The Vanderburgh County Drainage Board met in session this 4th day of April, 2017 at 4:19 p.m. in Room 301 of the Civic Center Complex with President Cheryl Musgrave presiding.

### Call to Order

President Musgrave: I would like to make a motion to adjourn this meeting\(^1\), and a motion to open the Drainage Board meeting all in one.

Commissioner Shoulders: Second.

Commissioner Ungethiem: I have a double motion and a second. All those in favor say aye.

All Commissioners: Aye.

**Motion approved 3-0**

President Musgrave: Now I would like to recess the Drainage Board meeting.

Commissioner Ungethiem: No, no, not yet.

Jeff Mueller: No, no, no.

President Musgrave: Oh, wait.

Commissioner Ungethiem: We’re going to open bids first.

Jeff Mueller: Yeah.

### Permission to Open 2017 Bids: Maintenance of Regulated Drains

President Musgrave: I need a motion to open bids.

Commissioner Ungethiem: I make a motion to open the drainage contract bids for 2017.

Commissioner Shoulders: I will second to open the bids.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

President Musgrave: Opposed same sign.

(None opposed)

President Musgrave: Hearing none.

**Motion approved 3-0**

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\(^1\) Adjourning the Board of Commissioner meeting held prior to Drainage Board.
Recess of Drainage Board Meeting

President Musgrave: I would like a motion to recess the meeting for ten minutes.

Commissioner Ungethiem: I make a motion to recess for ten minutes while we open bids.

Commissioner Shoulders: I will second.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Musgrave: See you back here by about 4:30-ish.

(The Drainage Board meeting was recessed at 4:19 p.m.)

Reconvening of Drainage Board Meeting

President Musgrave: We will now then reconvene the meeting of the Vanderburgh County Drainage Board for April 4, 2017.

(The Drainage Board meeting was reconvened at 4:35 p.m.)

Approval of the March 14, 2017 Drainage Board Meeting Minutes

President Musgrave: May I have a motion to approve the previous minutes?

Commissioner Ungethiem: So moved.

President Musgrave: Is there a second?

Commissioner Shoulders: Second.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

President Musgrave: Nay?

(None opposed.)

President Musgrave: The motion passes unanimously.

(Motion approved 3-0)

Construction in Floodway: Vectren: Unnamed Tributary to Little Pigeon Creek

President Musgrave: We now move to construction in floodway, Vectren, unnamed tributary to Little Pigeon Creek. Surveyor Jeffers.²

Jeff Mueller: We’ve got a construction in floodway work for Vectren. The work is being done to protect a gas line. The work is not on a regulated drain, and it’s being provided to the Drainage Board, as you are copied from DNR on all Construction in Floodway

² Should be Surveyor Mueller.
Permits within Vanderburgh County. So, there’s no, there’s nothing for you all to do, unless you would have a problem with that.

Commissioner Ungethiem: Okay.

Jeff Mueller: Do you want me to continue?

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**Revision to Final Drainage Plan: Windham Estates**

President Musgrave: Now we move to the revision to final drainage plan for Windham Estates.

Jeff Mueller: This is a minor revision to two swales for the installation of storm sewers and two previous open swales. This is Windham Estates. This is back in 2014, this is the more recent Google Earth, you can see some houses constructed here. What I would like you to do is, is you can see a swale coming down through right here. So, what they’re proposing is where this open swale is here and here, to install pipe, as a matter of fact, most of this pipe has already been installed, except for this small section right here. What you would be approving is a letter with two amended drainage sheets submitted to us on March 27, 2017. The amended drainage plan was reviewed by the County Surveyor and is found to be in compliance with Vanderburgh County’s drainage code, and therefore is being submitted to the Drainage Board for approval under Section 13.04.090.

President Musgrave: Alright, is there a motion to revise the final drainage plan for Windham Estates as cited by the Surveyor?

Commissioner Shoulders: So moved.

Commissioner Ungethiem: Second.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

President Musgrave: The motion passes unanimously.

(Motion approved 3-0)

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**Encroachment Agreements: Windham Estates: Lots 20, 21, 22, 25, 26 & 47**

President Musgrave: We move now to the encroachment agreements, Windham Estates, Lots 20, 21, 22, 25, 26 and 47.

Jeff Mueller: Okay, with what you just approved for the revised drainage plan and the installation of pipes, you have encroachment agreements from six properties. Most of these encroachment agreements are for fences and/or retaining walls along the retention pond. Since all of drainage now in the backyards is going to be going into the pipe, they want to encroach with a fence over the top of the pipe. I’ve been out there, it all looks fine. Normally I don’t care for fences in drainage easements where the swale is there, but when we’ve got a pipe to carry the drainage, I think it’s fine. I just don’t like it when we have a fence, because everybody’s, oh, let’s cut a little notch and the water can go through, and then somebody buys a dog, and, you know, we all know how that works. But, in this case the water is going to be able to go from property A, B, C and D, because there is a pipe. So, we’re just giving them permission to put a fence there. It’s at their own risk. It’s a standard encroachment agreement.

President Musgrave: Is there a motion for the encroachment agreements?

Commissioner Ungethiem: Yeah, I just have a question. When they put these fences, or whatever, in there, how do they locate the pipe so that they don’t hit it?
Jeff Mueller: I don’t know. Most of the fences are already in, and they worked with the developer in this particular case.

Commissioner Ungethiem: Okay.

Jeff Mueller: I mean, I know what you’re saying. I do think we need to be careful. You know, our code requires the pipes to be buried a foot to a foot and a half too. I know sometimes that’s still not deep enough for the pipe. In this particular case too, you know, we’ve got a box at every property corner where the water is going in. So, you can see where the pipe is very easily in this particular case.

Commissioner Ungethiem: Okay, I just want to make sure we don’t wind up with an issue if somebody, oh, I can put this fence in and they get a post hole digger and they’re right through the pipe.

Jeff Mueller: The situation out there is a lot of these folks have got swimming pools, they want to be able to take, you know, effect of their total lawn and not have the fence right up against the pool. I walked this whole area with the developer, Mr. Combs, and where the fences have been put up, they’re very nice looking. So, I don’t see any issues with them.

Commissioner Ungethiem: Okay. Alright, I make a motion to approve the encroachment agreements.

Commissioner Shoulders: I will second that.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

President Musgrave: The motion carries unanimously.

(Motion approved 3-0)

Ditch Maintenance Claims

President Musgrave: Now you have ditch maintenance claims.

Jeff Mueller: I have just two claims for you for $659.75. One of the claims is for removal of an additional beaver dam, upstream from where the last two dams were on the Wabash-Erie Canal. It was about a quarter to a half mile upstream we found another dam. So, we’re going to have to, we’re going to continue to keep an eye on it, and, like I said, we may have to get a trapper out there, but the issue is, if the beavers aren’t camped out on our stream, I don’t know how we can trap them, since we wouldn’t have the right-of-entry.

President Musgrave: Is there a motion to approve the claims?

Commissioner Ungethiem: So moved.

Commissioner Shoulders: Second.

President Musgrave: All those in favor signify by saying aye.

All Commissioners: Aye.

President Musgrave: The motion carries unanimously.

(Motion approved 3-0)
President Musgrave: Is there any other business?

Joe Harrison, Jr.: Yes, we have bids that we received on ditch bids, and what I would like to do is just read in who submitted bids. I have a copy of the tab sheet that can be entered into the record without all of the amounts, but the amounts will be available in the Surveyor’s Office tomorrow morning. Should someone want to know all of the bids, they can contact the Surveyor’s Office at, what number, 435?

Jeff Mueller: I’m trying to think. I know what my number is, 5210.

Joe Harrison, Jr.: 5210, and request a copy. The bids will be, successful bidders will be announced at the next meeting, next Tuesday, April 11th at 3:00, the Drainage Board meeting will follow the regular Commissioner meeting then. But, anyway, bidders were, bids were submitted by Big Creek Drainage Association; Eldon Maasberg; John Maurer; Rexing Enterprises, Inc.; RR Rexing Farms, Inc.; Union Township Ditch Association; Jerry Aigner Construction, Inc.; K & H Spraying Service, LLC; Tru Green Commercial; McCullough Land Improvements, LLC; Mark Naas Farms; Niemeier Property Solutions. Those were the bidders on all of the ditch work for Vanderburgh County for 2017. I would ask that these bids be taken under advisement.

President Musgrave: Is there a motion to take the bids under advisement?

Commissioner Shoulders: So moved.

Commissioner Ungethiem: Second.

President Musgrave: All of those in favor signify by saying aye.

All Commissioners: Aye.

(Motion approved 3-0)

Jeff Mueller: So, just to follow up, then next meeting we will have a spreadsheet for you all with all of the bids on all of the different things that were put out with our recommendation on, you know, on which bidder we would recommend for you all. You know, most of these are for spraying and mowing, and a little bit of dipping and some stuff like that. We also did ask, there are five projects that are, like I think I told you all before, a little bit more detailed, so we did ask some folks if they were just interested in bidding those projects to let us know, so that we can notify those people when they come up. We’ve got some access issues and some other issues on those five projects, but we’ll be coming to you on those as the season goes on. The rest is all pretty much normal maintenance that we see every year. Then we get to pay a bunch of blue claims through the years, through the year.

President Musgrave: Is there any public comment?

Commissioner Ungethiem: Jeff, one question, as you look through the bidders on this, I assume that these are mostly the standard bidders that bid every year? Is there any new?

Jeff Mueller: There’s one bidder, because Shidelers Spray has went out of business, but one of the people that used to work for the Shidelers Spray Company is a new bidder. As a matter of fact, he just got his license, I think, in the last week or two. So, I was kind of glad, because we don’t get a lot of people interested in spraying, especially because of the amount of spraying that’s required and the locations and stuff. So, that’s the, I believe that’s the only new bidder we have, Mr. Ungethiem. I think everyone else—

Joe Harrison, Jr.: Is that K & H? Is that the new one?

Madelyn Grayson: Yes.
Jeff Mueller: I believe so.

Joe Harrison, Jr.: K & H Spraying Service, LLC?

Jeff Mueller: Yes, that’s it, yes.

Joe Harrison, Jr.: Okay.

Jeff Mueller: Yes, and they’re from up north somewhere. We did have another sprayer from up north that came to see me, but when we sent him a package they found out they were too busy. So, but luckily we have someone that’s willing to bid it, someone that knows…the guy that’s bidding it is the guy that’s been down here spraying. So, he knows the area.

Joe Harrison, Jr.: It looks like Tru Green Commercial does some spraying too.

Jeff Mueller: And they have done for us in the past too.

Joe Harrison, Jr.: Okay.

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Adjournment

President Musgrave: Alright. If there’s no other comment, no other business.

Commissioner Ungethiem: I make a motion to adjourn.

Joe Harrison, Jr.: Did we accept the motion?

President Musgrave: Yes.

Joe Harrison, Jr.: Okay. Sorry.

President Musgrave: Yes, we’re done, if you would like to second the motion to adjourn.

Commissioner Shoulders: Second.

President Musgrave: All those in favor?

All Commissioner: Aye.

(Motion approved 3-0)

President Musgrave: We are adjourned.

(The meeting was adjourned at 4:44 p.m.)

Those in Attendance:

Cheryl Musgrave
Jeff Mueller
Others Unidentified

Ben Shoulders
Joe Harrison, Jr.
Members of Media

(VANDERBURGH COUNTY DRAINAGE BOARD)

Cheryl Musgrave, President

Ben Shoulders, Vice President

Bruce Ungethiem, Member

(Recorded and transcribed by Madelyn Grayson.)