

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD SEPTEMBER 7, 1971.

The minutes of the regular meeting of the Tippecanoe County Drainage Board held in the Commissioners Room in the Court House at 9:00 a.m., on Tuesday, September 7, 1971.

- Present at Meeting Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Dick Donahue, John Garrott, Larry Clerget, Byron Parvis, Gladys Ridder and Ruth Schneider.
- Minutes Approved Upon motion by Bruce Osborn seconded by Dale Remaly the minutes of the August 3, 1971 meeting were approved as read.
- Ditches Referred to Engineer Upon motion by Dale Remaly seconded by Edward Shaw the Board referred the following ditches to the Engineer to prepare for a maintenance report. Floyd Coe (Lauramie Township), Marian Dunkin (Jackson and Wayne Townships), John McCoy (Wea Township).
- Kepner Industrial Tract Mr. Ruth, Drainage Board Engineer, stated on August 5, 1971, Mr. Paul Hamman was in the office with regards to the Kepner property east of town. At that time Mr. Ruth stated, he told Mr. Hamman that a 60 inch pipe would be adequate in the area of the Kepner land if the other recommendations of Dr. Spooner's report were followed.
- Engineers Request Mr. Ruth suggested to the Board that one month we have a meeting but no public hearings. This was done so that we might catch up on uncompleted work. He preferred the month of December. The Board agreed to the suggestion and gave approval.
- John Dooley Maintenance Hearing 1:30 Those present for the maintenance hearing of the John Dooley Ditch were: H. Spencer Congram, Lawrence Treece, William P. Martin, Charles Brown, Iness L. Brown, Chester W. Dill, and Mr. and Mr. Keith McMillin. The engineer opened the hearing by reading the Engineer's report. Mrs. Keith McMillin and Larry Treece were the main objectors and spoke for the rest. They asked the Board not to establish a maintenance fund but to grant them a continuance without date.
- Replacement of Board Member Dale Remaly havein previously disqualified himself to serve in the proceedings concerning the Elmer E. Thomas Ditch and said fact having been duly certified to the judge of the Tippecanoe Circuit Court by Gladys Ridder, Board's Executive Secretary and Warren B. Thompson, Judge Tippecanoe Circuit Court having duly appointed Claude Acheson to serve as a special member of the Board in all proceedings concerning the Elmer E. Thomas Drain. The certification and order of appointment being shown in Judges Journal 138, at page 17, in the records of the Tippecanoe Circuit Court. Claude Acheson appearing is sworn and undertakes his duties and obligations as a member of the Tippecanoe County Drainage Board in the proceedings concerning the Elmer E. Thomas Ditch.
- Elmer E. Thomas Maintenance and Reconstruction Hearing 10:30 The engineer opened the hearing on the reconstruction report by explaining the plans and leaving the meeting open to a question and answer period. Those in attendance were: Dale Remaly, Roy Smith, Robert Gross, Dave E. Gross, Charles Scowden, Katherine and B. Norman DeBoy, Hazel Holmes Gephart, Lawrence Krug, C. Jeanette Dodson, Francis E. Ziegler, Marjorie A. Connolly, Nancy J. Keller, Floyd Lamb, Lucille Banes Williams, Patty W. Garrott, Chester S. Yerkes, R. J. Baker, E. E. Franklin, R. D. Franklin, E. L. Bryant, C. E. Floyd and R. D. Sterrett, of the State Department of Natural Resources, Robert Gross said if the engineer would promise him that the area would be drained and that it would take care of the spring water (that area has several springs) that he would definitely before it. Both Mr. Ruth and Mr. Martin assured them the plans were designed to take care of surface water and it would be up to the individual to see that his own spring water found its way to the drain. Floyd Lamb asked the Board to take his land out of the drainage area for he was sure none of his ground drained that way. The Engineer said he would check it and then inform him of his findings. After lengthy pro's and con's the Board decided to continue this hearing upon motion of Bruce Osborn, Seconded by Ed Shaw, they moved to continue this hearing at 9:30 a.m., on December 7, 1971. Mr. Remaly said if this area was not drained now he felt the situation would continue to get worse and eventually be a health hazard. Mr. Barnett felt if this land was properly drained it could be very valuable.
- Harrison B. Wallace 11:30 At 11:30 a.m. the engineer opened the hearing on the Harrison B. Wallace ditch by reading his report on the condition of this drain. Those in attendance were: Fred B. Pell, Lloyd Howey, representative of Home Investment Company, Inc.; Mrs. C. L. McCorkley, Mr. and Mrs. Harold Freed, and Roy A. Smith. Both the Howey's and the Pell's felt their acreage was in error and that they were double assessed, so the Engineer said we would check the records to see if this were true and notify them later. It was noted that some had taken beautiful care of their ditch while others had done nothing and that it wasn't quite fair to have to charge them all the same with the ditch in such good condition in some parts. The Board agreed to lower the assessment from \$1.00 to \$.75. Upon motion by Bruce Osborn, Seconded by Ed Shaw the maintenance fund was established.
- Mr. William K. Schroeder came to the Board with a personal problem between he and his neighbor and the Board took no action for this was not under their jurisdiction.
- The engineer opened the hearing on the Waples-McDill Drain at 1:30 p.m. by reading to the Board his recommendation. Mr. Floyd Wilcox came in prior to the hearing and ask the Engineer to check his acreage. In

Waples-McDill 1:30 doing so Mr. Ruth corrected the acreage in Section 16 from 120 acres to 40 acres due to a private ditch that drains the balance. Those attending were: Floyd Wilcox, Orville J. Parvis, Gladden Skinner, Ken Rauch, and Velma Brown. No objections had been filed so by motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Ed Shaw the sum of \$1.00 per acre was established.

Informal Meeting The engineer opened the informal hearing of the Train Coe Ditch by informing the Board that he felt the Train Coe Ditch could be reconstructed for not more than \$17.50 per acre.

Mr. *Cruik* informed the engineer that he had talked to Mr. Barton Maxwell and as he had quoted a good price for the installation of tile ask that a tile ditch be considered rather than an open ditch. He was informed that if there was any indication that a tile drain might be economical it would be given ever consideration.

The engineer told those in attendance and the Board that he would prepare plans and specifications and hold a public hearing; said hearing be perhaps early spring.

Upon motion be Bruce Osborn, seconded by Dale Remaly the Board adjourned.

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

The minutes of the regular meeting of the Tippecanoe County Drainage Board held in the Commissioners Room in the Court House at 9:00 a.m., on Wednesday, November 3, 1971.

Present
at
Meeting

Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, A. D. RUTH, Jr., Dick Donahue, John Garrott, Larry Clerget, Ken Raines, Norbert Korty, Gladys Ridder, and Ruth Schneider.

Ditches
Referred
to
Engineer

Upon motion by Bruce Osborn seconded by Dale Remaly the Board referred the following ditches to the Drainage Engineer for preparation of a maintenance fund: Michael Binder (Shelby Twp.). Elliott Ditch (Wea and Sheffield Twps.) and Jacob May (Wea Township).

Engineer's
Specifications
for Bids

The Engineer submitted his specifications for bids to be let on December 1, 1971 at 1:00 p.m. on labor, equipment, and supplies to be used by the Drainage Board in Maintenance of the ditches whose maintenance funds have been established and monies available.

9:30 a.m.
Hearing
on
John McCoy
Ditch

The Chairman opened the hearing on the maintenance fund of the John McCoy ditch by asking the engineer for his report. A correction was needed on the acreage of the John Purdy farm and upon the recommendations of the engineer the Board so corrected the old assessment list from 160 acres to 120 acres in the McCoy watershed area. The balance is in the O'Neal watershed. Those attending were: William Schroeder, William P. Martin and Julian E. Thompson.

Mr. Martin recommended in the future maintenance on this ditch try to take care of surface water and help remove the ponding problems.

Mr. Ruth said an open waterway which was not a part of the legal drain would not be a part of the legal drain, and would not be part of the maintenance of the ditch.

Upon motion by Bruce Osborn, seconded by Edward Shaw the maintenance fund of \$1.00 per acre was established.

Order
and
Findings

The Board signed the order and findings and certificate of assessments on the John McCoy ditch after the hearing that established this fund was completed.

10:30 a.m.
Hearing
on
Floyd Coe
Ditch

The Chairman opened the hearing on the Floyd Coe ditch maintenance fund by asking the Engineer to read his report.

Those attending this hearing were: E. L. Bible, Mr and Mrs. Fred Stewart, Henry and Elizabeth Ortman, Robert W. Kirkpatrick and Betty H0wey.

Mr. Ortman was much in favor of the fund being established although he had no water problems of his own he felt others at the lower end were disadvantaged with his water. (There was much disagreement on the part of Mr. Kirkpatrick and E. L. Bible against establishing a maintenance fund.) Mr. Kirkpatrick even suggested abandoning it. The Board asked them to talk with their neighbors and come back next month. The Chairman

said we would send out notices to everyone in this watershed area informing them of the time and date of a new hearing and ask them to consider the suggestions of lowering the rate or abandoning the drain.

Hearing adjourned.

1:30 p.m.
Hearing
on
Moses Baker
Ditch

At 1:30 p.m. the Engineer opened the hearing on the Moses Baker ditch by reading his report on the condition of this ditch to the Board. Mr. Norbert Korty sat in as a member duly appointed to take Bruce Osborn's place.

Those attending this hearing were: John Skinner, James F. Leamon, F. Elmer Burton, Harry Bowerman, Paul B. Leamon, Lloyd Maguire, Edith Sheese, Lee Sheese, Henry Ortman, Hobart Swanson, Arthur D. Waddell, Robert M. Sears, Mrs. Oakley McClain, Mrs. Lawrence Smith, Alameda McCollough, Floyd Kemper and Robert Nelson.

There were many signers of an objection against establishing this maintenance fund but most valid objections were against paying \$1.00 per acre on Swanson and Platt Ditches, then \$1.00 again on Moses Baker. They felt their acreage should be based on a percentage of the amount of the Moses Baker Ditch that they used.

After the discussion concerning landowners on one Legal Drain which is a part of a larger Legal Drain being assessed the full amount of the larger drain the engineer made the following recommendation: When the land on one legal drain that empties into a larger legal drain and is a part of a larger drain area has had a maintenance fund established and the drain that serves it directly is then assessed on the larger drainage area the assessment shall be made in the following manner:

Where ditch "A" empties into ditch "B" land which has been assessed on ditch "A" shall be assessed on ditch "B" in proportion to the length of ditch "B" which is used by water coming from ditch "A". If ditch "A" enters ditch "B" in the first 10% of the length of ditch "B" the land on ditch "A" will pay 10% of the unit assessment of those on ditch "B". If ditch "A" enters ditch "B" at a point between 10% and 20% of the length of ditch "B" the land on ditch "A" will be 20% of the unit assessment of those on ditch "B". This procedure would be used to determine the assessment of any legal ditch being assessed as part of another legal drain. However, if ditch "A" enters Ditch "B" at a point where it uses 75% or more of Ditch "B" the land on ditch "A" will pay a full assessment.

EXAMPLE---

Major Ditch 6000 feet long

Ditch "A" enters major ditch 4000 feet from drain outfall.

Ditch "A": uses $\frac{4000}{6000} = 66.7\%$ of major ditch.

Land on ditch "A" would pay 70% of assessment of those who are assessed directly on major ditch.

No assessment is to be less than the minimum (\$3.00) set by law.

The Board approved the recommendation by the engineer.

The Board asked that each landowner bring their part of the Moses Baker ditch into a clean and well maintained condition and then come back when it was finished and if the Board and Engineer felt that their job was well done they would then consider a much lower figure.

Upon motion by Ed Shaw seconded by Norbert Korty the hearing was to be continued on January 2, 1973.

Twyckenham
Estates
Subdivision

The statement was made by Mr. Ruth that additional effort was made this past month to protect Elliott Ditch from having to carry too much water in times of rain by meeting with officials of John E. Smith Enterprises to discuss the storm water run-off of Twyckenham Estates Subdivision. The result of this meeting is the letter set out below which was forwarded to the Area Plan Department and John E. Smith Enterprises, Inc.

Tippecanoe County Area Plan Commission
Court House, Lafayette, Indiana

Gentlemen;

This is to report a discussion held on November 1st, 1971 in the offices of John E. Smith Enterprise, Inc. concerning the storm water and sub-surface drainage in the Twyckenham Estates subdivision.

At this meeting, which Mr. Smith and Mr. Hilligoss plus others of his organization were present, it was agreed that (1) when the area was developed, water would not leave this area at any greater rate or in any greater volume than at the present time, and (2) the legal drains would be intercepted at the subdivision boundaries and carried through the subdivision and emptied out in the location where they now leave this area.

The plan presented was adequate and satisfactory to control the water and meet the requirements set out by the Drainage Engineer. However, the problem which must be solved is to assure that the procedures and plans set out are carried out.

If I can be of any further assistance I would be more than happy to do so.

Very truly yours,

/S/ A. D. Ruth, Jr.

A. D. Ruth, Jr. Engineer PE 6343
Tippecanoe County Drainage Board

ADR/gr

Upon motion by Edward Shaw, seconded by ~~Mr. Koontz~~, the Board adjourned.

Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

Mr. Hoffman read the Active Ditches for the year of 1988.

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

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

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

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

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

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

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

Michael stated he had received a letter from Benton County in regards to the Darby Wetherhill ditch and he asked the board to appoint a representative and alternates for this ditch.

Sue W. Scholer is representative, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

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

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

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

MEETING TIME CHANGE

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

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 4, 1989

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOFFMAN
DITCH

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

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

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

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

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

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY
CHARMS

TRASH
TRANSFER

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

✓
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

Mr. Hoffman asked if George's client would be willing to participate in the cost of a more substantial drainage improvement in the area. Mr. Shulte stated he could not answer that question, but he feels he would be willing. Bruce asked if conditions had been met? Michael Spencer answered, no, there is one other conditions and that is that the City of Lafayette review this project, as of January 2, 1990 this area is in side the City Limits as is Wal-Mart. Mr. Sooby has not seen the plans presented. Discussion continued.

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ROAD

STATE ROAD 38 PROJECT AGREEMENT

38 PROJECT AGREEMENT

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

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

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

ORCHARD

ORCHARD PARK

PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

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

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

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

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

Hire the Attorney

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

Active and Inactive Ditches for 1993

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

ACTIVE DITCHES

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

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

INACTIVE DITCHES

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

Storm Water Drainage Improvement Plan

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.


William D. Haan, President


Nola Gentry, Vice President


Hubert Yount, Member

ATTES: 
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

GREAT LAKES CHEMICAL

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 1, 1995

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

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

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

ACTIVE AND INACTIVE DITCH LIST 1995

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

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

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

Mr. Luhman read the inactive ditch list into the minutes

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

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

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

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

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

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

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

OTHER BUSINESS

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 3, 1996

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

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

ELECTION OF OFFICERS

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

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

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

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

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

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

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

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President
Board of Commissioners

Michael J. Spencer
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

APPROVAL OF MINUTES

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

BRENTWOOD COMMUNITY

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

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

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

SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

VILLAGE PANTRY #564R

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

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

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

PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

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

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

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

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

ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 5, 1997

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

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

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

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

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

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

ACTIVE DITCH LIST 1997

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

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

INACTIVE DITCH LIST 1997

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

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

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

1997 CONTRACTS

ENGINEERING CONTRACT

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

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

ATTORNEY CONTRACT

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

Commissioner Hudson read the paragraph that was added:

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

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

JAMES N. KIRKPATRICK DITCH

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

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

OBSTRUCTION OF DRAINS

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

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

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

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

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

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

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

MARCH DRAINAGE BOARD MEETING DATE

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

Those present were:

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

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

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

MIKE MADRID COMPANY

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

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

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

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

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

DRAINAGE BOARD 1998 CONTRACTS

Attorney

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

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

Engineering Consultant

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

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

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

1998 ACTIVE AND INACTIVE DITCH LIST

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

ACTIVE DITCH LIST

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

INACTIVE DITCH LIST

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

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

OTHER BUSINESS

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

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

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

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

MINUTE BOOK

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

Those present were:

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

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

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

ACTIVE

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

INACTIVE

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

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

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

WATKINS GLEN SUBDIVISION, PHASE 4, PART 3

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

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

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

SEASONS FOUR SUBDIVISION, PHASE III

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

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

Those present were:

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

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

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

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

CROSSPOINTE APARTMENTS SUBDIVISION

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

WABASH NATIONAL SITE DETENTION

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

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

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

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS

Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

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

INACTIVE

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

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

OTHER BUSINESS

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

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

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

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

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

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

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

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

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

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board

Minutes

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 Earthwork & 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 .1 cfs 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 from 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

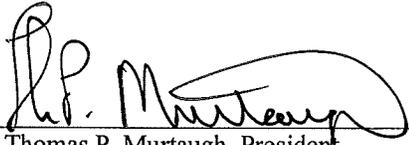
The Surveyor presented a Petition to Establish a New Regulated Drain and Maintenance Fund for the Combs tile Legal drain submitted by Jack Buck. The Surveyor stated this tile was NOT a County Regulated Drain and at this time was a private system. He stated approximately 72% of benefitted landowners signed 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

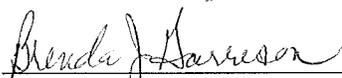
As there was no public comment John Knochel made a motion to adjourn. The meeting was adjourned.



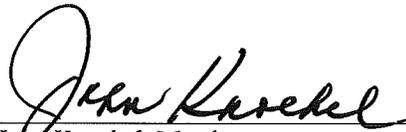
Thomas P. Murtaugh, President



David Byers, Vice President



Brenda Garrison, Secretary



John Knochel, Member

Tippecanoe County Drainage Board

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 1 inch 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 dewatering 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 IDEM 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 pond 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 1 and 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 Byers 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 Coutts 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. Coutts 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. Coutts reply. Mr. Coutts 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. Coutts 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.



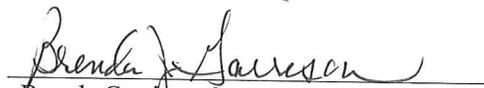
David S. Byers, President



John Knochel, Vice President



Thomas P. Murtaugh, Member



Brenda Garrison, Secretary