The Vanderburgh County Drainage Board met in session this 5th day of April, 2016 at 5:41 p.m. in Room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Pledge of Allegiance

President Melcher: We'll go ahead and rise for the Vanderburgh County Drainage Board. It's April 5, 2016.

(The Pledge of Allegiance was given.)

Approval of the March 22, 2016 Drainage Board Meeting Minutes

President Melcher: I need a motion for the approval of the minutes.

Commissioner Kiefer: So moved.

President Melcher: I'll second it. All in favor say aye.

Commissioner Kiefer: Aye.

President Melcher: Aye.

(Motion approved 2-0)

2016 Maintenance of Regulated Drains: Award Contracts

President Melcher: 2016 maintenance of regulated drains award contracts. Oh, this is—

Commissioner Kiefer: Joe, would you repeat all of those again please? We need to go through those numbers one last time.

President Melcher: I was going to say—

Jeff Mueller: Linda is gonna—

President Melcher: You beat me to that, because that's what I was going to suggest.

Joe Harrison, Jr.: That was a half hour, at least, 45 minutes.

Jeff Mueller: Linda is gonna cover that. I do want to mention one thing though, last year we did Big Creek, and that's one of the things that's being bid on, and that's a picture of it. You can see on the right the work we did. One thing to make you aware of is that the bid from the Big Creek Drainage Association, that will be contingent on us receiving a construction in a floodway permit, as we did last year. That permit will be filed by my office. I'm going to let Linda take over then, and then I'll come back.

Joe Harrison, Jr.: Okay, that's contingent.

Linda Freeman: Yeah, basically, I do know a gentleman would like to make a comment, Anthony Moffat from Tru Green.

Anthony Moffat: Thank you, Linda. Good evening, gentlemen. I wanted to take a couple of minutes this evening, we were involved in the bid process for the spraying for the broadleaf brush and the dormant spraying. I just wanted to come down here and tell you a little bit about one of the other bids that came to our knowledge in this process. Shideler Spray Service out of Eaton, Indiana, I think it's near Muncie, was the only other
bidders, outside of Tru Green, for the spraying. As we do, we try to stay very involved in licensing and ensuring compliance, and it came to our attention that at the time of the bid they did not have a pesticide license. It then appears that they had presented a pesticide license with their bid packet, which usually only happens when it’s on the office of the Indiana State Chemist database. So, it’s our concern that the license that was produced at the start of this process was not valid. I now have to be very upfront, with our bid bond this year we had a delay in getting that in because of a new system that we have. So, I want to be completely transparent about that, but it was our concern that this company now being under investigation by the office of the Indiana State Chemist, I wanted to make you aware of that situation. Again, we try to be very compliant in ensuring that all of our “t’s” are crossed and the “i’s” are dotted and wanted to bring that to the attention of the Board.

Commissioner Kiefer: Thank you.

Anthony Moffat: Thank you.

Linda Freeman: Yes, he is correct. Shideler apparently did not have a valid license at the time of the bid, but they are, I have been in contact with the Chemist’s office and with Joe and Jeff as far as they do have a license, a valid license now. So, we’ve, I mean, the other thing is that they’ve been very responsive and very good bidders to work with, or very good contractors to work with in the past.

President Melcher: So, do you need a motion to approve it?

Joe Harrison, Jr.: I think she’s going to go through and (Inaudible).

Linda Freeman: Well, I’m going to kind of give you a...we did have a misread on Kolb Ditch with Jim Axton’s bid. The bid was read in as $3,244.50, and that was for both mows, because we’re asking for two mows. So, he multiplied his bid at the end by two. So, actually his bid, per mow, is $1,622.25. We had a tie on Keil Ditch almost, I mean, the price per foot was the same, but when you multiplied it out, Tru Green was one cent less. We had a few multiplication errors, but nothing that really affected any of the bids. Mark Naas’ bid on Crawford Brandeis, we read it in as $2,898, and at his price per foot it was half that. So, we had a few things like that go on, but nothing that affected the bottom line as far as the end bids. Yeah, that’s all, and then you should have a spreadsheet in your packet with what we recommend. We’re basically recommending the bids to all of the lowest bidders. Then, like Jeff said, for Pond Flat Main, we’re looking at, we may not spend that much money on that particular ditch because we are looking at getting a permit from IDNR.

Joe Harrison, Jr.: With regard to the Shideler bids—

Linda Freeman: Yes.

Joe Harrison, Jr.: -- that was discussed, they are the low bid on how many?

Linda Freeman: Let’s see, I didn’t actually count. They are the only bidders that we have for sterilization. Tru Green doesn’t bid on that. So, we’re looking at, one, two, three, four, five, six, seven, eight, nine, 10, 11 bids, besides the sterilization, versus one, two, three, four, five, six, seven bids for Tru Green.

Joe Harrison, Jr.: As far as what you mentioned about Shideler, they do have licenses right now?

Linda Freeman: They have current, valid license right now.

Joe Harrison, Jr.: And it may be the State may look at them?

Linda Freeman: There may be something that comes down the road, but if their licenses were revoked then we could visit this further.

Joe Harrison, Jr.: With regard to Tru Green, when they submitted their bid, they did not have the bid bond or one of the bonds, but now they do?

Linda Freeman: Right, yeah, now they do. That’s something that happens here and there.
Joe Harrison, Jr.: Again, the Drainage Board and Commissioners have the power to waive irregularities, by State statute that’s common. Anyway, those are the bids that were submitted.

President Melcher: Any questions? Is this the correct list now?

Linda Freeman: Yes.

President Melcher: So, the list that we have in our hand tonight, everything is corrected and everything is right?

Linda Freeman: Right, yes, because when we’re reading, as you know, going through those, we’re going through them so fast.

President Melcher: No, I understand, I understand.

Linda Freeman: Then, some of the gentlemen that bid, they tend to go, what I call backwards. They know what they want to bid, let’s say $2,000, but they divide it by 1,999, and they still come up with a dollar because of rounding or something. So, when you actually multiply the footage by the actual price per foot, sometimes there’s a little bit of difference.

President Melcher: So, what we’re voting on is this list?

Linda Freeman: Yes, sir.

President Melcher: This corrected copy?

Linda Freeman: Right.

Commissioner Kiefer: Okay, then, in that case, per Linda’s—

Anthony Moffat: I just have one more question.

Commissioner Kiefer: Okay, I mean, is—

President Melcher: Yeah, come on up.

Commissioner Kiefer: Sure, come on up.

Anthony Moffat: Thank you, gentlemen. I just had one other question. It was touched on briefly that if Shideler did lose their renewed license, which the State Chemist can stop them renewing, even though they are under investigation, if that was then found, they were found to be in violation of having counterfeit documents, what would the contingency then be for this work to be completed?

Joe Harrison, Jr.: Well, typically it would go to the next low bidder. So, that would be, they would have, the Surveyor’s Office would have to come before this Board and indicate that’s what happened and make a recommendation to that effect.

Anthony Moffat: Okay.

Joe Harrison, Jr.: But, the next low bidder would be in line.

Anthony Moffat: Okay, thank you.

Commissioner Kiefer: Thank you. So, just to make it clear, I’m going to make a motion that we take the recommendation of the Surveyor’s Office, and approve for work an awarding of these bids, as detailed in the sheets, and as recommended by the Surveyor’s Office. That’s my motion.

Linda Freeman: Yes, sir. Thank you.

President Melcher: I’ll second that.

Commissioner Kiefer: Okay, then—

President Melcher: So, we probably need a roll call vote on this.
Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Melcher?

President Melcher: I want to thank you, Linda, for all the work you’ve done on this in getting everything straight for somebody like me to understand it. So, I vote yes.

(Motion approved 2-0)

Linda Freeman: Yeah, it’s a tedious process, but it all comes down to, you know, maintenance on our drains that keep, basically, the east side from flooding. So, thank you, gentlemen.

Jeff Mueller: Mr. Melcher, I would like to second that. There’s a lot of paper that’s laying out all over drafting tables and red pens and everything else.

President Melcher: Well, that’s more room than what they had two weeks ago right here.

Jeff Mueller: I will tell you working in private industry, we didn’t quite have to go through the bid process that we have to do for the county. I think it’s good we do that, but there is a lot of effort expended in that process. I do appreciate Linda’s efforts on that.

**9301 Oak Hill Road: Hedden Road Mini Storage: Final Drainage Plan**

Jeff Mueller: With that, I’m going to move on, if everybody’s okay? The next item on the agenda in 9301 Oak Hill Road, mini storage, the Hedden Road mini storage facility. This is the new Oak Hill Road that was built from the reconstructed airport, Kansas Road, and this is Hedden Road. Okay? This plan is for a site drainage plan of a proposed mini storage facility to be located just north of the airport on a five acre site between the relocated Oak Hill Road and Hedden Road, north of Millersburg, and south of Kansas Road. The proposed site is for 11 storage buildings. The site will require the construction of two dry detention basins. The spoil from these basins is to be utilized as fill over the remainder of the site. The site is bisected by an east-west drainage ditch that has been determined to be jurisdictional by the Army Corps of Engineers. We know this because the developer hired an environmental consultant on the front end of the project, and also because I received, for an unknown reason, an unsolicited e-mail from the Corps telling me that it was jurisdictional and the basis for that determination. The final drainage plan was originally submitted on March 18, 2016. Additional calculations and drawings were received on March 31, 2016, with a follow up e-mail on April 1, 2016. The plan that is requested to be approved consists of the submitted document with a receipt date of March 18, 2016, along with drawings C-101, C-107 and drawings number one, two and three with the same receipt date, and the additional supplement data, including a revised written narrative and drawings C-102, dated March 31, 2016, and revised Forms 800, received by e-mail on April 1, 2016. A copy of the review of the submitted drainage plan is in your package, and I request that the review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor and is found to be in compliance with Vanderburgh County’s drainage code, and is therefore being submitted to the Drainage Board under the approval of section 13.04.090 with two conditions. First, that the drainage plan is conditioned upon receipt of the necessary permits from the U.S. Army Corps of Engineers and an IDEM 401 Water Quality Certification. No piping or pipe outlets will be placed within any jurisdictional stream without the receipt of required permits. No crossing of any streams with construction equipment shall occur until approval from the proper agencies is received. The discharge of any constructed swales that drain into jurisdictional streams shall not occur until approval is received from the Corps and IDEM and copies of those permits, or evidence of receipt of those permits, is provided to the Drainage Board through the Surveyor’s Office. Second, the County Surveyor’s Office has been contacted by the Evansville Airport in regard to the potential construction of retention/detention ponds on site. The developer, with their consultants, along with myself met with Doug Joest, Evansville’s Airport Manager, in late January. Doug stated,
excuse me, Mr. Joest stated that due to safety concerns of wet retention ponds attracting birds, that they wanted to see dry detention ponds with this issue. This issue is going to come up again in the near future on some other developments. Anyway, the second condition would be that the airport review the drainage plan and make sure that they have no issues regarding the ponds as a condition for approval, and that we have in our files a letter or an e-mail to that effect. With that said, I’ve placed in your package an e-mail from Mr. Joest dated April 4, 2016 for your review, where he says he's fine with the drainage plan. So, they’re fine with the ponds, so all we have is they’ve got to get their Corps permits. So, with those conditions, I submit the drainage plan for your approval. I know Mr. Meritt is here, the engineer for the project, if you’ve got any questions.

President Melcher: Any questions?

Commissioner Kiefer: No, I don’t have any questions.

President Melcher: Okay, good. Anybody from the audience have anything? Okay, I would entertain a motion.

Commissioner Kiefer: So, you’re, you know, based upon your recommendation, I’ll make a motion to approve.

Jeff Mueller: Based upon my review of the plan, yes.

Commissioner Kiefer: Yeah.

President Melcher: I’ll second it.

Commissioner Kiefer: Okay.

President Melcher: All in favor say aye.

Commissioner Kiefer: Aye.


(Motion approved 2-0)

Clearcrest 2: Preliminary Drainage Plan

President Melcher: Next is Clearcrest 2, this is a preliminary drainage plan. This subdivision is located on the east side of Darmstadt Road in a portion of the old Clearcrest Pine Golf Course, and consists of a short road and a cul-de-sac with four lots. I think this was hole number one. I used to get a lot of benefit off that road, but it never helped me very much. So, anyway, the preliminary drainage plan was originally submitted on March 4, 2016, with an additional submittal on March 11, 2016. A revised submittal, final submittal, as a result of a change of the road plan, was submitted March 24, 2016. The preliminary plan requesting to be approved consists of the submitted document and drawing C-100, with a receipt date of March 24, 2016, along with two additional attachments submitted by e-mail on March 31, 2016. A copy of the review of the submitted drainage plans is in your package, and I request that the review document be made part of the approved preliminary drainage plan. The drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County’s drainage code for preliminary drainage plans, and therefore is being submitted to the Drainage Board for approval under section 13.04.090. I know Mr. Morley is here if you’ve got any questions regarding that, but it's a pretty simple plan.

Commissioner Kiefer: Okay, and this, again, is just preliminary?

Jeff Mueller: It’s a short (inaudible) with a cul-de-sac, four lots and a little bit, a pipe and a dry detention basin.

Commissioner Kiefer: Well, but it’s preliminary—

Jeff Mueller: It’s preliminary, yes, we would have a final come back through.
Commissioner Kiefer: Yeah, and, so, I just wanted to make sure Commissioner Ungethiem had a chance to give his input.

President Melcher: Yeah.

Jeff Mueller: Since he lives out in that area.

Commissioner Kiefer: Well, since he lives out in that area, and you and him both have that engineer, Rose Hulman engineer minds. So, they might be able to synchronize.

President Melcher: Joe beat me again, because I was going to say the same thing. I was going to say, I want to know the size of that pipe, that don’t mean nothing. It could be this or it could be this.

Commissioner Kiefer: But, anyway, so I’ll make a motion to approve the preliminary drainage plan.

President Melcher: I’ll second. All in favor say aye.

Commissioner Kiefer: Aye.

President Melcher: Aye.

(Motion approved 2-0)

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The Hills: Final Drainage Plan

Jeff Mueller: Alright, next we’re going to get a little more complicated, The Hills.

President Melcher: Really? Do we need to call Bruce and put him on speaker phone?

Jeff Mueller: Yeah, we might want to put him on speaker. Okay, this is The Hills, and this is for the final drainage plan. This is the final drainage plan for a submitted 109 lot subdivision, though two lots, those being 67 and 68, are now not included in the final drainage plan approval. They’ll be addressed at a later date. The subdivision is located south of Mohr Road, just east of St. Joseph Avenue. The subdivision is part of the originally planned Spring Lake Valley Subdivision that was approved on July 26, 2004. The preliminary drainage plan for The Hills Subdivision was approved by this Board on April 7, 2015. The developer, earlier in the process, investigated the existing streams on the property, and they got a jurisdictional determination letter stating that the existing main stream, as well as three feeder streams, were determined to be jurisdictional. I bring this up because I will be addressing some of these conditions that will be recommended. A copy of this submittal and the U.S. Army Corps of Engineer determination letter is included in section 13 of the drainage report. Also that jurisdictional letter, a copy of it is in your packet, in case you were curious as to what these are, but, essentially what you do is you send, you hire a consultant, they send off a map saying we are thinking that these might be jurisdictional by your criteria, and the Corps either agrees or disagrees. In this case they agreed with the consultant that some of these streams were jurisdictional. So, I’m glad that this work was done upfront. We don’t have the Corps coming in later on says, oops, this should have happened, or that should have happened. This way the developer is aware of what’s going on out there and he can address it accordingly. The next point that I would like to bring up is that on lot 77 and 78, which are proposed to be right here, you will see a lake right next to it, right here. Okay? That lake is not part of the subdivision, but I do want to point it out. I think I’ve got, there we go, it kind of shows it a little better. Okay? Our code addresses finished floor elevations adjacent to basins, but this is not technically a basin, for this or any other project. So, therefore there’s no requirement regarding the lowest floor elevation of any proposed house on these two lots. There will be a rear yard swale between the lake and the homes. It would be in place to catch any water. According to a submittal, the lake dam is visible, and no further notice would be given to the buyers, because they could see it. It would be up to the Board to determine if any additional notice, plat note, or notice in the sale, etc. would be required. I do want to point out that, okay, this shows the lake and these show the two houses. The lake is maybe five feet above here, and maybe seven feet here. So, it’s not like it’s a huge impoundment above
there, but I do want to bring it up so that we know these issues, because sometimes we get buyers later on saying, well, you know, there was a lake there, I didn’t know it. Or, the lake could bust, you know, or something like this, and you’re kind of like, well, really, didn’t you realize that when you bought the lot? But, anyway, I wanted to bring that up. I want to notice one other item as it relates to the subdivision. As a condition for the subdivision, the Area Plan Commission required that the applicant provide erosion soil stability analysis on lot 62 through 65, 83 through 86, and 97 through 111. This is noted in the drainage submittal addendum, and it’s not part of a condition, it’s an APC condition, but I did want it to be noted in the record. On a somewhat related issue, as you are aware, the change in the drainage code is a requirement to notify adjacent landowners of the drainage plan. I had a couple of folks come in with questions. Most of them just kind of wanted to know what went on. I did have one person, Mr. Schirmer, and he’s still here tonight. He gets an atta boy for being here. He lives at 1629 Lisa’s Way, and that’s actually in the original...well, I can’t go back. It’s actually in the original subdivision, the Spring Lake Valley Subdivision. Mr. Schirmer’s house is directly west to a new home under construction by the developer, on lot 127, at 1621 Lisa’s Way. According to Mr. Schirmer, during the construction project, the swale in the backyard of the lot next to him, is currently disturbed, and Mr. Schirmer just wants to be sure that the developer re-establishes the swale on this lot so that Mr. Schirmer’s backyard will drain, as per the original plan. He wanted to go on record to that effect. He’s here, do you want to add any comment, Mr. Schirmer, to that?

Robert Schirmer: No, I just, you know, received this certified mail notice.

Jeff Mueller: You need to come up to the microphone, sir, I'm sorry.

Robert Schirmer: I received this certified mail—

Jeff Mueller: You need to state your name and address, just to get it on the record.

Robert Schirmer: Oh, okay. Robert Schirmer, 1629 Lisa’s Way. I did receive a certified mail regarding a notice for this Drainage Board meeting a couple of weeks ago, but this topic was postponed until tonight. We’ve lived in the Spring Lake Valley Subdivision, which is adjacent to The Hills. The Hills are probably going to be about three or four times larger than the Spring Lake Valley Subdivision, and some of the topography on The Hills is going to be pretty steep. There’s a lot of flowing water. We also live just a lot away from a spring, continually running, and that’s going to go into the drainage, which I think has affected our property, to a degree, because if that’s not controlled it backs up into our swale on our properties. The house next to us is currently being built, hopefully the grading and land will be taken care of to drain, to keep the spring running, which, I guess, it’s going to run into that lake, and all of the other new 100 or so homes will be running and draining into swales and into that lake. So, I just would like to be assured, or have on record that we have had a problem with it, and, hopefully, it will be corrected, as the construction proceeds, which might be several years. I don’t know how fast it will build up and finish up, but the subdivision we’re in, with the housing crisis ten years ago probably, has been in process for 12 or more years and doesn’t have as many homes as the new subdivision. So, it’s a process that can go on, or can get delayed or switched around or re-designed or anything, you know. So, I would just like to be on record for that. I think some of the other neighbors are kind of concerned too. They had, you know, water backing up and just stuff like that, and maybe even with the lake drainage into the lake, the clarity of the water, purity of the water going into the lake, just if that’s not jeopardized or anything like that. So, because it’s kind of a holding basin.

President Melcher: So, this has happened under, while all of this construction is going on? This is why you’re having water problems?

Robert Schirmer: Well, I think originally the area wasn’t developed totally, you know, it wasn’t finished, and that was probably part of it, you know. So, but as the lots get developed and dug out and stuff like that, and the new homeowner wants to see, hey, what’s going on back here and kind of gets it in process.

President Melcher: Okay, Joe, do you have any questions?

Commissioner Kiefer: No, thank you for appearing before the Board and coming down here.
Robert Schirmer: Okay.

Madelyn Grayson: Mr. Schirmer, can you complete this in case they need to get in contact with you?

Jeff Mueller: I know one of the problems that Mr. Schirmer is bringing up is that there has been some runoff from an adjacent property. It has nothing to do with this subdivision. That they’ve been getting in their lake, and I know Mr. Stoll’s group has been addressing that.

President Melcher: Okay, that’s what caused me to say it, you know, I didn’t know.

Jeff Mueller: Yeah, there is a project that’s not related to this that they’ve been getting some mud in their lake, and, like I said, Mr. Stoll’s group has been out to address it.

Commissioner Kiefer: But, we’re okay to move ahead with this particular—

Jeff Mueller: I think so, and I think, Mr. Schirmer, if I understand his main issue is he wants to make sure his back yard drains again like it did.

President Melcher: He just doesn’t want any more problems than he’s got?

Jeff Mueller: Right.

Commissioner Kiefer: Okay.

Jeff Mueller: Alright.

President Melcher: We’re not speeding you up.

Jeff Mueller: Let me get into the details, and then if there’s anything else, I don’t know, first of all, Jim, do you have any other comments on it?

Jim Morley, Jr.: Not if they’re going to vote yes.

Jeff Mueller: Don’t you like an honest man?

President Melcher: (Inaudible) is it? Do you got a coin?

Jeff Mueller: Okay, so, the final drainage plan was originally submitted on February 9, 2016, and, again, on February 23, 2016. A revised submittal was submitted March 10, 2016, and additional information was submitted on March 29, 2016, as well as an e-mail dated April 1, 2016. Also, there was some revised drawings that just came in today, those were mainly due to the streets, but since they’re the most up to date, that’s what’s going to be in here. So, the final drainage plan that’s being submitted for approval consists of the following: drainage plan document with submittal date of March 10, 2016; revised drainage sub-basin table and sewer tabulation table, dated March 29, 2016; Morley response to the plan review document, dated March 29, 2016; green cards showing proof of mailings to adjoining property owners, dated March 29, 2016; a string of e-mails with the final date of April 1, 2016, related to lots 67 and 68; drawings G-100, C-101 through C-109, C-114, C-500, C-501 and C-503, all with a receipt date of March 29, 2016. Yeah, that’s right, and then with reference of Evansville Water and
Sewer drawings and Evansville, there’s two sets of sheets in there that those are just submitted for reference, okay? The copy of the review of the submitted drainage plan is in your package and I request that the review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor, and found to be in compliance with Vanderburgh County’s drainage code for final drainage plans, and therefore is being submitted to the Drainage Board for approval under section 13.040.090, with four conditions that I believe should be included with the approved drainage plan. There’s also kind of one variance. I’ve given you a copy of those, but I’m going to read these through, okay? First, the drainage plan is conditioned upon receipt of the necessary permits from the U.S. Army Corps of Engineers and IDEM 401 Water Quality Certification. Phasing of the subdivision will be permitted prior to Corps of Engineers and IDEM approval, on those areas where no permit is needed for crossing pipes of the stream, or pipe swales connected to the streams. However, no phasing, that is platting, will be allowed on those portions of the subdivision where Corps and IDEM approval is required until such time that those permits are required and evidence is provided to the Drainage Board through the Surveyor’s Office. Second, and this is going to read a little different than what you have, no piping or pipe outlets shall be placed within any jurisdictional stream without the receipt of required permits. Except for utilizing existing farm crossings, no crossings of any streams with construction equipment shall occur until approval from the proper agencies is received. The discharge of any constructed swales that drain into jurisdictional streams shall not occur until approval is received by the Corps and IDEM. Third, if the Corps of Engineers require conservation easements on the jurisdictional streams located within the subdivision, these easements will be provided on the plats. It should be noted that unlike a drainage easement, where the Drainage Board can allow encroachments, vacations, etcetera, that a conservation easement is much more stringent. It will not allow the Drainage Board to allow any variances upon the approved conservation easement, and any variances to those easements can only occur with the Corps of Engineers. Fourth, certain requirements as laid out in an e-mail from James E. Morley regarding lots 67 and 68 will be met in order to have to be met for those lots to be platted. It’s understood that a full drainage plan submittal for those lots, that is basin sizing, description of pre-conditions, etcetera, would not be required, but the sizing of pipes for those lots and required approval from the Corps and IDEM would be required before those lots could be platted. Unless the Board has any other conditions, that's the drainage plan that's approved. There is one other comment though, and it's a variance, and the only thing I want to point out is that the existing streams are existing naturally, they're going to be in people's backyards. You know, our code requires these nice swales with a foot width and a 3:1 side slopes. That's not what will be constructed out there, because the developer has to leave the streams as is. So, what we're saying is, we're allowing a variance for when they're going to use those existing streams, they're going to stay existing, so when somebody comes out later and says, I don't like this stream, I want to come in and I want to grade it out and everything else, we're going to say, can't do that. The drainage plan is approved with them as is, where is, because you have to have Corps approval to change those.

President Melcher: This is not going to be a ditch or anything, it's just going to go across the grass, right?

Jeff Mueller: Well, what we're talking about is like, for example, you see these ditches right here?

Commissioner Kiefer: Yeah.

Jeff Mueller: They're a part of the subdivision, but they're not nice, grassed swales like we're used to, they're existing farm ditches. So, they have to be left intact, and we're—

President Melcher: That's where I was going, because they could build a yard barn, or something on it, and we'd have the same problem.

Jeff Mueller: Yes, yes.

President Melcher: Okay.
Jeff Mueller: Okay, but we’re not approving, we’re approving these as is for those particular ditches, because otherwise we would be requiring them to redo the ditches, they would have to go to the Corps—

President Melcher: No, I understand.

Jeff Mueller: Okay.

President Melcher: You know all of the problems we’ve had passing stuff like this, and then all of a sudden everybody fills that up and puts their flower bed there.

Jeff Mueller: Yeah, and that’s why it’s nice and on record.

President Melcher: Okay.

Jeff Mueller: So, it makes it a little bit better for everybody that way. So, that is what we are submitting. Jim, you don’t have any comments, do you?

Jim Morley, Jr.: Only if they have questions.

Jeff Mueller: Okay.

President Melcher: Joe, do you got any questions?

Commissioner Kiefer: No, I’m relying on the County Surveyor for this one.

President Melcher: So, am I. That way when they call me, I can say, do you want the Surveyor’s number?

Jeff Mueller: I did want to, I’m going to double check one comment here I made, just to be sure. The drawings that I submitted, told you about, those were revised. So, the drawings that you’re actually accepting in the plan has a receipt date of April 5, 2016, with the exception of one drawing, which is C-503, which has a receipt date of March 29, 2016.

President Melcher: Okay.

Jeff Mueller: Sorry about that.

Commissioner Kiefer: Okay, so, now I’ll make a motion to approve—

Jeff Mueller: With conditions.

Commissioner Kiefer: --with conditions, as stipulated.

Joe Harrison, Jr.: And the variance.

Jeff Mueller: I’m sorry?

Joe Harrison, Jr.: And the variance.

Jeff Mueller: And the variance, yes, thank you, Joe.

Commissioner Kiefer: And the variance.

President Melcher: Okay, I’ll second it with the conditions and the variance. All in favor…oh, anybody from the audience? Sorry. Thank you. All in favor say aye.

Commissioner Kiefer: Aye.

President Melcher: Aye. It passes.

(Motion approved 2-0)
Reminder of Cancellation of Drainage Board Meeting for April 19, 2016

Jeff Mueller: The only other thing I had was just a...oh, I'm sorry. Was a reminder that the Board meeting for April 19th is cancelled because of the road meeting.

Permission to Stamp Ditch Maintenance Contracts

Jeff Mueller: Linda, did you have something else?
Linda Freeman: Yes, in the mix of everything—
Jeff Mueller: Oh, yes, thank you.
Linda Freeman: -- since there are a substantial number of contracts, if you, sorry, I got down to the office and I went, oh, I forgot. We will have a number of contracts for your signatures, but typically what we've done is we take them to Madelyn and Madelyn stamps them and puts them in her filing cabinet for record.
Commissioner Kiefer: That's good for me.
Linda Freeman: So, if you gentlemen would want to approve that.
President Melcher: Would you like a motion for that?
Linda Freeman: Yeah.
Commissioner Kiefer: I'll make a motion that Madelyn is able to, Madelyn Grayson is able to just have those and stamp those with our names on it.
Madelyn Grayson: Only those, right? I don’t want to have permission to use your stamp for anything else.
Commissioner Kiefer: Yeah, exactly, as clarified by Ms. Grayson.
President Melcher: Wow, okay. I'll second. All in favor say aye.
Commissioner Kiefer: Aye.
President Melcher: Aye.
(Motion approved 2-0)
Linda Freeman: Thank you, gentlemen. Sorry.

Ditch Maintenance Claims

Jeff Mueller: I have no other business, unless you all have any questions.
Commissioner Kiefer: No ditch maintenance claims?
Jeff Mueller: No, I mean, we’ll start having those here in a month or two. Yeah, that's right, Joe, but, no, not now.

Adjournment

Commissioner Kiefer: Okay, I make a motion to adjourn then.
President Melcher: Second. All in favor say aye.
Commissioner Kiefer: Aye.
President Melcher: Aye.
(Motion approved 2-0)

President Melcher: I don’t have the gavel. We’re adjourned.

(The meeting was adjourned at 6:16 p.m.)

Those in Attendance:
Stephen Melcher  Joe Kiefer  Jeff Mueller
Joe Harrison, Jr.  Madelyn Grayson  Linda Freeman
Anthony Moffat  Jim Morley, Jr.  Robert Schirmer
Others Unidentified  Members of Media

VANDERBURGH COUNTY
DRAINAGE BOARD

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Stephen Melcher, President

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Joe Kiefer, Vice President

(Recorded and transcribed by Madelyn Grayson.)