The Vanderburgh County Drainage Board met in session this 16th day of February, 2016 at 5:17 p.m. in Room 301 of the Civic Center Complex with President Stephen Melcher presiding.

**Call to Order**

President Melcher: Okay, we'll go ahead and start the Vanderburgh County Drainage Board meeting for February 16, 2016.

**Pledge of Allegiance**

President Melcher: Madelyn, do you want to lead us in the Pledge?

Madelyn Grayson: Sure.

(The Pledge of Allegiance was given.)

**Approval of the February 2, 2016 Drainage Board Meeting Minutes**

President Melcher: I need a motion to approve the minutes of the previous meeting.

Commissioner Ungethiem: So moved.

Commissioner Kiefer: Second.

President Ungethiem: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Thank you.

**Submittal of Annual Report on County Regulated Drains**

President Melcher: Submittal of annual report on county regulated drains. That must be you, sir.

Jeff Mueller: Okay, you have got a report in front of you, the 2015 report on regulated drains. I don’t intend to read the entire report into the record, but I would like to spend a few minutes discussing this report. The report is made up of three sections; the actual report on the drains, then on page 18 you’ll see the current balance in each drain account, as well as the estimated cost of the work planned for 2016, and finally you’ll have a three page enlarged spreadsheet, that’s a fold out, that shows you the proposed work for 2016. That proposed work will be what Linda will be putting the specifications together for you or, be bringing in to you. I would like to discuss and highlight a few items in the drainage report, just so that, I want to bring a few issues up so that you can kind of see where I’m coming from. The report is divided into five sections; those being the southeast side and south side ditches; the Center Township drainage, which is Sonntag Stevens and Keil Ditch and Henry; the Armstrong Township drainage; Union Township, and the Eastside Urban. On the southeast side, Kolb Ditch is a reoccurring problem. The issue that we need to address this year is the removal of the structure that has failed. The challenge on this is access, which we will need to address before we complete the work. So, while it’s projected for 2016, it will not be in the initial rounds of bids, as we have to work this issue out. Next on the list of southeast side/south ditches is Eagle Slough, where we have a clean-up at Waterworks Road, as well as some
beaver dam activity that we will be needing to address. In Center Township, my first issue is an abandoned spur line where culverts have separated, and you can see them there. This is an old, old spur line, and it’s my recommendation that we remove this entire concrete pipe and the fill. The problem is, is I don’t know who’s responsible for doing the work.

President Melcher: What page are you on?

Jeff Mueller: I’m just kind of showing you slides out of the book.

President Melcher: Okay.

Jeff Mueller: Kind of just skipping through.

President Melcher: I got ahead of you, and I said, that’s not what I see.

Jeff Mueller: Okay. I don’t have this in 2016 work, but I believe that we’re going to need to consider looking at the legal aspect of whether the Drainage Board should proceed with this work, or if we approach the railroad about seeing if they would like to participate in the project.

President Melcher: I can give you their answer.

Jeff Mueller: Yeah, I was going to say, I don’t believe in the Easter Bunny, I know, but it’s an issue that I think we need to talk about, because, I’m going to show you what this has here in just a minute. Also, in the general area of Keil Ditch, which is behind Whirlpool, this is an important ditch that takes water from St. George Road and the southeast corner of the airport. We’ve got to do some clean-up work there, but what I was wanting to show you is, if you can see on this picture, if you look on your slide, you’ll see where I piped in the old railroad crossing. That’s the plug that I think needs to come out sometime in the future. Can you see it in the black? I’ve got wording there. It’s about...see that big, white rectangle? It’s right below it. So, that’s something that I think it’s a more long range problem, but I think we should address it before it becomes a problem sometime in the future. Then Keil Ditch is the one that runs down Whirlpool, and like I said, that’s the picture I just showed here a minute ago, that we’re going to be doing some work on this year. Okay? Moving to the Armstrong/Scott Township, the work that you see here is what was done on the west side of Pond Flat. You can see where we pulled those slopes back to 2:1 roughly. The State refers, well, although we call it Pond Flat Main, the State refers to this waterway as Big Creek. The Big Creek Drainage Association, I’ll be getting with them next week, we’ve gotten with them once, but we’re going to go out and do some field work. They’re going to kind of show us some of the things that they would like to have done, but one of the things is they want to do the east side, just like the west side was done. That will take a DNR permit, just like the west side. That permit would be done out of my office. We would not be hiring a consultant to do the work. Okay? Getting close to the end. The last of the four slides, I want to discuss this briefly, is eastside drainage. From I-69, or the Warrick County line on the east, the Lloyd Expressway and in some cases all the way down to Lincoln, and then Green River Road/Stockwell, and then Morgan Avenue, all that drainage comes to the west down what I call the old railroad canal. However, when it flows pretty good, if you see that little circle right there on the map—

President Melcher: Are you talking about the drainage along Morgan?

Commissioner Kiefer: The red dot.

Jeff Mueller: Yes, yes.

President Melcher: That’s the Wabash Eerie Canal.

Jeff Mueller: Yeah, the old canal. If you see that little circle...so, the water all comes down that canal, and then it runs up through regulated drains. It actually runs through the binary of an area of unregulated drains, that orange line, it takes the water up to Pigeon Creek. Now, when that water is going pretty flow, or full, it’s also where that red circle goes underneath the railroad track and it goes up to Crawford Brandeis Extension and hits Pigeon Creek up there. So, there’s two methods of water draining out of this area, but it takes in a pretty large area, which is, you know, one of the reasons I’ve
always been concerned about this, why we did the inspection on Harper Ditch, why I raised such a fit with our cable people on putting a post in this. It's an area that, we don't have a lot of farmers out there looking over our shoulder telling us when there's a problem. So, it's an area that we keep an eye on pretty closely.

President Melcher: Some of this water goes into Wesselman's.

Jeff Mueller: Yes, it goes through Stockwell Woods.

President Melcher: Yeah, it goes under the road—

Jeff Mueller: Yeah, it goes under Stockwell.

President Melcher: -- it goes under the road, it goes, and it makes a right or a left turn, sharp, and that's where it always gets hung up.

Jeff Mueller: Right.

President Melcher: We've spent a lot of money years ago trying to fix all of that.

Jeff Mueller: Yeah, there's some rip rap down in that corner, I think, where you're talking about, Mr. Melcher, yes, exactly. One of the issues we have this year, is we have some blockages in that same area. I want to clean those blockages out, but we're going to have to work with DNR, because it's in Stockwell Woods, under DNR, but it's also a regulated drain. So, I want to be able to get in there and clean those blockages out, so we can make sure that that water can get through.

President Melcher: Wesselman's will tell you that's theirs, that's Wesselman's Woods.

Commissioner Kiefer: Yeah, I was kind of wondering why it was called Stockwell Woods. Is that outside of the actual park?

President Melcher: It's, Wesselman's will tell you it's Wesselman's Woods, believe me, I've dealt with them.

Jeff Mueller: Yeah, but the original name of that was Stockwell, decades ago.

Commissioner Ungethiem: So, if it needs to be cleaned out, will Wesselman's—

President Melcher: Yeah, they ought to do it.

Commissioner Ungethiem: -- pay for it?

Jeff Mueller: DNR actually has signs up in this particular area that says it's under—

President Melcher: That's because Wesselman's got them to put it up.

Jeff Mueller: Yeah.

President Melcher: They even got, when we were playing a football game, they were out there moving the signs further south, so they could claim more property.

Jeff Mueller: Okay.

President Melcher: We told them they had to put them back. So, you know, DNR did put them up because of Wesselman's. U of E still owns that land, right there where the football fields are.

Jeff Mueller: Oh, okay, to the north?

President Melcher: South.

Jeff Mueller: Oh, okay, okay, but, anyway, we're going to have to, that is part of our regulated drain system, and we need to clean out those trees. I want to work with DNR so we can get permission to do that, and so that we make sure that all of that drainage that's coming out of this area can flow to the north, as it should.

Commissioner Ungethiem: Do you have sufficient funding to do that?
Jeff Mueller: Oh, yes.

Commissioner Ungethiem: Okay.

Jeff Mueller: Yes, that’s the Eastside Urban Fund, and, yes, we do. One other issue is right where the regulated drain ends at Morgan Avenue, we have a water line on the south side of Morgan Avenue that actually acts as a weir. Another one of these nice issues, I really would like to see that water line lowered. I don’t know what it would take to get that done, but, you know, it’s just acting as a weir.

Commissioner Kiefer: Excuse my ignorance, but what is a weir?

President Melcher: I didn’t know either, I was going to ask that.

Commissioner Ungethiem: It’s a mini dam.

Jeff Mueller: Yeah, like an outflow, like a rectangular fixture, or actually like an angle with a block. So, like, in an emergency spillway coming out of a dam—

Commissioner Kiefer: Yeah.

Jeff Mueller: -- is normally in a weir shape.

Commissioner Kiefer: Okay.

Jeff Mueller: So, you know, you’ll have a pipe or you have an open channel, but it actually is a weir shaped channel.

Commissioner Kiefer: Okay.

Jeff Mueller: Okay? So, if you think about it, there’s actually an almost smooth bottom with two sides on it, and it’s actually acting as a little dam. The pipe is almost acting as a dam.

Commissioner Kiefer: Okay, gotcha.

Jeff Mueller: It’s damming the water, about a foot or two higher than we really would like to see it. So, on my long term wish list, I would like to see something happen there, but I don’t know if that would ever be the case.

President Melcher: Is it in this picture?

Jeff Mueller: Yeah, see where the water, see where you can see how there’s like a little rapids? Can you see like where it almost looks like there’s a wall there?

President Melcher: Are you talking the bigger picture right here? Right here?

Jeff Mueller: Yeah, see that right there, that thing that looks like a log.

Commissioner Kiefer: That’s actually a water line?

President Melcher: Okay.

Commissioner Kiefer: Yeah, it looks like it’s a bridge.

President Melcher: Is that a drainage water line?

Jeff Mueller: It’s fresh water.

President Melcher: Fresh water?

Jeff Mueller: Yeah.

President Melcher: You would think that would freeze in the winter.

Jeff Mueller: Yeah, because the storm water actually empties out right next to it. So, another one of those, it’s not a biggie right now, but, you know, in my world, where I would like to see a channel actually dry up in the summer, it keeps it from happening. It just, you know, it just reduces the capacity to channel through there. So, it’s just one of those things that, you know, kind of a tickler of long term of it would be nice to—
President Melcher: Do we know where that water line—

Jeff Mueller: I haven’t talked with the Water Department yet.

President Melcher: (Inaudible) yet?

Commissioner Ungethiem: You say this is in part of our legal drain system?

Jeff Mueller: It’s right where the legal drain ends. It ends at Morgan Avenue.

Commissioner Ungethiem: Okay.

Jeff Mueller: Which brings up one other issue though is that all of this water, if you see the blue line, is a legal drain until it gets to Morgan Avenue, and then from that point on, almost due north to where you see Pigeon Creek, it’s not a regulated drain. So, it’s a little bit disturbing that we have all of these legal drains feeding in to the canal, the canal is part of the legal drain, then we go up to Morgan Avenue and then after that we don’t really have any control.

Commissioner Ungethiem: We lose control of it.

President Melcher: And that canal is not very big. It’s like a big ditch.

Jeff Mueller: Right. So, if I have one other thing on my wish list, I wish that we would have that legal drain extended all the way up to Pigeon Creek.

Commissioner Kiefer: What’s the process for that? I’ve forgotten.

Jeff Mueller: It’s a petition process that the landowner’s petition, and it’s pretty long in the rule. One of the things is, is that when you do a legal drain, you have to notify everyone in the watershed and that, but one of the questions that I would have, or one of the things that we might want to talk to the State legislature about is, in Evansville, everything that is in a legal drain, the individual property owners don’t pay. The City of Evansville pays the Drainage Board a per acreage fee. So, I’m wondering, could it be done with the landowners that own the property and the City of Evansville, and then I don’t have to do all of that notification. Or, is there something that can be put in Indiana law to change that so it can be done that way? Then it would simplify the process.

Commissioner Kiefer: So, basically, that drain north of Morgan Avenue could be completely plugged up and there wouldn’t be a darn thing we could do about it?

Jeff Mueller: No, there isn’t.

Joe Harrison, Jr.: It’s private property.

Commissioner Kiefer: So, that water could back up pretty seriously at that point?

Jeff Mueller: Right, and that’s my concern is that, and you can see right now it’s not a problem. We were able to take a look at it from the road and some places. It’s not a problem, but it could be a problem five years from now.

Commissioner Kiefer: We need to get you a drone so you can fly those drains.

Jeff Mueller: So, anyway, that’s the only reason I bring these things up, just to kind of highlight, I mean, the drainage report talks about general things, but these are just some things that are kind of in the back of my mind, and as I’ve learned more and more about the drainage in this part of the county and others, it’s just some things that go on. I mean, overall we’re in pretty good shape on our legal drains, we’ve got work to do on them. You’ve always got some work to do on a ditch, somewhere, but I just wanted to highlight these items. The report is there, if you want to read it, you’ve got a color copy of it, and if you’ve got any questions feel free to get back with me.

Commissioner Kiefer: Good work, definitely good work. I’ll make a motion to approve the submittal of the annual report on county regulated drains, or to accept.

Commissioner Ungethiem: I’ll second that.

President Melcher: Any further discussion? Do you want to call the roll?
Madelyn Grayson: Commissioner Ungethiem?
Commissioner Ungethiem: Yes.
Madelyn Grayson: Commissioner Kiefer?
Commissioner Kiefer: Yes.
Madelyn Grayson: President Melcher?
President Melcher: Yes.
(Motion approved 3-0)

**Approval of Ditch Rates for 2015 Pay 2016**

Jeff Mueller: Now, approval of ditch rates for 2015 to pay 2016. Out of this report, as I said, we put together a list of work. A lot of that work is annual maintenance type activities that we do every year; mowing, just, herbicide treatments, things like that. A summary of that list is on the three pages in the back of that book. Then there’s also some little special things that need to be done, you know, as we go out and see different things that need to be done, those are listed there. So, with that, we then take that information and we put together proposed ditch rates for 2015 payable 2016. After tonight, I’ll get with the Auditor and submit these formal rates so that the Auditor’s Office can complete the tax billing for this year, and we can get the tax bills out. For everyone’s knowledge, unlike a tax bill, everyone pays their percentage of area going into the drainage areas. So, not only does Joe Private Owner pay into it, but the State Highway pays a fee, if they’ve got a percentage of State highway that’s in one of our drainage areas, they pay.

President Melcher: They actually pay?
Jeff Mueller: Uh-huh, yes, they do.
Commissioner Ungethiem: There’s a shocker.

Jeff Mueller: As I said too, for the city, instead of the individual property owners paying it, the actual, the city themselves pay that bill. This year, that billing amount to the city is going to be $43,000, which is what I estimated to Russ Lloyd, the City Controller, would be, so there won’t be any surprises. Last year the bill was higher because we billed for Eastside Urban, but this year we’re not because it’s got sufficient funds. So, with that, you have this sheet right here, these are the tax rates that would go to different people on their tax bill, if they’re in the watershed, including you, Mr. Ungethiem.

Commissioner Ungethiem: Yeah, I noticed mine is on here.

Jeff Mueller: So, what I’m proposing is to submit these to the County Auditor’s Office tomorrow. So, do you have any questions with this?

President Melcher: Okay, speak now or forever hold your peace.

Commissioner Ungethiem: This rate, is this a rate per assessed value? Or is this just a flat fee? For instance, on mine, it’s $1.25 on Maidlow.

Jeff Mueller: That’s on a per acre basis.

Commissioner Ungethiem: That’s a per acre basis?

Jeff Mueller: Yes.

Commissioner Ungethiem: Okay.

Jeff Mueller: So, like you take the dollar and a quarter times the 4,631 acres, and Maidlow will get $5,800.

Commissioner Ungethiem: Okay, understood.
Jeff Mueller:  Okay.

Commissioner Kiefer:  I’ll make a motion to approve.

Commissioner Ungethiem:  I’ll second.

President Melcher:  Roll call please.

Madelyn Grayson:  Commissioner Ungethiem?

Commissioner Ungethiem:  Yes.

Madelyn Grayson:  Commissioner Kiefer?

Commissioner Kiefer:  Yes.

Madelyn Grayson:  President Melcher?

President Melcher:  Yes.

(Motion approved 3-0)

**Other Business**

Jeff Mueller:  On other business I just have two things. First of all is that in the last Drainage Board meeting we had a number of folks that were concerned about drainage issues out on Baseline and Korff Roads, and as we said then we wouldn’t be able to get to it before tonight, but the next meeting we will. John and I, John Stoll and I were planning on heading out there next week to take a look at those, and then we can get back to you all on what we see out there. The only other thing I have is, I didn’t put it on the agenda because it came in late, but you have a construction in floodway permit. You know, we normally get these, actually what you have is a termination for the one that just came in, but that’s sent to the Drainage Board, so that’s there for your files.

President Melcher:  I was just trying to scan that while you was talking.

Jeff Mueller:  Yeah, it’s a little bit different. Normally we get an approved permit, this is a termination notice. The developer actually pulled their construction in a floodway permit.

Commissioner Ungethiem:  Where is this located?

Jeff Mueller:  This is located off of Orchard Road. It’s up to the north of The Orchards on, it would be, what is it, Little Pigeon? So, you know where The Orchard Subdivision is?

Commissioner Ungethiem:  Okay, that’s not Orchard Road, that The Orchards Sub.

Jeff Mueller:  Yeah, The Orchards Subdivision.

Commissioner Ungethiem:  Okay, you said Orchard Road, and I’m thinking—

Jeff Mueller:  Oh, I’m sorry, The Orchards Subdivision, yes, just to the north of there.

Commissioner Ungethiem:  Okay.

Jeff Mueller:  It’s in the city, but, as you know, any construction in floodway permit activity we are copied, the County Drainage Board is, and, of course, if it’s like a permit and it would be something we wouldn’t want, we have like 18 days to respond. In this case it’s just a termination notice, but, again, it was official correspondence to the Drainage Board, so, I supplied it to you so you have it. I always give you guys copies of all of these.

President Melcher:  So, is this something the State just did, or they requested it?

Jeff Mueller:  My understanding is the developer requested to terminate.

President Melcher:  They requested it?
Jeff Mueller: I think the reason why was they were going to be building a basin for a subdivision, and, I think, you know, when you file a construction in floodway permit, the DNR submits the data out to all of the other agencies, and my understanding is, is that it was determined that where they were going to build the basin was wetlands. So, they've pulled the permit and they’re going to have to build their basin somewhere else, but that would be through the drainage plan through the City Engineer’s Office that they would have to work with that.

Commissioner Ungethiem: Okay.

President Melcher: That makes sense then.

Commissioner Kiefer: Second.

President Melcher: Roll call please.

Madelyn Grayson: Commissioner Ungethiem?

Commissioner Ungethiem: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ditch Maintenance Claims

Jeff Mueller: I have no ditch claims tonight, and I don’t have anything else, unless you all have something.

Adjournment

Commissioner Kiefer: I’ll make a motion to adjourn.

Commissioner Ungethiem: Second.

President Melcher: Okay, all in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: We’re done.

(The meeting was adjourned at 5:37 p.m.)

Those in Attendance:
Stephen Melcher
Jeff Mueller
Others Unidentified
Joe Kiefer
Joe Harrison, Jr.
Members of Media
Bruce Ungethiem
Madelyn Grayson