The Vanderburgh County Drainage Board met in session this 4th day of December, 2018 at 4:10 p.m. in Room 301 of the Civic Center Complex with Vice President Bruce Ungethiem presiding.

Call to Order

Commissioner Ungethiem: Good afternoon. I would like to invite, I would like to welcome you all to the Vanderburgh County Drainage Board meeting for December 4, 2018.

Pledge of Allegiance

Commissioner Ungethiem: If you would, please rise and join Eldon and myself in the Star Spangled Banner….no, no, no, the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Approval of the November 13, 2018 Drainage Board Meeting Minutes

Commissioner Ungethiem: I’m subbing for our somewhat under the weather President today. So, I would entertain a motion to approve the minutes of the previous meeting.

Commissioner Musgrave: So moved.

President Shoulders: Second.

Commissioner Ungethiem: We have a motion and a second. Any further discussion? All of those in favor signify by saying aye.

All Commissioners: Aye.

Commissioner Ungethiem: The minutes are approved.

(Motion approved 3-0)

IDNR: Prehearing Conference

Commissioner Ungethiem: Now, Jeff, Indiana Department of Natural Resources, what’s up?

Jeff Mueller: Okay, a few meetings ago, or maybe the last meeting, I gave you a denial on a Construction in Floodway permit. That’s went a step forward, and there’s going to be a hearing on it. And, as with all correspondence that says the Drainage Board, I’ve given you a copy of this, but this is the information regarding a hearing on the DNR vs. Jeff Wolfe out on, near Schlensker Road where Mr. Wolfe constructed in a floodway and DNR denied the permit. So, they’re moving up the ladder from there.

Revision to Approved Drainage Plan: Woodfield Minor

Jeff Mueller: The next issue is Woodfield Minor. I gave you a review of this. Woodfield Minor is actually, the drainage plan had been previously approved, but when someone came in to look at it, we found out that the calculations on the pond were not correct, and so, they revised their calculations. The improvements that are going to be done up there will be fine. They’ll be able to do those corrections with the existing pond, but if they ever try to add anymore, like another building, they would have to increase the size of their pond.

Hunter Chase: Follow Up with January Meeting Date

Jeff Mueller: The next thing is Hunter Chase. Last meeting we said that they were supposed to have a drainage plan to us by, and it was left with the second meeting in
January. I know, I think at one time that meeting was proposed for January 29th, is that formal yet? Can we send that letter out saying the 29th?

Commissioner Musgrave: We adopted our Commission meetings quite some time ago, and it was on that. So—

Jeff Mueller: Okay, well, we said before we weren’t kind of sure, and we were going to hold off. So, I can put that 29th in the letter and go ahead and send it out then?

Commissioner Musgrave: Yes.

President Shoulders: Yes.

Commissioner Ungethiem: Yeah, the Commission meeting, I think is set. Are the Drainage Board meetings?

Jeff Mueller: No, because I was kind of waiting to be sure of the Commission meetings.

Commissioner Ungethiem: Okay.

Jeff Mueller: I will bring you a set of meeting dates on January 8th. Okay?

Commissioner Musgrave: But you want to tag our meetings?

Jeff Mueller: But, I want to tag the 29th.

Commissioner Musgrave: Okay.

Jeff Mueller: And go ahead and send that letter out, as we told them we would do.

Commissioner Ungethiem: Yeah.

Commissioner Musgrave: Do you need a motion?

President Shoulders: I think he does.

Commissioner Musgrave: I’ll move that we have a Drainage Board meeting on January 29th.

Jeff Mueller: Okay.

Commissioner Musgrave: And, that the Hunter Chase matter be on the agenda for that day.

President Shoulders: I second the motion.

Commissioner Ungethiem: We have a motion and a second. Any further discussion? All of those in favor signify by aye.

All Commissioners: Aye.

Commissioner Ungethiem: The motion carries.

(Motion approved 3-0)

Jeff Mueller: Okay, I will insert that date in the letter and send it to both parties.

Commissioner Ungethiem: Okay.

Jeff Mueller: Okay.

Ditch Maintenance Claims

Jeff Mueller: Next, ditch claims. You have a really large spreadsheet, there are 32 claims, with eight vendors, for a total of $22,223.24. It’s a high number. It’s all for previous work that you’ve previously approved. It’s just, the high number is due to we’ve paid a lot of the annual maintenance payments, and a large amount of late fall, early winter spraying work was also on this invoice. So, I ask that you approve those 32 claims for payment.

President Shoulders: So moved.
Commissioner Musgrave: Second.

Commissioner Ungethiem: We have a motion to approve the ditch claims. Any further discussion? All of those in favor signify by saying aye.

All Commissioners: Aye.

Commissioner Ungethiem: Opposed?

(None opposed)

Commissioner Ungethiem: The motion carries.

(Motion approved 3-0)

Other Business

Jeff Mueller: I do have just a couple of other items under other business. First is that part of yesterday and part of today I was over at a seminar over at the Tropicana. Two things of interest, one of them was just that there was a presentation on the direct coal hydrogenation plant for Spencer County, it was pretty interesting. That’s a proposed two and a half billion dollar plant, and I know their air permit is going to be held tomorrow. But, the other thing of more interest is the proposal for 404 permitting in Indiana. As you’re aware, when you’re disturbing a stream or wetlands, you have to have a 404 permit, which comes from the Army Corps of Engineers, and through the Federal EPA, and a 401 Water Quality permit from IDEM. There has been a proposal that IDEM would take over this program. That is allowed under Federal law, and currently it’s being done in two States; Michigan and New Jersey. So, IDEM is working through this proposal. They were saying they hoped to have something by the summer of 2019, but if things don’t go smooth, it could be 2020, and then there’s a whole bunch of other things. I don’t see us coming before 2020 or 2021, but it would be, you would, on your wetlands and stream relocations, some of the things that have hit some of our developers, if this goes forward, the permit would be taken to IDEM, and they would issue both the 404 and 401 permit, instead of getting the permits from the two different agencies. So, just something that’s kind of out there going on, and, you know, it will be interesting to see if that moves forward or not.

Commissioner Ungethiem: Will that streamline the process?

Jeff Mueller: Pardon me?

Commissioner Ungethiem: Will that streamline the process?

Jeff Mueller: They believe it would, because there would be one agency, instead of two on that particular issue. But, there is a whole bunch of things to overcome before that can happen. One of the biggest issues is the fact that they estimate, to take the program over, the State of Indiana, it’s going to be four million dollars. They are going to have to add 40 staff people, to take over the program. Yeah, so--

Commissioner Ungethiem: 40 people?

Commissioner Musgrave: I’m sorry, can you say that again?

Jeff Mueller: 40 staff people. Those permits are pretty complicated.

Commissioner Musgrave: 40 staff people at what level of government?

Jeff Mueller: State.

Commissioner Musgrave: Is this a Federal requirement that this be (Inaudible. Talking over each other)?

Jeff Mueller: No, this, well, the 404 is a Federal requirement now. The State would be taking over that program from the Feds, with the idea of the program being smoother.

Commissioner Musgrave: Does that mean the Federal government would lose 40 employees then?

Jeff Mueller: I doubt it.
Commissioner Ungethiem: I wouldn't hold my breath on that.

Jeff Mueller: But, again, I'm just bringing this up for you all to know this. The only other thing I have is, this is the final Drainage Board for Mr. Ungethiem. I appreciate the work you've done with me on this, and I wish you the best of luck. And, for the other two Commissioners that don't know this, you not only have two graduates of Rose Hulman in here, but you have two Rose Hulman people that both have minors in Political Science.

Commissioner Musgrave: (Inaudible. Microphone not on.)

Jeff Mueller: So, anyway.

Commissioner Ungethiem: I forgot to where my Rose shirt.

Jeff Mueller: But, Bruce, I wish you the best, and I really appreciate working with you, and we'll look forward to a new year, as far as the Drainage Board goes.

Commissioner Ungethiem: Same here, Jeff. It's been a pleasure.

Jeff Mueller: Okay. I don't have anything else.

Adjournment

Commissioner Ungethiem: I would entertain a motion to adjourn.

Commissioner Musgrave: So moved.

President Shoulders: Second.

Commissioner Ungethiem: Drainage Board is adjourned.

(The meeting was adjourned at 4:17 p.m.)

Those in Attendance:

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<tr>
<th>Ben Shoulders</th>
<th>Bruce Ungethiem</th>
<th>Cheryl Musgrave</th>
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<tr>
<td>Jeff Mueller</td>
<td>Joe Harrison, Jr.</td>
<td>Madelyn Grayson</td>
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<td>Others Unidentified</td>
<td>Members of Media</td>
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VANDERBURGH COUNTY
DRAINAGE BOARD

Ben Shoulders, President

Bruce Ungethiem, Vice President

Cheryl Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)