

THE SPECIAL CALLED JOINT DRAINAGE BOARD MEETING OF THE TIPPECANOE, CLINTON & MONTGOMERY COUNTIES HELD ON AUGUST 27TH, 1973

Those present at the Special Joint Drainage Board Meeting of the Tippecanoe, Clinton and Montgomery Counties held on August 27th, 1973 at 2:00 p.m., in the Tippecanoe County Court House were: Edward Shaw, Chairman, Robert F. Fields, Vice Chairman, Bruce Osborn, Board Member, A. Dan Ruth, Jr., Surveyor and Gladys Ridder, Secretary of the Tippecanoe County Drainage Board; Robert Hawley, Chairman, Ellsworth Biesecker, Board Member, and Edstel Rex, Deputy Surveyor of the Clinton County Drainage Board; Norman Dillman, Chairman, Harold Beeson, Surveyor and Don Yount, Deputy Surveyor of the Montgomery Drainage Board.

Mr. Ruth, Surveyor of Tippecanoe County opened the hearing by informing all present the reason for calling this joint meeting and for the need of all three Counties to work together on the John L. McLaughlin drain project.

Tippecanoe County has had requests from some of the landowners in this watershed to set up a maintenance fund to take care of repairs. Clinton County reported same. Montgomery County said their part of this ditch was too badly in need of reconstruction to consider a Maintenance Fund at this time.

Montgomery County reported that at this time monies are set aside to dredge Lye Creek and remove shale from it's bed, also widen it. Mr. Norman Dillman, Chairman of the Montgomery County Drainage Board also serves on the Soil and Water Conservation Service Board in that county. He related that the expense of that project would be borne by those farmers in the Lye Creek area with the major participation by the Federal Government but that all of those in the McLaughlin watershed area would actually benefit from the dredging because the McLaughlin Ditch eventually empties into Lye Creek. He also reported that Sugar Creek, Potato Creek and Big Slough Creek were in need of dredging and that Big Slough should, in their opinion, be made a part of the McLaughlin watershed. Mr. Ruth read the Legal description as to the termination of the McLaughlin ditch and it was in Section nine (9), the area of the Big Slough drain. Montgomery County needed to determine from their records whether Big Slough was a Legal Drain or a natural creek because the McLaughlin ditch empties into it before reaching Lye Creek.

Clinton County felt that Maintenance was all that was needed in their County and Tippecanoe County wasn't sure that maybe both were needed in their county. The Clinton County members reported that they had found their best and fairest was of assessing the property owners in a watershed area was on a per acre basis. Tippecanoe reported similar results and Montgomery County said they had used the percentage of benefits as their method but would not argue that one was any better than the other for both ways created some problems. Several pros and cons came into the discussion that followed with most of those present agreeing that the per acre basis was probably the easiest to prepare as well as to explain to the general public.

Because Montgomery County has the largest share of the acreage in the drainage area plus Creek projects already under way, the other two Counties agreed they would help wherever they could but would wait until Montgomery County was in a position to start work on the McLaughlin ditch.

Both Clinton and Tippecanoe County said they would go ahead and prepare their lists of names, addresses, maps, etc., of those in the watershed. Clinton decided they would establish a maintenance on all of the branches of the McLaughlin ditch informing their people that they would also be assessed for a percentage on the Main part of McLaughlin when it was ready.

All counties present were well informed as to the needs and manner of establishing reconstruction and Maintenance funds which made the communicating of ideas very easy. It would appear from the ideas presented, and the attitudes of the participants that the cooperation needed to get the job done was present at the meeting.

Upon motion of Edward Shaw, seconded by Bruce Osborn and made unanimous by those present, the meeting adjourned until further notice from the Montgomery County Drainage Board.

Edward J. Shaw
Edward J. Shaw

Robert F. Fields
Robert F. Fields

Bruce Osborn
Bruce Osborn

ATTEST:

Gladys A. Ridder
Gladys A. Ridder, Exec. Secretary

The regular monthly meeting of the Tippecanoe County Drainage Board was held in the County Council Room in the Tippecanoe County Court House with the following members present: Bruce Osborn, Robert F. Fields, Edward Shaw, A. Dan Ruth, Jr. Fred Hoffman and Gladys Ridder.

MINUTES SIGNED

The secretary read the minutes of the May 5th, 1974 meeting and upon motion of Robert Fields, seconded by Bruce Osborn and made unanimous by Edward Shaw, the minutes were approved as read.

WADDELL BRANCH
of
ANDERSON DITCH

Mr. Arthur Waddell came before th Board asking them if it was possible to reconstruct a branch of the J. B. Anderson ditch without assessing all of the people on the ditch. The Attorney said that that branch could be reconstructed by only the property owners in the watershed being involved. The Board asked the Surveyor to begin reconstruction plans and plan to hold a reconstruction hearing when the engineering was complete. Mr. Waddell reported that a neighbor had built a dam and stopped the natural flow of the water. The attorney said any individual could be sued for doing this and the order to remove it would come from the judge.

ELMER THOMAS

The Surveyor told the Board that again he was being approached to get the Elmer Thomas reconstruction hearing ready for advertising. The Engineer was asked to determine a new cost and re-compute the assessments and advertise for a new hearing.

MCLAUGHLIN DITCH

Mr. Osborn reported that he consulted with the property owners in the area of the McLaughlin ditch and they were considering improving the ditch. An open ditch in the place of broken tile.

PETITION FOR RECONSTRUCT

Mr. Isaac Voss presented the Board with petitions for reconstruction of the Frank Kirkpatrick ditch and the Elijah Fugate ditch. The Board asked the Surveyor to prepare the necessary engineering and assessments for same and to set up a reconstruction hearing.

9:30 a.m.
MAINTENANCE HEARING ON
REBECCA GRIMES DITCH

The Surveyor opened the hearing on the Rebecca Grimes ditch by reading his report and making his recommendations to the Board. Two people attended this hearing and they were: Isaac Hoss and Arthur Waddell. Mr. Hoss said a Mr. Kirkhoff had put new tile in on his farm and paid his own bill. He also said that he needed 50 rods of 16 inch tile on his farm. After a discussion as to the benefits received from having a maintenance fund, it was decided to establish a one dollar (\$1.00) per acre assessment. Up on motion of Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields, a \$1.00 per acre assessment was established.

10:00 a.m.
MAINTENANCE HEARING ON
J. KELLY O'NEALL

The Engineer opened the maintenance hearing on the J. Kelly O'Neill ditch by reading his report and making his recommendations to the Board. He explained that this was the third hearing on this ditch because to add to the ditch the law requires a new hearing and that two new branches had been added by request. The Board agreed and made them a part of the Legal drain. Those in attendance were: Edward J. Purdy, Walter Holtman, R. Stanley St. John and Ruby G. St. John. All were in agreement that a maintenance fund was needed so upon motion of Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw, a \$1.00 per acre assessment was established.

ORDER & FINDINGS
AND
CERTIFICATES OF
ASSESSMENTS

Upon the establishment of the two ditches, namely J. Kelly O'Neill and the Rebecca Grimes, the Board signed the order and findings and the certificate of assessments. On motion made and carried the meeting adjourned.

Robert F. Fields
Robert F. Fields, Chairman

Bruce Osborn
Bruce Osborn, Vice Chairman

Edward J. Shaw
Edward J. Shaw, Member

ATTEST:
Gladys Ridder
Gladys Ridder, Exec. Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JANUARY 15, 1975

The Tippecanoe County Drainage Board met in the County Council Room at 9:00 a.m., o'clock with the following members present: Bruce Osborn, Robert Fields, William Vanderveen, Ron Melichar for Fred Hoffman, A. D. Ruth, Jr. and Gladys Ridder. Robert L. Martin was also present.

Election of Officers

A motion was made by Bruce Osborn to retain Robert Fields as President for the year 1975, elect William Vanderveen as Vice President, retain Fred Hoffman as attorney and Gladys Ridder as Executive Secretary. He included in this motion to make the Surveyor an Ex-officio member. The motion was seconded by William Vanderveen and made unanimous by Robert Fields.

Minutes Approved

The minutes of the December 4th, 1974 meeting were read and upon motion by Robert Fields, seconded by Bruce Osborn and made unanimous by Wm. Vanderveen were approved as read.

9:30 a.m. Treece Meadows

Mr. Joseph Bumbleburg came before the board with his petition to make the open drain in the Treece Meadows subdivision a legal drain. He assured them that all the advertising and notices necessary to comply with the law had been done and the final decision of this Board was all that was needed. Mr. Lynn Treece, owner of most of the lots in the subdivision also appeared as did Maurice Callahan, Engineer for the City of Lafayette. The suggested amount of \$1.00 per acre as recommended by the County Surveyor was accepted. Bruce Osborn made the motion, seconded by Robert Fields and made unanimous by Wm. Vanderveen and the \$1.00 per acre assessment was established.

The following letter was received from Don E. Snyder, Surveyor of Clinton Co. with reference to the John McLaughlin ditch:

December 17, 1974

Clinton Co.
&
McLaughlin
ditch

Mr. Dan Ruth
Tippecanoe County Surveyor
Court House
Lafayette, Indiana 47901

Dear Mr. Ruth:

The Clinton County Drainage Board request a resolution be passed by your Drainage Board that will allow Clinton County to reconstruct a tile portion of the McLaughlin ditch located in Clinton County. With this resolution, we will proceed to repair some tile and set up a watershed for future maintenance on property located in Clinton County.

Will you please advise this office as to the action taken of this request?

Sincerely,

Don E. Snyder
Clinton County Surveyor

DES/BBH

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Lafayette, Indiana 47901

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Will you please advise this office as to the action taken of this request?

Sincerely,

Don E. Snyder
Clinton County Surveyor

DES/BBH

After reading the letter the Board instructed the Surveyor to answer said letter explaining the Board's feelings on the matter.

January 16, 1975

RE: Reconstruction of a portion
of the John McLaughlin ditch

Don E. Snyder, Surveyor
Clinton County, Indiana
Frankfort, Indiana

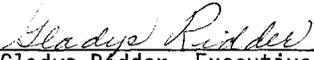
Dear Mr. Snyder;

At yesterday's meeting of the Tippecanoe County Drainage Board, a discussion of the above mentioned was held. It was the opinion of the Board that it would be unfair for a group upstream to reconstruct their portion of the ditch and dump their water down on someone else without providing for the care of the downstream water.

It was the feeling of the Board that, rather than just the people in Clinton County fixing their section, those people between the county line and the outlet should also be contacted and all share in the upgrading of the ditch where problems exist.

The Board has a real concern for this ditch and would be willing to discuss the problems at any time.

Very truly yours,


Gladys Ridder, Executive Secretary
Tippecanoe County, Indiana

Elliott &
Ilgenfritz
per
Richard H.
Smith

Mr. Ky Gerde and Mr. George Hanna appeared on behalf of Richard H. Smith on water problems on his property that he felt were created by the improper functioning of the George Ilgenfritz and the S. W. Elliott ditches. Pictures and an outline of the watershed with ponds, etc. was presented. A lengthy discussion followed. Mr. Smith felt the Elliott ditch's stoppage had to be found to alleviate the problem. Mr. Hanna felt that if the Ilgenfritz ditch was cleared of its brush and its sides built up so it would handle its own water without spilling over into another watershed that a large part of the problem would be solved. Mr. Lewis Beeler said he felt that the Elliott ditch was probably the biggest problem but that he knew the Interstate 65 had also contributed a part of its water to the already bad situation. He also said he was meeting with Mr. Richard Boehning of the State Highway department on the Interstate problem and had hopes of taking care of that situation.

Mr. Robert Fields asked the Drainage Engineer to probe the Elliott ditch for the tile that was not functioning and take care of any necessary maintenance. All felt that while the ground was solid, the clearing of the Ilgenfritz ditch could be done more easily.

R. E. Stano
&
Branch #14

Mr. R. E. Stano, Associate Counsel for the Pioneer National Title Insurance Co. appeared before the Board asking how to go about getting Branch No. 14 of the S. W. Elliott ditch vacated. Much discussion as to how many affected would want the ditch vacated and how many would make use of the General Foods Storm drain. Mr. Stano offered to carry the petition and make known the feelings of the others. One tract was in the process of changing hands and he felt it would be better to wait until this transfer was made. The Board wanted to consult their attorney and the matter was tabled until a later date.

A performance Bond was presented to the Board from John Fisher as a maintenance bond for Branch No. 14 of the Elliott ditch. Mr. Fisher had re-routed branch # 14 after the Montgomery Ward Warehouse was built over it and the Board had requested the re-routing at his expense. The performance Bond was requested before releasing a six thousand dollar check being held by the County Auditor. Upon presentation of this Bond the Board so moved to release the check to Mr. R. E. Stano.

The regular meeting of the Tippecanoe County Drainage Board met in the County Commissioners Room at 9:30 a.m. o'clock on February 5th, 1975 with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Fred Hoffman, Robert L. Martin and A. D. Ruth, Jr.

Minutes
Approved

Upon the reading of the minutes of the January 15th, 1975 meeting, Robert Fields so moved to accept the minutes as read, seconded by Bruce Osborn and made unanimous by William Vanderveen.

Mr. Robert L. Martin, newly appointed Surveyor, asked the Board to pretty well spell out for him what they hoped for him to accomplish in the year 1975. The following are their suggestions:

- (1) Notify Mr. Arthur Waddell what and how to petition for a reconstruction of a branch of the J. B. Anderson ditch.
- (2) Explore and make necessary repairs on the S. W. Elliott ditch.
- (3) Start maintenance on the Ilgenfritz ditch and start at the outlet.
- (4) Determine the necessary repairs on the John McLaughlin ditch.
- (5) Continue the reconstruction figures for the Elmer Thomas ditch according to benefits and damages.
- (6) Mr. Martin's question to the Board of whether he could decrease the amount of acres in an established watershed without a hearing and the Board referred the question to the Attorney. Mr. Hoffman said he would research the question and find the answer for them.

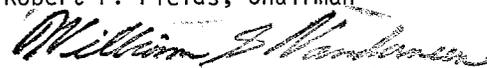
The meeting adjourned at 11:45 a.m.

ATTEST;


Robert L. Martin for Gladys Ridder, Secretary


Bruce Osborn, Board Member


Robert F. Fields, Chairman


William Vanderveen, Vice Chairman

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

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

Minutes
Approved

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

Lafayette, Indiana
June 17, 1975

RE: S. W. Elliott Ditch

Dear Landowner;

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

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

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

Sincerely,

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

Lafayette, Indiana
June 17, 1975

RE: Ilgenfritz ditch

Dear Landowner;

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

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

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

Sincerely,

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

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

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

May 23, 1975
Ref. No. 384-75

The County Drainage Board
County Courthouse
Lafayette, Indiana 47901

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

Gentlemen:

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

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

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

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

Very truly yours,

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

ABS/ssh

Lafayette, Indiana
July 2, 1975

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

RE: Acres-0-Lake

Dear Sir:

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

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

Sincerely,

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

RLM/gr

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

Informal
J. McLaughlin
drain
joint meeting

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

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

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

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

Chas. Kemmer (see below)

(absent)
Robert F. Fields, Chairman

William Vanderveen
William Vanderveen, Vice Chairman

Bruce Osborn
Bruce Osborn, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Executive Secretary

Judge
Kemmer

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

TRI-COUNTY DRAINAGE MEETING
RECONSTRUCTION OF MCLAUGHLIN DRAIN

June 4, 1980

An informal Drainage Meeting was held June 4, 7:30 p.m. at the home of Mr. & Mrs. Don Maxwell. Those present were Tippecanoe County Commissioners, Bruce Osborn & Bill Vanderveen, Surveyor, Mike Spencer; Clinton County Commissioners, Ellsworth Biesecker & William Lucas; Surveyor, Don Snyder; Montgomery County Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Surveyor, Russ Nelson, and Secretary, Lee Swank.

Don Maxwell introduced all members, then the meeting was turned over to Mr. Mike Spencer. Each Surveyor presented maps of their respective counties. A very rough estimate of 35,000 acres as stated as the total acreage. This is the McLaughlin Ditch and the Potatoe Creek areas combined.

After much discussion, the Surveyors were instructed to draft maps separating the McLaughlin Ditch and the Potatoe Creek Drainage area.

There will be petitions carried in each county, but landowner's may sign on any petition regardless of which county they live in. Fifty-one per cent of the total acreage involved signatures are needed for a petition.

A committee was nominated as follows; Don Maxwell, Chairman of Montgomery County Drainage Board; Bill Vanderveen, Commissioner of Tippecanoe County; Ellsworth Biesecker, Commissioner of Clinton County; Attorney, Warren McGaughey; and Secretary, Ms Lee Swank.

Bob Thayer made a motion to accept the committee as stands. Sam Boots seconded the motion. The motion passed.

Ellsworth Biesecker made a motion Don Maxwell be appointed Chairman of the Tri-County Board. Bill Vanderveen seconded the motion. The motion passed.

The secretary was instructed to send copies of the minutes to Clinton and Tippecanoe Counties.

There being no further business, Bob Thayer made a motion to adjourn the meeting. Bill Vanderveen Seconded the motion. Motion passed.

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD

June 4, 1980

The Tippecanoe County Drainage Board met in the Community Meeting Room on June 4, 1980 at 9:30 a.m. with the following members present: William G. Vanderveen, Bruce V. Osborn, Robert F. Fields, and Mike Spencer, Surveyor.

Valley Forge: Before the Drainage Board asking for approval of additional 22 Lots. The Board has given approval of up to 40 Lots. Mr. Hilligoss agreed at that time to put \$1,000.00 per lot in Escrow.

Valley Forge

Robert Fields: "The Board only approved 18 Lots until the Temporary Drainage is in".

At this time, there is \$18,000.00 in Escrow.

William Vanderveen: "The \$18,000.00 was put in Escrow to build up for a permanent facility. You are proposing doing the same now for the 22 Lots, making a total of 40 Lots."

Bruce Osborn: "The Temporary Storm System must be completed before building starts".

Mr. Smith stated that they will not be ready to build until September. Temporary retention will be built before then.

Robert Grove went over the plans.

John Gams, the Attorney representing the Purdy family, explained that the Purdy's were concerned about the 15" tile that will run through the Purdy farm, along the Kirkpatrick Drain.

Mr. Grove stated that he was under the impression that the 15" tile was approved.

Robert Fields: Stated that the 15" tile had not been approved by the Drainage Board.

MOTION: Bruce Osborn made the motion to Postpone to further date.

Robert Fields: 2nd the motion.

William Vanderveen: Unanimous.

Indiana Gas Co.: Bob Grove was before the Drainage Board representing the Indiana Gas Co., he explained the plans to the Board. It involves .87 acre.

Indiana Gas Co.

Robert Fields asked George Schulte, the Drainage Engineer, if it meets with his approval.

George Schulte stated that it is about the only way to handle it.

William Vanderveen made the suggestion to have a 12" pipe with an Orifice Plate.

Bob Grove said that he did not see any problem with doing that.

MOTION: William Vanderveen made the motion to approve.

Robert Fields: 2nd the motion.

Bruce V. Osborn: Unanimous

June 4, 1980 Meeting Continued

Union
Park

Union Park: Bob Grove was before the Drainage Board representing Union Park, for Drainage approval. Union Park is in the city. Bob Grove stated that they went in for preliminary approval for the plat, and received it, contingent upon Joint Drainage approval from the City and the County. "The City has approved the concept. We will be submitting calculations as quick as we can, because we want to go to final next month".

There are 4 outlets for this property. The main one being a 6" tile, which has been replaced with new tile. This tile ties into the ravine system that goes thru PSI land.

There is a 12" culvert that runs under Union Street, discharges to the ditch on the East side of Psi entrance.

Bob Grove explained where the remaining 2 outlets were.

William Vanderveen: "Do you propose retention"?

Bob Grove explained that it will dump into a retention pond and then be metered out to the Storm Sewer. There will be 150' easement located on 4 Lots. This would be the detention pond. Its only outlet would be through a catch basin into a manhole that exists now over a 6" tile. There is an existing 12" CMP for Surface Water. The only outlet now from that manhole is a 6" tile. Plan to connect the manhole with the catch basin on the culvert and tie system together and keep it under ground. It will be coming out with a 6" deep and 12" top.

MOTION: William Vanderveen made the motion that Union Park Drainage Plan should be given to the Drainage Engineer and the County Surveyor for their study and recommendations.

Robert Fields: 2nd the motion.

Bruce V. Osborn: Unanimous.

Willowood East III: Bob Grove was before the Drainage Board representing Willowood East III for Drainage approval.

Robert Fields: "It should be an open ditch along the road".

Bob Grove: "We are trying to keep this water out of the Legal Drain".

MOTION: Robert Fields made the motion that Willowood East III plans should be given to the Drainage Engineer and the County Surveyor for their study and recommendations.

Bruce V. Osborn: 2nd the motion.

William Vanderveen: Unanimous.

Sawmill Run on Durkee Run: Bob Grove was before the Drainage Board representing Sawmill Run Drainage on 4th Street across from 3 Sons Shopping Center. He explained the planned development-retention storage. The concept is to detain the water in the gully as much as they can, and not devastate the area.

D & R says we can not detain water in the flood way.

We want to come down the ravine system and meter the water before it crosses the road and gets into the stream itself.

Bob Grove: "We are asking you to agree to the general plan at this time".

MOTION: Robert Fields made the motion that the Drainage Plans be given to the Drainage Engineer and the County Surveyor for their study and recommendations.

Bruce V. Osborn: 2nd the motion.

William Vanderveen: Unanimous.

Treece Meadows South: Bob Grove explained the Drainage Plans to the Drainage Board. South of McGarty Lane on the West side of the property.

MOTION: Bruce V. Osborn made the motion that the Drainage Plans be given to the Drainage Engineer and the County Surveyor for their study and recommendations.

Robert Fields: 2nd the Motion.

William Vanderveen: Unanimous.

MOTION: Bruce Osborn made the motion to adjourn.

William Vanderveen: 2nd the motion.

Robert Fields: Unanimous.

Motion made and carried, meeting adjourned.

William G. Vanderveen

William G. Vanderveen, President

Bruce V. Osborn

Bruce V. Osborn, Vice President

Robert F. Fields

Robert F. Fields, Board Member

ATTEST: *Marsha Tull*
Marsha Tull, Exec. Secretary

Willowood
East IIISawmill
RunTreece
Meadows
South

The Tri-County Drainage Board met Thursday September 17th, 1981 at 7:40 p.m., in the Commissioners Office, Lafayette, Indiana. Those present were Chairman, Don Maxwell; Bill Vanderveen, Tippecanoe County Commissioner; Ellsworth Biesecker, Clinton County Commissioner; Warren McGaughey, Attorney; Russ Nelson, Surveyor; and the following, Mike Spencer, Tippecanoe County Surveyor; Neil Conner, Clinton County Surveyor; and Mr. Richard L. Cunningham, Engineer with Associated Planners and Designer, Indianapolis, Indiana.

The Montgomery County Surveyor, Russ Nelson presented the petition on the John McLaughlin-Bowers Open Ditch (for Reconstruction ~~petition-on-the-John~~ and Maintenance) to the Chairman of the Tri-County Drainage Board.

McLaughlin After checking the petition, Mr. Ellsworth Biesecker moved and Mr. Bill Vanderveen seconded the motion to accept the McLaughlin Ditch petition. Motion passed.

The salary of the Boards Secretary and Attorney were discussed. All expenses such as advertising, postage and salaries are paid by the controlling county (Montgomery County), these will be added to the Engineers cost. These expenses are to be kept in a separate ledger.

A meeting for October 15, 1981 is scheduled. The Surveyors were instructed to contact any Engineer interest in this project before this meeting. The Engineers cost estimate will be submitted at this meeting.

The meeting for November 19 will be with the landowners. All landowners will be notified by mail. The engineers cost will be presented to the landowners.

The secretary was instructed to send copies of this meeting minutes to Tippecanoe and Clinton Counties.

There being no further business, Bill Vanderveen moved and Ellsworth Biesecker seconded a motion to adjourn the meeting. The meeting adjourned at 8:25 p.m.

The Tippecanoe County Drainage Board met in the Community Meeting Room on November 4, 1981 at 9:30 a.m. with the following members present: William G. Vanderveen, Bruce V. Osborn, Sue M. Reser, George Schulte-Engineer, Mike Spencer-Surveyor, and Natalie Boyer-Secretary.

Orchard Heights Part III

Bill Abbott of 533 North Creasy Lane was before the Board. He presented pictures to the Board showing the problems he is having with his drainage since PSI cut the tile that drains his land.

The Board explained to Mr. Abbott that this is a mutual drain and they have no jurisdiction over the drain. However, they will talk to Bruce Gunstra and PSI to see that something be done about this matter. Mike Spencer will look over the plans to make sure that they are being followed correctly.

Frank Hunt was also before the Board with comments on the drainage problems of Orchard Heights Part III.

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Adoption of Drainage Ordinance

After several revisions had been made since the last meeting, the drainage ordinance was before the Board for final approval and adoption.

Richard Boehning, with the Home Builders Association of Greater Lafayette, complimented the Drainage Board on the ordinance and stated that it will be a benefit to the community.

Bruce Osborn made the motion to adopt the Ordinance Number 81-16, "Tippecanoe County, Indiana, a General Ordinance Establishing Storm Drainage and Sediment Control."

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

The Ordinance was signed on the 4th day of November by the members of the Tippecanoe County Drainage Board.

The Ordinance will be signed by the Board of Commissioners at the next Commissioners' meeting to be held on Monday, November 9, 1981.

MOTION: Bruce Osborn made the motion to adjourn.

Sue Reser: Second.

William Vanderveen: Unanimous.

Motion made and carried, meeting adjourned.

William G. Vanderveen
William G. Vanderveen, Chairman

Bruce V. Osborn
Bruce V. Osborn, Vice-Chairman

Sue M. Reser
Sue M. Reser, Boardmember

ATTEST: Natalie Boyer
Natalie Boyer, Secretary

The Tippecanoe County Drainage Board met in the Community Meeting Room on January 6, 1982 at 9:30 a.m. with the following members present: William G. Vanderveen, Bruce V. Osborn, Fred Hoffman-Attorney, Mike Spencer-Surveyor, and Natalie Boyer-Secretary.

Red Roof Inn-Release of Completion Bond

Brent Clary was before the Drainage Board in order to obtain the completion bond for #3,000.00 held in the Auditor's office for Red Roof Inn.

Bruce Osborn made the motion to release the \$3,000.00 completion bond on file in the Auditor's office for Red Roof Inn.

William Vanderveen made the motion unanimous.

Heather Park-Release of Completion Bond

Lawrence B. O'Connell was before the Drainage Board for release of \$1,200.00 in the savings account in the name of the Tippecanoe County Drainage Board and Lawrence B. O'Connell for the completion of the pond in Heather Park.

Bruce Osborn made the motion to approve the request to release the \$1,200.00 escrow account for the Heather Park drainage system, and direct the surveyor to execute the release on behalf of the Tippecanoe County Drainage Board.

William Vanderveen made the motion unanimous.

Bruce Osborn made the motion that the restrictions for building on Heather Park be removed and building permits may be issued.

William Vanderveen made the motion unanimous.

Resignation from the Tri-County Drainage Board

William Vanderveen signed a resignation form resigning from the Tri-County Drainage Board with Tippecanoe, Montgomery and Clinton Counties for the John McLaughlin Ditch.

Bruce Osborn was appointed to serve in his place for the John McLaughlin Ditch.

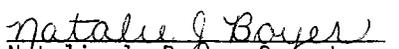
MOTION: Bruce Osborn made the motion to adjourn.

William Vanderveen: Unanimous.

Motion made and carried, meeting adjourned.


William G. Vanderveen, President


Bruce V. Osborn, Boardmember

ATTEST: 
Natalie J. Boyer, Secretary

The Tippecanoe County Drainage Board met in the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana in the Community Meeting room, Wednesday, January 2, 1985 at 8:30 A.M.

Those in attendance were: Bruce V. Osborn, Chairman, Eugene Moore and Sue Scholer, Board Members, Fred Hoffman Attorney, Michael J. Spencer, Surveyor, and Maralyn D. Turner, Executive Secretary.

Chairman Bruce V. Osborn called the meeting to order. Mr. Osborn ask Mr. Fred Hoffman, attorney to preside in the election of officers. Mr. Hoffman ask for nominations for the office of President, Sue Scholer nominated Bruce V. Osborn President, seconded by Eugene Moore, there being no other nominations from the floor for President, Mr. Osborn was elected President of the Drainage Board for 1985.

Mr. Osborn being elected president conducted the meeting for the election of Vice-President. Sue Scholer nominated Eugene Moore as Vice-President, seconded by Bruce V. Osborn, there being no further nominations from the floor, Sue Scholer moved the nominations be closed, Eugene Moore was elected Vice-President for the year 1985.

Mr. Osborn ask for nominations for Secretary to the Board, Eugene Moore nominated Sue Scholer Secretary, seconded by Bruce V. Osborn, there being no other nominations from the floor, Sue Scholer was elected Secretary of the Board for the year 1985.

The following appointments were made for the year 1985.

- Maralyn D. Turner, Executive Secretary
- J. Fredrick Hoffman, Attorney
- George Schulte, Drainage Engineer

JENKINS DITCH HEARING

Surveyor Michael J. Spencer reported that a petition had been presented with signatures requesting that a Maintenance Fund be established for the Jenkins Ditch, a branch of the John McLaughlin Ditch. Notices were sent to 14 Property Owners of the Hearing. Original records state that Jenkins Ditch is a branch of McLaughlin Ditch making it a legal drain. Outlet of Jenkins Ditch is McLaughlin Ditch, 422 acres watershed, branch is tile, in good working condition, no work needs to be done at this time. There were no remonstrance. Surveyor has

report on file. Petition to establish Maintenance Funds for Jenkins Ditch was signed by James O. Emmert, Leo M. Johnson, and Dale A. Johnson. Eugene Moore moved to accept the surveyors report and recommendations, place \$1.00 per acre for Maintenance Funds on the Jenkins Ditch, a branch of the John McLaughlin darin. Seconded by Sue Scholer, carried. Board signed findings and all is on file.

BLACKBIRD POND PHASE II

BLACKBIRD
POND
PHASE II

Robert Grove representing Smith Enterprise, Iron Horse Inc. presented development plans for Phase II of Blackbird Pond. He was just informing the Drainage Board of plans of Phase II on how it will fit in with over all plans of Stratford Trace. Phase II of Blackbird Pond will have 66 units on 11 acres and will be proposing same type of erosion control. Mr. Grove wishes to present preliminary plans at February Drainage Meeting, he will have preliminary plans in the surveyors office in time to meet the 20 day requirement.

STAIR ROAD DRAINAGE

STAIR ROAD

Opal Hatke, property owner ask the board who was responsible for repairing sewer on Stair Road, she is getting more and more water. Mr. Osborn told Ms. Hatke that the water is coming from many sources and that it was her responsibility to get someone to repair and the county would pay their share for what they are responsbile for. Mr. Ruth will be ask to go out and look the situation over and check out the matter to see how much of the project is county responsibility. County will pay on project, which Dan Ruth and Michael Spencer agree on after looking into the matter. Ms. Hatke is contacting Willard Merkel to do work.

HOEFFER DITCH AND CREEK-RIDGE

HOEFFER
DITCH

John Fisher representing Max Wastl, ask the Board about creating legal drain south of town, area is south of Beck Lane and East of 231, north of Hoefffer Ditch, which is a legal drain. Hoefffer Ditch is in the City.

Mr. Fisher stated that Bruce Gunstra wants to develop doubles in CreekRidge an area along the Wildcat and Heath CREEK-RIDGE, there is no room for detention storage, a big reveue. Mr. Fisher wanted to know what the Drainage Board would want to do about the area. Chairman Osborn ask Michael Spencer, Surveyor and George Schulte, Drainage Engineer to get with Mr. Fisher and come back with a report.

There being no further business to become before the Board, meeting adjourned at 9:15 A.M.

Bruce V. Osborn
Chairman

Sue W. Scholer

Board Member

Eugene A. Moore

Board Member

ATTEST: Maralyn D. Turner
MARALYN D. TURNER, EXECUTIVE SECRETARY

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

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

Chairman Osborn turned the meeting over to Attorney Fred Hoffman for the election of officers.

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

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January 8, 1986 Regular Meeting Continued

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

986
SSESS-
ENTS

1986 ASSESSMENTS:

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

ODRIDGE
UTH

WOODRIDGE SOUTH

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

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

JAMES
KIRPAT-
CK
DITCH

JAMES KIRPATRICK DITCH

Need to assess landowners within the James Kirpatrick watershed in order to get back \$6,000.00 spent for the drainage study in 1981, December. State Board of Accounts requested this be done.

MCLAUGHLIN
IN
DITCH

MCLAUGHLIN, JOHN DITCH

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

ELLIOTT
DITCH

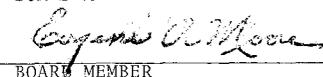
ELLIOTT DITCH

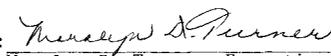
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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


CHAIRMAN


BOARD MEMBER


BOARD MEMBER

ATTEST: 
Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

E.W. Andrews, 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
REGULAR MEETING, WEDNESDAY MAY 2, 1990

The Tippecanoe County Drainage Board met at 9:00 A.M. in the Tippecanoe County Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Chairman Sue W. Scholer calling the meeting to order.

Those present were: Eugene R. Moore and Bruce V. Osborn, Board Members; Michael J. Spencer, Surveyor; J. Frederick Hoffman, Drainage Attorney; Todd Frauhiger, Drainage Consultant; and Maralyn D. Turner, Executive Secretary.
Others present are on file.

WESTON WOODS SUBDIVISION

WESTON
WOODS

Sue Scholer chairman, stated that Eugene R. Moore wishes to abstain from the board in regards to Weston Woods Subdivision as his families property is affected with drainage by this project.

Paul Coutts engineer, representing Weston Woods stated he has been working on this project for quite some time. The last time being before the board the big issue was the situation with regard to how drainage would affect the property to the south (the Moore property). He stated he felt that all concerned were coordinated. He asked Chris Burke Engineering what affect the change of direction of water would be? They are now taking most of the water that originally went there capturing it and putting it in storage and taking it over to Weston Place Apartments project, their determination was that it was not as much although it did reduce the level of the ponding water on the Moore property, about a 10th of a foot. There was definitely not a situation that they were not adding to the storage of the water in that depressed area, just south of southeastern part of Weston Woods Subdivision. Mr. Coutts stated that he and Michael had a meeting about a month ago, and at that time Mr. Coutts felt he had met all the changes that Michael had requested at that time. There are three areas of storage, rear yards storage area in the southeastern part of the project, Public Service requested that they pipe everything through, they aligned the piping over to the western side of the PSI service area, they now have a northern area which is split by a pipe, the storage area is underneath the PSI lines and also down at the south end of the PSI lines. He stated they do have an encroachment agreement with PSI that will allow them to do this.

WESTON WOODS CONTINUED.

Michael J. Spencer surveyor, stated he had a meeting with Bill Crane PSI representative and Mr. Crane stated that the encroachment agreement is for a storm sewer and a street, not storage volume. Mr. Crane stated no way will there be a five foot cut underneath power line easement. Michael had asked Mr. Crane to attend this meeting, but he was unable to attend. Mr. Crane had not seen the drawing until this week. Michael stated on the back of the agreement it is recorded the existing grades shall be maintained. Mr. Crane stated to Michael that this was the agreement when he talked with Mr. Coutts. Michael stated nothing is stated in regards to storage volume. Mr. Coutts stated that he understood as long as they stayed 20 feet from the towers and kept a 10 foot ground situation along the side to allow trucks in and out there would be no problem with what they were proposing.

Mr. Hoffman stated that Weston Woods development was going to have it in writing from PSI. Discussion on this continued.

Bruce V. Osborn moved to delay action on this project until the next regular drainage board meeting, June 6, 1990 and that Bill Crane PSI representative be present for the meeting, seconded by Sue W. Scholer, unanimous approval.

Francis Albregts and Richard Moore asked to see the plans. Michael stated he would go over the plans with them.

Mr. Moore again stated that they do not want any more water, they want to be assured of that. Water over 33 acres this last time, a loss of 23 acres of corn last spring. Something has to be done. Why do we have to accept all this trouble at somebody else gains? Discussion.

DRAINAGE
ORDINANCE

DRAINAGE ORDINANCE

Section 14, Section t. Michael stated that he had given Larry a copy for the commissioners, the commissioners will give the ordinance a number.

At the April meeting it was adopted, but Mr. Hoffman needed to revise the first paragraph, this has been done, now it needs to be adopted in the revised form.

Eugene R. Moore moved to adopt the corrected form, seconded by Bruce V. Osborn, unanimous approval.

Form is on file.

John
McLaughlin
ditch

JOHN MCLAUGHLIN DITCH

A reorganization Tri-County Drainage Board meeting for the John McLaughlin ditch will be held today, May 2, 1990 at 2:30 P.M. in the Montgomery County Commissioner room in the Montgomery County Court house. Eugene Moore moved to appoint Bruce V. Osborn to represent Tippecanoe County as board member to the Tri-County Drainage Board for the John McLaughlin ditch, seconded by Sue W. Scholer, unanimous

BUDGET
ENGINEERING

BUDGET - ENGINEERING

Discussion as to the request for additional appropriation for the Engineering fund in the amount of \$8,000.00. The board asked the secretary to check and make sure that the Drainage Board is on the agenda.

Eugene R. Moore moved to go before the Council for the additional \$8,000.00 appropriation, seconded by Bruce V. Osborn, unanimous approval.

Bruce V. Osborn moved to adjourn the meeting at 9:20 A.M., next meeting Wednesday, June 6, 1990, seconded by Eugene Moore.



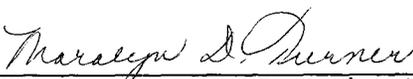
Sue W. Scholer, Chairman



Bruce V. Osborn, Board Member



Eugene R. Moore, Board Member

ATTEST: 
Maralyn D. Turner, Executive Secretary

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

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

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

Hubert Yount, seconded. Motion carried.

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

Keith E. McMillin
Keith E. McMillin, Chairman

Nola J. Gentry
Nola J. Gentry, Member

Hubert D. Yount
Hubert D. Yount, Member

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

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

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

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

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

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

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

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

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

Hire the Attorney

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

Active and Inactive Ditches for 1993

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

ACTIVE DITCHES

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

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

INACTIVE DITCHES

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

Storm Water Drainage Improvement Plan

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.


 William D. Haan, President


 Nola J. Gentry, Vice President


 Hubert Yount, Member

ATTES: 
 Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
MARCH 10, 1993

The Tippecanoe County Drainage Board met Wednesday March 10, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

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

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held on February 3, 1993 Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

APPOINT MEMBERS FOR PHILLIP DEWEY JOINT DRAINAGE BOARD

Mike Spencer had a request from the Montgomery County Drainage Board to appoint two drainage board members to a Joint Drainage Board on the Phillip Dewey Drain that crosses the South County Line in Section 35 Randolph Township. That also effects the watershed of the Miller McBeth tile drain in Tippecanoe County and a small portion of open channel.

Commissioner Gentry asked if Montgomery County is going to do reconstruction on the Phillip Dewey drain?

Mr. Spencer replied yes.

Mr. Spencer stated that the Montgomery County Drainage Board would also like the Board to set a date when they could meet in Montgomery County for a meeting of the Phillip Dewey Joint Drainage Board.

After some discussion of when the Board could met with Montgomery County, they decided that March 30, 1993 would be favorable.

Commissioner Haan appointed himself and Commissioner Gentry to be members of the Phillip Dewey Joint Drainage Board.

Commissioner Gentry moved to approve the appointment of members. Seconded by Commissioner Yount. Unanimously approved.

APPOINT MEMBERS FOR ARBEGUST JOINT DRAINAGE BOARD

Mr. Spencer had a request from the Clinton County Drainage Board to appoint Drainage Board members to a Joint Drainage Board concerning the Arbegust branch of the McLaughland Drain. The Arbegust branch is south of Clarks Hill and affects 120 acres of Tippecanoe County.

Mr. Hoffman questioned if there had already been board members on that before?

Mr. Spencer said yes, but there has been such a change over in both counties that Montgomery County found it necessary to appoint new members.

Commissioner Haan appointed himself and Commissioner Yount to be members of the Arbegust Branch Joint Drainage Board.

Commissioner Gentry moved to approve the appointment of members. Seconded by Commissioner Yount. Unanimously approved.

VALLEY FORGE ESTATES PHASE IV

Pat Cunningham of Vester and Associates is the Drainage Designer on the Valley Forge Estates Phase IV project and also is a developer along with Greg Sutter. Valley Forge Estates Phase IV is located on South 9th Street and County Road 430 South. Phase IV is a continuation of the existing Valley Forge Estate with the existing storm sewer and detention pond which outlets overland into the drainage swale on top of the Kirkpatrick ditch. The Kirkpatrick Ditch has a thirty inch (30") underground field tile. This system does not inlet into the tile, the system outlets overland under South Ninth Street across to the West. Mr. Cunningham analyzed the existing Valley Forge because what Vester and Associate would like to do is outlet into the existing system. Available capacity of a pipe that is eighteen inch (18") has about nine feet (9 CFS) and one that has twenty one inch (21") has about ten feet (10 CFS) which means that Phase IV would need both outlets to be able to get this Phasethrough the system. Vester and Associates has evaluated the runoff in the overall area. Mr. Cunningham said they have 34 1/2 acres within the site, there is also 5 acres off site which drains through the 34 1/2 acre site. Mr. Cunningham wants to develop two areas and put a detention storage pond in the area. The storm sewer would run down and over to the pond. Depth of the pond will be 3.61 feet at maximum. The emergency routing for the pond will be at the Northeast and Northwest corner of the pond which will flow down the two existing streets. The flood protection grade between the maximum pond elevation of 637.11 feet. The worst area for existing homes will be 641 feet, approximately 4 feet of flood protection between the maximum pond elevation and the first floor elevation of the nearest home site.

Mr. Spencer asked if it would flood out the existing intersection in Valley Forge Estates?

Mr. Cunningham answered yes.

Commissioner Gentry asked in a 100 year event what depth would be flowing down the streets?

Mr. Cunningham said that he had not evaluated the depth as far as flowing down the street.

Commissioner Yount asked what is the elevation at the intersection?

Mr. Cunningham answered the elevation 635.6 feet which is 2 feet below the maximum pond elevation.

Mr. Spencer asked if the intersections are already flooded potentially there would be more water there by the fact that the pond would over flow?

Mr. Cunningham stated that sense the field is row crop that causes more runoff on the site than what it would if it is developed.

Mr. Hoffman asked if what Mr. Cunningham was saying was that if he developed the site there would not be as much runoff as if the site was kept row crop?

Mr. Cunningham said that is correct. If the site is developed the land has an increased rate of runoff which is velocity, but that runoff will be collected and held so actually there will be a decrease rate of runoff.

Mr. Hoffman asked what happens when the pond becomes full and overflows, will the water flow down the street?

Mr. Cunningham replied Yes.

Mr. Hoffman stated that there is not that problem now.

Mr. Cunningham acknowledged that if you have a 100 year storm event the system surcharges, it does not function. The system is designed for a 10 year storm event and what Mr. Cunningham is proposing to do with this system is continuing on with the existing system. The system will detain anything up to 100 storm event. Anything up to or over a 100 year there is less water coming into this system after it is developed. By developing the area it decreased the volume of runoff that comes across the site now. Presently we have row crop increasing the runoff because of development of road system and channel patterns but we resolve the volume of runoff because we have much more yard space and green space. Total volume of runoff from the site is 6.54 acres pre developed and 5.88 acres post develop, that is a decrease of volume of runoff and a decreased volume of runoff to the Kirkpatrick ditch. The problem is with South 9th Street two 30" corrugated pipe that run underneath South 9th Street to the west and all of the land is farmed around the area, and there is not a defined drainage swale. Because of the farming and development siltation has taken place and filled the swale on both sides of South 9th Street higher than the two inverts. With those two pipes the water is starting to pond behind the pipe on the east side of South 9th Street and with development there will be a catch basin put in to relieve the situation. Mr. Cunningham and Mr. Sutter are offering any assistance, go into any type of agreement, or agree to any kind of maximum not to exceed participation fee in helping resolve the Kirkpatrick drain problems.

Mr. Hoffman asked if that would add to the situation and add to the problem?

Mr. Cunningham answered no it will not. One reason is development decreases the rate of runoff in to this system. If there was a 100 year rain now the runoff would come across the Valley Forge area and the system would surcharge. If Mr. Sutter and Mr. Cunningham develop the land the system will not surcharge. They are proposing to decrease the volume of runoff based of the current ground condition and the proposed water condition.

Mr. Hoffman asked if Mr. Cunningham was saying that with the thirty inch pipe that is there now it would not have as much water in the swale after development.

Mr. Cunningham replied that is correct.

Commissioner Yount asked what length of time would it take for runoff to cease in any given flood?

Mr. Cunningham said within a 24 hour time period as far as runoff time.

Ilene Dailey stated that with development the runoff would decrease about 3 hours. Post development starts at 4 hours and ends at 24 hours and pre development starts at 3 hours and ends at 27 hours.

Commissioner Gentry asked if the terrain could be changed since there is a natural swale?

Mr. Spencer said yes, that is what we will find out with the study on the James N. Kirkpatrick ditch.

Commissioner Gentry asked if the project approval should wait until the Board has the study on this watershed?

Mr. Spencer stated that is a policy decision the Board will have to make. That has been done in the past, but Mr. Cunningham is asking for a preliminary approval not final approval.

Mr. Cunningham stated that he planed to be back by the end of the month with the final plans.

Mr. Hoffman asked if this is going to cause a flood in the streets whenever there is a 100 year storm?

Mr. Cunningham stated that with development it would not change any condition that is there now.

Mr. Hoffman asked if the development would cause any flood to the farmers below South 9th Street?

Mr. Cunningham replied not any more than what is there now.

Commissioner Yount asked if the developers are willing to put up "X" amount of money, is there any law that says we can not put that money in trust to be applied at a determined date and amount?

Mr. Hoffman said if the developers want to put up the money there is not any reason why the they can not do so.

Ms. Dailey asked what would be the schedule for the Kirkpatrick study?

Mr. Spencer stated that he could not give a completion date on the study because a company has not been selected.

Lary Troutner a home owner in the Valley Forge Estates expressed some concerns as to how the project would affect the existing Valley Forge Estates.

Commissioner Yount moved to approve the preliminary plans for the Valley Forge Estate Phase IV. Seconded by Commissioner Gentry. Unanimously approved.

CREASY LANE PHASE II

Bill Davis of Hawkins Environmental had a proposal for Creasy Lane Phase II, there will be three phases in all. Mr. Davis explained that he wanted to bring the Board up to date on Phase II, identify a couple of potential problems and ask for some assistance from the Drainage Board. Phase II starts at State Road 26 and ends just North of Kensington Drive. The South end of the drain will continue to drain into the Britt, while a new main trunk sewer will drain to the

North discharging into the existing ravine system. A secondary system will go to a regional detention basin on the Park property at the corner of Union and Creasy, that is a control device. Hawkins Environmental plans to pick up all the standing water and direct it to the regional detention basin. The basin is also sized to accept the water off Union Street when it is reconstructed. In this proposal Ashley Oaks run off will be removed from the Britt drain and routed to the North, that will decrease the Britt drain flow by 3.8 CFS. In the reconstruction of Creasy Lane all of the existing Britt drain will be reconstructed. All the piping system will be reconstructed to comply with the Ashley Oaks drainage report. Mr. Davis explained that Hawkins Environmental is proposing the City and the County work together to develop the information to determine the capacity of the off site channel. Hawkins Environmental is also asking for permission to proceed with the Creasy Lane Phase II project with a couple of conditions, first is that Hawkins Environmental not make the North connection, second is to jointly develop the necessary information to determine capacity of the off site channel.

Commissioner Yount asked at what time would the connections be made?

Mr. Davis said not until the time it is paved.

Commissioner Yount moved to authorize Hawkins Environmental to proceed with Creasy Lane Phase II reconstruction and for a study of the two connections. Seconded by Commissioner Gentry. Unanimously approved.

SAGAMORE POINTE SUBDIVISION

Jim VanNess, Bob Grove and John Smith representing Smith Enterprises had three items to discuss with the Board: First, reduction of easement to the Dempsey Baker drain that is currently 75 feet either side of the tile that was reconstructed last year. Smith Enterprises request a reduction to approximately 92 or 94 feet and add 25 feet either side for maintenance. Second, request for partial vacation of the two existing field tile that comes in from the South. Smith Enterprises will replace those with a permanent drainage system when section two of the project is developed. Third, request for waving storm water detention do to the proximity of Hadley Lake.

Mr. Spencer responded to the request, first the reduction of easement is fine as long as it is 25 feet from the top of the bank. Also in that 25 foot easement the City of West Lafayette Parks Department would like to have at least a 10 foot greenway easement within the drainage easement. On the second request, the two vacations of the field tile from the South would work with the plans of Smith Enterprises showing the tiles being picked up with construction. The third request, waving storm water detention requirement of the ordinance might cause a problem for down stream land owners. That lake is a privately owned and without the permission of the land owner Mr. Spencer could not recommend approval for direct discharge.

Commissioner Gentry moved to approve with proper language the alteration of the width of easement to 25 feet on top of each side of the existing drainage structure. Seconded by Commissioner Yount. Unanimously approved.

The Board indicated they support the vacation of field tile.

Commissioner Haan asked for a motion on the direct discharge to the Hadley Lake. No motion was made. The request failed.

Commissioner Haan asked for a 5 minute recess.

At 10:08 A.M. the meeting reconvened.

ASHTON WOODS SUBDIVISION PHASE III

George Schulte of Ticen, Schulte and Associates presented the Ashton Woods Subdivision plan located off of Old Romney Road in Wea Township. Phase III will go west to Wea Creek. Mr. Schulte is asking for preliminary approval on Phase III and to build a detention basin for a 9 1/2 acre area. The detention pond will be sized for the development of Phase III only. Ticen, Schulte and Associates will install a pipe structure which will be large enough to serve the entire area, they also plan to design Phase III so that all building pads will be at least 2 feet above the 100 year storm event overflow.

Commissioner Yount moved to approve preliminary approval for the Drainage of Ashton Woods Subdivision Phase III. Seconded by Commissioner Gentry. Unanimously approved.

Other Business

Bill Davis asked the Board to change the language of the Drainage Ordinance to incorporate Rule 5 of the new Urban Erosion Control Law that is in effect. Rule 5 would change the Drainage Board Ordinance to have the Board responsible for erosion and not the Area Plan Commission.

Commissioner Yount made a motion that the Drainage Board Attorney Frederick Hoffman address this with the Area Plan Commission Attorney, Robert Mucker. Seconded by Commissioner Gentry. Unanimously approved.

Commissioner Gentry asked if the Board will need to amend the Drainage Ordinance to incorporate rule 5?

Mr. Hoffman answered Yes.

Commissioner Gentry made a motion to incorporate Rule 5 in the Drainage Board Ordinance. Seconded by Commissioner Yount. Unanimously approved.

Commissioner Gentry made a motion requesting Mr. Hoffman to prepare an amendment to the Drainage Ordinance to include reference to Rule 5 and the Indiana Handbook for Erosion Control in Developing Areas prepared by the Soil and Water Conservation Service. Seconded by Commissioner Yount. Unanimously approved.

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

DRAINAGE BOARD MINUTES MARCH 10, 1993 REGULAR MEETING

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 PER ACRE	TOTAL ASSESSMENT 4 YEAR	1996 BALANCE	YEAR END
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 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	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Rickerd Joseph Sterrett	Gustav Swanson	Jacob Taylor	William
Walters Wilson Nixon	Simeon Yeager	Jesse Dickens	Dismal
Creek Kirkpatrick One	John Hoffman	Sophia Brum	HW Moore
Lateral 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	George Inskeep	Lewis Jakes	Eugene
Johnson			
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
Minutes
July 3, 2002
Regular Meeting

Those present were:

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

Approval of June 6 Minutes

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

Montgomery County Joint Drains

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

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

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

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

Lilly May Estates

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

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

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

Purdue Research Park

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

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

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

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

Wea Township Baseball Fields

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

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

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

Paramount-Lakeshore Subdivision

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

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

Harrison Highlands Phase 1

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

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

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

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

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

County Drainage Ordinance- 2002-24-cm

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

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

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

Bonds

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

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

Other Business

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

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

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

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

KD Benson, President

Ruth E. Shedd, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
September 7, 2016
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Thomas Murtaugh made a motion to approve the August 3, 2016 Drainage Board minutes. David Byers seconded the motion. Motion carried.

Concord Ridge Subdivision

Robert Langager from Schneider Corp. appeared before the Board to request approval for Concord Ridge Subdivision project. The site was located between Co. Rd. 450South (north side) and Co. Rd. 500South (south side) and consisted of approximately 70.4 acres. He noted the project was located across from the Roberts Ridge Subdivision. The site's runoff was routed onsite north and south through storm sewers and vegetated swales to two detention basins. One of the detention basins was located in the northern portion as a wet detention basin and one in the southern portion as a dry detention basin. The drainage plan routed the tract's southern portion runoff to the Ilgenfritz Branch of the Dismal Creek Regulated Drain. The northern portion ultimately outlet to the J.N. Kirkpatrick Regulated Drain and was located within the J.N. Kirkpatrick Drainage Impact Area; therefore this portion's runoff rate was more restrictive. The southern portion of the site was not under the restrictive runoff rates as it was not located within the said impact area. He presented the Petition to Encroach on the Ilgenfritz Branch of the Dismal Creek Drain to be approved as well by the Board. He then requested approval of this project. Project Manager James Butcher (proxy for Surveyor Beasley) informed the Board a variance to the runoff rate for the northern portion of the site was requested as well. Mr. Langager agreed. Mr. Langager noted the variance was related to the allowable release rates to the J.N. Kirkpatrick Ditch during the 10 and 100 year storm events. The projects planned drainage would lower the release rates which would directly impact Roberts Ridge Subdivision. Mr. Butcher reviewed the project site and plans utilizing the G.I.S. site for the Board and attendees. He recommended approval by the Surveyors office for the Petition to Encroach on the Ilgenfritz Branch of the Dismal Creek Drain. He recommended approval of the requested variance as recommended in the September 6, 2016 Burke memo. He stated the Surveyors office recommended approval with the conditions noted on the September 6, 2016 Burke memo for Concord Ridge Subdivision.

Tracy Brown asked for public comment on this project. Pam Roberts 3741 East 500South Lafayette Indiana 47909 approached the Board. Ms. Roberts stated the following: "my name is Pam Roberts, my little bitty subdivision is in the southeast corner across the road from said property and I would like to make the Board aware of the terrible drainage condition that continues to exist and has existed forever. Now what you see in the southeast corner is the low spot in that area. (Topographical) Now I have some pictures here to give you some idea of what's going on and what has been going on, if I may." (She presented pictures to the Board at that time.) "I have numbered these pictures and I will explain what they are. To note if you do not live in that area, you are not aware of these problems. This property has been farmed for I don't know how long and they put in a drainage tile without the County's approval. It seriously flooded my property for years. I continued to complain and got no resolution, because the ditching was terribly inadequate. Another problem you have is the water table is at 11 feet, which you don't know unless you live there and try to put in a basement. Now I don't know if they are going to put in a pond there in the southeast corner which was originally suggested to do, if that is still on the table I don't know." Project Manager James Butcher stated "It is. There will be a pond in the southeast corner of the development and that would outlet to a ditch which they are going to build that will take the water straight down" Pam Roberts stated "Right beside me, yes see what happens when you try to put in a pond when the water table is 11 feet?" Dave Eichelberger Engineer Consultant to the Board stated "It is going to be a dry pond as it is not going to be a wet pond" Pam Roberts stated "It will be wet when you dig down 11 feet you are going to hit water." Mr. Eichelberger stated they would not be digging down 11 feet. He noted there would be excavation and berming up at the site t nowhere near 11 feet. James Butcher stated they are not really digging down as they are more digging it back. At the south end it will have similar elevation and then they will peel back at the north end and get the storage that way. Pam Roberts's response:" Do you understand what the grade is on that property?" (Mr. Butcher responded- yes) I don't know if you have seen it, but I have a picture of the grade in there. Like picture #1 gives you a sense of the grade of the property and tells you how steep it is and how much water flows out of there.

#2 is the existing ditch which runs along the property which is very shallow as you can see in the picture. #3 Shows you the ah, I circled the drainage tile that was put in. That seriously caused problems as you can see by the picture of my driveway. It seriously floods every time it rains because of the amount of water that comes off that property and this is just the south half of the property- this isn't the whole property. This is just the amount of water that comes off the south half- which is a tremendous amount of water. #4 shows how far they dug the ditch to help, but they only ran the ditch through the Driscol's property which is next door to this. It ended at the Pilote property which is past the Driscol's. The ditch stops and it drains into the field next to me. Well when that water drains into the field It runs to the back of my property and floods down there. So everything they've done so far has not solved problems it just created more problems. That's my point. There is not much thought or engineering and I don't know you're just not aware of the volume of water that's produced on that half of the property. That's a lot of water; this is my driveway, when it rains." Thomas Murtaugh asked which direction the picture was taken from. Pam Roberts stated" facing south- because we are on the low spot of that area. So all the drainage water comes on to my property and now they put it into the field next to me and then you can see in the back of that picture that there is standing water. Well that water drains into the back and I tried to put in a garden, floods it every year- no garden." Thomas Murtaugh asked James Butcher if the ditch which runs down to Dismal Creek along the west side of her property- is it existing. Mr. Butcher stated no it would be created. He stated he did not see any way this would NOT help her situation. He reviewed the drainage infrastructure and plans for the project area for the board in more detail. There would be a pond which catches runoff to the north and reduces it down to the allowable release rates (which are the rates prior to development) and piped to a ditch west of her property. He explained the site's runoff would be caught in a pond and reduced to a pre-developed rate then outlet into a 24 feet wide and two feet deep ditch on the west side of the Roberts property and ultimately to Dismal Creek and noted there would be a big improvement in the drainage of that area. He explained pre developed and post develop runoff to the attendees. David Eichelberger Engineer Consultant interjected the runoff rate will be less than the pre-developed rate after the drainage infrastructure is completed. Pam Roberts responded:" But you see what I'm saying is your assumptions on the pre-existing drainage was wrong because you have been flooding me for years and I have been complaining about it. I have called dozens of times, I've asked to come to the meetings. I went to the area plan commission meeting and was told I was at the wrong place- you got to go to Drainage Board." James Butcher responding to Commissioner Murtaugh's inquiry stated it was not part of a regulated drain. Pam Roberts stated" No its not part of it, the ditch in front was adequate up until till the time he put in the drainage tile. Then that ditch could no longer handle that flow at all." Thomas Murtaugh stated this would significantly help her situation. Pam Roberts responded" According to what your engineers say, but I am saying when they came and finally said they resolve the problem by putting in a ditch. The ditch they put in was still inadequate because they figured it on allowable rates. Well you know that's not scientifically, well their figures were wrong, because it still was not enough. It just moved it from this corner to the next driveway where it ran into the field on the east side of my property and flooded there. I mean it just creates; it just pushes the problem somewhere else. I don't know that two feet, if it's maintained and cleared at two feet continually without allowing the overgrowth and everything else and the buildup that it will be adequate five years from now. I don't want to be back here complaining again because you know your engineers were not or the ditch wasn't maintained. I know that the ditch being where it's at is not going to be maintained because it going to have to go across several fence rows and everything else that is already existing there. That's my point. I want this to not be a problem that comes again and again and again. One of the problems with that property that was farmed was that there is an area that he does not farm because it is continually mush- it holds water alright- which is why he put in the drainage tile. Well the problem is the water table is really high there obviously or it would not be such mush that he couldn't farm it. I am just not sure that you people are aware of all the problems that already exist with this property." Responding to Tracy Brown's inquiry- Ms. Roberts stated her problems started after the drainage tile was put in, before this the water would stay on that property. He asked how long ago was that put in and Ms. Roberts stated 5-6 years ago. He then stated that was a private tile and the Board had no jurisdiction over it. Pam Roberts said" Yes but aren't they supposed to not put in a tile without approval without knowing if the ditch will hold the flow?" James Butcher stated in a County Regulated Ditch, but this is not a county regulated ditch. Pam Roberts stated" So anybody can put in a tile and flood anybody and it makes no difference, hmm interesting." Thomas Murtaugh stated he thought she would see a real benefit from this. Pam Roberts stated" Well are they going to remove the drainage tile or plug it? Robert Langager stated any tile uncovered would be tied in to their system. Pam Roberts stated" Yeah but that's years away" Mr. Langager noted he would have to know the location of the tile in question to tie it into the system. He noted the southern half runoff coming from the project site tract would be routed to the west of her property. Pam Roberts stated" I would like to have the drainage tile plugged or removed right away so that it stops flooding. I mean this development in the southern portion is not going to take place immediately. It's going to take years to get to that point. Correct?" Ron Whistler -project developer stated she is correct it will be years before the last phase of the development construction is started. Pam Roberts stated" Three to five years would be my estimate so in the meantime I would like to have something done about that drainage tile." Thomas Murtaugh stated it was a private drain and the Drainage Board had no authority over it. Pam Roberts stated "so what do I have to do, sue the owner???" Pam Roberts stated she had not spoken with the owner as "She thought the county put in all the ditches" James Butcher suggested the Surveyor office could contact the current owner of the tract and try to work something out /find resolution for her. Pam Roberts stated: "Sure but the problem I have is I left my name and number with Boards

before and no one has ever contacted me” Responding to Tracy Brown’s inquiry she stated as he motioned to the Secretary “I left it with her”. (Note: The Surveyor’s Office Project Manager James Butcher discussed this issue with her prior to today) James Butcher stated the Surveyor office could possibly facilitate conversation between her and the developer of the site. Pam Roberts stated m” My number is 426-7339. My error was in believing anyone that put in a drainage tile had to get approval by the County to make to make sure they would not be flooding anybody, wrong” James Butcher stated this was a private issue which the Surveyor Office has no authority over, however they can try and make suggestions for possible solutions but that is all about we can do in this situation.” Pam Roberts stated” I just keep thinking my God 160 homes all that asphalt is going to really increase my drainage problems.” James Butcher emphasized he was confident it would not and a big part of the design is to make sure that does not happen. He stated he was confident it would help noticeably. Tracy Brown noted the intent of the Board was first to follow the law and second to leave a neighborhood better off. He continued - the Board has no authority over the private tile, a meeting could certainly be facilitated between the parties for an amicable solution. James Butcher stated he would contact Mrs. Roberts in the near future. Pam Roberts stated: “Alrighty, Thank you”

Thomas Murtaugh made a motion to grant acceptance of the Petition to Encroach on the Ilgenfritz Branch of the Dismal Creek Regulated Drain. David Byers seconded the motion. Motion carried. Thomas Murtaugh made a motion to grant approval of the variance as recommended. David Byers seconded the motion. Motion carried. Thomas Murtaugh made a motion to grant approval of the Concord Ridge Subdivision with conditions as listed on the September 6, 2016 Burke memo. David Byers seconded the motion. Motion carried.

Petition to Vacate Br. #9- S.W. Elliott Regulated Drain #100

Project Manager James Butcher presented a Petition to Vacate Branch #09 of the S.W. Elliott #100 Regulated Drain. He noted the vacation would not affect landowners other than those that submitted the Petition. He informed the Board there could be agricultural tiles (unknown locations) that tie into this branch. As a result, the Surveyor’s office recommends the approval of said petition to be vacated only at which time development construction begins. David Byers made a motion to approve the Petition to Encroach as presented with the condition that the tile will not be removed until development starts construction. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach –S.W. Elliott #100 Regulated Drain/J. Sedam

Project Manager James Butcher presented the Petition to Encroach on the S.E. Elliott #100 Regulated Drain submitted by James Sedam. The encroachment would allow enough space for future maintenance of said drain. The Surveyor’s office recommended approval to the Board. David Byers made a motion to grant approval for the Petition to Encroach on the S.W. Elliott #100 Drain as presented by the Project Manager. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Establish a Maintenance Fund /John McGlaughlin Tri-County Regulated Drain

Project Manager James Butcher presented a Petition to Establish a Maintenance Fund on the John McGlaughlin Regulated Tri-County Drain. He noted this was a tri-county drain with Clinton and Montgomery Counties and requested the Board refer it for a Surveyor’s Maintenance Report. David Byers made the motion to refer the Petition to Establish a Maintenance Fund for the John McGlaughlin Regulated Tri-County Drain to the Surveyor for a maintenance report. Thomas Murtaugh seconded the motion. Motion carried.

Bonds:

Soleado Vista Phase 1 Subdivision/Maint. Bond#S001-3914

Roberts Ridge Phase 3 Subdivision/ Maint. Bond##106537515

Southern Winds Apts. Phase 1 & Phase 2 Subdivision /Maint. Bond#1052750

Project Manager James Butcher presented the following Maintenance Bonds for approval by the Board: Maintenance Bond #S001-3914 in the amount of \$27,756.03 submitted by R&W Contracting and written by Allied World Specialty Insurance ; Maintenance Bond #106537515 in the amount of \$7,274.50 submitted by Fairfield Contractors Inc. and written by Travelers and Surety Insurance; Maintenance Bond #1052750 in the amount of \$18,530.15 submitted by Atlas Excavating Inc. and written by Hanover Insurance. Thomas Murtaugh made a motion to approve the maintenance bonds as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Reconstruction Projects Update

Project Manager James Butcher gave an overview of the reconstruction projects the Surveyor’s office had completed since 2010. He noted there were ten (10) agricultural drains reconstructed. He stated there were some issues receiving reconstruction assessment monies from adjoining counties on joint reconstruction projects. The Surveyor’s Office is working to obtain the assessment monies. Warren, Benton and Montgomery Counties have been contacted and are in the process of obtaining the assessments. Warren and Benton County’s stated they will send payment this week. Montgomery County Assessments are currently pending. There was a total of \$78,000 of various reconstruction assessments

not received to date by this County. There were ten landowners in Tippecanoe County that had not paid anything to date on various projects. There were a couple instances where the five year collection period as required by Indiana Drainage Code was over. The Surveyor requests the Board take this into consideration and come to an agreement of how to proceed in these cases. Responding to David Byers inquiry, James Butcher noted he was not sure if they had paid their property taxes but thought so as the properties were not on tax sale. Responding to Thomas Murtaugh's inquiry, the secretary stated the reconstruction assessment billing is a separate process from property tax billing. Drain Maintenance assessment is included on property tax bills, reconstruction assessments are not. The billing is sent out and collected by the Treasurer office; however it is totally separate from property tax billing. Attorney Doug Masson stated he would instruct Atty. Matthew Salsbury to conduct research on legal avenues available for collection in these cases. Thomas Murtaugh stated he felt a letter from the Attorney was in order. Attorney Doug Masson stated he thought it was prudent and would need a list of those landowners located in Tippecanoe County only. (Note the secretary will follow up on the list of names to the Attorney) Project Manager James Butcher informed the Board currently there was approximately 1.1 million dollars in the General Drain Improvement Fund. He stated 1 million dollars of this total was committed for this year's projects. He informed the Board the Surveyor would request 1.5 million from the County Council in the coming week for 2017 drainage projects. The Project Manager stated the concern is that some of the reconstruction assessments would not be repaid in a timely manner. This would cause a lower balance in the General Drainage Improvement Fund which in turn would put a halt to future projects as planned.

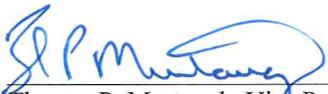
Martin Erwin Regulated Drain #28

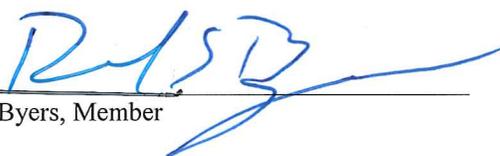
Project Manager James Butcher requested a landowner hearing date on the Martin Erwin #28 Regulated Drain to increase the maintenance assessment from the Board. He asked to hold the hearing on November 2, 2016 immediately after the regular scheduled meeting that day. David Byers made the motion to set the Martin Erwin Regulated Drain #28 landowner Maintenance Rate Hearing on November 2, 2016 to begin immediately after the regular scheduled meeting that day. Thomas Murtaugh seconded the motion. Motion carried.

Public Comment

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


Tracy Brown, President


Thomas P. Murtaugh, Vice President


David S. Byers, Member


Brenda Garrison, Secretary

Tippecanoe County Drainage Board
November 2, 2016
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the October 5, 2016 regular Drainage Board meeting minutes. Thomas Murtaugh seconded the motion. Motion carried. Thomas Murtaugh made a motion to approve the October 5, 2016 #44 Amanda Kirkpatrick Regulated Drain Landowner Reconstruction Hearing minutes as written. David Byers seconded the motion. Motion carried.

Amanda Kirkpatrick #44 Regulated Drain Reconstruction Bid Opening

The Surveyor referred to the Attorney to read submitted bids for the #44 Amanda Kirkpatrick Regulated Drain Reconstruction. He read the bids as follows: Maxwell Farm Drainage in the amount of \$333,630.00, Dwenger Excavating Inc. in the amount of \$337,705.00. Thomas Murtaugh made a motion to take the bids under advisement for review of compliance and award the project at the end of this meeting. Dave Byers seconded the motion. Motion carried. Surveyor Beasley thanked the companies that submitted bids.

West Lafayette Apostolic Christian Church Improvements

Mark Thorpe of Weihe Engineering approached the Board to present the West Lafayette Apostolic Church Improvements project for approval. The existing church site consisted of approximately 34 acres and was located at the northeast corner of Co. Rd. 600 North and Co. Rd. 75 East. Mr. Thorpe stated the church was built in 2008. The planned building addition and parking area would expand into the dry detention basin area. Due to the improvements, the said dry detention basin would be relocated to the east of the current location and provide for additional storage as warranted. He noted the detention basin would accommodate the additional impervious area created by this construction.

The Surveyor stated his office reviewed the plan and recommended approval with the conditions as stated in the October 17, 2016 Burke memo. There was no public comment. Thomas Murtaugh made a motion to grant approval with the conditions as stated on the October 17, 2016 Burke memo. David Byers seconded the motion. Motion carried.

Winter Crest Subdivision

Randy Peterson of AbonMarche and Starr Associates approached the Board to present the Winter Crest Subdivision project for approval. The site consisted of approximately 11 acres and was located at the intersection of Co. Rd. 50 North and Co. Rd. 550 East (east side). Mr. Peterson stated the plan was composed of two separate sections/phases with two separate watersheds. Each section/phase would have its own detention area. Phase one (1) would be constructed on the east side of Co. Rd. 550 East with eleven (11) lots and be accessed off County Road 550 East. Phase two (2) would consist of construction for two (2) lots and "stub" streets within the existing Hickory Hills Subdivision. Each section would have a dry detention basin which would discharge to ravine on site. To assist in erosion control, he noted "Conservation Easements" were planned for portions of the ravines. He then asked for approval by the Board.

The Surveyor emphasized the importance of item #1 under the 2.0 Stormwater Quantity Section of the October 26, 2017 Burke memo. He also emphasized conservation easements should start at the top of the slope so the entire ravine side slope was included within the easement. He stated outlet pipes proposed by the plan for the ravine's side slopes must be corrected and "armored" so erosion does not create problems in the future. The County Highway Department also had concerns over outlet structures and stated they had not received plans to date. Mr. Peterson agreed and was working on the issue currently. He would submit revised plans to both offices ~~ASAP~~. *AS SOON AS POSSIBLE*

The Surveyor recommended approval while emphasizing the importance of the conditions as listed on the October 26, 2016 Burke memo. Tracy Brown asked for public comment.

The Surveyor presented a proposed 2017 Drainage Board meeting date list for approval by the Board. David Byers made a motion to approve the 2017 Drainage Board meeting dates as presented. Thomas Murtaugh seconded the motion. Motion carried.

The Surveyor reminded the Board in September 2016 he was directed to prepare a Maintenance Report on the John McLaughlin Regulated Tri-County Drain (Tippecanoe, Montgomery and Clinton) following up on a petition received by his office to establish a maintenance fund on the said drain. He requested January 4, 2017 at 10:15 for a John McLaughlin Tri-County Regulated Drain Maintenance Landowner Hearing. David Byers made a motion to set January 4, 2017 at 10:15am for a Landowner Maintenance Hearing on the John McLaughlin Regulated Tri-County Drain. Thomas Murtaugh seconded the motion. Motion carried. David Byers made a motion to appoint Tracy Brown as the Tippecanoe County representative for the Tri-County Board. Thomas Murtaugh seconded the motion. Motion carried.

Amanda Kirkpatrick #44 Regulated Drain Reconstruction Bid Award

Responding to the Attorney's inquiry, Project Manager James Butcher stated both submittals were in order and complete. David Byers made a motion to award the Amanda Kirkpatrick #44 Regulated Drain Reconstruction project to the lowest bidder- Maxwell Farm Drainage Inc. in the amount of \$333,630.00. Thomas Murtaugh seconded the motion. Motion carried.

JN Kirkpatrick #46 Upper End Extension Reconstruction Project

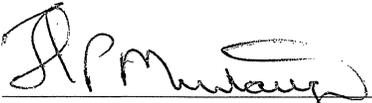
The Surveyor informed the Board the JN Kirkpatrick Upper End Extension project was 98% complete at this time. David Byers noted the ditch looked very good. The Surveyor stated the JN Kirkpatrick urban drain reconstruction project along with the Waples McDill Regulated Drain and Amanda Kirkpatrick (to be completed by year's end) agricultural reconstruction projects would total approximately 1.8 to 2 million dollars. He noted this was a large amount of construction projects completed in 2016 by his office. Tracy Brown commended the work by the Surveyor office in 2016.

Public Comment

Tracy Brown asked for public comment. There was none. David Byers made a motion to adjourn. The meeting was adjourned.



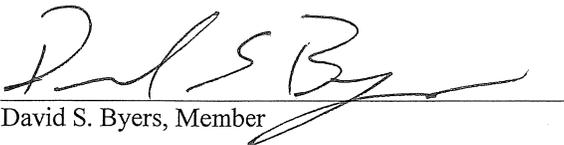
Tracy Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary



David S. Byers, Member

TRI-COUNTY DRAINAGE BOARD

JOHN MCLAUGHLIN #97 TRI-COUNTY REGULATED DRAIN MAINTENANCE HEARING January 4, 2017

Those present were:

Tippecanoe County Commissioner Tracy Brown, Montgomery County Drainage Board Representative Deanna Durrett, Clinton County Commissioner Scot Shoemaker, Tippecanoe County Drainage Board Attorney Doug Masson, Tippecanoe County Surveyor Zachariah Beasley, Montgomery County Drainage Board President Dave Rhodes, Montgomery County Surveyor Tom Cummins, Clinton County Surveyor Dan Sheets and Tri County Drainage Board Secretary Brenda Garrison.

Commissioner Brown welcomed the attendees to the Hearing. He stated this was a Tri-County Drainage Board comprised of a member from Montgomery, Clinton and Tippecanoe Counties. He introduced Montgomery County Drainage Board Representative Deanna Durrett and Clinton County Drainage Board Commissioner Scot Shoemaker to the audience. Commissioner Brown would represent the Tippecanoe County Drainage Board today. He referred to Attorney Doug Masson for further instruction. Attorney Masson explained the order of today's proceedings. He noted, the first order of business for the Board was to elect officers for today's proceedings.

Election of Officers

Attorney Masson opened the floor for the election of officers of the Tri County Drainage Board regarding today's John McLaughlin #97 Regulated Drain Maintenance Hearing. Montgomery County Drainage Board Representative Deanna Durrett nominated Tracy Brown as President of the Tri-County Drainage Board. Commissioner Scot Shoemaker seconded the nomination. The Attorney closed the nominations. All were in favor. Tracy Brown was elected President of the Tri-County Drainage Board. Tippecanoe County Drainage Board Commissioner Tracy Brown nominated Deanna Durrett as Vice President. Scot Shoemaker seconded the nomination. The Attorney closed the nominations. All were in favor. Deanna Durrett was elected Vice President of the Tri-County Drainage Board.

Administration / Tri-County John McLaughlin Drain #97

The Attorney stated per Drainage Code, the County with the most acreage within a watershed is the County which administers the drain activities. However in this case, the Tippecanoe County Surveyor was willing to assist the Montgomery County Surveyor in the administration of the maintenance of the John McLaughlin Regulated Joint Drain #97 at no extra expense. The Montgomery County Surveyor Tom Cummins stated he was in agreement with the Tippecanoe County Surveyor and confirmed/ratified the Tippecanoe County Surveyor's Maintenance Report of the John McLaughlin Regulated Drain #97.

Montgomery County Drainage Board Representative Deanna Durrett made a motion for Tippecanoe County Surveyor to assist the Montgomery County Surveyor by administering this joint drain. Scot Shoemaker seconded the motion. Motion carried. If approved for a maintenance fund today, the Tri-County drain would be administered by Tippecanoe County.

Surveyor's John McLaughlin #97 Regulated Drain Maintenance Report

President Tracy Brown referred to the Tippecanoe County Surveyor to present his Maintenance Report on the aforementioned drain. Maintenance Report John McLaughlin #97 Regulated Tri-County Drainage Board (Clinton, Montgomery, Tippecanoe Counties) October 24, 2016 The John McLaughlin Drain was originally built in 1917 and established through the Tippecanoe County Superior Court Case #371 File Box #573. It was cleaned by the Civilian Conservation Corp. (C.C.C.) in 1939-1940. The drain and its watershed is located in Section 6 in Township 20 North and Range 2 West, Sections 19, 20, 29, 30, 31, and 32 in Township 21 North and Range 2 West in the political township of Perry, Clinton County Indiana, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19 in Township 20 North and Range 3 West in the political township of Sugar Creek and Sections 12 and 13 in Township 20 North and Range 4 West in the political township of Madison all in Montgomery County, Indiana and Sections 24, 25, 26, 27, 32, 33, 34, 35 and 36 in Township 21 North and Range 3 West in the political township of Lauramie in Tippecanoe County, Indiana. The watershed area contains 1555.29 acres in Clinton County 2892.92 acres in Tippecanoe County, and 7596.57 acres in Montgomery County, for a total watershed area of 12,044.78 acres. There are 3,511 feet of open ditch in Clinton County, 12,412 feet of open ditch in Tippecanoe County, 29,813 feet of open ditch in Montgomery County, for a total of 45,736 feet or 8.6 miles. Additionally, there are 7,425 feet of tile in Clinton County, 19,730 feet of tile in Tippecanoe County and 140 feet of tile in Montgomery County for a total of 27,295 feet or 5.1 miles.

A Petition for Maintenance of a Legal (Regulated) Drain dated September 7, 2016 was filed with the Tippecanoe County Surveyor's office requesting the ditch be repaired and a maintenance fund established. It is the professional judgement of the Tippecanoe County Surveyor that a sum of \$427,911.17 is needed to maintain and improve the existing open ditch and tile systems. An assessment of \$4.50 per acre and a \$5.00 minimum over an eight (8) year period is recommended. This will generate \$434,091.68 over an eight (8) year period. It is the professional opinion of the Tippecanoe County Surveyor that this maintenance fund should be established based on the very poor drainage throughout the watershed, which is negatively effecting row crop production and the overall profitability of said land. Furthermore, many landowners in the upper 2/3's of the watershed have exhausted all options within the boundaries of their property to improve drainage. These efforts have proven to be too little improvement because of the maintenance work needed downstream on the open ditch. In conclusion, by establishing this maintenance fund, it will ensure that monies are available to continuously maintain the open ditch and future generations will be able to farm this highly productive land-respectfully submitted by: Zach Beasley, Tippecanoe County Surveyor.

Surveyor Beasley reviewed the landowner's request for a maintenance fund on this drain. He stated a Petition to Establish a Maintenance Fund for the John McLaughlin Regulated Drain was provided to the landowners to circulate and obtain the necessary signatures. The signatures collected exceeded the required percentage (15-18% benefited landowners signed) for presentation to the Board. He noted he held a couple informal meetings with some landowners within the watershed to discuss the condition of the ditch and the options at hand. The regulated portion of the ditch would start immediately east of County Road 565 East in Montgomery County (location where the John McLaughlin Drain and Potato Creek come together and form Lye Creek. The regulated portion would start at the confluence and travel upstream approximately 8.6 miles. In the upper northeastern portion of the watershed, the open ditch continued and crossed U.S. 52 where a tile outlet a few hundred feet northeast U.S.52. There is portion of this drain in the southeastern portion of Tippecanoe County which goes from open ditch into tile (approximately a couple thousand feet) then back into an open ditch. He noted Terry Cain provided a set of rolled plans of the ditch and the vertical shots taken by the Tippecanoe County Surveyor's staff matched up with the plans provided. He stated from the top to bottom of the ditch there was basically 60 feet of vertical relief, lower third was a tenth per hundred feet of fall, upper two-thirds was between two and three tenths per hundred feet of fall. He stated this was a county regulated drain without a maintenance fund performing as the outlet for a minimum of six county regulated tile systems with maintenance funds administered by one of the three Counties' involved. He stated flow line/ invert/ elevations were taken at all county road crossings and U.S.52. This data showed a tile in Clinton County just northeast of U.S.52, and the structure under U.S. 52 was at the same elevation. Generally speaking all the culverts were in good shape other than the structure under U.S.52

and INDOT would be responsible for the cost of any work within their right of way. He noted the county tile systems inverts were high enough the way the open ditch currently is. The cross sections of the ditch had not been collected to date due to the time and cost involved. Some of the landowners had suggested extending the McLaughlin drain downstream including part of Lye Creek (downstream to County Road 800 North in Montgomery County) as the County Maintained Regulated Drain. He stated he felt it could be problematic and was not financially feasible. He then referred to the Board. Representative Durrett asked if there were any monies spent on this drain to date. Surveyor Beasley stated there were monies due to date from the original cost of the 1980's investigation of the drain. He stated there were a few landowners who had privately spent monies on drain maintenance on their farms. Attorney Masson confirmed there was an outstanding debt of \$4,430.19 owed to the General Drain Improvement fund.

Public Comments

President Brown stated the Board would take comments from those that were opposed to the project first. Three minutes would be the time limit for speaking and Attorney Masson would keep the time.

Terry Cain, 9624 East Co. Rd. 400North, Darlington Indiana 47940 represents approximately 300 acres in the watershed, approached the Board and stated the following: He and his brother carried the first petition in 1982 to reconstruct the drain. It was killed by landowners located in the upper portion of the watershed. The problem is all the brush, cottonwood trees which have fell into the ditch. Clean that out and everybody on the bottom third would get the water that much quicker. He stated he was not necessarily opposed to this however there needed to be a better plan. He stated "It has been 34 years since I carried the original petition and it was shot down. Meanwhile the brush and silt has continued to grow -so now the shoe is on the other foot. The people on the lower end have worked on the open ditch and are dealing with the water as best they can. The only thing this was going to do is put water quicker on the lower end landowners." He informed the Board he had provided Surveyor Beasley with an excellent survey of the ditch by Don Young. Surveyor Beasley stated he agreed with Mr. Cain as the survey data (elevations etc.) was verified by his staff. Cross sections and things of that nature have not been investigated to date and those numbers were not confirmed. He thanked Mr. Cain and stated the survey/plans have been very valuable.

Ed Gable 10098 East 1050 North Colfax Indiana 46035 represents 429 acres within the watershed, approached the Board to state his opposition. He stated as follows: "We need to rethink the maintenance cost on here. I know there has to be a maintenance on this but \$4.50 an acre is pretty steep. Our farm is going to get no good out of it, because we are on the bottom third. This is where our outlet is located and this plan will basically do nothing for the bottom third. I am for establishing a maintenance fee, but I think we should rethink the amount." Thank you.

Attorney Masson informed the Board letters of objections to the proposed maintenance fund were received from Barry & Barbara Virgin, Ed Gable, Jim & Lisa Cooley Trustees for the Cooley Trust and Judith Baker, all landowners within the watershed. These letters would be made part of the official record.

Zach Cain 9097 East 400 North Darlington Indiana 47940 approached the Board. He agreed with his father's concerns he stated. He noted the Surveyor stated the bottom end of the open drain was flat and noted that is why the bottom end landowners were concerned as the water once it gets to the lower section will stop and trickle out as it can due to no fall in the area. He stated he felt it was a legitimate concern and noted for years the bottom end landowners have accommodated this as best they could. Dumping water on the bottom end faster would increase the issue. Not being against the assessment, understanding there were a lot of assessed tiles dumping into the ditch, there should be some kind of accountability. Clearing the drain on the top portion would certainly cause more issues. He noted it would be detrimental to the entire system as a whole. . A comprehensive plan was needed on the entire drain including the assessed tiles which outlet into it instead of implementing maintenance fee only. While no one wants to talk about reconstruction or clean out further down Lye Creek as it would create a lot of

issues, but these problems would have to be addressed for this money being spent make any sense. He thanked the Board.

President Brown opened the floor up for those in favor of the maintenance fund.

Hugh Pence 1420 Adams Street Lafayette Indiana 47905 approached the Board and asked the Surveyor what the difference was between what was proposed twenty years ago and turned down and today's proposal? The Surveyor stated basically it was time. He noted his understanding was from the records only as he was not involved at that time. A reconstruction rate was proposed years ago. Basically it was a rate which was collected within a five year period. The total could be paid all at one time or over the five year period with a ten percent annual interest fee. The work would be completed within the five year period. The dollar amount per acre for the work proposed previously would be much higher rate today. Due to the history of the drain and after discussions with landowners he proposed to stretch the work out eight to ten years at a rate of \$4.50 per acre. He stated this rate was at the low end based on current drain assessments in Tippecanoe County. On average the rates ran from four to ten dollars per acre, so this proposed rate was on the low end. He said the difference really was the time involved. His plan was to start at the bottom end dredging, clearing- laying the banks back, and lowering a couple of the farm crossings as they were too high. A half foot too high would back up the water one thousand feet. Mr. Pence asked if the end product would be the same. Surveyor Beasley answered yes that was his intention. Mr. Pence thanked the Surveyor.

Doyle Bell 6687 West Hickory Road Colfax Indiana 46035 approached the board and stated the following; He noted he had land in both Montgomery and Clinton counties. He stated he felt yes, the maintenance assessment should be put in place. He stated it was a practical matter as drainage was needed to farm land and stated his ancestors put in this drainage system in place so it was appropriate to continue to maintain it. As far as the per acre fee, he stated he relied on the people in the know on this and was inclined to think the rate was not excessive. He stated he gave his approval. He thanked the Board.

Dale Johnson 12411 South 700 East Clarks Hill Indiana 47930 approached the Board and stated the following: He stated he was in favor of the fund. He stated the work needs to get started as the condition of the drain was not going to get better. He stated he agreed with Surveyor Beasley to start at the bottom of the drain and work your way up to the top. He stated he would like for this project to go forward. He thanked the Board.

There was no other public comment.

The Surveyor noted the following: Immediately east of Co. Rd. 575 East in Montgomery County, was the confluence of the McLaughlin Drain and Potato Creek into Lye Creek and continued on south. The watershed for Potato Creek was delineated during this process and totaled over 24,000 acres. 24,000 acres of the Potato Creek watershed was flowing into this confluence along with 12,000 acres of the McLaughlin Drain watershed, so a total of 36,000 acres were flowing into Lye Creek.

Representative Durrett asked in what shape the six regulated tiles were in which outlet into the drain? Surveyors Beasley, Cummins and Sheets stated the following: Surveyor Cummins stated: the James Wilson drain on the west side of the ditch was a tile system with a small section of open ditch before it meets with the McLaughlin Drain was in relatively good shape. The Samuel Marsh drain was a joint drain with Tippecanoe County and outlets into the McLaughlin Drain. This was a large tile system with a small stretch of open ditch which outlet into the McLaughlin drain. The tile was old and deteriorating and the stretch of open ditch was dipped and cleared between the tile and McLaughlin Open Drain. The Martin Gray Drain was a joint drain with Tippecanoe County and Tippecanoe County Administrators. There had been some issues with tile holes at the outlet as it was a large tile 30-36". Surveyor Beasley stated quite a bit of maintenance work had been done on this drain tile. Surveyor Cummins continued; the bottom end of the Allie Peterson Drain was reconstructed and the Cain's used their equipment to clear out a bit of the McLaughlin open ditch so that the tile would be above water levels. The

upstream end of the Peterson tile would be reconstructed in the future. Surveyor Sheets stated the Arbegust Young drain was a joint tile drain administered by Clinton County and was in debt to the general drain improvement fund of \$2,471.00 currently. He noted quite a bit of work has been done on the tile. The per acre cost was \$2.00 with a \$20 minimum. A lot of the work is at the open ditch area with a lot of blowouts of the tile and he noted he thought this project would relieve that issue. Surveyor Beasley presented a map which showed the tiles which were put in at the time of the McLaughlin open ditch but were not considered part of the regulated portion. If this proposed Maintenance fund is accepted today these tiles would be part of the overall county regulated open drain system. Surveyor Beasley noted there could be private tiles which outlet to this ditch which no one may be aware of. He has seen this in other projects where the landowners did not think they had a tile and once the project was started a private outlet tile was exposed. He stated his point was there were more than likely private tiles which no one could be aware of that outlet into this open ditch.

President Brown asked Surveyor Beasley if he felt hydrologic studies should be done on this watershed. Surveyor Beasley stated he would not recommend without a huge amount of landowner support as it would be extremely expensive. Being an agricultural drain he would not recommend the study due to this, but if the landowners wanted a study completed, he would comply. He stated he did not feel like was needed in order to complete the proposed work.

Terry Cain approached the Board and stated he appreciated everything the Surveyor said. The work proposed from Co. Rd. 1000 North to the bridge at Forest White's was money might as well be saved. The ditch could be dug a half mile wide and twenty feet deep and it would still flow to the unregulated drain of Lye Creek. That is 36,000 acres of water going into an unregulated drain which is not taken care of. All that is going to happen is the lower end landowners will get the water quicker. The study he had done years ago shows why what is proposed would not work. With the scope of work needed, \$4.50 per acre over no matter how many years -could not provide the needed relief for the downstream owners. More forethought was needed prior to work being completed. It will sit just as long but will be a bigger pond, because it will not be able to get through Lye Creek. Please give consideration for the people of the lower third portion that will be getting the water a lot faster if this work was completed. The drain has not gotten better or worse in the last sixty years and the landowners are living with it on the lower end and until something is done to Lye Creek the monies would be ill spent. He stated he would gladly on his own down take the beaver dam down by Co.Rd.1100 North and this would help a great deal. He noted he was pro drainage but this was a very unique situation. The WPA Bridge which was put in in 1939 was an issue to be looked at as well.

Representative Durrett asked about the extent of the problem to the upper end landowners. Surveyor Beasley stated either the landowners have taken their own monies and dredged the section of the drain on their farms, however they were not able to go far enough downstream to improve their drainage. Secondly, they have private tiles that outlet into the open ditch which are submerged and not draining. Thirdly they have tried to install new tile drain systems and they can't get low enough in the open ditch to get the slope they need to drain the wet holes on their farms. Surveyor Sheets stated there was a watershed just below the Arbegust Drain watershed named the Peter Davis Drain the tile was just installed in cooperation with landowners including Mr. Bell who is listed as a benefited landowner in this watershed as well. The Arbegust drain tile could not handle the additional water so a pattern tile system was put in and they shifted that water into another one of Clinton County's Drain watersheds that could handle the additional flow. John Frey incoming 2017 Montgomery County Commissioner approached the Board and stated Mr. Cain was able to take his own equipment and dredge part of the drain and not all the landowners have that opportunity. The Board should remember they are representing all the landowners not just those whose land the ditch runs through.

Brent Bible 7829 Lydia Lane Lafayette Indiana 47909 approached the Board and stated: he stated he thought there would be an end to the assessment at the eighth year. He asked how much relief would be created to the system by the maintenance / cleaning etc. Surveyor Beasley stated he could not be specific on the exact amount to be dredged as more field work was needed. Based on experience and knowing the general slope on this drain,

dredging of at least two feet and in some areas could be five to six foot. The Board can set a four six or eight year cap for maintenance assessment. The annual collection amount multiplied by the years of collection would be the dollar amount cap. So until that cap is reached it would stay active. If no monies were spent on work during that period of assessment and it reached the eight year cap- then it would go off assessment until the monies go below the cap again.

Representative Durrett stated she agreed this drain needed to have a maintenance fund established. However, she expressed concern for the lower end landowner's problems and asked what was needed in order to know the exact issues they are facing. Surveyor Cummins stated the landowners had stated their concern was the unrestrictive outlet for the McLaughlin Drain. The drain outlets into an unregulated portion of open ditch and then flows back into a regulated drain in Montgomery County known as Lye Creek. Surveyor Cummins responded the following: Elevation shots would be taken at the outlet where the unregulated open portion drained into the regulated portion of Lye Creek. This would indicate if taking over the unregulated portion would serve the lower end landowners. If there was no grade to pick up in this section than including it would be pointless. Surveyor Cummins noted Surveyor Beasley had agreed to take shots at the confluence of the regulated portion of Lye Creek. Representative Durrett stated she would want to meet in the near future a year or so hence to discuss the lower end issues and what if any work/actions could be taken to relieve their issues in that location. She noted Montgomery County does not have any money for investigative work and felt it was important to follow-up on the lower end landowner's issues. Once work commenced on the McLaughlin drain, it would be beneficial for the Board to meet again and revisit those issues with possibly new information. Responding to President Brown's inquiry, the Surveyor noted he understood field work/ additional flow line shots were requested to be taken south of Montgomery County Road 800N to the regulated portion of Lye Creek. He stated based on the flow line shots already taken, he did not feel a big change of elevation was forthcoming. Surveyor Cummins stated he did not think this issue should hold up Board actions today. Surveyor Beasley agreed. Responding to Commissioner Shoemaker, Surveyor Beasley stated if a maintenance fund was established today it would allow monies to be collected and used for a study of the lower end if the landowners so wish. Using the initial monies collected for a study would delay the drain maintenance work; he would however follow through as the landowners wanted. A lower end study could be completed but only if a maintenance fund was established -as none of the Counties have money without collecting an assessment on this drain. He stated depending on the type a study could cost approximately \$80,000 to \$160,000. There was no other public comment. Commissioner Shoemaker made a motion to end the public comment session of the hearing.

Attorney Masson read the proposed Findings and Order as follows:

In the matter of the John McLaughlin Tri-County Regulated Drain:

This matter came to be heard upon the Maintenance Report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on October 24, 2016. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. The Montgomery County Surveyor has ratified the report and schedule as prepared by the Tippecanoe County Surveyor. Notice of publication of time and place of the Tri-County Hearing was placed in the Journal and Courier, Tippecanoe County Indiana, Frankfort Times/Chronicle, Clinton County Indiana, Journal Review, Montgomery County Indiana and filed. Objections were filed from the following benefitted landowners: Barry & Barbara Virgin, Ed Gable, Jim & Lisa Cooley Trustees /Cooley Trust and Judith Baker

Evidence was presented by the Tippecanoe County Surveyor and landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Tri-County Board does now FIND THAT: The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Tippecanoe County Surveyor on October 24, 2016 Lafayette Indiana. Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing. Notice of the time and place of this Tri-County hearing was given by publication in in the Journal and Courier, Tippecanoe County Indiana, Frankfort Times, Clinton County Indiana, Journal Review,

Montgomery County Indiana more than ten (10) days prior to this hearing. The Montgomery County Surveyor has ratified the report and schedule as prepared by the Tippecanoe County Surveyor. The legal drain consists of 12,412 feet of open ditch in Tippecanoe County - 3,511 feet of open ditch in Clinton County - 29,813 feet of open ditch in Montgomery County, Indiana for a tri-county total of 45,736 feet or 8.6 miles of open ditch. The legal drain also consists of 19,730 feet of tile in Tippecanoe County - 7,452 feet of tile in Clinton County and 140 feet of tile in Montgomery County, Indiana for a tri-county total of 27,295 feet or 5.1 miles of various sized tiles. The present condition of the open ditch and tiles is inadequate. The ditch needs the following maintenance at present: Cleaning open ditch portion and replacement of various sized tiles throughout the watershed. There is now \$4,430.19 owed to the General Drain Fund for past inspections (1980's) on this ditch. The tri-county ditch drains 12,044.78 acres total. Estimated annual cost of maintenance is \$54,261.46. Estimated annual benefits to the land drained exceeds repair and maintenance costs. A fund for annual maintenance should be established. In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: \$4.50 per acre and a \$5.00 minimum for an eight (8) year period. The assessment list filed herewith should not be amended. The assessment list filed herewith is fair and equitable and should be adopted. The assessment should be collected starting with the May 10, 2017 taxes. Pursuant to IC 36-9-27-14(c), the Tri-County Board hereby directs that the Surveyor of Tippecanoe County shall assist the Montgomery County Surveyor in the performance of the duties to be performed by the Surveyor with respect to periodic maintenance of the John McLaughlin Tri-County Regulated Drain. The Tippecanoe County Surveyor has agreed to perform these functions without compensation other than he receives in the ordinary course of his duties as the Tippecanoe County Surveyor.

NOW, THEREFORE, IT IS ORDERED THAT:

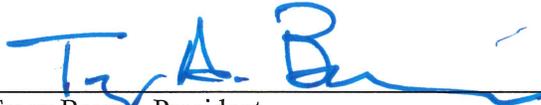
A maintenance fund be established for the John McLaughlin Tri-County Regulated Drain at the annual rate of \$4.50 per acre and \$5.00 minimum benefited. The Schedule of Assessments filed herewith are adopted and made a part thereof. The first annual assessment shall be collected with the May 10, 2017 taxes.

Representative Durrett made a motion to accept the findings and order of the Board as read by the Attorney. Scott Shoemaker seconded them motion. Motion carried: 3-0.

Representative Durrett made a motion to meet on the 3rd of May 2017 at 10:30 to review the preliminary findings of the Surveyors investigation into the lower end issues of the John McLaughlin Regulated Tri-County Drain. Commissioner Shoemaker seconded the motion. Motion carried.

President Brown noted it was the Board's intention the Tippecanoe County Surveyor Office would administer the maintenance of said drain. President Brown noted this was one of the most complicated watersheds he has seen to date and thanked all those for their work. Representative Durrett thanked all those for attending the hearing today and stated this is how the process is supposed to work. Commissioner Shoemaker made a motion to adjourn. The Hearing was adjourned.

TRI-COUNTY DRAINAGE BOARD:



Tracy Brown, President



Deanna Durrett, Vice President



Scott Shoemaker, Member

ATTEST:



Brenda Garrison Executive Secretary

Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

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

Outstanding Reconstruction Assessments

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

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

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

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

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

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

Classification of Drains

Per IC 36-9-27-34

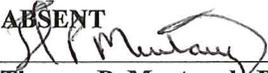
February 2017

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

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

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

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

ABSENT


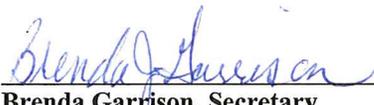
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board
March 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

David Byers made a motion to approve the February 1, 2017 Drainage Board regular meeting minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

Klondike and Lindberg Road Widening and Reconstruction

Jeremy Brodhacker of Strand Associates Inc. appeared before the Board to request approval of the Klondike and Lindberg Roads project. The Klondike Road reconstruction portion began at Lindberg Road and then north 1.5 miles to US 52. The Lindbergh road reconstruction portion began at Klondike road then east approximately 0.75 mile and east of Wakerobin Drive. The existing culverts were undersized; therefore they would be upsized to accommodate the current and additional stormwater conveyance reconstruction. Mr. Brodhacker stated INDOT's methodology was used to provide the hydraulically adequate structures for both the Klondike and Lindberg Road projects. He stated stormwater quality was provided per the Tippecanoe County Stormwater Ordinance. In total there were six (6) culverts which would be upsized and improved. Analysis of the downstream conveyance was provided within a report to the Surveyors office. He requested approval by the Board at that time. The Surveyor noted there was an existing concrete pipe which drained the trailer park area on Klondike Road just north of the Fire Station, in the Venetian Blinds area. He asked Mr. Brodhacker how this was dealt with during the design. Mr. Brodhacker confirmed a concrete pipe was located on the east side of Klondike Road immediately north of the Wabash Fire Station and routed along the west side of said road north to US 52 and discharged in the roadside ditch. Responding to David Byers inquiry, Mr. Brodhacker stated this pipe would be replaced and reconnected as part of this project. Mr. Brodhacker confirmed with the Surveyor that the storm sewer pipe within the road right of way at the Dollar General site was included to be upsized and would accommodate the additional storage capacity.

The Surveyor recommended conditional approval as stated on the February 22, 2017 Burke memo. There was no public comment. David Byers made a motion to grant approval with the conditions as stated on the February 22, 2017 Burke memo for the Klondike and Lindberg Road Widening and Reconstruction project. Thomas Murtaugh seconded the motion. Motion carried.

Lindberg Point Apartments

Andy Mix of Vester and Associates appeared before the Board to request approval of the Lindberg Point Apartments project. The site consisted of approximately 2.375 acres and was located on the northwest corner at the intersection of Klondike and Lindberg Roads. Mr. Mix noted, this was the last section of the overall Lindberg Village Development which was started in the late 1990s early 2000's. Due to the change in zoning for this tract, the curve number was lower than the assumed curve number in the overall original master plan. He noted the tract would direct release to an existing 30" storm sewer located along the north side of Lindberg Road. He stated there was a Duke Energy utility 75 feet easement located on the tract that restricted the design. Responding to Thomas Murtaugh's inquiry, Mr. Mix stated the site's access would be off Lindberg Road. Responding to David Byers inquiry, Mr. Mix stated the plans would not in any way impede the future roundabout planned at the aforementioned intersection. Mr. Mix stated during the design process, he worked with the County's consultant specifically regarding this issue. He asked for approval at that time. The Surveyor stated he would be meeting with Mr. Mix later today and would iron out most of the conditions on the Feb. 24, 2017 Burke memo. There were no variances requested and this project was part of the overall Lindberg Village Master Plan. The Surveyor recommended approval with the conditions as stated on the Feb. 24, 2017 Burke memo.

There was no public comment. David Byers made a motion to grant approval with conditions as stated on the February 24, 2017 Burke memo for the Lindberg Point Apartments. Thomas Murtaugh seconded the motion. Motion carried.

Staybridge Suites Hotel

Pete Gensic from Gensic Engineering Inc. appeared before the Board to request approval for the Staybridge Suites Hotel project. The site was located on lots 26 and 27 within the 26 Crossing Subdivision east of the interchange of SR26 and I 65 and totaled 2.44 acres overall. Mr. Gensic stated the project was located within the City of Lafayette as such the presentation to the Drainage Board was to obtain permission to outlet into the Alexander Ross Regulated Drain system. Stormwater quality (Sediment trap inlets) measures were taken throughout the site prior to outletting into the Alexander Ross Regional Detention Facility. Mr. Gensic stated the owner was aware of the stormwater storage fees associated with stormwater detention storage use of the Alexander Ross Regional Detention Facility and agreed to pay the fees associated with it. The Surveyor requested the emergency routing be reviewed as designed so a portion could possibly be routed to the street and a portion possibly to I65 for public safety reasons. Mr. Gensic agreed to review this.

The Surveyor then recommended approval for the Staybridge Suites Hotel site's discharge to the Alexander Ross Regional Detention Facility with the conditions as listed on the February 21, 2017 Burke memo. David Byers made a motion to grant approval with the conditions as stated on the February 21, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley / Other Business

Drain Maintenance/General Drain Improvement Funds Interest

The Surveyor stated historically the drain maintenance funds have earned interest. The individual drain fund totals are pooled together into one fund titled Drain Maintenance Fund and that fund earns interest monthly. As one lump sum, the General Drain Improvement fund earns monthly interest as well. However interest earned by the Drain Maintenance Fund should be broken down into each individual fund within that account so that the individual fund is credited with its own earned interest. The last few years this has not taken place. He stated the following: Quote: " IC 36-9-27-113 Investment of funds; consolidation; credit of interest earned- Sec. 113 (a) For the purpose of investment, the county treasurer may consolidate part or all of the money in any fund established under this chapter with the money in any other fund established under this chapter or other money held by the county treasurer. (b) Unless the invested money is from a maintenance fund established under section 44 of this chapter, the county treasurer shall credit interest from an investment of a fund created under this chapter to that fund. (c) The county treasurer may credit interest earned from an investment of a maintenance fund established under section 44 of this chapter into the general drainage improvement fund established under section 73 of this chapter. (d) Within an account, the county treasurer may credit interest to particular drainage accounts in any fair and rational manner. "Unquote The Surveyor stated while the interest is being earned, it had not been divided between the individual drain maintenance funds in the last few years and he feels this should be done. He stated he did not care what office did the work; he felt the individual funds should get the interest the individual fund total permits. Discussion was held between the Board members and the Surveyor regarding the issue. Interest would be split up proportionately by the balances in the individual drain maintenance funds.

The Surveyor requested official action be directed by the Board. David Byers made a motion that the Surveyor's office takes care of proportioning out the interest as collected monthly between the individual drain maintenance funds. Thomas Murtaugh seconded the motion. Motion carried.

F.E. Morin #57 Regulated Drain

The Surveyor requested a Hearing date of May 3, 2017 for the Reconstruction Hearing of the F.E. Morin #57 Regulated Drain. David Byers made a motion to set a date of May 3, 2017 and immediately after the Regular Drainage Board Meeting to hold a Landowner Reconstruction Hearing for the F.E. Morin #57 Regulated Drain. Responding to David Byers, the Surveyor confirmed there was a Tri-County Drainage Board meeting that day already scheduled for the John McLaughlin Regulated Tri-County Drain. He requested the F.E. Morin Reconstruction Hearing be held after the Drainage Board Regular meeting and before the Tri-County landowner meeting.

David Byers made a motion to hold a F.E. Morin Reconstruction Hearing on May 3, 2017 after the Drainage Board Regular meeting and before the Tri-County landowner meeting previously scheduled. Thomas Murtaugh seconded the motion. Motion carried.

Grant Cole #19 and Moses Baker#114 Regulated Drains

The Surveyor requested a Maintenance Hearing for June 7, 2017 regarding the Grant Cole #19 and Moses Baker #114 Regulated Drains to be held immediately after the regular scheduled meeting that day. David Byers made a motion to hold Maintenance Hearings on June 7, 2017 immediately after the regular scheduled meeting for the Grant Cole #19 and Moses Baker #114 Regulated Drains. Motion carried.

F. Yoe #90 and G. Swanson #76 Regulated Drains Maintenance Work Update

The Surveyor stated the contractor A.D.I. was finishing up the maintenance work on the F. Yoe Regulated Drain and would be moving on to the G. Swanson Regulated Drain thereafter.

As there was no public comment David Byers made the motion to adjourn. The meeting was adjourned.



Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member

Tippecanoe County Drainage Board
May 3, 2017
Tri-County Hearing Minutes
(Tippecanoe, Montgomery, Clinton)

Those present were:

Tri-County Drainage Board President Tracy Brown, Vice President Deanna Durrett, member Commissioner Scott Shoemaker, Board Attorney Doug Masson, Tippecanoe County Surveyor Zach Beasley, Montgomery County Surveyor Tom Cummins, Clinton County Surveyor Dan Sheets and Board Secretary Brenda Garrison James Butcher-Project Manager, Surveyor Office, was also in attendance.

Approval January 4, 2017 John McLaughlin #97 Tri-County Regulated Drain Hearing minutes

Deanna Durrett motioned to approve the January 4, 2017 Tri-County Hearing minutes as written. Commissioner Shoemaker seconded the motion. Motion carried.

President Brown referred to the Surveyor. Surveyor Beasley reviewed the John McLaughlin Regulated Tri-County Drain meeting discussion held on January 4, 2017 for the attendees today. (Refer to minutes) He stated since the January meeting he had requested a Watershed Study on said drain from four local entities. He had received three proposals as a result of his request. The McLaughlin Drain Watershed Study Proposals were received from TBird Design Services Corp., Christopher B. Burke Engineering LLC and Beutler Fairman and Seifert Inc. He sent copies of these proposals to the Board members, the Montgomery and Clinton County Surveyors as well as the landowner's point of contact Kenny Cain. Mr. Cain was in attendance. The Surveyor added his staff took flow line shots downstream on Lye Creek as requested in the January meeting. He reviewed the area using GIS for the Board. The flow line shots were taken south of C.R.800 North in Montgomery County down to Co. R. 650 North. Generally speaking from C.R. 1000 North in Montgomery County down to the confluence immediately east of C.R. 565 East, the general grade is .08 (800ths of a foot) per hundred feet. Downstream of C.R. 565 East the grade stays the same to C.R. 800 North then it drops down to .05 per hundred feet and south of C.R. 800 North it raised to .06 per hundred feet. He stated it would not do much good to include downstream as it is flatter still. Responding to President Tracy Brown's inquiry, Surveyor Beasley noted Terry Cain suggested this at the last meeting and due to the flood related issues the landowners stated concerning the downstream 1/3 area of the watershed (south of 1000 North in Montgomery County), he felt if there was ever an agricultural drain to do a watershed study on – this would be the one. This study would give the Board a baseline or foundation for any work completed in the future. It would also provide the data necessary to maintain or conduct maintenance such as a two stage ditch to control the flooding aspects. (Stabilize soil etc.) As technical advisor to the Board he recommended the study as it would show the amount of flooding prior to any work decided upon by the Board and give a good baseline to refer to.

President Tracy Brown asked for public comment. Kenny Cain approached the Board. Mr. Cain reviewed the history of the previous petition carried in 1983 to reconstruct the drain. At that time, a design and estimate was proposed and ultimately rejected by the majority of the landowners. He noted the damage done by flooding the downstream due to straightening a portion of the ditch weighed heavy on him ever since. At that time they thought it was the right thing to take out the meandering of the ditch. He knows now this was not the right thing to do as it caused many problems for others downstream. He stated he was for the study and felt it was the right thing to do this time and added if a two stage ditch would help, he was for it as well. He stated he would like to hear from the representatives from NRCS, SWCD and the Nature Conservancy who were in attendance today to share their thoughts and opinions with the landowners.

David Virgin representing his father Barry approached the Board. He stated their farm was located on the downstream end of the drain. He noted thirty or forty years ago a study was done and it showed further work on downstream on Lye Creek would have to be done in order for any relief to the watershed. He stated while he felt for the landowners above him; even with the filter strips he has to date, the damage he experiences from flooding was getting worse. He stated he felt the proposed study needed to be looked at so that they knew how to proceed.

Surveyor Beasley then invited Seth Hardin with The Nature Conservancy (TNC hereafter) to speak to the Board and attendees regarding options that may be available to them. Mr. Hardin presented a power point presentation to the Board at

that time. He noted he had some background with NRCS as he spent a couple years of his career with them as well. He stated he met Surveyor Beasley onsite of the McLaughlin Ditch prior to today's meeting. He is currently the Upper Wabash Project Director for TNC based out of West Lafayette. Over time TNC has become the authority on two stage ditches. He stated he thought the long term benefits of a two stage ditch would be very beneficial to this drain and its watershed. The goal of a two stage ditch is to provide less maintenance, move the water through the stream, reduce sediment export and better provide ecological functions. He noted in this case channel evolution was a major issue. Erosion of the banks was due to the constant flooding. He noted a stream will naturally find its course and this is what a two stage ditch mimics. Utilizing his power point presentation he explained a natural stream has movement laterally which slows down the flow of water somewhat, sediment to drop out and some nutrients to be captured. In this case as more water comes through the channel it causes the banks to break down, as a stream always works to get back to its natural course. As evidence of this, the ditch was meandering as was prior to work completed by Mr. Cain in the 1980s. He reviewed the differences between a conventional ditch and a two stage ditch for the attendees. The advantages as TNC believe of a two stage ditch are the potential to reduce or eliminate maintenance cost in the long term, provide a more stable and reliable system, decrease loss of soil, potential loss of crops and lessen emergency maintenance. A two stage ditch uses the existing infrastructure and improves upon it - not transform the existing channel. Potentially it would reduce risk to existing infrastructure and mitigate the downstream flooding. Responding to Mr. Cain's inquiry, Mr. Hardin stated it is his understanding that Indiana is the one exception to the rule currently which allows farm acreage to stay under CRP. However he would research that further to provide a concrete answer. Mr. Hardin stated due to the proximity of a confluence there are unique aspects that have not been addressed with two stage ditch constructions prior to this project. For design and construction the study was not needed but to understand what the differences are with these systems the studies would be beneficial to all. He stated he would work alongside the Surveyor to provide any assistance that may be available for this project. Responding to Surveyor Beasley's inquiry, Mr. Hardin stated TNC does not have monies available for cost share for the study itself, however he can offer in kind consulting such as cost saving with the design as they have a Professional Engineer on staff and there are no monies at this point for cost share with construction of a two stage ditch. He also stated he would be happy to help coordinate between the agencies in this case.

Surveyor Beasley stated the Watershed Study if accepted today would be paid from the drain's maintenance fund. No additional monies from landowners would be expected to pay for the study. As the Board's technical advisor he stressed the importance of recognizing the impact at the confluence of the drain from Potato Creek's watershed of approximately 25,000 acres. He stated this more than likely had more negative impact on the McLaughlin Drain flooding than has been given credit previously. Without conducting the study that will remain unknown; however he stated he felt strongly it contributed greatly to the flooding issues. President Tracy Brown stated with the amount of land involved and acres within the watershed, it was extremely important to get this right.

Clinton County Surveyor Dan Sheets noted he reviewed the proposals prior to the meeting. He stated Clinton County has numerous two stage ditches. The two stage ditches in his county have functioned quite well. One of the things they have noticed was the number of logs, limbs that they pick up from the two stage ditches and a decrease of sediment reduction. They have also helped tremendously in less log jams. He stated, due to the downstream impact of Potato Creek at the confluence of the drain, he felt it was prudent to conduct the study as proposed by Surveyor Beasley. Regarding Potato Creek, in Clinton County a very small portion of the creek was regulated. The regulated portion began at approximately C.R. 350 West and ended at C.R. 700 West. He noted, approximately 3 miles of the Creek was unregulated and that portion was "very wooly", covered with trees, limbs, brush etc. He reiterated he agreed with the Tippecanoe County Surveyor and felt it was important to do the study in this situation.

Montgomery County Surveyor Tom Cummins stated he agreed with Surveyors Sheets and Beasley. Since the John McLaughlin watershed flows into Potato Creek, it could essentially- once the stream is full- cause flooding on the McLaughlin drain until the Creek's water recedes. He stated he reviewed all three Watershed Proposals presented. One of the proposals stated a "not to exceed" amount which he thought was important with all the unknowns in this case. He agreed with Surveyor Beasley's recommendation to conduct the study and informed the Board he felt it necessary to accept one of the proposals today.

Clinton County Commissioner Shoemaker stated he had a problem spending \$40-\$75,000.00 on a study. Surveyor Beasley responding to Mr. Shoemaker's inquiry stated the study would be paid from the Tippecanoe County General Drain Improvement Fund (GDI). The GDI would be paid back as the maintenance assessments were collected. Responding to Vice President Durrett, Surveyor Beasley stated all the proposals took Potato Creek into consideration.

Responding to Vice President Deanna Durrett, Surveyor Beasley stated he basically took the 10 mile open ditch and segmented it into three categories: the bottom third landowners complain about flooding, mid-section landowners have a few problems and for the most part not major, the upper portion landowners complained they were drowning. With concern from the lower end landowners of the current flooding issues worsening, and the inability to control the grade due to the natural lay of land, he noted the only thing that could be controlled was the width of the channel. Thus is the reason to consider the two stage ditch option. The wider the ditch the more runoff the channel will hold instead of flowing over the banks willy-nilly into farm ground.

Responding to President Tracy Brown, Surveyor Beasley stated he has worked with all three of the companies which submitted proposals and have confidence in all three. Two of the three had example projects which they had completed in other counties. President Brown gave the Watershed Proposal fees as follows; Beutler Fairman Seifert (BFS) proposal amount was \$35,000-\$40,000; Christopher B. Burke proposal amount was “not to exceed” \$58,900; TBird Designs proposal amount was \$73,856.

Landowner Mike Emmert stated he would rather see the money spent on construction to the ditch than a study. Surveyor Beasley stated while he respected and appreciated his feelings, he did not want to spend a bunch of money on construction and find out afterward that it did not work and would have to be reconstructed.

Responding to Clinton County Commissioner Shoemaker’s inquiry regarding Potato Creek and what the proposal would show, Surveyor Beasley stated generally speaking, the proposals would show the watershed area, amount of water, route of the flow and how far it backs up into the McLaughlin Drain. The two most important items to know is the effect it has with the base flood elevation to the McLaughlin ditch and how far upstream it affects it. This information would affect the design and maintenance work completed on the drain. Clinton County Commissioner Shoemaker stated he is against spending the money for the study and would rather spend it on two stage ditch construction.

Vice President Deanna Durrett stated she would take the advice of the County Surveyors. She then made a motion to conduct the Watershed Study. President Tracy Brown seconded the motion. Clinton County Commissioner Scott Shoemaker opposed the motion. Motion carried. Vice President Deanna Durrett made a motion to accept the Christopher B. Burke Study in the amount: “not to exceed” \$58,900. Tracy Brown seconded the motion. Clinton County Commissioner Shoemaker opposed the motion. Motion carried.

Landowner Kenny Cain asked to hear from one of the representatives from NRCS or SWCD who were in attendance as well. NRCS Northwest Area office- District Conservationist Mark Eastman approached the Board. He noted his counterparts from Clinton and Montgomery County were in attendance today. He stated they agreed this was “a difficult nut to crack” as it is very complex with the amount of water from both watersheds flowing to a central point. He noted historically through a variety of agencies there has been cost share available for things such as erosion issues, open ditches, sedimentation, nutrient management etc. He stated he felt with the extreme volume of water in this case it was necessary to conduct the study prior to any work on the drain. He stated through USDA and other local state agencies there is potential for cost share varying amounts depending on eligibility and other requirements. Some of these could be filter strips (through Farm Service Agency –FSA) to help buffer the sensitive water areas. USDA also cost shares on potentially two stage ditches. He noted, while this was a complicated process it could be done. The cost share was only for the individual landowner not another agency or entity such as the Drainage Board. He added to be eligible individual landowners had to apply on their own. To wrap up he stated there are cost share options but they are all individually based. Applying for it does not automatically mean one gets the cost share, there is a process and a determination is then made on who receives the money.

Vice President Deanna Durrett asked how the landowners would be informed of what may possibly be available to them regarding cost share and other possible benefits. Mr. Hardin stated TNC would be willing to coordinate with the different agencies involved and landowners. Vice President Deanna Durrett offered to be the point of contact for the Board with Mr. Hardin. Mr. Hardin noted he would coordinate with all the agencies involved and especially keeping the landowners informed after the study was completed. Clinton County Surveyor Sheets noted all the two stage ditches in Clinton County have been constructed in partnership with SWCD or NRCS. Montgomery County Surveyor stated Montgomery County does not have two stage ditches; however he agreed whatever would manage the flow of water better would be a benefit to the landowners. Tippecanoe County Surveyor Beasley stated cost sharing has been utilized in other projects completed. There are small groups (such as Ducks Unlimited) that are conservation friendly and may be willing to donate money for the project. Vice President Deanna Durrett then requested scheduling a Tri-County meeting in the future to review the information gathered with the study, prior to any work being completed on the drain. She requested the NRCS/SWCD/TNC

agencies attend and plan to present something to the Board regarding what their agency could offer. Mr. Seth Hardin from TNC agreed to coordinate the agencies.

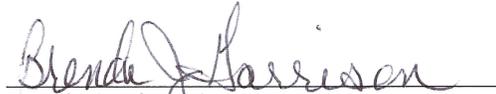
Vice President Deanna Durrett made a motion to set September 11, 2017 at 12:00 for a Tri-County Drainage Board Meeting on the John McLaughlin Regulated Drain. Tracy Brown seconded the motion. Motion carried. There was no other public comment.

Clinton County Commissioner Shoemaker made a motion to adjourn. The meeting was adjourned.


Thomas P. Murtaugh, President



Deanna Durrett, Vice President


Brenda Garrison, Secretary


Scott Shoemaker, Member

Tippecanoe County Drainage Board
July 12, 2017
Regular Meeting Minutes

Those present were:

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

Approval June 7, 2017 Regular Meeting Minutes

Approval June 7, 2017 Grant Cole #19 Regulated Drain Hearing Minutes

Approval June 7, 2017 F.E. Morin #57 Regulated Drain Hearing Minutes

Approval June 7, 2017 Moses Baker #114 Regulated Drain Hearing Minutes

Approval June 14, 2017 Upper J. Berlowitz Stormwater Conveyance Bid Award Hearing Minutes

David Byers made a motion to approve the June 7, 2017 Regular meeting and the additional Regulated Drain Hearing minutes as written. David Byers commended Brenda Garrison regarding the efficiency in the completion of the numerous meeting minutes along with other duties. Tracy Brown seconded the motion. Motion granted.

F.E. Morin#57 Regulated Drain/ Reconstruction Bid Opening

President Murtaugh referred to Attorney Masson for the presentation of the F.E. Morin Regulated Drain reconstruction bids submitted for consideration. Attorney Masson read the bids submitted as follows: M.G. Underground Brazil Indiana-\$497,265.00, Maxwell Farm Drainage Inc. Crawfordsville Indiana-\$229,980.00, Timewell Tile/A.D.I. Timewell Illinois-\$238,600.00, Huey Excavating Sandborn Indiana-\$205,899.00. David Byers made a motion to take the bids under advisement during which time a review would be performed by the Surveyor's Project Manager. Once the review of the contract figures and documents was complete, award the bid prior to the close of today's meeting. Tracy Brown seconded the motion. Motion granted.

Mason's Ridge Subdivision Obstruction Petition/H.O.A. Agreement

The Surveyor reminded the Board a Petition to Remove an Obstruction was submitted by Scott Jones to his office. During the June 7, 2017 Board meeting the obstruction was discussed in detail. The Board tabled the obstruction hearing and directed all individuals involved to come to an agreement on removing the obstruction in Masons Ridge Subdivision at that time. Mason's Ridge Subdivision Homeowners Association President Steve Cook approached the Board to present an update. He stated an agreement had been reached between the affected lot owners and H.O.A. regarding removal of the obstruction. He noted the obstruction would be removed by August 31st or sooner. He thanked the Board. Responding to Mr. Murtaugh's inquiry, Atty. Masson stated the Petition to Remove Obstruction was officially on the table, however there was no other action required.

Zach Beasley/Other Business

Cox/Vanderkleed Regulated Drain

The Surveyor requested the Board to schedule a landowner hearing for the Cox/Vanderkleed Regulated Drain reconstruction on September 11, 2017 directly following the regular meeting. David Byers motioned to hold a landowner Reconstruction Hearing on the Cox/Vanderkleed reconstruction on Sept. 11th 2017 to directly follow the regular meeting at 10 a.m. Tracy Brown seconded the motion. Motion carried.

Upper Berlowitz Stormwater Conveyance Project (Pilot Channel)

The Surveyor informed the Board a pre-construction meeting was held for the Berlowitz Interim Stormwater Conveyance project on August 1, 2017 with Atlas Excavating Inc. Weather permitting; the project should be started in 2-3 weeks as the Surveyor office was to provide digital line work due to the changes made by St. Franciscan Alliance Hospital. Reiterating

the Surveyor's comments, Attorney Masson stated he was preparing a M.O.U. between the County and St. Franciscan Alliance Health. This will allow the construction to begin prior to the formal documents being ironed out.

**Multiple Projects Update
Huffman Weimert Drain**

The Surveyor informed the Board the Huffman Weimert Drain was scheduled for a hearing on August 2, 2017. He met two contractors on site who would present quotes for the job. He expected it to be taken care of in the near future if all goes well at the hearing.

JB Anderson Drain

The Surveyor informed the Board Dave Stevenson -largest benefited acre landowner within the JB Anderson Regulated Drain watershed (approximately 300 acres) - has withdrawn his support for overall reconstruction of said drain. He reminded the Board two informal landowner meetings were held regarding reconstruction of the overall drain. With Mr. Stevenson's withdrawal of support, the percentage of landowners in favor of an overall reconstruction dropped below 50%. Therefore the full reconstruction was off. However, Mr. Stevenson stated he was in support of a maintenance rate increase of \$30.00 per acre. This increase would allow monies to be collected for maintenance work on the open portion (approx. 3-4 miles) of the drain. The Surveyor stated he hoped to set a date and time for a Maintenance Increase Hearing to set the rate as stated on the J.B. Anderson Regulated Drain before the end of the year or first part of next year.

John McLaughlin Regulated Joint Drain (with Montgomery County) Watershed Study

David Eichelberger Christopher Burke Engineering stated his firm had started on the hydrology portion of the John McLaughlin Regulated Drain Watershed Study. He noted the study was on course and would present an update at the next joint meeting.

F.E. Morin Regulated Drain Bid Award

James Butcher, Project Manager stated all the bids were in order as read aloud earlier in the meeting. David Byers made a motion to accept the bid for the F. E. Morin Regulated Drain Reconstruction from Huey Excavating of Sandborn Indiana in the amount of \$205,899.00. Tracy Brown seconded the motion. Motion carried. Bart Maxwell of Maxwell Farm Drainage approached the Board and stated he thought the pipe that was used in the low bid was polypropylene and the contract's bid specifications called for 100% virgin polyethylene. He stated the polypropylene pipe was quite different and it would be prudent for the Board to review the materials closely to be used by the contractor. Responding from the Attorney's recommendation, David Byers motioned to accept the lowest bidder -Huey Excavating – contingent on compliance with contract bid specifications - in the event they do not; authorize the Surveyor to enter into contract with the second lowest bidder compliant to all contract specifications. Tracy Brown seconded the motion. The Attorney stated the supplemental motion on the floor overrides the previous motion.

Public Comment

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



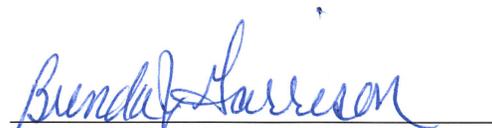
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

TRI COUNTY DRAINAGE BOARD MEETING
Tippecanoe, Montgomery, Clinton Counties
JOHN McLAUGHLIN #97 TRI-COUNTY REGULATED DRAIN
SEPTEMBER 11, 2017

Those present were:

Tri-County Drainage Board President Commissioner Tracy Brown, Vice President Deanna Durrett, member Clinton County Commissioner Scott Shoemaker, Tri-County Drainage Board Attorney Doug Masson, Tippecanoe County Surveyor Zach Beasley, Montgomery County Surveyor Tom Cummins, Clinton County Surveyor Dan Sheets and Board Secretary Brenda Garrison. James Butcher-Project Manager, Surveyor Office and Tippecanoe County GIS Specialist Evan Warner were also in attendance.

President Brown called the John McLaughlin #97 Regulated Drain meeting to order. President Brown then referred to the Tippecanoe County Surveyor Zach Beasley. Surveyor Beasley stated Christopher B. Burke Engineering LLC was awarded the contract for the John McLaughlin #97 Regulated Drain Watershed Study.

President Tracy Brown interjected the following: The May 3, 2017 Tri County Drainage Board Meeting minutes for the John McLaughlin Regulated Drain #97 was presented for approval. Deanna Durrett made a motion to grant approval of the minutes of the May 3, 2017 Tri-County Drainage Board Meeting regarding the John McLaughlin Regulated Drain #97. Commissioner Scott Shoemaker seconded the motion. Motion carried. President Brown referred back to the Surveyor.

Surveyor Beasley informed the attendees during the May 3, 2017 meeting, the Board approved a Hydrologic and Hydrology Study on the drain to obtain the effects Potato Creek has on the watershed and how a 2 stage ditch in the lower third portion of the watershed may affect the drain. He noted during that meeting it was recognized the study would not be complete on this date, however the Board desired an overview of the findings as well as landowner feedback at this time.

Surveyor Beasley introduced Peggy Shepherd P.L.S. from Christopher B. Burke Engineering LLC to present the John McLaughlin Regulated Drain #97 Watershed Study findings to date. Surveyor Beasley stated his office obtained flow line and top of bank elevations, cross sections throughout the channel (from CR. 800N to East of US 52 where the tile outlet is located); all data necessary for road crossings on the McLaughlin Ditch. The current data obtained was used for the modeling of the study. Additionally there have been significant rain events in the earlier part of the year Surveyor Beasley visited flooding locations within this watershed. He took photographs at CR. 1000N and CR. 700E in Montgomery Co. noting CR. 700E was closed at that time. He emphasized the data collected this year was used for the study at hand.

Peggy Shepherd PLS approached the Board and reiterated the data collected to date represented the existing conditions, and then presented the Study's findings to date. The study's model started upstream southwest of US 52 at the drain's outlet and routed south westerly to CR 800N in Montgomery County. She reviewed the 2 yr. (2.9"), 10 yr., (4.2"), 25 yr. (4.9"), 50 yr. (5.6") and 100 yr. (6.2") flooding data (starting upstream to downstream). The data presented was specific to CR. 1000E, Cemetery entrance, CR. 1200N (County Line), CR. 850E, CR. 1100N, CR. 700E, CR. 1000N, CR. 565E and CR. 800N. Included in the presentation was overtopping of road elevations, 24 hour flooding data, duration of the flooding (time out of banks) and the impact of Little Potato Creek to the drain's watershed. CR. 850E, CR. 1000N, and CR. 1100N all flooded (overtopped) before a 3" rainfall. CR. 700E flooded (overtopped) with a 5" rainfall, CR. 565E and CR. 800N flooded (overtopped) with less than a 5" rainfall event. She noted the data assumed the rainfall occurred in both the J. McLaughlin and Little Potato Creek watersheds. The duration of flooding was shown in two ways within a table form. During a 24 hour period the 100 yr. (6.2" rainfall) and 2 yr. (2.9" rainfall) approximate time of flooding broken into four different categories as follows: mouth to CR.700E, CR. 700E to CR. 1200N, CR.1200N to railroad as well as upstream of railroad. In both the 100 and 2 yr. rainfall events the flooding stays roughly 2.5 days in the downstream portion, 1.25 to 1.5 days in the mid-section and upstream of the railroad it stays flooded approximately 1 day. (She noted this was average times) She reviewed 2 graphs (at the confluence and downstream of confluence) reflecting with time and elevation of the flooding impact of Little Potato Creek on the watershed. She noted flooding peaks for the McLaughlin Drain and Little Potato Creek were very close. The flooding of the McLaughlin drain and Potato Creek has the approximate same elevation at their peaks. She stated Little Potato Creek's impact to the McLaughlin Drain raised the flood elevation and increased the duration of the flooding. Based on comments today the study would be refined, prior to additions of the proposed projects, with various two-stage ditch options downstream. She would report back to the Board with her findings.

Responding to Surveyor Beasley's inquiry, Terry Cain/ landowner stated the closing of CR. 700E due to flooding has lasted up to 2 days at times in the lower portion near Potato Creek. Surveyor Beasley reiterated the information given to the landowners reflected the existing conditions. If there were any differences in this information as stated then the landowners needed to speak up so that adjustments could be made and the next step started. The next step would be to add proposed plans and obtain the watershed data from those additions to the study. Landowner Kenny Cain stated he believed the bridge on CR. 700E was a restriction to the McLaughlin drain routing northeast. He stated the W.P.A. bridge on CR. 1000N was not a restriction. Surveyor Beasley stated the difference of the two bridges' impact was the size of the bridge's opening for the ditch channel. The smaller of the two bridges restricted the channel's flow per Kenny Cain landowner. He asked if replacing the smaller bridge would be beneficial to the project. Surveyor Beasley responded the next step of the watershed's study would reveal if replacing the bridge caused additional issues and/or move the issues to a different location. It may be wiser to leave the bridge in its current state and work around the issues. This issue would be addressed at the next meeting.

Surveyor Beasley thanked Peggy Shepherd for her presentation and asked the Board if there were any questions. Deanna Durrett stated any landowners who may have knowledge about the flooding issues on this drain should give their information to one of the members of the Board to ensure accurate information is obtained on the drain's flooding issues. Responding to the attendees,

Surveyor Beasley stated the maintenance rate was set up during the January Hearing and any work planned in the future would be completed under maintenance. He confirmed the maintenance rate was certified at \$4.50 per acre with a \$5.00 minimum in January of 2017. Responding to Tracy Brown's inquiry, Peggy Shepherd stated the study would be completed within a couple months - after landowners have given their input. Surveyor Beasley recommended the next meeting date should be held in January 2018. Deanna Durrett stated setting the meeting in January of 2018 and if the study was completed sooner - the meeting date could be adjusted.

After discussion, Tracy Brown stated the next meeting would be held on January 3, 2018 at 12:00. The Board agreed.

There was no additional public comment.



Tracy A. Brown, President
Tippecanoe County Commissioner



Deanna Durrett, Vice President
Montgomery County Drainage Board Member



Scott Shoemaker, Member
Clinton County Commissioner



Brenda Garrison, Secretary
Drainage Board Secretary