The Vanderburgh County Drainage Board met in session this 11th day of August, 2015 at 6:29 p.m. in Room 301 of the Civic Center Complex with President Bruce Ungethiem presiding.

**Call to Order**

President Ungethiem: I would like to call the August 11, 2015 Vanderburgh County Drainage Board meeting to order.

**Pledge of Allegiance**

President Ungethiem: Joe, could you help lead us in the Pledge?

(The Pledge of Allegiance was given.)

**Approval of the July 21, 2015 Drainage Board Meeting Minutes**

President Ungethiem: I would entertain a motion to approve the previous minutes.

Commissioner Kiefer: So moved.

Commissioner Melcher: I wasn’t here.

Commissioner Kiefer: You’ll have to second, he wasn’t here.

President Ungethiem: Oh, I will second. All those in favor say aye.

All Commissioners: Aye.

President Ungethiem: So approved.

(Motion approved 3-0)

**Request to Allow Drain Pipe: Barkley Court**

Jeff Mueller: Alright, sorry about the problems here. Request to allow drain pipe on Barkley Court. Barkley Court is located in Greenbrier Hills, Section Three. The request is a result of a drainage complaint inspection at 501 Barkley Court. To make a long story short, drainage from the end of Barkley Court drains into what was supposed to be an open swale through a homemade, but I might add, very well constructed down drain with a six inch pipe. The complaint was not about the pipe, but with some drainage modifications done within the easement. After a site visit, all three parties have agreed to essentially perform work that will re-establish the originally designed swale behind the houses. All three parties want the pipe to remain. It apparently has been in place for over ten years without any problem. All three parties involved with the pipe have signed the letter that you have before you. It should be in your packet. It's the letter from Jerry Scott, Jeff Alsip and Tim Ethridge. They've all signed the letter and you have it before you, and I believe the County Engineer will also concur that he has no problems allowing the pipe to remain. Allowing the pipe to remain will assist the three parties in amicably re-establishing the drainage in the back yards. The County Engineer may want to make a comment regarding the pipe, but barring any negative feedback from Mr. Stoll, I can support the request of the three neighbors. John, do you…oh, I know he had Valerie out there, but this situation is just kind of, everybody’s getting along good now, but, it’s like I said, once you called me out, you’ve got a pipe there that shouldn’t
be, everybody wants the pipe to remain. So, it's been there and it hasn't caused any
problems with the street. So, I recommend it, you know, everybody likes it. So, even
though it's not to code, this is one of those where, why not?

President Ungethiem: Do we need to do anything?

Jeff Mueller: Yeah, you do, because it's a revision of the drainage plan and it is calling
for a six inch instead of a 12 inch pipe. So, I would just make a, my suggestion….oh,
John, do you have any issues with Barkley Court? The pipe there that Valerie looked
at?

John Stoll: Back when Jeff and Valerie were looking at that, as long as it addressed the
property owners concerns, I had no issues with it.

President Ungethiem: So, we just need to make a motion to—

Jeff Mueller: Approve that, you know, they would be allowed to keep a six inch pipe
there, where there was previously an open swale.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Ungethiem: Any discussion? Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.

(Motion approved 3-0)

The Hills Subdivision: Final Drainage Plan

President Ungethiem: Okay, drainage plans.

Jeff Mueller: Then we've got a bunch of drainage plans. Alright, first one, The Hills. This
submittal is for approval of the final drainage plan for a proposed eight lot subdivision,
just south of Mohr Road and west of Darmstadt Road. The subdivision is part of the
originally constructed Spring Valley Subdivision and incorporates existing streets,
drainage structures and a large retention pond that was originally constructed for Spring
Lake Valley. The preliminary drainage plan for the overall subdivision was originally
approved by this Board on April 7, 2015. The final drainage plan was submitted June 9,
2015, with revisions submitted on July 22, 2015 and August 3, 2015, and a corrected
secondary plat submitted on July 28, 2015. The plan that is requested to be approved
consists of the submitted document dated June 9, 2015, responses dated July 22, 2015
and August 3, 2015, along with the drawings that consist of the following; drawing C-
101 and C-501, with a receive date of August 2015, and a revised secondary plat dated
July 28, 2015. As this is a final drainage plan submittal for a residential subdivision,
under section 13.04.460, the developer will be utilizing the plan B, the repair funds set
up by the county, to maintain all pipes not within county right-of-ways. I've provided you
a copy of the review of the submitted drainage plan, and request that the review
document be made part of the approved drainage plan, 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, and therefore is being submitted to the
Board for approval under section 13.04.090. I know the engineer is here, and Mr. Sterchi is here too. Just going through all of my verbiage, but, essentially, you already have a subdivision developed here, you had some road constructed here, and Mr. Sterchi is just wanting to build along these eight lots right in here. I think he’s got plans for doing the overall subdivision, but I think was an easy way to get some lots platted and get started out there. Would that be a good statement, Brad?

Brad Sterchi: That’s correct.

Jeff Mueller: Okay.

President Ungethiem: Okay. Anybody from the audience want to speak on this? No? Any questions from the Commissioners?

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Ungethiem: I’ve got a motion to approve and a second. Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.

(Motion approved 3-0)

MaxMar Subdivision: Final Drainage Plan

Jeff Mueller: Okay, I may have a typo on your sheet, this is the MaxMar Subdivision. This submittal is for approval of a three lot, it’s a final drainage plan for a proposed three lot subdivision located along Harmony Road, between Church and Koressel Roads. The final drainage plan was submitted on July 30, 2015, with a revised Appendix C, page one submitted on July, or, I’m sorry, on August 3, 2015, along with a copy of the public hearing notice and a list of the abutting property owners also included. This information constitutes the plan that is requested to be approved. The reason I requested the public notice and the list of abutting landowners is that the developers, Jeffrey W. and Tricia Henning, have requested exemption from the requirement to detain excess storm water runoff. Now, normally we don’t require notification, but a lot of times it’s done with the APC, and since, I just wanted to make sure that the folks next door knew what was going on. The developers have requested exemption from the requirement to excess, I’m sorry, an exemption from the requirement to detain the excess storm water runoff, and this is because it’s a small three lot subdivision, there’s no streets. The additional runoff that will occur from the development is very small. I believe tearing up more area for the required small detention basin would be fruitless. So, that’s the reason for their exemption request. I agree with it. I’ve provided you with a copy of the review of the submitted drainage plan, and request that the review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor, and with the requested variance 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. I know Mr. Farny is here with the Lochmueller Group if you’ve got any questions on this, but, to me, it’s a pretty simple one.

President Ungethiem: Any comments from the public? No? Questions from the Commissioners?

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

President Ungethiem: You say this is a three lot?
Jeff Mueller: Yes.

President Ungethiem: I see two.

Jeff Mueller: Well, there's two parcels, but it will become a three lot subdivision.

President Ungethiem: Oh, okay.

Jeff Mueller: Those are the parcels as they exist right now.

President Ungethiem: Okay.

Jeff Mueller: Yes.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Second.

President Ungethiem: I have a motion to approve and a second. Any discussion?

Commissioner Kiefer: No.

President Ungethiem: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.

(Motion approved 3-0)

Thrust Industries-Hedden Road: Final Drainage Plan

Jeff Mueller: Okay, next is Thrust Industries on Hedden Road. This plan is for a proposed expansion of an existing business located in replatted lot eight of the Airport Industrial Park Subdivision, which is north of Kansas and east of Highway 57. An expansion of the Thrust consists of a building addition of 24,250 square feet and a new drive. The final drainage plan for this was submitted on July 30, 2015, with revisions submitted on August 6, 2015. The plan that is requested to be approved consists of the revised submitted document with the receipt date of August 6, 2015, along with a revised drawing C-1 with the same receipt date. In the drainage plan the owner is requesting two variances, first is a request to place the dry detention basin within 50 feet of the proposed building, and the second is to not provide an easement for the detention basin, as the basin is located on the subject property and serves only this property. I don't have any issues with either one of these variance requests. The main concern that we have is not so much how close the building is, but if it's a 100 year storm that the floor elevation is above that. The calculations came back that their floor will be over two feet above the 100 year flood elevation. On the easement issue, we've been, pretty much on these single lots we've not required an easement, if it's only serving that lot, no other drainage. When we get into multiple lots then we want these in easements. So, both of these requests are pretty standard and the Board has granted them before. I've provided you with a copy of the review of the submitted drainage plan, and request that the review document be made part of the final approved drainage plan. The drainage plan was reviewed by the County Surveyor, and with the requested two variances, 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. I believe Lyle Mehringer is here, he's the engineer, if you had any questions regarding this one, but it's pretty simple. Just, like I said, they're going to put a basin in to capture the additional impervious area.
Commissioner Kiefer: I'll make a motion to approve.

Commissioner Melcher: Second.

President Ungethiem: Motion to approve and a second. Any comments from the public? No? Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.

(Motion approved 3-0)

Jeff Mueller: Okay, Cambridge Village, Phase II Subdivision, preliminary drainage plan. This submittal is for the approval of a preliminary drainage plan for a proposed 63 lot subdivision located within the Cambridge Golf Course complex, and located in the area around the intersection of Volkmann and Old State Roads. So, you can kind of see, I think this is the main entrance of Cambridge here, and the buildings are back here. So, what they'll be doing is extending some streets back into this area. There will be a street that's going to go out to Old State, and soon be constructing 63 new homes back in that area. Okay? The subdivision will utilize existing lakes that were constructed as part of the golf course, but were also envisioned to be utilized as part of the overall storm water drainage system. The overall preliminary drainage plan for the whole Cambridge area was originally approved by the Board on November 23, 1998, with a final drainage plan approved on June 28, 1999. The preliminary drainage plan for this phase of the subdivision was submitted on July 28, 2015, with revisions submitted on August 10, 2015. The plan that is requested to be approved consists of the submitted document dated July 28, 2015, revised discussion and table dated August 10, 2015, along with the following drawings; drawing C-501, with a received date of July 28, 2015, and revised drawing C-101 and C-102 submitted August 10, 2015. Most of the drainage from this area is going to the already constructed lakes that were part of the original design of the subdivision, and that would be what they call pond seven down here and the pond five and six system that are here. Okay? One issue that I want to address is that for the final drainage plan there is an area that they call sub-basin four that has about three acres up in this corner. Well, actually, it's more like in here, that will be leaving the area undetained, and in the final drainage plan we will be requesting that they make sure that there's adequate capacity within the existing road pipe under Old State Road to address the drainage from this area. I provided you a copy of the review of the submitted drainage plan, and 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, and therefore is being submitted to the Drainage Board for preliminary approval under section 13.04.090. I believe Mr. Morley is here if you've got any questions regarding this subdivision.

President Ungethiem: Any comments from the public on this one? Any questions from the Commissioners?

Commissioner Kiefer: I'm just excited to see more home growth out in that subdivision and seeing that they are building more out there. I don't have any questions.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.
President Ungethiem: I have a motion and a second. Any further discussion? Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: My only concern with this is that the lake might get bigger, which gives me a higher probability of putting a golf ball in it, but I'll approve it anyway.

Commissioner Melcher: It don't matter the size, I'll get it in there.

Jeff Mueller: Yeah.

(Motion approved 3-0)

Jeff Mueller: I don't have any problems, because there's no woods there. Mine are always in the woods.

Commissioner Melcher: If I hit a ball in the fairway, it's going to land on a green.

Jeff Mueller: Yeah, yeah. We all know we haven't been spending much time out golfing.

Walmart: Final Drainage Plan

Jeff Mueller: Okay, next on the agenda, Walmart, final drainage plan. This is the final drainage plan for a proposed Walmart Supercenter and four out lots to be located in the northwest corner of Indiana State Highway 57 and Boonville-New Harmony Road. The drainage plan consists of the construction of a large detention pond located on the northern portion of the development. So, you can kind of see a real large dry basin that's going to be up here. Water will be conveyed to the pond through a storm sewer system in the parking lots, as well as a concrete open swale to be located on the western border of the property. So, there's going to be a concrete swale running all the way down through here and then going into here. The swale construction is adjacent to a proposed berm, that was agreed to by Walmart, with the BZA, as a condition for relief of certain other zoning requirements. The discharge from the onsite drainage consists of approximately 31 acres, plus an additional offsite area of 15 acres that will eventually discharge through an 18 inch pipe located in the northeast portion of the property into Schlensker Ditch. So, the parking lot drainage, there's a system of pipes underneath the parking lot, and there's a large concrete ditch right here. That concrete ditch, by the way, the drainage kind of flows in this general direction, so the drainage coming off this field is going to go in a concrete swale, and that and all of the other drainage is going to end up in this lake. It will be a dry basin. There's an 18 inch pipe on this corner that will discharge to the Schlensker Ditch. Okay? Taking out approximately, Mr. Tracy is here, about eight to 12 feet of material in that pond, is that about right?

Tracy Richard: At a minimum.

Jeff Mueller: Yes, okay. Alright, let's see here, I lost my place. The ten year storm for the existing site, in other words, that's what we use for our development, you know, our allowed rates, is 13.6 cfs. The projected 25 year storm release rate for the site, plus the offsite is 10 cfs. The release rate from the pond of 10 cfs equates to a release rate of .22 cfs per acre for the entire watershed of 45.68 acres, which includes the offsite area, of .33 cfs per acre for the 30.81 acre Walmart site. These release rates are much lower, on a per acre basis, than many of the residential subdivisions in the area. The side slopes of the dry basin are a lawn type mixture, with a bottom, and a wildlife mixture. This mixture, seed mixture in the bottom, is a better seed mixture than trying to, you know, plant Kentucky Bluegrass or something like that. It might, when in a storm, be inundated for a while. So, they're actually putting a better grass mixture, in my opinion,
in the bottom of the lake than what we have in our code. The proposal, like I said, it's going to meet that issue. As many required drainage easements, there are many required drainage easements for this project, and like any other commercial plaza, some of those are in the parking lot. Many functions associated with parking lots, including paved parking spaces, landscape islands, etcetera, is going to be located within the same area that will conveying the drainage within the lot in the surrounding areas. Therefore, there is attached with the drainage plan, a request to encroach within the easement, to allow for these normal parking lot functions. When we look at an encroachment of easements, we normally are discussing these in relation to residential areas, or sometimes a request to put signs in easements that serve commercial lots. So, I'm not sure if the variance is really needed, as it's obvious that the parking lot will be constructed over part of the drainage system, but I believe it's good just to call this out in advance, so that if anybody in the future, they would understand that there's going to be landscape islands over the top of the drainage system, and we require the landscape islands as part of any new commercial development. So, like I said, I think, I don’t know that that was really called for in our code, but if you go by the letter of the code it might be. So, that’s why I think it’s better just to put it in a variance and that way we've covered it. Okay? The final drainage plan was submitted on November 24, 2014, with revisions submitted on December 17, 2014 and June 18, 2015, and two revised drawings submitted on July 9, 2015. So, in other words, we've been spending a lot of time going back and forth with e-mails on this one. The plan that’s being submitted for approval consists of the revised submitted document, with an as received date of June 18, 2015, responses to comments with an as received date of June 18, 2015, a copy of the Section 401 water quality certification from IDEM, and drawings one through nine, 12 through 15, 17 through 23, and 29 through 37 that were received on June 18, 2015 and drawings 16 and 28 that were received with a date of July 9, 2015. Some of these drawings that you're seeing up here are what was showed. I do want to point out that on the west line, that what we've done is this berm and fence was required as part of the agreement with BZA. You've got property over here and farm fields, and what we wanted them to do was to leave an open ditch so that this water can come over and get in this ditch and get down to that basin. So, we're not having a situation, we want to take care of the neighboring drainage. We want to make sure that it gets there and it's not blocked. I specifically told Walmart early in this planning cycle that I did not want a storm sewer system over here, because you've got a corn field next to a storm sewer and we know what happens, we've got corn cobs in it and the next thing it’s not working. So, we're going to have a nice, wide six foot bottom ditch to take the drainage that comes from the west. The parking lot drainage, as I told you, that we kind of talked before, there’s a system of pipes that run along the points that I’m showing you, they discharge in the basin at these different locations. Like I said, there’s going to be inlets to those pipes and you’ve got landscape islands. So, very typical of any parking lot that we would see in a development. Okay?

Commissioner Melcher: Before you go any further, could we go back to the slide before?

Jeff Mueller: Yeah, I'll probably have to click...well, I don't what's the matter, why this isn't doing that.

Commissioner Melcher: I hope I didn't ruin anything.

Jeff Mueller: It comes up in a different format up here than it does on my computer. That one, or the next one?

Commissioner Melcher: No, the one that's showing the berm.

Jeff Mueller: Oh, yeah, that one. Okay.

Commissioner Melcher: What kind of fence? They're going to put a fence on top of a berm?

Jeff Mueller: That was a requirement of the BZA.

President Ungethiem: It's a solid wood board fence.

Jeff Mueller: Yeah, does it say it on there?
Commissioner Kiefer: It says six foot solid wood fence.

President Ungethiem: Six foot solid wood board fence.

Commissioner Melcher: Did they say why?

Jeff Mueller: It was...why BZA wanted that?

Commissioner Melcher: Yes.

Jeff Mueller: The neighbors wanted it to cut out some of the back of the building.

Joe Harrison, Jr.: A shield.

Jeff Mueller: You know, shield it.

President Ungethiem: Light and sound.

Commissioner Melcher: I understand all that. We’ve already got one of them in town that the neighbors don’t like at all. You know, they, and I just thought, I didn’t think we’d ever do another one.

Jeff Mueller: No, this was in between BZA and, this all happened in the BZA meeting.

Commissioner Melcher: Well, they’ll wish they didn’t have it. Now, the other question, did you say something about a concrete?

Jeff Mueller: Yes, this swale here.

Commissioner Melcher: That swale is going to have concrete in it?

Jeff Mueller: This is going to be a concrete liner. I’m sorry?

Commissioner Melcher: That’s going to be a concrete swale?

Jeff Mueller: Yes, and there’s specifications they pulled out of INDOT for construction of it.

Commissioner Melcher: Because we’ve had trouble with, even along the new, well, it’s not new anymore, that shows my age, along the parkway downtown about that, about Bee Slough and all that. That concrete made it worse on flooding, because it just flows. It doesn’t saturate in to nothing. So, that’s, I don’t know if I agree with.....I’m okay, I just don’t think I would agree with the wall up there. They could have had either or, you know what I mean? Okay.

Jeff Mueller: I mean, like I said, I know the wall, I came into the BZA meetings and that was discussed between the neighbors and the Walmart folks.

Commissioner Melcher: BZA, I think, is run wrong. You know, it’s just completely wrong. You don’t really get a chance to talk, everything you want to say, they cut you off, and you don’t get a chance to come back up and say something. So, I think it’s all wrong, and you cannot talk to the people ahead of time. Like if you wanted, and Walmart wanted to go talk to them before they got there and show them, you can’t do that. All of Evansville, Indiana. They lobbied it years ago that they could be exempt. I’ve been trying to get that changed ever since I’ve been here. There should be able to be people that help, so, BZA doesn’t sit well with me half the time.

Jeff Mueller: Okay, all I know, Mr. Melcher, is that the drawings were what they agreed to. I did take them over to Area Plan to make sure that our ditch conformed with—

Commissioner Melcher: No, I understand, sometimes they don’t know what they’re asking for.

Jeff Mueller: Yeah, okay.

President Ungethiem: All of this structure is on the Walmart property?

Jeff Mueller: That’s correct.
President Ungethiem: And therefore it is the responsibility of Walmart to maintain down the road?

Jeff Mueller: Yes, just like, yeah, there’s no ditches that have been put on the neighboring properties. As a matter of fact, they actually had the ditch a little too close, and I said no, and they scooted the building over a few feet to meet my requirements of getting that ditch off the property line.

President Ungethiem: I hate to ask you to do this, but can you go back one slide?

Jeff Mueller: Are you serious? I can. I can do that if you want—

President Ungethiem: Well, my question was, the outlots didn’t appear to have any kind of underground drainage. Are they all surface drainage?

Jeff Mueller: They’re all surface drainage as they’re envisioned right now.

President Ungethiem: Surface drainage to the edge, and then they go underneath?

Jeff Mueller: Well, they would edge to the Walmart site, but each outlot would have to come in with a drainage plan, because they would have to show that they conformed to this general plan.

President Ungethiem: Okay.

Jeff Mueller: Just like any other commercial subdivision.

President Ungethiem: But if that outlot is going to go to that basin to the north—

Jeff Mueller: Their drainage would have to go to the north.

President Ungethiem: We would want to put that piping in ahead of time, right?

Jeff Mueller: Yeah, they’ve got the piping on the edge of the outlots.

President Ungethiem: Right, they would have to tie into that piping to get into that basin to the north?

Jeff Mueller: Yes, yes, but there will be piping right to their northern edge.

President Ungethiem: Right, okay, I just wanted to make sure, because I didn’t see any drainage on those outlots at this point in time.

Jeff Mueller: Right, and I think part of that too is because, you know, they don’t know exactly what they’re going to have, or, you know, a couple outlots may be sold together and they might have a small strip center or something. So, like I said, they have to come in to us, through site review, just like any other development. Even though there’s an approved drainage plan for this site, they have to get their site approved, which would mean running drainage calculations to, number one, show that their assumptions for their individual site ties into what Walmart assumed, and to also give the individual pipe sizes and stuff on their particular parking lots. That’s a requirement that’s for all commercial subdivisions.

President Ungethiem: Now those outlots, prior to them being developed, will just be soil and grass seeded in there?

Jeff Mueller: Mr. Tracy?

Tracy Richard: That is correct. There will be—

Jeff Mueller: You need to come up to the microphone so they can pick you up.

Commissioner Melcher: We record this, that’s why.

Madelyn Grayson: Do you spell your last name with an “e”?

Tracy Richard: First name Tracy, last name Richard.

Madelyn Grayson: Is it T-r-a-c-y though?
Tracy Richard: T-r-a-c-y.

Madelyn Grayson: Okay.

Tracy Richard: The outlots will be vegetated. They will be grass until they’re developed. Also too, in respect to your question of the storm sewer, each lot has a storm stub to it, and it’s just a matter, as described, when they come in with a defined plan, they’ll be required to hook to it, and meet your requirements for the individual lots, but all drainage will go to the north to the detention basin.

President Ungethiem: The field to the north of the retention basin, will it go into the retention basin, or will it go into the ditch? I know you said the one to the west goes into the ditch, or goes into the swale.

Jeff Mueller: Everything to the north of the basin would still just flow directly into Schlensker, like it is right now. Is that...as a matter of fact, they can’t, their plan is not to disturb any of those trees, because I think that opens up a whole bugaboo of additional permitting, doesn’t it?

Tracy Richard: It’s also beyond our property.

President Ungethiem: I understand, I just wanted to make sure that none of the water coming off of that field goes into that retention pond, that it all goes into that ditch.

Tracy Richard: (Inaudible).

Jeff Mueller: No, anything that’s draining northeast now, if it’s coming across the property line, it’s going to be intercepted by the ditch and put into the basin.

President Ungethiem: Okay.

Jeff Mueller: Before I probably go further, I don’t know if there’s, Dwight, did you want to make some comments?

Dwight Markwell: Yes.

Jeff Mueller: Yes. Be sure to state your name again for the record.

Dwight Markwell: Again, my name is Dwight Markwell. I live at 11712 Highway 57. I represent the homeowners. To touch base on a few things here, Mr. Melcher, the reason for the wood fence is, was because Walmart was reluctant to build the berm. Look at the details of height of some of those berms, they’re only about may two or three foot. That’s all the taller they are. The drawings are not quite just right on them.

Commissioner Melcher: Okay.

Dwight Markwell: And that’s the reason. The homeowners had a lot of meetings over this, what we wanted and Walmart has worked with us on moving driveways. The existing driveway on Boonville-New Harmony Road was up against a house. That person would never have any privacy. So, Walmart moved it over between the, I guess, that would be the first and second, or the third and fourth, whichever way you want to look at it. But, I want you guys to know, I’ve been in engineering now for almost 38 years, okay, I’ve lived out there for 36, retention ponds are not new. Mother Nature built retention ponds before we even thought about it in engineering. You had a watershed report that only covered what was on the, that would be the north side of Boonville-New Harmony Road. There is another watershed that dumps into there, and that’s our retention pond where they’re building. That’s Mother Nature’s retention pond. That creek backs up when we have heavy rains, and it comes up into part of those grounds. You asked if that water would ever come up there and get in their detention pond, you can bet on it. Okay? Because INDOT’s bridge is right there, but they’re not the big killer, the big killer is a railroad bridge which holds back water. So, that field floods until it can catch up. Water comes down out of our watershed, it dumps into the same piece of property. So, you’ve got two watersheds dumping into it. So, water gets so deep, it goes over the top of Boonville-New Harmony Road, and into that field. That happens at least, probably, twice a year. It happened more than that before we got the county to come in and put a cross pipe, which I’ve talked to John about and Jeff. We have to have that on
that new, improved Boonville-New Harmony Road section. We've got to have that to get rid of that water. We were okay for a while until they built the new Bohannon Estates. You've got all of that water that comes down in the spring, there's three lakes up on top of the hill, all of that water runs down in the spring and there's nowhere to retention it up above. So, it all comes down, and it will flood that field. Our concern is, you know, we want to make sure, like Mr. Melcher was talking about, we don't have this water problem when Walmart is there. I don't know how you replace that retention pond for us, because they are going to be filling it up. When I built my home, I was denied a permit to build a basement below elevation 400. Look what they're building the elevation of this building on, below elevation 400. Has the rules changed? Possibly. Possibly, or did someone know something more than that earlier. But, I'm just telling you, that you only saw part of the picture. You only saw one watershed. There's another watershed with water coming down. It's a lot of water. It's got to be a lot of water to go over top Boonville-New Harmony Road. School busses will not go through there when the water is up over it. That's also a main route for our fire department and our rescue. You guys were talking about flagging through there, you've got to keep two lanes open. You can't be stopping these, our fire trucks and our ambulances from coming through. So, keep that in mind when you build Boonville-New Harmony Road. I understand that I haven't seen the plans for the new Boonville-New Harmony Road, but we did hear that Walmart pushed and pushed and pushed not to take any ground from their side, take it all from the homeowners. That's not totally right, but the's got to be a better way. You know, that should have been split 50-50 and gone from there, but we probably got beat on that one. The water problems may be, in the future, and the reason I'm here, we wanted to get this on record. I assume this record would be kept from now on.

Commissioner Melcher: It will be.

Dwight Markwell: Thank you. If things happen that I think may happen, I wanted this on record so we could pull this up later. As you know, our homeowners aren't sent information about this meeting. I wish that would change, anybody connected, close to these projects, that they should be notified, at least the ones touching, or close to touching. That's all I have, but bear in mind what I just told you, that water will back up, it will back up to their detention pond, and it will go in their retention pond back from the creek. Any questions?

President Ungethiem: Let me see if I understand, the area around where Bohannon Drive is, that area flows north?

Dwight Markwell: That's correct. It all, all that comes out of that subdivision, the new, that's what we call the new Bohannon Estates. The old Bohannon goes on 57.

President Ungethiem: Okay.

Dwight Markwell: The new Bohannon is back. When they designed that, all water come out of Bohannon, turns and heads back towards 57.

President Ungethiem: Then it goes down Boonville-New Harmony Road to 57 and then follows 57 up to the creek?

Dwight Markwell: That's correct. INDOT, as you know, we have done work there, I was there when this happened, I can't remember now for the heck of me, there may have been a box truss, a box underneath up there. Then, I think they might have put extended a pipe through, but I'm pretty sure it's not big enough. That's the reason we're having to put that cross pipe in to relieve the pressure of all that water coming down, because when the water comes down, even out of new Bohannon Estates, it's to shoulder level already when it comes out. That's not even counting the water coming down from the hill up above on 57, and runs down behind all the houses, and it's got three lakes that dumps into that same one, when they're full in the spring. So, we've even, on our own, went and tried to improve that ditch behind our houses to get that drainage in. Any other questions? No? Okay.

Jeff Mueller: I do want to make one comment to Mr. Markwell, and it's a comment that I totally agree with. We do not require notification of people on drainage plans. What happens is if there is a subdivision, when they send out the notice, in that notice, a lot of times they will tell people about a drainage plan notification. I have been working on a
number of changes to the drainage code and been working with SIBA on those. John and I are meeting with SIBA, is that next Wednesday? That's still one of my proposed changes is that they will be required to notify the adjoining neighbors. Okay? So, I do want people to understand that we are trying to address that problem. Now, they could do it with the same notice, but I want a notice sent out so that people know a week before hand that the drainage plan is going to be covered. Okay? As far as tonight, I did get e-mails from different people that had been to meetings and sent them to people telling them about the drainage plan tonight. I'm assuming that's how you knew about this, Dwight, so, you know, I didn't want people not to know about tonight's meeting. So, I did send out to, I don't know, ten or 12 people. A few of them bounced back, but I know at least one other person got the e-mail because they called me. So, but notification, I entirely agree with, that we need to let people know when we're having drainage plans being covered in drainage meetings.

Commissioner Melcher: Well, I kind of agree, being a City Councilman for 17 years, we pushed this Unified Neighborhood thing, where everybody had to be notified, or at least the neighborhood association would have to be notified. They only get notified if the association signs up for it, and it goes to one person, and that person has to tell everybody. We need to be looking at that for the county too.

Jeff Mueller: Okay.

Commissioner Melcher: Any kind of zoning, road change, somebody ought to know. Like if they're in a subdivision, somebody has to be responsible to let the subdivision know.

Jeff Mueller: Yeah, and that's what I'm trying to address, at least to the drainage piece, is at least that's a requirement that I want to push, because I do believe that people, adjoining neighbors should know about drainage plans coming up.

Commissioner Melcher: That's true. There's about 65 neighborhood associations, and every time there's something in their area, they get notified. So, at least somebody in there gets notified.

Jeff Mueller: Yes.

Commissioner Melcher: Now, it's their responsibility to let everybody else know.

Jeff Mueller: Yes.

Commissioner Melcher: I know, like in Keystone, they would notify the homeowners association, because it's not a neighborhood, but it's still could happen.

Jeff Mueller: Yes, but I did want to let you know, like I said—

Commissioner Melcher: How do you answer his question about this second watershed and what all that's going to do?

Jeff Mueller: Well, I think it gets back to—

Commissioner Melcher: That's the thing that I'm worried about, this flooding.

Jeff Mueller: Well, that's the thing I think it gets back to is what John said in his, is that we need to look at the pipes coming underneath Boonville-New Harmony Road. This would be an ideal opportunity if we need to put a bigger pipe in there to do it, to get that water down.

Commissioner Melcher: Well, can we hold this then till you get to that point?

Joe Harrison, Jr.: That's a condition, isn't it?

Jeff Mueller: Well, it's a condition in his road plans, yeah.

Joe Harrison, Jr.: Yeah.

Jeff Mueller: We could, or we could condition the drainage plan approval of that, before I sign off on anything that we've looked at it, as far the pipes underneath the road.
President Ungethiem: We would almost have to look at it from that point all the way to across the Walmart parking, across the Walmart property, all the way to the ditch, right, to make sure that it flows adequately?

Jeff Mueller: I think, you know, from what, and maybe I misunderstood, because when I talked to Mr. Markwell earlier, what I understood was that once it gets across Boonville-New Harmony Road, it will get down to there. Is that correct, Dwight? Or, did I misunderstand you when we talked on the phone? One of your concerns was that Boonville-New Harmony Road was almost acting like a dam from the south.

Dwight Markwell: That's correct. The road itself is a dam. That's the reason the county came in and put that relief pipe in, to relieve that pressure, to try to get some of that water, because it wasn't just flooding over the top of Boonville-New Harmony Road once or twice, back then it was a lot more than that. It was a bigger area when it crossed. So, like I say, that was the reason for the pipe, but, like I say, it's been all along our retention pond. When we've had bad, bad weather, and they're going back on a ten year, if I was doing it with INDOT we would go a hundred years. Okay, but that's neither here nor there, that we look at a hundred year flood plain and see what it does. That gets very expensive for everybody. I'm not sure it was good for INDOT, but the federal government wanted us to do it that way. So, especially when we put in bridges and things like that, because those openings of a bridge could be a dam. If you don't get it wide enough, it's a dam. I don't know if you've ever looked at some bridges put in and there's no water underneath it, did you ever ask why? That's an overflow, because they expect water to come up and be high and it has to have a way out. So, there's bridges built just for overflows. Go down on 41 if you want to see one, after you cross the Eagle Creek Bridges, which are 15 span bridges, there's an overflow structure there. That overflow is just when the river gets up, it has a way to get out. The problem we have down there, I don't think it's INDOT's bridge, I think it's the railroad. The railroad is holding back water and dams it up. That water, you know, it has to back up. How many houses have been built out there and dump into that creek now? Probably, I'm guessing, 300 to 400, you know, and that wasn't there before when the railroad did their stuff. Now, it's creating more.

Commissioner Kiefer: Do we have piping under the railroad, Jeff?

Jeff Mueller: Yeah, excuse me, there's a pipe underneath the railroad, but it may, it looks like it is constricting flows during high water.

Dwight Markwell: And that dams it up, it has to sit back on that side until it goes down.

Commissioner Melcher: Wow, that's an interesting question. Do we have to pay the railroad for having that pipe? The City of Evansville has the same problem on the east side, and they had to run a pipe under the railroad tracks to relieve the water, and every year they have to pay the railroad a fee for that water to go under their track. I've tried to stop that the whole time I was a Councilman, and I couldn't. So, I guess, they don't.

Jeff Mueller: I don't think so. I mean, that's just been a drain there forever, and the railroad's been there forever.

Commissioner Melcher: The railroad wins everything.

Jeff Mueller: Well, yeah, I agree with that.

Commissioner Melcher: You know, and I don't know why we're paying $1,600-$1,800 a year just so that water could go to the other side. Okay, I just want to make sure that we're not adding to the neighbors on water. Now, how do we do that, fine, but I just don't want a year from now, two years from now them coming up here saying, we've got to get a canoe to get out of our house.

Jeff Mueller: I think that Mr. Markwell makes a good point, to me, if we got, if Boonville-New Harmony Road is acting as a dam, then we need to look at the numbers for the pipes coming underneath Boonville-New Harmony Road and get that water to the north where it gets away from them. Because if he's saying—

Commissioner Melcher: So, how do we answer that tonight?
Joe Harrison, Jr.: Well, that can be a condition.

Commissioner Melcher: Okay.

President Ungethiem: As I recall, there is a pipe underneath Boonville-New Harmony Road that’s 24 inch, and it was not going to be increased with the road project?

John Stoll: Yes. There is a 24 inch that’s between the proposed Walmart drive and 57, and then there’s a 36 inch pipe right under Boonville-New Harmony at 57. I spoke to Mr. Richard, and we can go through the drainage numbers again, to make sure that there aren’t issues associated with the capacities. If there are, then we can get those resolved. Right now, the existing pipe that’s underneath Boonville-New Harmony is a 24 inch corrugated metal. The proposed plan shows a 24 inch plastic, so there would be some improvement hydraulically with the plastic with the smooth interior wall. Again, not a massive improvement, but it will be an improvement. That being said, we can take another look at the numbers and make sure that everything will work and we’re not creating a new problem.

Commissioner Melcher: I would feel more comfortable tonight if we did that before we voted on this. Is it imperative we vote on this tonight? Will it slow something down? Because I don’t want to slow progress down either. So, we kind of represent both sides. We want to help here, but we also want to save what we have over here.

Tracy Richard: Again, Tracy Richard, since my client is not in the room, I can say this. No, you won’t slow them down by not taking a vote tonight. Now, if they heard me say that, I would probably be shot on the spot.

Commissioner Melcher: No, we understand. We understand, that happens all the time.

Jeff Mueller: I hope they’re not watching t.v.

Tracy Richard: I’ll say it this way, we are, through our plan, taking probably more water from the south side of Boonville-New Harmony to the north, unlike it had before, but, again, we can look at the sizes, because I won’t tell you right standing here tonight is that taking the ten year storm, the 30, the 25, I have to look at that and see. I don’t know the full drainage capacity of the 36, because, again, we didn’t study it. It wasn’t something that we were requested to study.

Commissioner Melcher: Well, I’m not trying to create problems. I just want to get it done right. I would like this one to be done right.

Tracy Richard: Understood. You don’t want a phone call—

Commissioner Melcher: And, I’m just thinking, we might be saving ourselves a lot of trouble by just waiting another two weeks, or whenever our next meeting is.

Jeff Mueller: Steve, I think what, you know, with the ditch on the west side and some other things, I think we’ve got the capacity to get it through the system, but we’ve got to get it underneath the road. I think you’ve probably already had that problem, like you said, it’s partially solved. So, the question is, is how do we make sure it’s solved again, and don’t make it worse. Especially since we’re going to be having a wider “dam”, because we’re going to have a wider road.

Dwight Markwell: Yeah, we just didn’t want that pipe taken out, and try to get all the water out up at the intersection. That’s not going to work. That’s too much water. You’ve got to have a relief to get it out of there.

Commissioner Melcher: I’m not even talking about that. I just want to make sure that nothing is going to happen. Something might happen, but at least that will be, you know, I don’t know how to word it anymore.

Jeff Mueller: Well, I think the best thing is, I don’t know how you want to do it mechanically, but we definitely need some numbers back from their firm on pipes coming underneath the road.
President Ungethiem: Can we have those, the next Drainage Board meeting is September 1st, can we have that information back by then so that we could make a decision at that point?

Tracy Richard: For the 24, I can have that done for you in two days, that's not a problem. The 36, to study that would take a little longer, because that is a very large watershed and documents and info I don't currently have.

President Ungethiem: Okay.

Commissioner Melcher: So—

President Ungethiem: So, what I'm hearing is you would prefer to table this until the next meeting?

Commissioner Melcher: If we don't, I'll probably have to vote against it tonight and Joe’s going to abstain, so, we're just spinning our wheels, and I don't want to do that. I would rather make sure that, I would rather feel more comfortable with it.

President Ungethiem: Then I would entertain a motion to table.

Commissioner Melcher: Well, I was going to do that, but I want to make sure we all know what we're asking them to do before we do that.

Jeff Mueller: Well, and let's, maybe if you don't mind, if I kind of verbalize that. I think we're okay with the Walmart layout part, it's the water coming from the south, and making sure that that gets to the north. That's what we want to see is some numbers for the pipes underneath Boonville-New Harmony, the existing pipes, and whether we need larger pipes or maybe add a pipe in some location, but that's what we're...that's the problem we're, I'm trying to define the problem, I guess, is what I'm saying.

President Ungethiem: Well, Mr. Markwell’s issue is that currently that water that goes underneath Boonville-New Harmony Road goes out into that field, where the building is going to sit. Once the building is there that water won't go out into that field, it won’t go out into that parking lot, it’s got to go somewhere.

Jeff Mueller: And, plus, you had problems there before that have been alleviated, and you want to make sure that that problem doesn’t come back when they start widening the road out. Right?

Dwight Markwell: That’s correct. We didn’t want that pipe taken out. If anything, we wanted a bigger pipe put in and drain from the, whatever you want to say, from the south side of Boonville-New Harmony Road to the north, then it follows Boonville-New Harmony Road’s ditch, then connects to the state’s—

Commissioner Melcher: We're not getting that on the record. I hate to stop you.

Jeff Mueller: Yeah, I’m sorry, Dwight, yeah.

Dwight Markwell: The main thing is we wanted to make sure that that relief pipe, I'm going to call it a relief pipe, was put back in, because when you design a new road, it could take it out, and try to take the water all the way down to the intersection and try to get rid of it. Okay? It has been proven, by living there, that won’t work. Okay? That we need that cross pipe. Once that water goes underneath Boonville-New Harmony Road, it turns right, follows the county ditch up to the state ditch, the state ditch carries it right on down to the creek, but when it, when there’s a lot of water coming down there, it backs up in that field. What’s it going to do now when they fill all that in? I have no clue what’s going to happen. I don’t know. That’s our retention pond that they’re filling back in.

President Ungethiem: Well, suffice it to say that Walmart’s not going to want it to run out on their parking lot, so they'll keep it from happening, so that just means you're going to need, it’s got to go somewhere.

Dwight Markwell: Well, they're going to add probably three foot or four foot of fill on their parking lot. So, they're not going to be flooded.
President Ungethiem: Yeah.

Dwight Markwell: Somebody else is.

President Ungethiem: Okay.

Commissioner Kiefer: Well, if it gets to their parking lot it should go down those drainage—

President Ungethiem: Yeah, but Walmart’s not going to want all that mud on their parking lot, because it’s going to be carrying mud with it, and they’re not going to allow that.

Commissioner Kiefer: Yeah.

Commissioner Melcher: I just want it done right the first time.

Jeff Mueller: Okay, we’ve got to look at what’s going on at the road.

President Ungethiem: They’re not going to want that field mud coming in the parking lot.

Jeff Mueller: That’s what we’ve got to do.

President Ungethiem: Okay.

Jeff Mueller: Like you said, they put a two foot pipe in, it solved your problems, you don’t want to see the two foot pipe disappear, and if we got an extra six inches or 12 inches out of them, if we got a 30 or 36 inch pipe, even though, you’d be even more happier.

Commissioner Melcher: Who’s paying for all this new pipe if we’ve got to have it?

Joe Harrison, Jr.: Walmart.

Commissioner Melcher: Okay.

Jeff Mueller: So, let’s let them punch the numbers through and see what it comes.

Commissioner Melcher: Yeah, because I would hate to go to County Council for money.

Jeff Mueller: I wouldn’t want to go there either.

Commissioner Melcher: This is budget time right now.

Jeff Mueller: We’ve all got to go there this week anyway, right?

Commissioner Melcher: Not me. I think it’s you.

President Ungethiem: I think we’ve got an understanding. Do we have a motion to table?

Commissioner Melcher: So moved to table.

Commissioner Kiefer: Second.

President Ungethiem: A motion to table, and second. Final discussion?

Commissioner Melcher: So when will they come back then?

Joe Harrison, Jr.: September 1st?

President Ungethiem: The first of September is the next drainage meeting. There is no drainage meeting on the 25th.

Jeff Mueller: 24th, 25th whatever, yeah.

President Ungethiem: Yeah.
Commissioner Melcher: You'll be able to have the project, your end done on the 1st?

Tracy Richard: Yes.

Commissioner Melcher: Okay. I misunderstood you. I thought you weren't and I was trying to get you a date. Okay.

Jeff Mueller: If he can't get it done by the 1st, then he'll let us know and we'll tell you and it will be the 15th or whatever. I mean, it's going to be—

Commissioner Melcher: I just want to be fair with everybody.

Jeff Mueller: Right.

President Ungethiem: Yeah.

Jeff Mueller: We'll try to hear it on the first, assuming they get the data back to us, and John and I are comfortable with it.

President Ungethiem: Alright, we have a motion and a second. Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: First, I want to thank everybody, and I want to thank you for coming and that. I'm glad, as long as we keep working together, that’s what moves us. So, let’s just continue to work together. So, with that, I vote yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: President Ungethiem? Yes.

(Motion approved 3-0)

President Ungethiem: Alright, this will be revisited on September 1st. If we have any information ahead of that, if you can get that to us so we could review it, that would be great.

Jeff Mueller: Will you get in touch with me sometime, Dwight? Okay, you’re retired so we could meet during the day some time? Okay.

Other Business

President Ungethiem: Okay, Jeff, other business?

Jeff Mueller: You already mentioned no meeting on August 25th.

Ditch Maintenance Claims

Jeff Mueller: Ditch maintenance claims. I’ve supplied you with a sheet finally. I’m sorry I didn’t get the handouts to you.

Commissioner Melcher: I kept saying we didn’t have any sheets.

Jeff Mueller: I kept horsing around with this stupid computer. I’m going to say it on record.

Commissioner Melcher: I looked through here three times.

Jeff Mueller: I have been fed up with this computer in this room. Okay?

Commissioner Melcher: She said, well, you’ve got it.
Jeff Mueller: So, I’ve put it on record. I’m ready for this computer to go down to C & I Electronics, and that’s not to have a new hard whatever drive put in it. Alright.

Commissioner Melcher: Let’s get this terminal fixed over here too.

Jeff Mueller: And that t.v. Okay, ditch maintenance claims. I have supplied you with a sheet summarizing the 13 claims for $21,301.23, and I request that those be paid.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Ungethiem: We have a motion and a second. Any discussion? Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.

(Motion approved 3-0)

**Public Comment**

Jeff Mueller: One other thing while I’ve got the microphone, just so you know, the first bridge survey in this county was done in 1973 under the federal law. I was a summer student and I worked on that crew that did that survey.

Commissioner Kiefer: The first what survey?

Jeff Mueller: The first bridge survey that was required under the federal law. That was the result of a federal law because of a bridge structure failure in West Virginia that killed a number of people. So, they started the two year inspections, and, like I said, I was a summer student in college when we did that first inspection. I think they’ve come a long way since then.

President Ungethiem: Okay, any public comment? Everybody left us.

Jeff Mueller: High ratings.

**Adjournment**

President Ungethiem: I think we’re done. I would entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Ungethiem: Alright, all those in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Ungethiem: Meeting adjourned.

(The meeting was adjourned at 7:29 p.m.)
VANDERBURGH COUNTY
DRAINAGE BOARD
AUGUST 11, 2015

Those in Attendance:
Bruce Ungethiem       Stephen Melcher       Joe Kiefer
Jeff Mueller               Joe Harrison, Jr.     Madelyn Grayson
Tracy Richard            John Stoll              Dwight Markwell
Brad Sterchi              Others Unidentified    Members of Media

VANDERBURGH COUNTY
DRAINAGE BOARD

Bruce Ungethiem, President

Stephen Melcher, Vice President

Joe Kiefer, Member

(Recorded and transcribed by Madelyn Grayson.)