. William Stewart (#75)
u. John Toohey (#79)

7.) Drain Assessments recommended to be raised 25% starting May 2015
No Maintained Regulated Drains Applicable in 2017

8.) Petition for New Regulated Drain referred to Surveyor
a. Huffman Weimert Drain (Town of Buck Creek)

9.) Existing Drains referred to Surveyor for Report
a. Julius Berlovitz(#08) (Remaining Phases)
b. F.E. Morin (#57)
c. Huffman Weimert (Not Maintained)
d. Marion Dunkin (#25)

10.) Drain that should be vacated
a. That portion of the Felbaum Branch (Part of Julius Berlovitz #08 Regulated Drain) East of County Road 550East

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

ABSENT

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

Tippecanoe County Drainage Board
April 5, 2017
Regular Meeting Minutes

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

Approval of Minutes
David Byers made a motion to approve the March 1, 2017 Drainage Board Meeting Minutes. Tracy Brown seconded the motion. Motion carried.

Stonehenge Phase 4 Subdivision
Petition to Reduce E.W. Andrews Regulated Drain Easement
Andy Mix from Vester and Associates approached the Board to present the Stonehenge Phase 4 Subdivision for approval. The Phase 4 portion of the site consisted of approximately 17.8 acres located in the northeast corner of the existing Stonehenge Subdivision Development existing at the southeast corner of C.R. 450 North and C.R. 375 West. Mr. Mix stated the Stonehenge Subdivision Development Master Plan was approved previously by the Board (January 8, 1997). He noted the existing detention facility was designed to include Phase 4. He noted that a small section in the northeast portion of the development would continue to discharge directly to E.W. Andrews Regulated Drain. Emergency overflow would be routed through the drainage infrastructure along with vegetative swales to a wet detention basin. He stated a Petition to Reduce the Drainage Easement on the E.W. Andrews Drain was submitted for Board approval. He requested approval from the Board at that time for Phase 4 and the aforementioned Petition. The Surveyor addressed the Petition and the project approval separately. Regarding the project, he stressed the importance of addressing item #2 under the Stormwater Quantity section within the March 29, 2017 Burke Review Memo. He stressed it must be addressed prior to approval. He reminded the Board this phase of the project received preliminary approval in 2016. He recommended approval of the Petition to Reduce the E.W. Andrews Easement. He then recommended approval for Stonehenge Phase 4 Subdivision with the conditions as stated on the March 29, 2017 Burke memo. There was no public comment. Tracy Brown made a motion to approve the Stonehenge Phase 4 project with the conditions as stated in the March 29, 2017 Burke memo. David Byers seconded the motion. Motion carried. David Byers made a motion to approve the Petition to Reduce the Regulated Drain Easement on the E.W. Andrews Regulated Drain. Tracy Brown seconded the motion. Motion carried.

Resolution #2017-01-DB
Comprehensive Stormwater Management Ordinance of Tippecanoe County and Technical Standards Manual
Attorney Doug Masson stated Drainage Board has the technical abilities regarding stormwater requirements; therefore they have the ability to pass a resolution adopting the Technical Standards Manual and to recommend to the Board of Commissioners the adoption of the Comprehensive Stormwater Management Ordinance of Tippecanoe County. The Commissioners are the entity which adopts the Stormwater Ordinance. Tom Murtaugh asked for public comment. Ron Whistler/ LandQuest developer approached the Board. He stated he was fortunate to sit on the Technical Standards Steering Committee which reviewed the existing stormwater management technical standards. He thanked the Surveyor and Drainage Bd. Consultant Dave Eichelberger for their pro-activeness on this issue. He noted they brought together private and public companies from all aspects of life to review the existing standards making sure they were appropriate standards for all involved. He stated he was a private developer and as such had seen holes in the current ordinance standards. He noted he was very much in favor of adopting the technical standards as revised and the ordinance in general. He noted the process of review was months in the making and felt the revisions were not only good for the public in general and the private sector as well. He appreciated the Board's support regarding the issues. No other public comment.

The Surveyor stated review of the ordinance was initiated by private developers and consultants in the county. He stated he was approached in 2015 and held approximately ten meetings with many of these entities along with others. Responding to Tracy Brown's inquiry, the Surveyor stated as the MS4 Coordinator he addressed the issue during one of the TCPWQ (Tippecanoe County Partnership for Water Quality) meetings held recently. The same verbiage and standards are used by the Partnership entities under the MS4 Permit with IDEM. The Partnership entities are: Lafayette, West Lafayette, Purdue University, Ivy Tech Community College, Dayton and Battleground. These revisions provide consistency for the local developers between the jurisdictions of government within the County. All the partners of the Partnership were part of the

Technical Standards Committee. The common consensus between the TCPWQ Board members was to review the standards every five years at the least- internally. David Byers made a motion to approve Resolution #2017-01-DB/Comprehensive Stormwater Management Ordinance of Tippecanoe County and Technical Standards Manual. Tracy Brown seconded the motion. Motion carried. The aforementioned ordinance would be presented at the April 17, 2017 Commissioner Meeting for the first reading and May 1, 2017 for the second reading. Tom Murtaugh thanked all those involved with the Technical Standards Steering Committee.

Zach Beasley/Other Business

Upper J. Berlowitz Regulated Drain/ Landowner Agreements

The Surveyor noted there were three landowner agreements to be presented involving the pilot channel construction project on the Upper Berlowitz Regulated drain. The landowner names were as follows: Boanco Inc., McCarty-Smit LLC and McCarty–Myers LLC. Attorney Doug Masson interjected and stated that the McCarty-Smit and McCarty-Myers agreement was actually one agreement for the parcel with two signatories. The Surveyor stated he had reviewed the agreements and recommended approval. Tom Murtaugh asked for public comment. Tom Parent, Attorney for Stuart Law Firm, approached the Board and stated Lisa Decker along with Teresa Silver was also in attendance. He stated they represented Franciscan Health regarding a landowner agreement for this project as well. He stated Franciscan Health was looking at the feasibility of some alternatives. It looked as if there could be more significant impact on their site due to its location in terms of the soil placement. He stated their intention was to collaborate with the County on this issue. He stated he felt they would be able to be in position to make a decision within a month. He continued they were working diligently and were mindful of the urgency regarding timing. He stated they were looking at the feasibility of alternatives and thanked the Surveyor for his assistance in this matter. Responding to Tom Murtaugh's inquiry, Lisa Decker reiterated a month was the timeframe they would need. Attorney Tom Parent stated they would start working on a form of agreement during this time and understood the importance of the timeline to complete this project. He informed the Board he would contact the Surveyor as soon as the decision is made. He thanked the Board for their time. Responding to David Byer's inquiry, the Surveyor noted the drop dead date for the construction process is thirty days from today. Tracy Brown made a motion to approve the landowner agreements as submitted between the County and McCarty LLC's and Boanco Inc. regarding the Upper J. Berlowitz drain construction project. David Byers seconded the motion. Motion carried.

Hickory Ridge Phase 2 Section 2 Maintenance Bond

The Surveyor presented Maintenance Bond #1848976 for approval by the Board in the amount of $4,838.10 for Hickory Ridge Phase 2 Section 2 submitted by Atlas Excavating and written by Hanover Insurance Company. David Byers made a motion to grant approval for Maintenance Bond#1848976 as presented by the Surveyor. Tracy Brown seconded the motion. Motion carried.

F.E. Morin Regulated Drain

The Surveyor stated due to unforeseen issues, he would like to reschedule F.E. Morin Hearing set for May 1, 2017 to June 7, 2017 immediately after the regular meeting. David Byers made a motion to reschedule the F.E. Morin Regulated Drain Maintenance Hearing to June 7, 2017 as the Surveyor recommended. Tracy Brown seconded the motion. Motion carried.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy Brown, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
May 3, 3017
Regular Meeting Minutes

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

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

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

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

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

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

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

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

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy Brown, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
June 7, 2017
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David S. Byers, member Tracy Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Mathew Salsbury, 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. Attorney Doug Masson was absent.

Approval of May 3 2017 Drainage Board Regular Meeting Minutes

David Byers made a motion to approve the May 3, 2017 Drainage Board regular meeting minutes. Tracy Brown seconded the motion. Motion carried.

J. Berlowitz Reg. Drain Stormwater Interim Conveyance Improvements /Bid Opening

Attorney Mathew Salsbury opened bids submitted for the J. Berlowitz Reg. Drain Stormwater Interim Conveyance Improvements Contract. They were as follows; F&K Construction-Base Bid $1,514,620.00: Alternate #1 $394,660.00/ Alternate #2 $399,901.00 /Alternate #3 $700.00, Atlas Excavating- Base Bid: $1,141,260.00: Alternate #1 $575,388.00 /Alternate #2 $337,330.00/ Alternate #3 $193,200.00. David Byers made a motion to take the bids under advisement and award the contract at the June 14, 2017 Drainage Board meeting. Tracy Brown seconded the motion. Motion carried.

J. Berlowitz Reg. Drain Stormwater Interim Conveyance Improvements/Construction Observation Contract/TBird Designs

The Surveyor presented a Construction Observation Contract regarding the J. Berlowitz Reg. Drain Stormwater Interim Conveyance Improvements project submitted by TBird Design Inc. for approval. The contract was reviewed by the Surveyor and Attorney Masson. The Surveyor recommended approval subject to the additional terms and agreement verbiage provided by Tippecanoe County added to the documents. Tim Balensiefer agreed to the additional verbiage of required terms. David Byers made a motion to approve the Construction Observation Contract regarding the J. Berlowitz Reg. Drain Stormwater Interim Conveyance Improvements subject to said terms and agreement inclusion. Tracy Brown seconded the motion. Motion carried.

Monnig Industries Phase 1 and Master Plan

Shannon Elliott of Forcum Lannon Contractors and Mark Butler of Banning Engineering approached the Board to present Manning Industries Phase 1 and Master Plan project for approval. The project site was located on the southwest corner of Co. Rd. 350 South and Co. Rd. 500 East and consisted of approximately 12 acres of the overall 62 acre parcel. (The site was previously known as the "Whaley Property".) Mr. Elliott stated the first phase of this project would be the construction of a 55,000 square foot facility to be built in the northeast portion of the property. He noted Banning Engineering worked closely with his firm on the project plans etc. The site involved a previously vacated drainage tile and Mr. Elliott noted they worked closely with the Surveyor office on this issue. He stated they have been working closely with the Highway Department on this project as well. He asked for approval by the Board for Phase 1 and the overall Master Plan and noted he agreed with the Burke memo of May 19, 2017.

The Surveyor stated he has had several meetings previously with Mr. Elliott and Mr. Banning regarding this project and location. He asked the status with the County Highway Department regarding the planned ingress and egress locations. Mr. Elliott confirmed receipt of email approval from County Highway Department. The Surveyor noted, the drain in question was Branch #09 of the S.W. Elliott Regulated Drain which traversed across the Whaley property and served only that piece of property. The Surveyor reviewed the location and history of the vacated County Regulated Drain for the Board. The vacation was approved by the Board in September of 2016 due to the fact it only served the petitioners who requested the vacation. The current design indicated the drain would be capped at the west side of the County Road. This will ensure no stormwater runoff enters said tile. As this was an agricultural drain, stormwater conveyance is not a function of said agricultural drains. The Surveyor recommended conditional approval subject to the May 19, 2017 Burke memo for Phase 1 and Master Plan of the Monnig Industries project. There was no public comment. Tracy Brown made a motion to grant approval with the conditions as stated on the May 19, 2017 Burke memo for Monnig Industries Phase 1 and Master Plan. David Byers seconded the motion. Motion carried.

Barrington Woods Subdivision

Jim Pence from Schneider Corp. appeared before the Board to present the Barrington Woods Subdivision for approval. The site was located west of Co. Rd. 550 East between Co. Rd. 50 South and SR. 26. Mr. Pence stated this was approximately an 80 acre site. A transmission pipeline traversed through the site (i.e. located on the western side routed diagonally northwest and southeast). Mr. Pence noted he was in contact with Enterprise Products Houston Texas to obtain crossing approvals for the project. The Surveyor stated this was a unique site and this type of site could be more common in the future. Due to the site's natural wooded vegetation with deep ravines, the Surveyor worked closely with the applicant to address the water quality and detention purposes. Mr. Pence stated they would plat large conservation areas around the wooded area and ravines for future protection from any additional erosion problems. There was no public comment. The Surveyor recommended approval with the conditions as set forth in the June 2, 2017 Burke memo. Tracy Brown made a motion to grant approval with the conditions set forth on the June 2, 2017 Burke memo for Barrington Woods Subdivision. David Byers seconded the motion. Motion carried.

Amanda Kirkpatrick #44 Drain Reconstruction Financial Assistance Agreements:
Boanco Inc. /Forest and Marsha Goings/ Tippecanoe County Treasurer Jennifer Weston

Pursuant to Resolution #2017-01-DB Treasurer Jennifer Weston appeared before the Board to present two financial agreements between the County Drainage Board and landowners Forest and Marsha Goings as well as Boanco Inc. The agreements regarded payment of their reconstruction assessments for the Amanda Kirkpatrick Drain Reconstruction project. She noted the reconstruction billing had been sent out by her office on April 19, 2017 and as a result of the billing she received the two agreements. She noted the total amount to be financed was under $72,000.00. She stated Boanco Inc. had made the first installment of $1421.00. There was no public comment. Tracy Brown made a motion to approve the Financial Assistance Agreement with Boanco Inc. as presented. David Byers seconded the motion. Motion granted. Tracy Brown made a motion to approve the Financial Assistance Agreement with Forest and Marsha Goings as presented. David Byers seconded the motion. Motion carried.

Zach Beasley/Other Business
Petition to Encroach/ Wilson Branch S.W. Elliott Regulated Drain #100

The Surveyor presented a Petition to encroach on the Wilson Branch of the S.W. Elliott Drain #100 for approval by the Board. Menards South located on Creasy Lane submitted the petition to his office for approval. The branch of the said drain was located immediately north of the Ivy Tech Community College campus. Menards South was expanding their lumber yard area which required the petition submittal. The Surveyor noted he had reviewed this and recommended approval by the Board. David Byers made a motion to grant approval for the Petition to encroach on the Wilson Branch of the S.W. Elliott Regulated Drain #100. Tracy Brown seconded the motion. Motion carried.

Petition of Obstruction:
Surveyors Report Petition to Obstruct
S.W. Ventures-Scott Jones/ Masons Ridge Lot #'s 36 through 39

Surveyor Zach Beasley stated a Petition for Removal of Obstruction was filed in his office on April 21, 2017 by SW Ventures Group LLC (Scott Jones). The Petition was presented at the May 3, 2017 Drainage Board Meeting and at that time the Board directed him to investigate and return with a report. He informed the Board a rear yard swale had been obstructed by filling it in with dirt in the Mason Ridge Subdivision on the south side of the City of Lafayette. The Surveyor reviewed the area in question within the Mason Ridge Subdivision. The area in question was immediately north of the entrance into Masons Ridge Subdivision off of the county road. Generally, a rear yard swale servicing lots numbered 36 through 39 was the issue. He noted this subdivision was reviewed and approved by the Drainage Board a few years ago. He reviewed an onsite meeting he had approximately a year and half ago with the Homeowners Association President and attorney along with the affected lot owners for the Board. At that time he reviewed their options per County Ordinance. While multiple attempts had been made, the Homeowners Association and lot owners have not come to an amicable agreement to date. The specific area in question was the rear yard swale on Lots 36, 37, 38 and 39. The swale drained from the east side of the street through the side yards of these lots and west to the detention basin. The County Surveyor noted he had signed the As Builts which indicated a specific grading plan for this area which had been disturbed. Since the As Builts were filed, the swale had been filled in and caused water to back up upstream. Photos from a site visit after the most recent rain were shown to the Board. Steve Cook, President Homeowner's Assoc., had obtained a quote from Exterior View to reestablish the correct grade in said locations. With no proof of a particular landowner's responsibility of filling in the swale, the Surveyor recommended Homeowners of lots #36 through #39 share the cost of the Exterior View quote (obtained by the Homeowners Assoc.) of approximately $1700. President Thomas Murtaugh opened the floor for public comment.

Brian Devine (Lot #38 homeowner) approached the Board and stated the following: "First of all, this swale benefits all 18 houses on that street, because it is the front drainage for those houses. That is the emergency spillway for the whole court, okay, so it's not just benefitting 4 houses. One person dammed this up because he wanted a bigger yard, a flatter yard. I don't want to pay for his stupidity. Also Lot#37 was in foreclosure and always had a low spot. There was always a mosquito pond there and now it is a duck pond. I have no problem on my property. This quote with Exterior View for $1700, they will not touch one shovel on my property. My property does not need anything. Why would I pay for some act of stupidity? That's all I got to say."

W.K. Wolford (Lot #36 homeowner) approached the Board." I guess I'm the act of stupidity. I own Lot 36. When I moved in this house in 2009, there has always been an obstruction in the back of my yard, as has been discussed with me, Brian and his wife and Steve Cook President of Homeowners Assoc. There has always been standing water in the back of my yard and the back of Scott Jones's yard. I'm not disputing that. In the summer of 2010, I had a friend come over with a skid steerer and he was going to take his bucket and dig out the obstruction in the corner of lots 36 and 39 (myself and Ross Wickman) and make the water drain out. Well he got over there and it was so soft that he just buried up his wheels. So I went to Menards/Lowes and probably bought 15-20 bags of topsoil and filled in the foot deep trench that he had inadvertently put into place and I reseeded it. So the area Mr. Devine is saying I filled in and has caused this is not the case. I put it back to its original elevation and I put seed on it to get it to grow because we can't cut our grass. This has been discussed 8-9 years between me, Brian and Karen Devine and Steve Cook. So ugh I am willing to pay my part of the resolution to fix this- I agree with Mr. Devine I don't think he should have to pay anything. I think the cost should be split between myself and lot owners of lots #36 and #39. Part of the problem also is on the homeowners association, as Mr. Beasley has some photos and the property corners are marked. I have never touched that. I had some dirt put in the back of my yard in the summer of 2010 and graded that out and put down grass seed to get a better quality of grass growing. But at no point did I fill in the ditch with a substantial amount of dirt. I still did it so that's all I have to say- thank you." Thomas Murtaugh asked if his lot was #36. He answered" I am lot#36, Mr. Jones is lot #37 and Mr. Wickman is lot#39 and then the homeowner association. "Thomas Murtaugh asked if Mr. Wolford was saying the obstruction was done by a previous owner. Mr. Wolford answered" No it was done when my house was built in 2009 as it has never drained properly. Mr. Cook was here before I moved in the house and there has always been standing water in the back of Mr. Jones's yard. It has always been that way. It has always been that way. Me and Mr. Devine who just spoke and Steve Cook have discussed this for years and years and years before I ever laid a hand on the back of my yard. But I attempted to like I said fix the problem in 2011 when I had a friend come over with a skid steerer with no dirt and it was super soft and he just buried up a skid steerer. I mean we had a trench like this deep (indicated width with his arms) and I filled up the trench and reseeded it. But I have never had any dirt hauled into that area, it just never drained properly. I guess during the building process or the excavation. It never did get fixed back to the original drainage that was proposed – you know approved by Mr. Beasley. Tracy Brown asked if he was suggesting the responsible parties be lot owners 36, 37, 39 and the H.O.A. "Mr. Wolford stated "Yes sir, that is correct. The property corners are marked, I have some photos too that I took as well as what Mr. Beasley showed up there. It's pretty clear to me by looking at the photos that a very small portion looking at the area that is affected is on my property. The biggest part that has the standing water is on Mr. Jones's lot #37. But it's not really his fault , to me I kind of concur, there's standing water on his lot that has an obstruction on lot 36 and 39 a very small portion on Mr. Jones and homeowners association. So the original estimate of $1700, I'm now- I agree to pay my part of it. So, any more questions?" Thomas Murtaugh asked why the H.O.A. - is there ground west of your lot that is common area? Mr. Wolford responded" Yes Sir" Surveyor Beasley interjected and stated: The detention area is platted as an Outlot which is owned by the H.O.A. and Mr. Wolford is saying there is some grading which needs to happen there which I don't dispute. I agree as that would be fair to say. The Surveyor indicated on the map the areas of obstruction utilizing photos and G.I.S. Mr. Devine shared his copy of the drainage plat sheet with the Board to show the areas in question as well. He noted this area was the emergency routing area for all 18 lots and the street drainage as well. Mr. Wolford went on to say" One other preferred thing I would like to mention if it's ok; in the original complaint by S.W. Ventures/ Mr. Jones. He says in the letter that ugh I attempted to further correct the situation with drain tiles. There is no drain tile in this. I don't know where he's getting his information from but it's incorrect. There is no drainage tile anywhere on this property, as Mr. Beasley can attest he has been out there a couple times. And if it is ok, I would like to submit current photos to the Board. (He showed the Board the pictures of the area in question and the corners of the lots.) Mr. Wickman is not here but I spoke to him and he is prepared to pay anything he needs to pay to get this resolved. Please keep these photos if you want them. Thank you."

Scott Jones of S.W. Ventures approached the Board and stated as follows: "Regarding the drain tile, umm that's good to know. All we knew was that some action had been taken to try and correct it. I talked with Steve and said hey this is what we think- correct me if I'm wrong, it was very much- tell me if we're wrong- this is just where we are at. That was merely just referencing we know something had been tried to been done but it's not working. So as far as the $1700 goes, ugh the problem with that is that the majority of damage is on my property. I mean the mosquito farm is my property. It can't drain lots 36 and 39. The water has nowhere to go to get down to that drainage field, so that's what it's created you know all there. Do I think that lot 39 is there damage up there? No there's not. Ugh, this is as you've heard has been going on for years. I bought this two years ago, so it's been five or six years that this has been arguing that it hasn't been solved. So do you know,

the majority of that bill of $1700 was proposed for me because I had most lineal feet of damage, so for years and years of not solving it and then me coming in and sticking me with the bigger bill. Do I think it's fair for everybody in the situation- no, but do I think it's fair for me-no, not at all. So that's why I wanted to come to you for a third party kind of- you know resolution. So as far as the drain tile-noted, but we did reach to Steve Cook to try and clarify as much as we could. Um, you know that's all I have."

Tracy Brown asked the Surveyor his opinion of the statement that the area served the street and the 18 lot owners as emergency routing. The Surveyor utilized GIS and stated he agreed with Mr. Devine's statement that this area would be the emergency routing in a heavy rainfall however it included lots along Sandstone Court to include Sandstone Court runoff. There is a sag part in the street where the curve inlets are located. The emergency routing is routed through the swale in question. Mr. Devine is stating no work needs to be done on his property; therefore he should not have to share in the cost. The Surveyor stated he agreed with him. He had to make an administrative decision based on the watershed as Indian Code dictates. He felt in light of the testimony from the landowners the $1700 to be divided between lots 36, 37, 39 and the H.O.A. was a good alternate to what he proposed at the beginning of the hearing. Tracy Brown stated after hearing the speakers today, it sounded like there were early makings of an agreement and if this was the case does this Board even need to take action at this time? Attorney Salsbury interjected if this Board takes action then all the benefited landowners within the watershed have to be assessed. He reviewed the different agreements which could take place. The Board has the option of not taking official action today but could postpone the hearing today to allow the landowners to possibly come to an agreement without Board interjection.

Steve Cook, President of the Masons Ridge Homeowners Association approached the Board and stated as follows:" I have lived in Masons Ridge since 2006. At that time when I moved in there was only one home in that entire area. I had the ability to walk out and walk the grounds and all you know kind of look over how the lots were. There is truth that there was water standing in the swale. I would walk out there after a rain or maybe a day after the rain and see how much water was standing in there. The water was standing in there on an area about this wide (indicating width with arms/hands) and the few times I was out there I saw water maybe about this deep (indicating width with arms/hands). That water went from about 10, 10 to maybe 15 feet between Mr. Devine's and Mr. Jones's lot line on east side. That water traveled and tapered down towards the lot line between Mr. Jones and Mr. Wolford. So to give you an idea that's what it looked like maybe in 2006. In 2006 too, the water was flowing down the bank. It was flowing down the bank well enough and fast enough to erode and cause a rut. Something that over time obviously would have gotten worse- there wasn't much grass out there at that time. In 2006 that's when the ugh- the association, I'm sorry, that's when we were allowed to start really building homes on that or in that addition. But in 2010 I had come home from work, I saw Mr. Wolford out kind of in that area. I walked over to talk to him, friendly conversation and the whole bit. That's when he told me that he had a friend of his, Alan Williams, come out and he filled in that rut, then that he did some work. I'm standing about halfway down the bank, almost down the lower portion of the detention area and he had done some work you know up along the whole ugh area where the water flows. It was at that time, of course, I just become the President of the Association and I said as I was a little concerned; it's like I know that that water is supposed to be flowing down through there. You put dirt out there it's going to hold water. So I made the comment; Heaven this better not cause any problems. He assured me that it wouldn't. So we went on. It was ugh in 2015 I got a call from the Surveyor. There was a complaint made. I did not know where the complaint was until I got ahold of Zach or Dale Snipes. I went that evening to talk with Kevin. Mrs. Devine was out on her back porch, she happened to hear us talking and she came over. She was the one telling me she was the one that called in the complaint to the Drainage Board. It was at that time when I'm hearing in both ears, I'm hearing Mrs. Devine telling me her story about this is the H.O.A.'s problem to take care of, and I had Mr. Wolford telling me many times that Alan Williams was out and did this earthwork up in there. Now to the comment this is the H.O.A.'s problem- maybe there was a little bit of a high spot at the very end of that. But we will never now know because there's been work done in that area if there truly was a high spot in that area. In September of last year, September 2016, I asked Mr. Devine who is a contractor, who has the abilities, and the skills and the equipment to go out and take like a laser level and measure off. He started it between Mr. Jones and his property line and shot all the way down to the end. He was able to see where that obstruction was anywhere from 5-8 inches higher than the area on the east side of the swale. That just gave us some ideal how high what was going on. I also asked him at that time to find where the property pins were. In October of 2016, Mr. Beasley said we had a meeting out there with everyone. Everyone was there but Mr. Devine was absent, he had another meeting to attend to. It was at that time, Mr. Snipes made the comment about I understand there was dirt put up in that area. I made the comment that yes and I ugh I had said the same thing that I just said that Kevin had Mr. Williams come out and do some work in that area. There was no push back whatsoever at that time. In terms of the comments on the lineal feet, that is correct. The very first estimate of $1700 was figured on lineal feet. The vision of the work was much different and Mr. Jones portion of that was much higher. Mr. Jones pushed back a little bit on that. I said you know what, that's fine, hat's the wrong way to look at this. I contacted Exterior View again and I said if you were to come out and do this as two complete separate projects, what would the charge be? He shot back that charge and that is how I came up with what the estimate was. I think it was a thousand thirty four dollars for Mr. Jones and six hundred something dollars for Mr. Wolford. In terms of the drain tile; when we first talked about this, the resolution was to simply put in a drain tile and drain the standing water and at that time wanted the H.O.A. to pay for all of that. I said o.k. I would take

that to the Board. As time goes on, I called Kevin back and said I don't think we can do this. I said 1. That would solve part of the problem but it doesn't take care of the swale in the way the swale was intended to work and operate. So at that point we stopped on that and we proceeded pretty much to where we are today. Ugh, I have standing water in my yard. I also have grass in my yard. The area out there doesn't drain very well, but I can mow my yard. I can take care of my yard. I can drive right through it splash water in the front of my lawn mower- but I don't have what Mr. Jones has now because that water can't leave. I do have one picture and this picture came from the property assessment off their website there and I would like to show you. The picture is dated eleven fourteen of 2014 and shows what this area of question did look like when the water dries out it left like a salty white looking area. So this is what it looked like back then in 2014. You can also barely see where the rut was forming back then where it was reforming I should say. So just as a point of reference, but I do believe from my prospective and what I saw prior to those homes being built out there, with the exception of one in the back corner, water was flowing through there and flowing through there fine. All this area needed was to get grass growing. (At that point he indicated on photos his home and the area in question) 3-4 inches of grass takes care of it just fine. You may know this, when the grass grows it brings the dirt up a little bit with it too. I still have standing water." Thomas Murtaugh asked what Mr. Cook's input was regarding the H.O.A. sharing a portion of the cost. Mr. Cook responded" My first reaction to that is if there would have been, you know, valid proof, if we would have known that that was obstruction was there, then I believe that the H.O.A. would have been on the H.O.A. property then the H.O.A. would have been responsible to correct it. But because the H.O.A. was never given any knowledge of this work being done, I don't believe that at this time it would be fair for the H.O.A. to take care of that. We were never given the chance to correct the problem. That the point or to the point of being talked about. "David Byers interjected stating" It sounds like the H.O.A. has had quite a few years to correct the problem." Mr. Cook responded" There was no real problem that we were made aware of, I'm not saying we wouldn't have fixed it if it was on the H.O.A.'s Outlot. There was no real problem at that point."

David Byers stated when a reconstruction is done all the landowners within the watershed is assessed; he asked the Surveyor if he concurred. The Surveyor agreed and stated due to the fact it is the emergency routing swale, yes that argument could be made and all the landowners within that watershed would share in the cost to reconstruct the swale back to its original design. Responding to Thomas Murtaugh, David Byers stated the ruts were made by Mother Nature due to erosion as well as man made from equipment. So Mother Nature could hold some responsibility therefore it could be considered reconstruction. The Surveyor stated his understanding of the Drainage Code was it could be considered reconstruction due to the fact it is the emergency routing swale.

The Surveyor reiterated how he came to the decision of cost sharing by the lot owners of numbers 36 through 39 and the H.O.A. instead of the entire watershed landowners. He stated the argument could be made for the entire watershed landowners to pay a portion of the cost and deferred to the Attorney. Attorney Salsbury stated the chief question is what does benefit mean? The code for Obstruction is: "If the Board finds it was not intentionally obstructed in that case all landowners benefited by the removal of the obstruction would be assessed. The question of benefit is not designed in the code; however the Indiana Supreme Court has looked at that issue. There is a case Crowell versus Marshall County and in that case they did hold that Indiana law allows a drainage board to assess a benefit to a tract of land based solely on the fact that surface water from that land flows into the regulated drain for which the assessment is levied. Even if it's an emergency flowing, it is surface water that is flowing in. Under that precedent of definition, I believe the Board would be well within their rights to include all the landowners within the watershed and not just the four the Surveyor initially considered."

Tracy Brown asked if there was a high point on Mr. Wolford's lot prior to the house being built. Mr. Cook responded they did not know that at this point. Mr. Wolford interjected: "You just said there was standing water there before my house was built." Mr. Cook responded" There was an amount of standing water when it would rain, 90% of it was on Mr. Jones lot. Thomas Murtaugh asked if there was a point now where the owners of Lot #36, 37, 39 and Homeowners Assoc. could resolve this issue. Mr. Cook stated" Are you saying the H.O.A. pay part of it?" Thomas Murtaugh asked if Mr. Cook thought an arrangement could be made before the Drainage Board took action. Mr. Cook stated" I'm torn between my personal opinion of what I seen done, and the fact that I didn't have a chance to take a complaint and get it resolved. I'm torn by the fact that I was never told or asked as the Association President, that there was work or told that there was going to be work being done in that area. There was work done on the Association's property without my knowledge." It was noted Lot #39 owner Mr. Wickman was not present today. Tracy Brown stated it was his experience that time works against situations like this, facts can get muddled and it can be very difficult to spend a lot of time reviewing the action of the last ten years and truly assigning blame. While the Drainage Board could solve this, often times it is better for citizens to find other ways that don't involve hard feelings between neighbors and things of that nature. Mr. Cook stated "And I agree with you, from the H/.O.A.'s standpoint we did make an attempt and try to get this done. Until yesterday when I talked with Mr. Wolford, nothing had been said about this being the H.O.A.'s problem. Well let me rephrase that- it was said- but when we looked at all of this and we found out that the dirt was being pushed up in there. It was taken then that everything was fine on the H.O.A.'s side of it. Can we make an agreement to do that, to get this solved? As the President I will contend that we will take a fourth of that $1700 we will pay for it, we will get it taken care of and we will move on. I would like to make a statement for the record, once the H.O.A. does this and gets it back and it's agreeable; I ask if this ever comes up again like this the

H.O.A. is not involved in anything." Thomas Murtaugh stated the H.O.A. has to be involved. Ideally this situation would have been handled by the H.O.A. and the reason the Board is hearing it is solely due to the Obstruction Petition which was submitted. Mr. Cooke stated"We did our best, I'm learning too as we go here"

Tracy Brown made a motion to *continue the Obstruction Hearing until the July 12, 2017 regular Drainage Board 10:00 a.m. meeting.* David Byers stated "let's hope we have a resolution then because I would recommend all watershed landowners benefited pay a portion of the cost. Hopefully the parties involved will return with an answer so the Board does not have to take action and again reiterated the problem needs to be fixed." He then seconded the motion. Motion carried.

Zach Beasley/Other Business

The Surveyor made a request for a public hearing on the Huffman Weimert Regulated Drain immediately following the regular Drainage Board meeting on August 2, 2017. David Byers made a motion to set a landowner hearing on the Huffman Weimert Regulated Drain immediately following the regular Drainage Board meeting on August 2, 2017. Tracy Brown seconded the motion. Motion carried.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

Tippecanoe County Drainage Board
June 14, 2017
Upper Julius Berlowitz Regulated Drain Stormwater Interim Conveyance Improvements
Special Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David S. Byers, member Tracy Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and James Butcher-Project Manager with the Surveyor Office were in attendance.

Bid Award

The President called the meeting to order. He referred to the Surveyor regarding the Upper Julius Berlowitz Regulated Drain Stormwater Interim Conveyance Improvements project bids received and opened in the June 7, 2017 regular meeting. The Surveyor stated the Board received a base bid from Atlas Excavating in the amount of $1,141,260.00 including three alternate bids and a base bid from F&K Construction in the amount of $1,514,620.00 including three alternate bids. He informed the Board at this time alternate #1 had been declined by the City of Lafayette so it is no longer necessary. Alternate #2 and alternate #3 would be decided once the St. Franciscan Alliance information on redesign was obtained. The Surveyor recommended the Board award the base bid of $1,141,260.00 to Atlas Excavating Inc. and his office to handle alternate #2 and alternate #3 as change orders if necessary. He referred back to the Board. David Byers made a motion to accept Atlas Excavating Inc. base bid of $1,141,260.00 for the Upper Julius Berlowitz Regulated Drain Stormwater Interim Conveyance Improvements project and allow the Surveyors office to handle the alternate bids as change orders. Tracy Brown seconded the motion. Responding to President Murtaugh, the Surveyor noted his office had the authority to handle the alternate bids to the contract as change orders if necessary. Motion carried.

Landowner Agreement

The Surveyor presented a second "Landowner Agreement" from McCarty-Smit landowners (who were adjoining landowners immediately west of the St. Franciscan Alliance property) regarding where the dirt would be placed on their property and noted he was in possession of an initial agreement which showed where the dirt would be deposited on the McCarty- Smit property from the pilot channel to be dug across their own property. The second agreement was an exhibit which indicated where the excavated dirt from the St. Frances Alliance property would be placed on the McCarty–Smit property for approval by the Board. He noted he had spoken with Jerry Smit and Steve Shook prior to today. He informed the board that Jerry Smit and his sister (Marla Myers) were both happy with the location as shown within the agreement. Both Jerry Smit and Marla Myers have signed the agreement. He recommended acceptance of the second "Landowner Agreement" to the Board. Tracy Brown made a motion to accept the second "Landowner Agreement between Tippecanoe County Drainage Board and McCarty–Smit" (key#79-07-36-126-001.000-005) for the Upper Julius Berlowitz Regulated Drain Stormwater Interim Conveyance Improvements project. David Byers seconded the motion. Motion carried.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

Tippecanoe County Drainage Board
July 12, 2017
Regular Meeting Minutes

Those present were:

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

Approval June 7' 2017 Regular Meeting Minutes
Approval June 7' 2017 Grant Cole #19 Regulated Drain Hearing Minutes
Approval June 7, 2017 F.E. Morin #57 Regulated Drain Hearing Minutes
Approval June 7, 2017 Moses Baker #114 Regulated Drain Hearing Minutes
Approval June 14, 2017 Upper J. Berlowitz Strmwtr. Conveyance Bid Award Hearing Minutes

David Byers made a motion to approve the June 7, 2017 Regular meeting and the additional Regulated Drain Hearing minutes as written. David Byers commended Brenda Garrison regarding the efficiency in the completion of the numerous meeting minutes along with other duties. Tracy Brown seconded the motion. Motion granted.

F.E. Morin#57 Regulated Drain/ Reconstruction Bid Opening

President Murtaugh referred to Attorney Masson for the presentation of the F.E. Morin Regulated Drain reconstruction bids submitted for consideration. Attorney Masson read the bids submitted as follows: M.G. Underground Brazil Indiana-$497,265.00, Maxwell Farm Drainage Inc. Crawfordsville Indiana-$229,980.00, Timewell Tile/A.D.I. Timewell Illinois-$238,600.00, Huey Excavating Sandborn Indiana-$205,899.00. David Byers made a motion to take the bids under advisement during which time a review would be performed by the Surveyor's Project Manager. Once the review of the contract figures and documents was complete, award the bid prior to the close of today's meeting. Tracy Brown seconded the motion. Motion granted.

Mason's Ridge Subdivision Obstruction Petition/H.O.A. Agreement

The Surveyor reminded the Board a Petition to Remove an Obstruction was submitted by Scott Jones to his office. During the June 7, 2017 Board meeting the obstruction was discussed in detail. The Board tabled the obstruction hearing and directed all individuals involved to come to an agreement on removing the obstruction in Masons Ridge Subdivision at that time. Mason's Ridge Subdivision Homeowners Association President Steve Cook approached the Board to present an update. He stated an agreement had been reached between the affected lot owners and H.O.A. regarding removal of the obstruction. He noted the obstruction would be removed by August 31st or sooner. He thanked the Board. Responding to Mr. Murtaugh's inquiry, Atty. Masson stated the Petition to Remove Obstruction was officially on the table, however there was no other action required.

Zach Beasley/Other Business
Cox/Vanderkleed Regulated Drain

The Surveyor requested the Board to schedule a landowner hearing for the Cox/Vanderkleed Regulated Drain reconstruction on September 11, 2017 directly following the regular meeting. David Byers motioned to hold a landowner Reconstruction Hearing on the Cox/Vanderkleed reconstruction on Sept. 11th 2017 to directly follow the regular meeting at 10 a.m. Tracy Brown seconded the motion. Motion carried.

Upper Berlowitz Stormwater Conveyance Project (Pilot Channel)

The Surveyor informed the Board a pre-construction meeting was held for the Berlowitz Interim Stormwater Conveyance project on August 1, 2017 with Atlas Excavating Inc. Weather permitting; the project should be started in 2-3 weeks as the Surveyor office was to provide digital line work due to the changes made by St. Franciscan Alliance Hospital. Reiterating

the Surveyor's comments, Attorney Masson stated he was preparing a M.O.U. between the County and St. Franciscan Alliance Health. This will allow the construction to begin prior to the formal documents being ironed out.

Multiple Projects Update
Huffman Weimert Drain

The Surveyor informed the Board the Huffman Weimert Drain was scheduled for a hearing on August 2, 2017. He met two contractors on site who would present quotes for the job. He expected it to be taken care of in the near future if all goes well at the hearing.

JB Anderson Drain

The Surveyor informed the Board Dave Stevenson -largest benefited acre landowner within the JB Anderson Regulated Drain watershed (approximately 300 acres) - has withdrawn his support for overall reconstruction of said drain. He reminded the Board two informal landowner meetings were held regarding reconstruction of the overall drain. With Mr. Stevenson's withdrawal of support, the percentage of landowners in favor of an overall reconstruction dropped below 50%. Therefore the full reconstruction was off. However, Mr. Stevenson stated he was in support of a maintenance rate increase of $30.00 per acre. This increase would allow monies to be collected for maintenance work on the open portion (approx. 3-4 miles) of the drain. The Surveyor stated he hoped to set a date and time for a Maintenance Increase Hearing to set the rate as stated on the J.B. Anderson Regulated Drain before the end of the year or first part of next year.

John McLaughlin Regulated Joint Drain (with Montgomery County) Watershed Study

David Eichelberger Christopher Burke Engineering stated his firm had started on the hydrology portion of the John McLaughlin Regulated Drain Watershed Study. He noted the study was on course and would present an update at the next joint meeting.

F.E. Morin Regulated Drain Bid Award

James Butcher, Project Manager stated all the bids were in order as read aloud earlier in the meeting. David Byers made a motion to accept the bid for the F. E. Morin Regulated Drain Reconstruction from Huey Excavating of Sandborn Indiana in the amount of $205,899.00. Tracy Brown seconded the motion. Motion carried. Bart Maxwell of Maxwell Farm Drainage approached the Board and stated he thought the pipe that was used in the low bid was polypropylene and the contract's bid specifications called for 100% virgin polyethylene. He stated the polypropylene pipe was quite different and it would be prudent for the Board to review the materials closely to be used by the contractor. Responding from the Attorney's recommendation, David Byers motioned to accept the lowest bidder -Huey Excavating – contingent on compliance with contract bid specifications - in the event they do not; authorize the Surveyor to enter into contract with the second lowest bidder compliant to all contract specifications. Tracy Brown seconded the motion. The Attorney stated the supplemental motion on the floor overrides the previous motion.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

Tippecanoe County Drainage Board
August 2, 2017
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, 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. Vice President David S. Byers was absent.

Approval of Minutes

Tracy Brown made a motion to approve the July 12, 2017 Regular Drainage Board Meeting Minutes. Thomas Murtaugh seconded the motion. Motion carried.

Barefoot Boy Restaurant and Commercial Building

Kyle Betz of Fisher and Associates appeared before the Board to request approval for the Barefoot Boy Restaurant and Commercial Building project. The site was located west of Morehouse Road on U.S. 52 (Sagamore Parkway) and consisted of approximately 1.93 acres and located within the established Indian Creek Drainage Impact Area. Mr. Betz stated the location within the impact area was taken into consideration during the design of the detention system. He noted underground detention on the south end would handle both the site's detention and water quality treatment. A small rain garden would be located on the east end of the site as well. Responding to Thomas Murtaugh's inquiry, Mr. Betz confirmed underground detention would be located directly under the main parking lot. Mr. Betz requested approval at that time. The Surveyor noted the project's design met the more stringent discharge restriction rates required within the Indian Creek watershed Impact Area. The Surveyor recommended approval with conditions as stated on the July 26, 2017 Burke memo. Tracy Brown made a motion to approve Barefoot Boy Restaurant and Commercial Building with the conditions as stated on the July 26, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Stonehenge Planned Development/ Phase 3A and 3B

Andy Mix of Vester and Associates appeared before the Board to request approval for the Stonehenge Phase 3A and 3B project. The overall project site was located on the southeast corner of C.R. 450 North and C.R. 375 West and consisted of approximately 134 acres. The masterplan for the planned development was approved by the Drainage Board on January 8, 1997. He noted phases 3A and 3B were part of the Planned Development. Phase 3A would consist of 3.3 acres and Phase 3B would consist of 1.4 acres of the overall site. Mr. Mix noted the Master Plan included the drainage infrastructure for Phase 3A and 3B. The phases runoff would be controlled through swales and drainage infrastructure previously designed for the site. He asked for approval from the Board. The Surveyor reiterated the drainage infrastructure previously approved by the Board on April of 2017 included Phases 3A and 3B as well. He recommended approval with the conditions as stated in the July 26, 2017 Burke Review memo. Tracy Brown made a motion to approve Stonehenge Phase 3A and Phase 3B of the Planned Development with conditions as stated on the July 26, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

ZACH BEASLEY
OTHER BUSINESS:

WOW (Wonders on the Wabash) Program

The Surveyor informed the Board Water Quality Educator Monica Christopher representing the TCPWQ (Tippecanoe County Partnership for Water Quality) has sought a few grant and donation monies to assist in the implementation of the Wonders of the Wabash (WOW) - Wabash River Annual Rafting program. The TCPWQ, as a MS4 entity (Multiple Separate Storm Sewer Systems), is required to provide public education under the IDEM MS4 Permit. The WOW program is a three day event with elementary school age children that teaches them about the Wabash River habitat environment and water quality etc. This program has grown since it was first started and monies were sought to offset the cost for the program.

Lafayette Security Federal Bank donated $300.00 for the program. Representatives: Lindsey Fagner (Marketing Dir.) and Steve Bultinck (Commercial Lender) were in attendance today to present the check. He referred to Lindsey Fagner. Lindsey Fagner stated on behalf of Security Federal Savings Bank it was their pleasure to present a check for $300.00 to the TCPWQ for the WOW program. She stated one of Lafayette Security Federal's core values is safety. The WOW program teaches children safety of and safety in the environment. She thanked the Board for the opportunity to assist with the program. The Surveyor and Board members thanked them for their donation.

BONDS:

The Surveyor presented Bond # 106703621 in the amount of $150,000 written by Travelers Casualty and Surety Ins. dated July 10, 2017 submitted by Forcum Lannon Contractors regarding the Monnig Industries project for approval by the Board. Tracy Brown made a motion to approve Maintenance Bond #106703621 submitted by Forcum Lannon Contractors regarding Monnig Industries project. Thomas Murtaugh seconded the motion. Motion carried.

PETITIONS:

The Surveyor presented a Petition to Encroach on the Romney Stock Farm Regulated Drain #109. He noted the petition was for the new Romney Sewer District as the new plant proposed would be crossing the regulated drain. He had reviewed the petition as presented and recommended approval by the Board. Tracy Brown made a motion to approve the Petition to Encroach as submitted by the Romney Sewer District regarding the Romney Stock Farm Regulated Drain #109. Thomas Murtaugh seconded the motion. Motion carried.

REGULATED DRAIN HEARINGS REQUEST

The Surveyor requested the following dates and times to be scheduled by the Board for the following regulated drain landowner hearings. Nov. 1, 2017 a Maintenance Increase Hearing on the J.B. Anderson Regulated drain, Dec. 6, 2017 Maintenance Increase Hearings for the Dismal Creek AND the J. Berlowitz Regulated Drains. Tracy Brown made a motion to schedule the Maintenance Increase Hearings as requested by the Surveyor for the JB Anderson, Dismal Creek, and Berlowitz Regulated Drains. Thomas Murtaugh seconded the motion. Motion carried.

PROJECT UPDATE:

The Surveyor informed the Board the F.E. Morin Regulated Drain #57 Reconstruction project was going well. The contractor was clearing the open portion and had started on the tile replacement.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD
November 1, 2017
Drainage Board Meeting Minutes

Those present were:

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

Approval of Oct 4, 2017 Drainage Board Meeting Minutes

David Byers made a motion to approve the October 4, 2017 Regular meeting minutes of the Drainage Board as written. Tracy Brown seconded the motion. Motion carried.

N.W. Box #12 /Marshall Branch Regulated Drain Dredging Contract

President Tracy Brown referred to the Attorney for the opening of the dredging contract bid regarding the N.W. Box #12 Regulated Drain. He read the bid as follows; Rick Sutton in the amount of $30,082.51/ Tony Garriott in the amount of $18,628.25/ Huey Excavating in the amount of $24,888.00. The President thanked the bidders for their submittals and noted the Project Manager would check the submittals for compliance with the bid specifications. The Board would then award the bid at the end of this meeting.

All State Fastener

Randy Peterson of AbonMarche Consultants and Starr Associates appeared before the Board to present All State Fastener project for approval. The site was located south of US 52 at the southwest corner of Co. Rd. 400 South and Co. Rd. 500 East and consisted of approximately 10.24 acres. The first phase of the project (approximately 4 to 5 acres) would be the construction of a new facility along with parking, drives and an entrance off Co. Rd. 400 South. An overall plan consisted for the entire 10.24-acre site with future phases as well. This project was located within the J.N. Kirkpatrick drainage impact area which required a restricted release rate. Due to several factors underground detention was designed for this site. The emergency route was designed from the southwest corner toward US 52 and southerly to the newly extended J.N. Kirkpatrick Regulated Open Drain. He stated they agreed with the conditions as stated on the October 17, 2017 Burke memo and requested approval at that time. The Surveyor stated approval from INDOT and the County Highway Dept. as well as proof of easement to the JN Kirkpatrick drain outlet was required prior to onsite construction. The Surveyor recommended approval with conditions as stated on the October 17, 2017 Burke memo. There was no public comment. Tracy Brown made a motion to approve with conditions as stated on the October 17, 2017 Burke memo the All State Fastener project. David Byers seconded the motion. Motion carried.

Zach Beasley/Other Business
Maintenance Bonds:

The Surveyor presented the following Maintenance Bonds for acceptance by the Board: Maintenance Bond#1231748 submitted by Merritt Contracting for Concord Ridge Section 1 and written by the Cincinnati Insurance Company in the amount of $39,011.53 additionally Maintenance Bond#1231749 submitted by Merritt Contracting for Avalon Bluffs Section 2 and written by the Cincinnati Insurance Company in the amount of $10,966.82 for approval by the Board. David Byers made a motion to approve Maintenance Bond #1231748 for Concord Ride Section 1 and Maintenance Bond #1231749 for Avalon Bluffs Section 2 as submitted by Merritt Contracting and presented by the Surveyor to the Board. Tracy Brown seconded the motion. Motion carried.

Drain Projects:

The Project Manager stated the low bid for the N.W. Box#12/Marshall Branch Dredging Contract submitted by Tony Garriott followed the specifications. Tracy Brown made a motion to accept the Tony Garriott bid of $18,628.25 for the N.W. Box Drain #12/Marshall Branch Dredging Project. David Byers seconded the motion. Motion carried.

Drain Project (s) Update:
Upper Berlowitz Stormwater Interim Conveyance Project

A site visit was conducted on the Berlowitz Upper End Stormwater Conveyance project. The location of the jobsite was between St. Elizabeth Hospital and Indiana University Hospital. Surveyor Beasley, Commissioners Tracy Brown and David Byers, along with Landowner Jerry Schmidt and his realtor Steve Shook toured the construction site and everything is on schedule except for the outlet pipe installation from the first pond to the southwest corner of McCarty Lane as the weather has been an issue lately and caused a bit of a setback. Other than this issue the project was moving along very well. He reminded the public this was a pilot channel.

Cox Vanderkleed Regulated Drain #127 Reconstruction Project

The Surveyor noted the Cox Vanderkleed reconstruction would be started the first part of next week. He noted the Cox Vanderkleed Reconstruction, the Upper Berlowitz construction, and the F.E. Morin Regulated Drain Reconstruction represented two agricultural and one urban drain reconstruction projects this year. He noted a total of 4 Urban Drains and approximately 33 miles of tile reconstruction projects have been completed since 2010.

There was no public comment.

David Byers made a motion to recess and reconvene after the Drain Maintenance Hearings scheduled to follow this meeting. Tracy Brown seconded the motion. Motion carried. The regular Drainage Board meeting would reconvene after the scheduled Drain Maintenance Hearings have been held.

Reconvened:

Harrison High School Tennis Complex

Pat Jarboe with TBIRD Design Services appeared before the Board to present the Harrison High School Tennis Complex project (ten court complex). The site was located at the east side of Co. Rd. 50 West between Co. Rd. 500 North and Co. Rd. 600 North and on the south side of the Grant Cole Regulated Drain and consisted of approximately 2.7 acres. He noted the School Corporation was relocating the tennis courts to south of the Grant Cole Drain. Due to multiple detention ponds etc. onsite, he requested the approval to combine the multiple drainage projects into one. He stated they conferred with the October 27, 2017 Burke memo and were currently in the process of receiving a DNR (Department of Natural Resources) permit for construction within a floodway for the access walkway. He noted nonnative species would be removed from the corridor for security and safety issues. He stated the bridge would stay located over the ditch and would be for emergency access only. The School continues to outgrow itself and creative thinking is warranted regarding placement of additions etc. onsite. The Surveyor reiterated detention would be provided as part of the future expansion projects and agreed with their plans. They have met and reviewed the proposed plans for any potential problems to downstream landowners in the interim. He recommended approval with the conditions as stated on the October 27, 2017 Burke memo. There was no public comment. David Byers made a motion to approve the Harrison High School Tennis Complex with the conditions as stated on the October 27, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

Public Comment

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy Brown, Member

Brenda Garrison, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
December 5, 2017
Drainage Board Meeting Minutes

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

Approval of Minutes
David Byers made a motion to approve the November 1, 2017 Regular minutes, the November 1, 2017 J.B. Anderson #02 Drain Maintenance Hearing minutes and the November 1, 2017 John Hengst #117 Drain Maintenance Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

Contracts:
Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids
President Thomas Murtaugh referred to the Attorney to read the submitted bids for the Beutler Gosma #95 Regulated Drain Dredging project. Attorney Masson read the Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids into the record as follows: Huey Excavating Inc. total quote of $33,334.00/ total quote of Garriott Trades $31,938.00. President Thomas Murtaugh stated the bids would be taken under advisement and awarded at the end of today's meeting.

Copper Moon Building Expansion
Faluso Alofe from American Structurepoint Inc. approached the Board to present the Copper Moon Expansion project for approval. The expansion project consisted of approximately 1.8 acres located within the City of Lafayette, more specifically at 1503 Veterans Memorial Parkway East. The Board's review today was for the site's stormwater quality and quantity purposes only. The site outlet to the Berlowitz Regulated Drain via an infiltrated basin. The site's drainage was included within the previously approved J.B. Berlowitz Regional Detention System Master Drainage Plan. The developer would be required to pay the Berlowitz Regional Detention Facility storage fee for 0.11 acre-feet of storage. Mr. Alofe requested approval for the expansion. The Surveyor reviewed the site for the Board. He stated the Board was approving discharge into the Berlowitz regulated drain only. He recommended construction approval for the Copper Moon Expansion with the conditions as stated on the November 21, 2017 Burke memo. Tracy Brown made a motion to grant construction approval for the Copper Moon Expansion project with the conditions as stated on the November 21, 2017 Burke memo. David Byers seconded the motion. Motion carried.

Foxfire at Valley Lakes Phase 2
As there was no representative to present the Foxfire at Valley Lakes Phase 2, the project was postponed until the January 2018 meeting of the Board.

Tippecanoe Crematory and Memory Garden
Kyle Betz from Fisher and Associates appeared before the Board to present the Tippecanoe Crematory and Memory Garden project for approval. The project's site consisted of approximately 4 acres located on the northeast corner of Co. Rd. 350 North and Morehouse Road- north of the existing mausoleum building. Kyle stated the site outlet into Hadley Lake via the Baker Dempsey#05 Regulated Drain. A new wet detention basin was to be constructed on the eastern portion of the site. He noted there would be no flow rate increase into the tile. He stated they reduced the discharge rate from the current condition and requested approval at that time. The Surveyor utilizing G.I.S., reviewed the site for the Board. He stated the design complied with the Indian Creek Drainage Impact area restricted release rates and as such there would be no negative impact to the Baker Dempsey County Regulated Drain. He noted a Petition to Encroach on the drain required action by the Board as well. He recommended approval with the conditions as stated on the November 29, 2017 Burke memo. David Byers made a motion to approve the Petition to Encroach on the Baker Dempsey Regulated Drain. Tracy Brown seconded the motion. Motion carried. David Byers made a motion to grant construction approval with the conditions on the the November 29, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

Clarks Hill Convenience Mart
President Thomas Murtaugh informed the developer asked to remove the Clarks Hill COnvenince Mart project from today's Agenda. The project would not be considered by the Board at todays meeting.

Zach Beasley
Petitions:
The Surveyor presented a Petition to Encroach on the Crist Fassnacht Regulated Drain submitted by James Todd and Kimberly Westin for approval by the Board. He stated he had reviewed the document recommended approval by the Board. Tracy Brown made a motion to grant approval of the Petition to Encroach on the Crist Fassnacht Regulated Drain as recommended by the Surveyor. David Byers seconded the motion. Motion carried.

Bonds:
The Surveyor presented Maintenance Bond#106805768, dated November 17, 2017 regarding the Auburn Meadows Section 1 project and submitted by Fairfield Contractors in the amount of $48,480 for approval. Tracy Brown made a motion to approve the Maintenance Bond as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Contracts:
Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids
David Byers made a motion to accept the Garriott Trades Bid of $31,938 for the Beutler Gosma #97 Regulated Drain 2017 Dredging project. Tracy Brown seconded the motion. Motion carried. President Murtaugh and Zach Beasley thanked the contractors for their bids.

Miscellaneous
The Surveyor presented a presented a list for the 2018 Drainage Board meeting dates. Tracy Brown made a motion to approve the 2018 Drainage Board meeting dates as presented by the Surveyor. David Byers seconded the motion. Motion carried. The dates would be posted for public viewing.

Julius Berlowitz#08 Regulated Drain Maintenance Hearing Reschedule
The Surveyor requested the Julius Berlowitz #08 Regulated Drain Maintenance Hearing be postponed until February 7, 2018 to follow the regular scheduled meeting that morning. David Byers made a motion to reschedule the J. Berlowitz Regulated Drain #08 Maintenance Hearing to February 7, 2018 immediately following the regular Drainage Board meeting that morning. Tracy Brown seconded the motion. Motion carried.

Petition to Reconstruct Mary McBeth Regulated Drain
The Surveyor presented a Petition to Reconstruct on the Mary McBeth Regulated Drain to the Board. The Petition was submitted to his office by landowner Chuck Shelby and had approximately 12% of the benefited landowners within the watershed signatures. He recommended the Board accept the Petition and refer to him for a report per I.C. Tracy Brown made a motion to accept the Petition to Reconstruct the Mary McBeth Regulated Drain and direct the Surveyor to prepare his report to the Board. David Byers seconded the motion. Motion carried.

Joint County Membership payments
David Byers stated Commissioners who are appointed to a joint drainage board should be compensated for their time as other counties do and the Indiana Code allows. Attorney Masson stated he would review the code and make a recommendation at the next Drainage Board meeting.

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD
February 7, 2018
Drainage Board Hearing Minutes
Julius Berlowitz Regulated Drain #08

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

President Byers referred to the Surveyor for his report. Surveyor Beasley presented the following report to the Board. Maintenance Report Julius Berlowitz #08 Regulated Drain Tippecanoe County Drainage Board October 20, 2017. The Julius Berlowitz (aka Berlovitz) Regulated Drain #08 was originally established and built through the Tippecanoe County Circuit Court, Cause No. 2185 in 1928. The drain and its watershed are located in Sections 29, 30, 31 and 32 of Township 23 North and Range 3 West in the political township of Perry, and Sections 25 and 36 of Township 23 North and Range 4 West in the political township of Fairfield all being within Tippecanoe County, Indiana. The Julius Berlowitz Drain Maintenance Fund was established by the Tippecanoe County Drainage Board on the 1st day of June 1971. The rate was set at $0.50/acre and in July of 1978 another hearing was held and the rate was raised to $1.25/acre. On January 8th of 2003 the rate was raised by 25% pursuant to I.C. 36-9-27-42 to the current rate of $1.56/acre. Since 1978 the drain has changed status from an agricultural drain to an urban drain due to the development pressure within the watershed. Urban land as defined by I.C. 36-9-27-2 is land used or will in the reasonably foreseeable future be used generally for commercial, industrial, large estate, higher density residential or similar purposes. Much of the main tile as listed in the 1978 maintenance report has been removed and replaced with larger capacity pipe. Regional detention has also been added for development storm water runoff detention and conveyance at controlled release rates to protect against onsite and downstream flooding. From this day forward there are 1013 lineal feet of open ditch, and 4193 lineal feet of main tile remaining, and 22,614 lineal feet of branch tile and 24,349 lineal feet of regional detention pond perimeters to be maintained by the maintenance fund. The watershed contains 1920.04 acres. It is the professional judgement of the Tippecanoe County Surveyor that a sum of $108,322.50 is needed to maintain this county regulated drainage system. Pursuant to I.C. 36-9-27-69.3, an assessment of $3.00 per acre and a $8.50 minimum over an eight (8) year period is recommended. This will generate $109,246.40 over an eight (8) year period. It is the professional opinion of the Tippecanoe County Surveyor this rate increase will ensure monies are available for ongoing tile repair, clearing, dredging, mowing and spraying of the drainage system. Respectfully submitted Zach Beasley. President Byers asked for public comment. There was no public comment. President Byers referred to Attorney Masson for the Findings and Order of the Board.

Attorney Masson read the following into the record. Before the Tippecanoe County Drainage Board In the matter of the Julius Berlowitz #08 Regulated Drain Findings and Order (Annual Maintenance) This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on October 20, 2017. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Objections were filed by the following landowners: Janet L. Jones 5408 Wilmington Circle Laf. In. 47905, Brian Bratcher 5508 N. Bluegrass Circle Laf. In. 47905, Ed Uerkwitz 495 S 675 East Laf. In. 47905, Christine Kreighbaum 5650 N. Bluegrass Circle Laf. In. 47905. Evidence was presented by the Tippecanoe County Surveyor and many of those landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now find that: The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on October 20, 2017. Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing. Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana

more than ten (10) days prior to this hearing. The legal drain consists of 1,013 lineal feet of open ditch, 4,193 lineal feet of main tile, 22,614 lineal feet of branch tile and 24,349 lineal feet of regional detention pond perimeters to be maintained by this fund. The present condition of the ditch is in need of repair. The ditch needs the following maintenance at present: periodic mowing, spraying and tile repair. There is now $333.00 owed to the General Drain Fund for past maintenance on this ditch. The ditch drains 1,920.04 acres total.
Estimated annual cost of maintenance is $13,540.31. Estimated annual benefits to the land drained exceeds repair and maintenance costs. A fund for annual maintenance should be re-established. In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: $3.00 per acre with an $8.50 minimum over an 8-year collection period. The assessment list filed herewith should not be amended as follows: The assessment list filed herewith is fair and equitable and should be adopted. The assessment should be collected with the May 10, 2018 taxes. Now, therefore it is ordered that: A maintenance fund be re-established for the Julius Berlowitz #08 Regulated Drain at the annual rate of $3.00 per acre and an $8.50 minimum over an 8-year collection period benefited. The Schedule of Assessments filed herewith are adopted and made a part thereof. The first annual assessment shall be collected with the May 10, 2018 taxes. Tracy Brown made a motion to approve the Findings and Order as presented by the Attorney. David Byers seconded the motion. Motion carried.

Public Comment

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

David S. Byers, President

Tracy A. Brown, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

TIPPECANOE COUNTY DRAINAGE BOARD
June 6, 2018
Drainage Board Meeting Minutes

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

Approval of Minutes
Thomas Murtaugh made a motion to approve the May 2, 2018 Drainage Board minutes. Tracy Brown seconded the motion. Motion carried.

Copper Moon MASTER PLAN
Dustin Foster of American Structurepoint Inc. appeared before the Board to present the Copper Moon Master Plan for approval. The site was located at 1503 Veterans Memorial Parkway East within the City of Lafayette Indiana and consisted of approximately 10.04 acres. Mr. Foster stated the Master Plan was intended to design storm water quality and detention storage per the County Ordinance for the entire site. He noted the site drained to the Berlowitz Regional Detention Facility. He stated due to the type of outfall of the site, they over detained storm water onsite to protect downstream owners. Therefore, the current storm water discharge from the site would not be increased by the planned buildout. The Master Plan was to outline the future implementation of development in a staged form onsite. He then requested approval by the Board for the Master Plan as submitted. There were no questions from the Board. Surveyor Beasley reiterated this site was located within the City of Lafayette and the Berlowitz Drain watershed. More specifically located south of McCarty Lane, East of Veterans Memorial Parkway and Southeast of the I.U. Hospital. The Board was to approve the Master Plan's stated discharge into the Berlowitz Drain outlet. He clarified the following: the existing infiltration basin lot traversed along the eastern, northeastern portion of the property currently. It would be extended to the south and west along the south property line. He then recommended approval with the conditions as stated on the May 14, 2018 Burke memo. Tracy Brown made a motion to approve the Copper Moon Master Plan with conditions stated on the May 14, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley/Other Business
Surveyor Beasley presented two Promissory Notes received on the Cox Vanderkleed Regulated Drain #127 Reconstruction for approval. The Promissory Notes were submitted by: Landowners: Byers Patricia A & Cox Kathryn W TTEE for Parcel #'s 791026100.001.00020- & 791027200.001.000020/Landowner: Jennie K. Vanderkleed for Parcel # 79102230.0001.000020. Thomas Murtaugh made a motion to grant approval for the two promissory notes pertaining to the Cox Vanderkleed #127 Reconstruction presented by the Surveyor. Tracy Brown seconded the motion. Motion carried. There was no public comment.
He then presented three Promissory Notes received on the F.E. Morin #57 Regulated Drain Reconstruction for approval. The Promissory Notes were submitted by: Landowners: Gilbert Gregory E & Natalie P for Parcel #'s 791522200.003.000007 & 79152220.0003.000007/Landowner: Hadley Associates Inc. for Parcel # 79152620.0001.000007/ Landowners: Les & Judith Christianson for Parcel#79152619.0001.000007. Tracy Brown made a motion to grant approval for the three promissory notes pertaining to the F.E. Morin #57 Reconstruction as presented by the Surveyor. Tracy Brown seconded the motion. Motion carried. There was no public comment.

Drain Reconstruction Fund / Release of Mortgage
Attorney Masson informed the Board once a Reconstruction Promissory notes was paid in full by a landowner, a "Release of Mortgage" document would be required to be signed from the Drainage Board.

August Meeting
Surveyor Beasley requested due to a conflict in scheduling the August meeting date be revised to August 8, 2018. Thomas Murtaugh made a motion to set the August meeting date as August 8, 2018 at 10 a.m. Tracy Brown seconded the motion. Motion granted.

Public Comment
As there was no public comment, Tracy Brown made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Executive Administrator

TIPPECANOE COUNTY DRAINAGE BOARD
September 19, 2018
Drainage Board Meeting Minutes

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

Dismal Creek Regulated Drain #93 Dredging Contract Bids Opening
The President opened the meeting and referred to the Board Attorney to open the submitted Contract Bids for the Dismal Creek Dredging Project. The Attorney read the bids as follows: Rinehart Excavating $326,591.36; Huey Excavating $200,679.00; Garriott Excavating $313,721.84. The President thank the bidders for their submission and stated they would be reviewed for compliance and the bid would be awarded at end of meeting.

Approval of Minutes
Tracy Brown made a motion to approve the August 8, 2018 Drainage Board minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

Sagamore Commons Master Plan
Cameron Seymour from Schneider Corporation appeared before the Board to present the Sagamore Commons Master Plan project for approval. The site was located on the west side of Sagamore Parkway West, north of the Cumberland Avenue intersection within the city limits of West Lafayette Indiana. The project consisted of a 6-lot commercial development on approximately 24 acres. The Master plan consisted of preparation of 5 outlots, drainage infrastructure and an access drive from Sagamore Parkway West. Mr. Seymour stated the runoff currently outlets from all directions on site into the Cuppy McClure drain. The plan was to construct a detention pond to collect the site's runoff and release it into the Cuppy McClure Drain at the required rates per ordinance. He stated they agreed with the August 16, 2018 Burke Memo and requested conditional approval as recommended. The Surveyor stated the existing detention basin which will be utilized was originally constructed as a borrow pit as part of the Ivy Townhomes and Flats project immediately west of the Cuppy McClure regulated drain. It would be modified to meet their needs. This had been an ongoing process and followed the Indian Creek Resolution regarding more stringent release rates. He then recommended conditional approval as stated on the August 16, 2018 Burke memo. Thee was no public comment. Thomas Murtaugh made a motion to approve the Sagamore Commons Master Plan project with the conditions as stated on the August 16, 2018 Burke memo. Tracy Brown seconded the motion. Motion carried.

Hoffman Nature Center
Erich Hart of TBIRD Design Services appeared before the Board to present the Hoffman Nature Center Parking Lot for approval. He noted Pat Jarboe from TBird Design Services and Allan Nail from Tippecanoe County Parks Department were also in attendance. The site consisted of approximately 420 acres located on the south side of Old State Road 25 and extended from Sugar Creek Road approximately 1.2 miles to the east. The proposed parking lot would service a future nature center and pavilion. Mr. Seymour noted this was the second phase of the overall project. The first phase consisted of the 800 feet entrance drive presented to and approved by the Board at the September 2, 2015 Drainage Board meeting and constructed in 2016. The conversion of farmland to rain gardens and grass filter strips would compensate for the existing access drive and proposed parking lot which resulted in no change of the volume runoff or discharge rates from the site. The amount of proposed vegetation to be added offset the pervious area of the drive and parking lot. The post project curve numbers peak discharges and volumes were either reduced or the same as pre-project conditions. Future phases of the Hoffman Nature Area would continue the practice of revegetation and added benefit of offsetting project impacts. It is the intent this procedure to become the Master Drainage Plan of future phases for the Hoffman Nature Area. He stated they agreed with the September 12, 2018 Burke memo conditions and requested approval for the project as presented.

Replying to Mr. Murtaugh's inquiry; Mr. Hart stated the exhibits presented today included the entire Master Plan including the future Nature Center and pavilion with the additional parking areas as well. There was no public comment. The Surveyor he instructed a review of the sub-basins by the Engineer's to ensure there would be no increased runoff with this project. He recommended approval with the conditions as stated on the September 12, 2018 Burke memo. Tracy Brown made a motion to approve the Hoffman Nature Center parking lot with the conditions as stated in the September 12, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Franciscan St. Elizabeth Health Lafayette East Maintenance Building
Kyle Bets of Fisher and Associates appeared before the Board to present a Maintenance Building project at St. Elizabeth Health Lafayette East location. The site consisted of approximately 25 acres and was located east of the existing hospital campus within the limits of the City of Lafayette on Creasy Lane. The site along with approximately 3 acres offsite drained into a large depressional area. The release rate was set using a private open ditch which outlet into Branch #13 of the S.W. Elliott Regulated Drain. A wet detention basin would be constructed to compensate for the entire depressional storage and keep an allowable release rate to downstream. He requested Board approval at that time. The Surveyor noted the project was located within the City limits of Lafayette and the City would be approving the project. The Board would be approving the discharge release into the S.W. Elliott Regulated Drain and the F-Lake Detention Storage Facility only for this project. He noted a storage fee for 1.34-acre feet of storage in F-Lake Basin was required to be paid prior to final approval. He then recommended construction approval as stated on the September 12, 2018 Burke memo. There was no public comment. Tracy Brown made a motion to grant construction approval as stated on the September 12, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley/Other Business
J. Berlowitz Detention Basin
The Surveyor reviewed an aerial of the three (3) Berlowitz Regulated Drain's Detention Basins with the Board. The first Basin was located at the SE corner of Co. Rd. 550East and Co. Rd. 50South, then the Berlowitz "Hammerhead" pond located immediately upstream on the West side of Co. Rd. 550East which traversed west to Interstate 65 and the Third located west of Interstate 65. The basin or pond located on the corner of the Co. Rd. 550East and 50South was the largest of three within the Berlowitz Regulated Drain system. He noted there would be additional basins built in the future between I.U. Hospital and Franciscan Health St. Elizabeth Hospital.

The Surveyor's office had received complaints regarding the large basin located at the intersection of Co. Rd. 550East and 50 South. The complaints consisted of public safety and environmental concerns, ie: criminal activity, insect population, swimming and fishing. There is currently an annual mowing and spraying contract to control woody vegetation around the basin. As the basin was built to control storm water runoff while preventing downstream flooding, the functionality of the pond was the main concern. Once the woody vegetation grew up, beavers moved in and established a dam obstructing the flow of the outlet. This was causing the basin not to drain as designed. The obstruction was removed. Bids were sought for a six-year mowing and spraying contract for the Berlowitz Regulated Drain detention basins. A contract was signed and is ongoing.

He noted the County Storm Water Ordinance required safety signs around detention basins (ponds). Signs were at one time around the basins however, they have been vandalized or stolen. There are additional signs to be placed around the county's detention basins however they state "No swimming, wading or skating" only. The signs were safety oriented and did not state no trespassing, fishing etc. Viewing the aerial of the area utilizing GIS, the Surveyor noted public were parking in the northwestern portion of the property (owned by the Commissioner's) via the construction access lane. They were using this lane to enter the property and fish in the basin (pond). The access lane was left in place for inspection of the outlet to ensure functionality. It was noted there were a lot of homes in that area which resulted in increased foot traffic near the ponds.
Discussion was held and replying to Tracy Brown's inquiry, the Surveyor noted no discussion with the area's H.O.A.'s (Home Owners Associations) had been held regarding the issue. The Surveyor requested the Board take the matter under consideration to determine what needed to be included on signs for the detention basins (ponds).

Mr. Byers stated since this issue was just brought before them, he would like to think about this further and proposed to continue the discussion at the October 2018 monthly meeting. The Surveyor stated the area is an attractive area to the public. The Hammerhead basin channel has been left in its natural state as the channel stays wet. The intention is to leave the channel in its natural state. The number one purpose of detention basins is to protect landowners against flooding. The Berlowitz Detention Basin discussion will continue in the October meeting.

Marion Dunkin #25 Reconstruction Update
The Surveyor informed the Board the Marion Dunkin#25 Regulated Drain reconstruction was approximately 85 percent completed at this time.

Dismal Creek #93 Dredging Contract/ Award of Bid
Project Manager James Butcher stated the bids were in order. Low bidder was Huey Excavating in the amount of $200,679.00. Thomas Murtaugh made a motion to approve the Contract Bid submitted by Huey Excavating in the amount of $200,679.00 for the Dismal Creek Regulated Drain #93 Dredging project. Tracy Brown seconded the motion. Motion carried.

Public Comment
As there was no public comment, Tracy Brown made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Executive Administrator

TIPPECANOE COUNTY DRAINAGE BOARD
October 3, 2018
Drainage Board Meeting Minutes

Those present were:

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

Approval of Minutes

Thomas Murtaugh made a motion to approve the September 19, 2018 Drainage Board meeting minutes as written. Tracy Brown seconded the motion. Motion carried.

Avalon Bluff Section 3
(previously aka Hunters Crest Sec 4)

Robert Langager from Schneider Corporation appeared before the Board to present the Avalon Bluff Section 3 project for construction approval. While this was the final phase of the previously-approved Hunters Crest Subdivision project (approved in 2005), it was treated as a standalone project. The site was located west of Concord Road between Co. Rd.'s 450 and 500 South and consisted of approximately 68 acres. The infrastructure would include swales and drainage pipes to direct runoff to two existing and one proposed pond.

He noted the overall site had two outlets. The site's runoff from the northern portion outlet indirectly through ponds 1 and 2 within Hunters Crest Subdivision to the JN Kirkpatrick Regulated Drain. A proposed pond 3 was different from the Hunters Crest Master Plan approved in 2005. Therefore, it was designed to meet the current Storm Water Ordinance. The southern portion of the site's runoff routed through pond 3 and ultimately outlet indirectly to Dismal Creek Regulated Drain via two outlets; one to the southwest and one to the east. Release rates were lower than the allowable 10 and 100-year rates. At that time, Mr. Langager requested construction approval for the project as submitted.

The Surveyor stated an informal meeting was held with downstream landowners who own a part of the pond immediately south of the 15inch culvert which crossed under Co. Rd. 500 South. The project's designer, developer, County Surveyor, Commissioner David Byers and David Eichelberger, Engineer Consultant for the Drainage Board were in attendance as well. The landowners expressed their gratitude regarding the meeting as their concerns were addressed during the meeting. He recommended construction approval for Avalon Bluffs Sec. 3 with the conditions as stated on the October 1, 2018 Burke memo. There was no public comment. Thomas Murtaugh made a motion to grant construction approval with the conditions as stated on the October 1, 2018 Burke memo. Tracy Brown seconded the motion. Motion carried.

Zach Beasley / Other Business
Continued: Detention Basin Signs

The discussion was continued from the September meeting regarding the J. Berlowitz Basin/pond #01 located on the SE corner of Co. Rd. 550 East and Co. Rd. 50 South. Complaints had been received regarding public safety and environmental concerns (insect population, swimming and fishing). Research was done by the Surveyor regarding the public safety issue and he found fishing from the banks of a detention pond in urbanized areas was not uncommon in this state and others. While at times there may be bank erosion issues (due to foot traffic), from a technical aspect he stated he did not have an issue with fishing in the detention basin/pond. He stated he felt it would not be easy to stop everyone from entering the area and fishing from the bank. He stated he felt it could be an amenity to the area if fishing was allowed. He recommended "from a technical standpoint" to allow fishing from the banks only- no boat fishing. He would post the signs he presently has which state no swimming or skating. Furthermore, if the Board would allow fishing of the Berlowitz Basin/pond #01 he would design a schematic drawing of the location for a small parking area and a public access drive off the south side of Co. Rd. 50 South. He noted another component was the legal liability issue. He then referred to Attorney Masson regarding this. Attorney Masson recommended if the Board allowed fishing to install a sign (in addition to the other signage) that stated along the lines of these activities are at your own risk. He stated he would look at the liability issue and provide verbiage for additional signs.

Responding to Commissioner Murtaugh's inquiry, the Surveyor stated his office has a mowing contract for several of the County owned basins/ponds. They are mowed annually one time to assist in keeping the woody vegetation down to avoid beaver activity. As this is the second year of the mowing cycle. The area of the Berlowitz basin/pond looks very nice and like a "park facility". The contract for mowing was a six-year contract and would be reviewed at the end of the sixth year. Commissioner Brown stated the Surveyor had a plan moving forward, the first part was to install the existing signs on hand, address the safety issues in terms of foot traffic and otherwise requested the Surveyor keep the Board informed of any meetings with the surrounding residents regarding this issue.

Public Comment

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

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Executive Administrator

TIPPECANOE COUNTY DRAINAGE BOARD
May 1, 2019
Drainage Board Meeting Minutes

Those present were:
Tippecanoe County Drainage Board President Tracy A. Brown, Vice President Thomas P. Murtaugh, member David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Engineering Consultants, Drainage Board Executive Administrator Brenda Garrison and James Butcher, Surveyor Office Project Manager. Engineers Dave Eichelberger from Christopher B. Burke Engineering LLC and Machelle Watts from Butler Fairman and Siefert were absent.

Approval April 10, 2019 Regular Meeting Minutes
Thomas Murtaugh made a motion to approve the April 10, 2019 Regular Meeting Minutes as written. David Byers seconded the motion. Motion carried.

Zach Beasley / Other Business
Marion Dunkin #25 Reconstruction
The Surveyor presented two Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contracts for approval by the Board. The first Reconstruction Financial Assistance Contract was submitted to his office by Kenneth Byers for two tracts located within the Marion Dunkin Regulated Drain #25 watershed. Those parcel numbers were #79-09-36-300-001-000-028 and parcel #79-09-35-400-002-000-028 totaling $21,845.65. The second Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contract was submitted to his office by RDG Properties for the following parcels numbered #79-09-35-400-001-000-000-028, 79-09-36-300-002-000-028, #79-09-36-300-003-000-028, #79-13-02-200-001-000-006, #79-13-02-200-002-000-006 for a total of $51,637.65. The contract template was previously drafted by the Attorney and approved by the Board. Thomas Murtaugh made a motion to approve the contracts for Reconstruction Financing Assistance from Kenneth Byers and RDG Properties as submitted. David Byers noted he was not related to Kenneth Byers. David Byers seconded the motion. Motion carried.

All State Fastener Maintenance Bond
The Surveyor presented Maintenance Bond #30026704 in the amount of $111,689 submitted by ASF Holding Company to his office for the All State Fastener project for approval by the Board. David Byers made a motion to grant approval for Maintenance Bond #30026704 in the amount of $111,689 submitted by ASF Holding Company as presented. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach / Lewis Jakes #40 Regulated Drain
The Surveyor presented a Petition to Reconstruct on the Lewis Jakes Regulated Drain #40 submitted to his office by Doug Morehouse. While he expected more benefitted landowners to sign the Petition, it currently reflected over 10% of the benefitted landowners' signatures. Mr. Morehouse indicated he wanted to submit so it would be added to the future Drain Reconstruction (s) list. The Surveyor noted currently there were 13 regulated drains on the list for reconstruction. He stated in 2006-07, a lower portion of the Lewis Jakes drain was reconstructed (1/3 to ½) as phase 1. This would be phase 2 of the reconstruction. (Due to the funds balance in 2006-07, it was determined to complete the reconstruction in phases.) Responding to David Byers inquiry, the Surveyor noted the open ditch was part of the annual spray program conducted by his office. The Surveyor recommend acceptance from the Board. David Byers made a motion to accept the Petition as submitted and refer it to the Surveyor for his report. Thomas Murtaugh seconded the motion. Motion carried.

Upper J. Berlowitz Regional Detention Project/Memorandum of Understanding
The Surveyor stated a "Memorandum of Understanding" (MOU) between the Drainage Board and Franciscan Alliance Inc. was received in his office regarding the Berlowitz Regulated Drain Regional Detention project. He referred to the Attorney.

The Attorney reminded the Board the M.O.U. was necessary to complete the Berlowitz Regulated Drain Reconstruction (re: M.O.U. document proceeds May 2019 Drainage Board's official minutes). He recommended the Board's President sign the document upon receipt. He stated he did not have the original document on hand, as it was in transit. The Secretary would record the M.O.U once signed. Franciscan Alliance will pay $391,500 to the Drainage Board for the additional costs in phase 1 due to costs related to the revisions made. Franciscan Alliance Inc. would donate approximately 15.6 acres to be used in phase 2 of this project. The Attorney noted Franciscan Alliance stated they did not want the excavated dirt from phase 2 of the project; therefore, it would be relocated offsite. He referred back to the Surveyor. The Surveyor recommended approval of the M.O.U. between the Tippecanoe County Drainage Board and Franciscan Alliance Inc. as written. Thomas Murtaugh

made a motion Commissioner Tracy Brown; Drainage Board President sign the M.O.U. as written- upon receipt. David Byers seconded the motion. Motion carried.

Alexander Ross Outlet Improvement Project Status update
The Surveyor updated the Board on the Alexander Ross Outlet Improvement Project. He noted the portion of the project which involved the Meijer pond (north end of pond routing north under Meijer Court up to SR.26) was complete. The Easement Agreement regarding the portion of land on the East side of SR 26 and owned by Mike Patel had been recently signed. He stated, due to the weather and the pending agreement, the jack and bore under SR26 had been delayed. Now that the Agreement was signed, hopefully the weather would cooperate, and work could be completed soon. He stated the project was basically 1/3 complete. Responding to Thomas Murtaugh's inquiry, the Surveyor noted the trash around the area's pond was- in his opinion- due to business trash can lids left open. The Attorney stated if the drain itself was impaired by the trash then the Drainage Board would have the authority to clean it up. The Surveyor stated this has occurred once in the past and was addressed by his office. The Surveyor noted the pond itself had been placed on the annual regulated drain spray/mow maintenance program list. The Attorney noted the Board was not obligated to pick up the trash. There was an issue one time with obstruction from the trash in the pond that which the Drainage Board addressed. The Surveyor noted he had not received any calls relating to this matter to date this year.

Public Comment
Mike Spencer Assistant Executive Director Tippecanoe County Highway Department approached the Board. He stated there have been issues brought to his attention which require determination on how to proceed. He stated several drainage complaints had come to light concerning his department with non-regulated drains. Typically, these issues involve culverts located alongside private tiles under County Roads as well as side ditch depths and locations. Several landowners have brought to attention safety issues with the depths and locations of some of the side ditches along the County Roads. One particular issue was a culvert located alongside a private tile, both were located under South Ninth Street. The culvert was replaced in 2008 under the road. (Landowners state they called after this time to report issues with the drainage in this area and could not get a response-He stated he could not substantiate the calls.) In this particular case the Highway Department has approximately an acre and half within the 1000+ acre watershed and does not have the funds to replace the tile under the road. He stated since the culvert was located under the road, landowners think the Highway dept. should fix the drainage issue. He noted he felt the problem was the tile - most likely undersized and obstructed- not the culvert. Often, there were no means to pay for these types of drainage issues. Due to proximity to County highways, landowners felt the issues should be taken care of by the County Highway Department. He reiterated his office would like to work with the Board and Surveyor office to find a way of resolving the issues. He reviewed several problem locations in the county where a culvert is located under the road near a problem tile or problem side ditch. The Attorney reviewed the steps to convert a private drain into a regulated drain and obstruction in a private drain which would allocate the cost of repair across the entire watershed. The Surveyor stated Mr. Greg Gilbert called his office several days ago and spoke to him about the drainage issue on South Ninth Street Mike Spencer stated he thought the drain tile and culvert were located parallel of each other but very nearly on top of each other. The Surveyor stated if a Petition of Obstruction was filed; and during the investigation the tile was found to be obstructed- the cost of repair would be shared among all the benefited landowners. He noted he considered this a short-term solution, as the size of the watershed (1000+ acres) warranted the tile be converted from private to county maintained. Responding to the Surveyor's inquiry, Mr. Spencer stated the size of the tile under South Ninth St. was thought to be 8" or 10". The Surveyor offered to sit down with Mr. Spencer and review any drainage issues and options that could be taken. Mr. Spencer thanked the Board and Surveyor for their time. He noted the wet spring has exasperated the issues. The Surveyor noted particularly wet springs were forecasted out of the Earth and Atmospheric Science School at Purdue University in the coming years and noted these issues would not go away. He stated he strongly felt they needed to be proactive regarding finding a solution for the taxpayers.

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

Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

Brenda Garrison, Executive Administrator

ABSENT
David S. Byers, Member