

**Tippecanoe County Drainage Board**  
**Minutes**  
**February 6, 2008**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

**Approval of Minutes**

John Knochel made a motion to approve the February 6, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 6, 2008 Drainage Board meeting minutes were approved as written.

**Subaru Warehouse #9**

Woody Roeschlein from RQAW Corporation appeared before the board to request final approval for Subaru Warehouse #9 (aka Butler Building). The site was located within the City of Lafayette specifically along State Road 38 between County Road 475 East and Interstate 65 (west of the existing manufacturing plant) and consisted of approximately 2.5 acres of the 830 acre site. The site drained to an on-site detention facility before being discharged into the Parker Ditch. Additional storm drains would be installed west of the proposed addition and connected to the existing storm sewers onsite. As a condition of drainage approval, Woody stated the Consultants for the Board required a new site analysis of the overall picture. A hydraulic analysis was performed in 1995 by his company and Burke felt the analysis needed to be revised. The new warehouse would drain to pond #5 - north of the engine plant. In 2002-2003 the water was diverted from pond #3 to pond #5. Pond #5 was enlarged during the construction of the said engine plant. This will be reflected in the total site analysis report. The new warehouse would have minimal discharge effect on the Parker Ditch. The existing site would be changed to roof and asphalt. Along with the new warehouse a turn around and parking area was planned. Responding to KD's inquiry, Woody stated pond #3 was originally designed for a four foot freeboard. The maximum elevation for a hundred year storm left it with a two foot freeboard. He stated that pond would not overflow. Dave Eichelberger noted the analysis showed storage and discharge curve that went up to 658 contours. The model indicated pond overtopped during routing that calculated peak outfall/elevation was invalid. He stated the map of the area was small and he could not determine if the 658 contour ends around the lake or if the lake was totally ringed by 660 contour. Woody had stated in an email the 660 contour ringed the pond. Dave felt it still needed to be remodeled. If it was getting above 658 there was actually more storage in the pond than the model indicated and the elevation would get higher than 658. This would cause more head on the pipe which in turn caused more discharge to pond #4 which meant pond #4 was not receiving the correct amt. of water getting to it. One of the first steps to pond #3 would be discharge in storage curves which go to the top of the pond and not some point below. The Surveyor then interjected details would be worked out with the Engineers involved. The main concern was the ultimate discharge to the Parker Ditch which routed under County Road 200North and on to the northeast to the Wildcat Creek. The Surveyor recommended final approval with conditions as the modeling question would be resolved. There was no public comment. John Knochel made the motion to grant final approval with the conditions stated on the January 24, 2008 Burke memo. Ruth Shedd seconded the motion. The Subaru Warehouse #9 was granted final approval with the conditions stated on the January 24, 2008 Burke memo.

**Stones Crossing Self Storage**

Eric Gleissner from Civil Site Group who represented G&L Development appeared before the board and requested final approval for the Stones Crossing Self Storage. The project consisted of six self storage buildings and an office on the overall 5.6 acre site. It was located approximately 800 feet south of the intersection of Promenade Parkway and County Road 350 South. Eric noted approximately 2 acres of the site consisted of existing easements, most notably the JN Kirkpatrick Regulated Drain which ran along the entire southern boundary of the site. Direct discharge was proposed to the JN Kirkpatrick Drain. Hydrodynamic separator structures would be used to address the post construction stormwater quality requirements. He then requested final approval with the conditions as listed on the February 1, 2008 Burke memo. In response to KD's inquiry Eric stated he was in agreement with the memo regarding the encroachment request. A formal request would be forthcoming. The 15 feet encroachment on the JN Kirkpatrick Regulated Drain Easement was for proposed pavement, fencing and landscaping. A buffer yard was required due to the residential area on the opposite side of the said

drain. This would leave a 25-30 feet area on the top of the bank for maintenance. The Surveyor noted a formal petition would be required. He had also talked with Mr. Keene of G&L Development concerning their maintenance of the vegetation in the channel. Also the easement was still legally in the City of Lafayette's name and acquired by the City as part of the interlocal agreement for the Twickingham ditch project. Typically easements were transferred to the Drainage Board. At the time there was a disagreement involving the Twickingham Bridge; this has since been resolved. However the transfer was never completed although that was the intent. The current preliminary indication was the City of Lafayette was willing to transfer the easements to the Drainage Board. He further stated this may be something the Board Attorney should discuss with the City Attorney. Dave Luhman then stated to the extent it encroached on the Right of Entry Easement - the Board can consent to the encroachment. This would be separate from encroaching on the platted easement. Responding to KD's inquiry, Dave stated the city could consent to the encroachment and transfer to the Board which would be subject to the consent or they could transfer the easement to the Board and then the Board could consent to the encroachment requested. However today the Board could not consent to the encroachment into the City's Easement. It could be approved subject to the filing of an Encroachment Petition. Eric noted he was in receipt of an approval letter from Bob Foley of the City Engineer's office. The Surveyor noted he was prepared to recommend final approval with the conditions as stated on the February 1, 2008 Burke memo. There was no public comment. John Knochel made a motion to grant final approval of Stone's Crossing Self Storage with the conditions as stated on the February 1, 2008 Burke memo. Ruth Shedd seconded the motion. The Stone's Crossing Self Storage was granted final approval with conditions as stated on the February 1, 2008 Burke memo.

### **Other Business**

#### **2008 Regulated Drain Status List**

The Surveyor presented the 2008 Regulated Drain Status list to the Board for approval. He stated a correction or two may be made before it was submitted to the Auditor office as required. John Knochel made a motion to approve the 2008 Regulated Drain Status list presented along with corrections if any by the Surveyor. Ruth Shedd seconded the motion. The 2008 Regulated Drain Status list was approved by the Board (*Note: a copy of the list as submitted to the Auditor office will be included in the official Drainage Board minutes immediately after the minutes at hand.*)

#### **Candlewood Suites- Petition to Reconstruct Alexander Ross Regulated Drain**

Clem Kuns from TBIRD Designs appeared before the Board and presented the Petition for Reconstruction of the Alexander Ross Regulated Drain for approval. He noted in the future they will present to the Board an additional Petition to Encroach on a Regulated Drain regarding future drive crossings. He then requested approval for the Reconstruction of the Alexander Ross Regulated Drain as submitted to the Board. The Attorney noted the Petition was in proper form and it had been addressed last month with approval of the drainage plans which reflected the relocation. As long as it is within their site, completed at their expense the Board could approve and they could relocate the drain. The Surveyor noted in addition to the revised encroachment agreement, they will need to formally vacate a portion of the platted easement which Mr. Luhman supplied with the form and instructions to do so. He stated the new Regulated Drain Easement should be completed at the same time. The Attorney clarified as follows: "There is now a platted easement and they want to relocate the drain. Merely relocating the drain does not replat the easement. The Surveyor suggests they vacate the existing platted easement and there should be a corresponding dedication of a platted easement for the relocated drain at the same time." The Surveyor then recommended the Board approve the Petition to Reconstruct the Alexander Ross Regulated Drain as presented. John Knochel made a motion to approve the Petition to Reconstruct the Alexander Ross Regulated Drain. Ruth Shedd seconded the motion. The Petition to Reconstruct the Alexander Ross Regulated Drain was approved as presented.

#### **Sanitary Landfill/Gary Brown**

Mr. Gary Brown appeared before the Board to request an inquiry into a Stormwater problem south of the landfill located at 2801 North Ninth Street Lafayette Indiana. The Surveyor and Mr. Brown walked the area in 2003-2004 and discovered blockage below the clover leaves under St. Rd. 52 and through the Oscar Winski Company tract. An investigative report requested by the TERF Board and completed by the Kermida Environmental Incorporated indicated problems with the area's drainage. Gary requested the Drainage Board send out informational letters to those affected property owners. He stated when the Wabash River floods the water can not drain back south as it use to through the Wabash & Erie Canal and under Ninth Street and back to the River. Due to the blockage the water now continues to flow toward the north. This affects all the property owners north of the landfill. The landfill was designed to drain from the north to the southwest therefore the blockages seem to be the problem. (The Surveyor presented the 1930's aerial photos which indicated the path of the old Wabash & Erie Canal to the Board.) He had also reviewed the bridge plans which indicated expansion to four lanes and showed the Canal at that time. They also indicated the cross section of it and a flow arrow indicating runoff to the southwest.

There was a bridge under the railroad tracks, a bridge under North Ninth Street, however he stated he was not sure at what point the berm was put in. The berm was located underneath the U.S. 52 Bridge between the Railroad tracks and the access road to the Monon shops and what was the active gravel pit. He stated after the tour of the site he felt sure that was the problem. However he had not been any further downstream. A review of the aerial photo indicated a channel which did provide relief. He stated Gary had farmed the area since he was very young. He had made a couple of site visits to the gentleman's property who lived at the very end of Conservation Club Road and he had noticed the same change as Gary. As the area floods there was nowhere for the water to get out. He felt starting with a letter from the Drainage Board advising the landowners affected of the Kermida Study and its observations made by their Engineers was warranted. The only option at that time would be to consider going through an Obstruction Petition process which was difficult and often did not lead to a firm answer. John Knochel asked Gary how long he had been farming that location. Gary stated he started in 1985 farming the Hacky property, but he was farming the Horner and Frier property (south of the landfill) since the early 1970's. John Knochel noted this was prior to the Railroad Relocation at which time the clover leaves were put in. Responding to John, Gary agreed this was around the time he started noticing drainage problems. In July 2003 his crops were completely damaged and he lost 1000 acres. In 2004 he had the same problem but was able to replant then. That was when he realized there was a problem as he noted then the water continued to go north. He stated it was obviously blocked at the clover leaf. He stated as you go on down there were several blockages. The Attorney explained the process for filing an Obstruction Petition for the removal of obstruction(s). If the obstruction(s) was intentional it would have to be removed at that particular landowner's individual cost. If the obstruction(s) was unintentional then the removal would be cost shared among all affected landowners. John Knochel made a motion for the Surveyor to draft a letter and send to those parties involved. KD noted the letters would go to those landowners located in between Gary Brown's property and the Wabash River. John included in his motion to send a copy of the Kermida study with each letter and that the Drainage Board would sign the letters. Ruth Shed seconded the motion. An informational letter and a copy of the Kermida Report would be sent to the affected landowners.

**Steve Murray**  
***S.W. Elliott Ditch/ Gaging***

The Surveyor stated the Board was aware in order to solve what appeared to be an artificially high 100 year flood based on conventional modeling, a gaging station on the Elliott Ditch was proposed. After speaking with the USGS office, they were willing to participate in the cost of the station. Dave Eichelberger stated the cost for installation would be \$12,000.00 and would be billed in October this year. Due to matching funds from the USGS there would be no operating expense for the County this year. Next year the O&M would be approximately \$6,900.00. This would be billed to the County in October of 2009 and every year after that. They would be supplying a 40% match to the County's 60% for operating costs. This would be the minimum from USGS and that may increase in future years. The installation would take three to four days. The joint funding agreement presented to the Board today would start the process. The Surveyor recommended the Board authorize the President to sign the document. John Knochel made a motion for the President to sign the agreement with the USGS. Ruth Shedd seconded the motion. The Drainage Board President would sign the U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement regarding gaging on the Elliott Ditch.

**Public Comment**

Clem Kuns from TBIRD Designs asked how many gaging stations would be installed on the Elliott Ditch. Dave Eichelberger responded one gaging station. He then asked how long the station would be installed for. The Surveyor stated it depended on rainfall events as it could be immediately or 3-5 years potentially.

**Steve Murray**  
***Maintenance Bonds***

Responding to KD's inquiry regarding The Greens PD, the Surveyor noted to date all the information received indicated everything had been installed and he had forwarded her email to the Project Manager for follow up. The Project Manager then approached the Board and stated he was able to speak with the Stormwater Coordinator and the drain pipe referenced in KD's email was located on Lot 11 and appeared to be a 4-6 inch in diameter PVC pipe. The Coordinator thought by observation it appeared to be a perimeter drain for their basement on Lot 11. He stated they would look into this further. The Surveyor stated that particular development must have individual site plans submitted to his office for approval and the drain should have been shown on the drawings submitted for that lot. Additional investigation would be done and KD would be informed of the outcome. The Surveyor stated he had received another email regarding the pond to the south from Mr. Gurly questioning whether or not the pond had been installed properly. It has a 4 inch orifice plate on it and everything appeared to be installed properly.

The Surveyor presented the following to the Board for acceptance. A Letter of Credit (note: no number) submitted by Superior Structures written by Lafayette Community Bank regarding Meadowgate Estates Section 2 Lot 14 dated December 6, 2007 in the amount of \$1,000.00. A Letter of Credit #412 submitted by the Greens LLC written by Salin Bank regarding The Greens PD Swale Lot 9 dated January 29, 2008 in the amount of \$11,486.00. Maintenance Bond #3634059 submitted by Fairfield Contractors written by Great American Insurance for the Greens PD Amended final Plat and Lots 9&10 dated Dec. 19, 2007 in the amount of \$7,500.00. Maintenance Bond Secured by Deposit submitted by Steve Schrader regarding The Greens Amended Final Plat 08-09-07 and Lots 9&10 and Amended Final Plat 12-12-07 written by Salin Bank dated January 18, 2008 in the amount of \$517.50. A Performance Bond submitted by Atlas Excavating regarding Stones Crossing Sections 1 and 3 Outlet Structures (JN Kirkpatrick Drain) and written by Union Planters Bank dated January 11, 2008 in the amount of \$5,000.00. Maintenance Bond #1831883 submitted by Atlas Excavating written by Hanover Insurance Company regarding Stones Crossing Section 1 dated February 6, 2008 in the amount of \$35,910.00. Maintenance Bond #1831884 submitted by Atlas Excavating regarding Stones Crossing Section 2 written by Hanover Insurance dated February 6, 2008 in the amount \$34,900.00. Maintenance Bond #1831885 submitted by Atlas Excavating written by Hanover Insurance Company regarding Stones Crossing Section 3 dated February 6, 2008 in the amount of \$4,500.00. Maintenance Bond #5030698 submitted by Benjamin Crossing LLC written by Bond Safeguard Ins. Company regarding Hunters Crest Section 3A dated January 14, 2008 in the amount of \$20,200.00. John Knochel made a motion to accept the Maintenance and Performance Bonds and Letter of Credits as submitted by the Surveyor. Ruth Shedd seconded the motion. The aforementioned Letters of Credit, Maintenance Bonds and Performance Bond was accepted as presented by the Surveyor.

With no additional public comment, John Knochel made a motion to adjourn. The meeting was adjourned.

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KD Benson, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member