The Vanderburgh County Drainage Board met in session this 7th day of June, 2016 at 5:24 p.m. in Room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We're going to go ahead and start the Drainage Board meeting. It's June 7, 2016.

Pledge of Allegiance

President Melcher: We'll go ahead and rise for the Pledge.

(The Pledge of Allegiance was given.)

Approval of the May 10, 2016 Drainage Board Meeting Minutes

President Melcher: We need a motion for the approval of the previous meeting minutes.

Commissioner Ungethiem: So moved.

Commissioner Kiefer: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion passes 3-0)

President Melcher: Thank you.

Shoe Carnival: Revisions to Conditions of Original Approval

President Melcher: Shoe Carnival, revisions to conditions of original approval, and you can take it from here.

Jeff Mueller: Alright, let me change glasses here. Okay, when the drainage plan for the expansion of this site was approved on April 7, 2015, it was done so with some conditions. One was that an easement would be provided for an existing 48-inch pipe located south of the building. This easement was recorded on May 6, 2015, and a copy of the recorded document provided to our office. Second, an agreement with Marathon Pipeline was to be provided in order for the necessary elevated swales to be constructed over the top of the pipeline. This agreement was not provided, but construction was accomplished. According to the developer, Marathon was onsite during the construction, but did not want to enter into a formal agreement. Mr. Evan Beck, representing the developer is here to add to this, if you need him to speak on it, but I will also add my own personal experience with Marathon, Texas Gas and others, that the moment they see any work done within their right-of-way, they are immediately onsite. So, I have no doubt that someone from Marathon was around when work was done within the limits on their easement. Therefore, you have in your package a letter requesting that the condition regarding an actual agreement with Marathon be removed. Also, I will note that the developer has submitted to our office the as-built drawing for the basin that was required to be built. With the approval of this condition change, the developer will then have met the conditions of approval, which will allow any planned expansion on this site to move forward. Like I said, Mr. Beck is here if you’ve got any questions for him on this.
President Melcher: No, are there any questions? I think it’s pretty straightforward. Anybody from the audience? I would entertain a motion.

Commissioner Ungethiem: I make a motion to—

Jeff Mueller: You’re approving amending the condition to—

Commissioner Ungethiem: --approve the amendment to the conditions—

Jeff Mueller: That they don’t have to present—

Commissioner Ungethiem: -- regarding Marathon pipeline.

Jeff Mueller: --- yeah, they don’t have to present an actual agreement.

Commissioner Ungethiem: I wanted to make sure that I said that right.

Commissioner Kiefer: I’ll second that.

President Melcher: Okay, any further discussion? Madelyn, can you call the roll 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)

President Melcher: So, it passes.

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Jeff Mueller: Next, let me get my slideshow going here. Here we go, alright, Eastland Station/Mission BBQ/Wabash-Erie Canal. The Surveyor’s Office received a complaint about an illicit discharge into the Wabash-Erie Canal adjacent to Eastland Station. It took a while and involvement from Evansville Water and Sewer to determine that the problem was due to a problem in the installation of the grease trap system into Mission BBQ. Apparently a pump was either not correctly installed, or malfunctioned, and therefore allowed an illicit discharge of water into the drain. Apparently the grease trap overloaded, and at that point the discharge made its way into an old field tile, which allowed the discharge into the legal drain. Also, the field tile saturated a portion of the side slope, causing it to fail. The City Engineer’s Office issued a violation for the discharge, and is requiring a cleanup, in this case removal of the contaminated soil. I met with representatives of the owners of the shopping center, and in relation to the required removal of the soil by the city, as well as bringing to the Drainage Board what I believe should be a requirement for them to repair the damage caused by the discharge. I have a series of slides, the first shows on the first visit of the site where you can see some black material that was oozing out of the pipe. The second picture was taken by a person, well, let me see, yeah, this was taken by, also by me, and again you can see the discharge. Next you can see some stained soils, and again some stained soils, and you can see where the bank has sloughed off. Okay?

Commissioner Kiefer: So, this is coming from the restaurant?

Jeff Mueller: Yes. Okay, the water should have went through the grease trap, and then been pumped out through the building to the sewer on the other side of the building.

Commissioner Kiefer: How did the Health Department miss that?

Jeff Mueller: Well, it wasn’t the Health Department’s responsibility.
Commissioner Kiefer: They don’t do the grease trap inspections?

Jeff Mueller: No, that’s not theirs. I’m not sure who. I’m not sure if that’s Water, I think it’s Water and Sewer.

Joe Harrison, Jr.: The Water and Sewer Department is looking at that stuff now.

Jeff Mueller: Right. Okay, so, anyway, there was either supposed to be a pump in the grease trap that malfunctioned, it didn’t work, but whatever, so when the water is going through the grease trap it’s just being forced out instead of going through the sewer system because it required pumping. So, we think it went into a foundation drain, from the foundation drain it went into an old farm drain, and that’s where we got the bad material, and that’s where we got the sloughing. Okay? So, we’ve got Eastland Shoppes onboard to do the repair work, and you have in your packet a proposal to fix it. I’ve got Mr. James Q. Morley of Morley and Associates here if you’ve got any questions, but, essentially what they’re going to do, this is the area where it will be fixed, here’s the parking lot, here’s Mission BBQ. There are two down drains there right now. One of them is a storm water pipe that sticks out and the other is the farm drain. So, where the two pipes are located, there’s going to be a little bit of filter fabric put down and a small rip rap channel drop there, then on the rest of the area it will be, they will put some fabric down, a little bit of soil and they’ll re-seed it. So, they’ll kind of pull the slump back and re-stabilize that slope. So, this work is being proposed by them. It’s just asking for you to agree to it. It won’t cost us any money, since it’s their, it was their dime. That’s what, I’m bringing this before the Drainage Board for your approval. They filled out the application that we developed a couple of years ago, and the application was for submittal for repair work on the drain.

President Melcher: So, they’re paying for it?

Jeff Mueller: Yes.

President Melcher: Okay.

Madelyn Grayson: So, is there’s something they need to sign tonight?

Jeff Mueller: They’ve got the application there. I think just if they just initial the application would be good enough.

Madelyn Grayson: Okay.

Jeff Mueller: Like I said, Mr. Morley is here if you’ve got any questions of him. I will say that the developer, once we figured out what was going on, they came to town, I met with them last week, they got Mr. Morley involved Thursday or whatever, so, and the other thing is, is because they’re going to do it this way with placing some soil and some grass, they want to get going on this right away so they can get the vegetation up as quickly as possible. So, I do want to commend the developer, you know, there was a little bit of a mess up, but I do want to commend them on jumping on this. We had another issue over there a couple of years ago and they jumped on it and fixed it right away too. So, it’s good to have people –

President Melcher: This is an exception that everything is working out right.

Jeff Mueller: Well, okay.

President Melcher: Normally we get this after everything has failed.

Jeff Mueller: I know, and like I said, the developer did work with us good before on this on a down drain in the back part of the building where JC Penney was, they went in and fixed it real fast.

President Melcher: Okay.

Jeff Mueller: Okay?

Commissioner Ungethiem: It’s not an exception, it’s working the way it should.
President Melcher: That’s exactly right, but it’s an exception from what we’re used to. Okay, any questions?

Commissioner Ungethiem: I make a motion—

Commissioner Kiefer: Is the grease trap being fixed then?

Jeff Mueller: It’s been fixed, and they have put an alarm on the system too.

Commissioner Kiefer: Oh, okay.

Jeff Mueller: So, that if the pump doesn’t work, an alarm goes off.

Commissioner Kiefer: Got it. Okay.

President Melcher: So, the Health Department don’t have anything to do with that?

Jeff Mueller: No, it’s Water and Sewer. The Water and Sewer Department does.

President Melcher: When did that change? Because they used to always jump on people about grease traps.

Commissioner Kiefer: Yeah, that’s what I thought too.

Jeff Mueller: I don’t know. I just know that the Health, as a matter of fact, when we notified the Health Department they notified IDEM, IDEM notified Water and Sewer, and Water and Sewer says it’s their baby.

President Melcher: That’s amazing.

Joe Harrison, Jr.: Yeah, they’ve been doing it the last couple of years, because I’ve got clients that have been paid visits. So, I know.

Commissioner Kiefer: Okay, well, if there’s a solution and this is a recommendation, I’ll make a motion.

Commissioner Ungethiem: I’ll second.

President Melcher: Any other questions? Anybody from the audience? 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)

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Azteca: Revision to Drainage Plan

Jeff Mueller: Next, Azteca, revision to the storm drainage plan. This is a minor revision for the west basin within the Azteca complex at Highway 41 and Baseline Road. The revision is necessary due to the addition of a building at Azteca. The plan includes the removal of a scale and a road and demolition of a scale house located between two cells of the west basin. This will then create a larger single basin. So, right here is a road, there’s a scale and a scale house. They’re going to come through and take all of this out and enlarge this basin. Then, in the process, they’re going to expand this building around and bring the drains from that building in there. So, you know, they’re adding impervious area, they need a bigger basin, they’re addressing it by enlarging the basin.

President Melcher: So, that’s that long building out there?
Jeff Mueller: I don’t know, there’s so many buildings onsite. There’s a building right here and it’s going to, they’re going to hook into it and kind of curve it this way. It’s this building right here that’s going to be expanded up this direction.

President Melcher: Okay.

Jeff Mueller: Okay? They’ll be taking their drainage, they’re going to capture their drains on the back side of the roof and they’ll be bringing a pipe around, and then, of course, the front side will go there. So, like I said, they need more retention space, so, that’s the way they’re doing it by enlarging the basin by making two cells into a single cell. Okay?

President Melcher: Okay.

Jeff Mueller: Alright, the revised drainage plan was submitted on April 28, 2016, with a revised submittal on May 10, 2016, and an additional revision submitted on May 19, 2016. The plan that is requested to be approved consists of the revised submitted document dated May 10, 2016, an additional response dated May 19, 2016, along with drawings C-2.0, C-4.0, C-5.0 and CS-5.1, with a submittal date of May 10, 2016 and a revised Appendix I and a supplement to drawing 4.0, with a submittal date of May 19, 2016. I’ve provided you with a copy of the review of the submitted drainage plan, and request that the review document also be made part of the approved revised final drainage plan. The revised final drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County’s drainage code with regard to the requirements for the submitted revisions.

Commissioner Ungethiem: So, it sounds like with this expanded drainage basin we’ll actually be in better shape than we were previously?

Jeff Mueller: Theoretically we should be in the same, you know, because, I mean, we’re expanding the basin, but we’re expanding impervious area. Also, they’re expanding it not only for the building that they’re going to add, but they’ve also got a little bit of additional building that they might add in the future.

Commissioner Kiefer: Well, it sounds like business is good for Azteca. This is a good sign.

Jeff Mueller: Yes.

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

Commissioner Ungethiem: I’ll second.

President Melcher: Any other questions? Alright, 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)

President Melcher: It passes three to zero.

Commissioner Ungethiem: Before we move on from Azteca.

Jeff Mueller: Yes?

Commissioner Ungethiem: They had a drainage plan that came before us a couple of months ago for some work that they were doing on the west side.

Jeff Mueller: Yes.
Commissioner Ungethiem: There’s a very bad odor out there this past weekend, and I don’t know if that was part of what they were doing.

Jeff Mueller: I don’t know either, but I know there was an issue up there that IDEM was down here for, because that’s when they came down to also look at Mission BBQ, and I know they met with Water and Sewer up there. That was about, that would have been not last week, but maybe two weeks ago.

Commissioner Ungethiem: Yeah.

Jeff Mueller: So, I don’t know if that’s all part of it or not.

Commissioner Ungethiem: I didn’t know if that was something that we need to be involved in, or is that something that IDEM is looking at?

Jeff Mueller: It would be Water and Sewer and IDEM.

Commissioner Ungethiem: Okay.

Jeff Mueller: Okay? Are we ready to move on?

Commissioner Ungethiem: Yep.

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**Schnucks North: Revision to East Basin**

Jeff Mueller: Okay, Schnucks North, revision to the east basin. This is for a minor revision to the east basin of the Schnucks North Subdivision. The basin is being revised by the construction of a retaining wall on the north end of the basin that will create additional storage at the lower contours, allowing an area north of the proposed retaining wall to be filled. This will expand the area of lot two that can be utilized. The revised drainage plan will require a revision of the existing drainage easement, which will consist of the drainage easement being expanded to include additional area for the retaining wall and some piping. As part of the revision, and in order to better utilize lot two, a portion of the existing drainage easement is also going to be vacated. That will be through other paperwork outside of this. The normal vacation procedure would be followed for those areas that are no longer required. A new drainage easement will need to be recorded, and I will recommend as a condition of the approval, that the recording of this easement be done prior to any development on lot two. So, what kind of is going on here is, this is lot two right here, and part of the basin is right here. This kind of all goes this way. So, therefore, the lot will all be available. Mr. Ungethiem, to answer a question that I think you’re reading your mind on, I did request that they talk to Mr. Habermel, and they did meet with him.

Commissioner Ungethiem: And he’s okay?

Jeff Mueller: I think so. I’ve not heard back from him, so, I think everything is okay with that.

Commissioner Ungethiem: Yeah, as much discussion as we had with that basin the first time around—

Jeff Mueller: I contacted Mr. Habermel to make sure that he was aware of the situation.

Commissioner Ungethiem: Okay.

Jeff Mueller: Yes, I did not want that to be, I didn’t want any issues coming from that.

Commissioner Ungethiem: I think he was happy with the way it was installed, as it went in, I just wanted to make sure that—

Jeff Mueller: Well, I think what he sees here is a situation with improvement, with this happening, if this moves forward a little quicker, that might generate some interest on his property.

Commissioner Ungethiem: Okay.
Jeff Mueller: Okay? If you remember, in the original design, he has allocated a certain amount of storage space for when his property gets developed. That allocation of space is still there. So, and he understands that, so he knows that he's still got his allocated space. Okay?

Commissioner Kiefer: Okay, I'll make a motion to approve.

Jeff Mueller: Well, wait a minute, let me finish up here.

Commissioner Kiefer: Oh, I thought you were done.

Jeff Mueller: Oh, no, I have to read my standard spiel about what you're approving.

Commissioner Kiefer: Okay.

Jeff Mueller: Okay, alright, the revised drainage plan was submitted on April 29, 2016, with an additional submittal on May 19, 2016. The plan that is requested to be approved consists of the submitted document dated April 29, 2016, and additional responses dated May 19, 2016, along with drawings C-1.0 and C-1.1, with a submittal date of April 29, 2016, and drawings 2.0 with a submittal date of May 19, 2016. I've provided you with a copy of the review of the submitted drainage plan, and request that the review document also be made part of the approved revised final drainage plan. The revised final drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County's drainage code with regard to the requirements for the submitted revisions. As previously stated, I would recommend that the revised drainage plan be conditioned in that the development of lot two be withheld until such time as the revised drainage easement is recorded and proof of such recording is provided to the Surveyor's Office. Now I'm ready.

Commissioner Kiefer: Okay, now I'll make the motion based upon Jeff's comments there.

Commissioner Ungethiem: You didn't want to change after all that?

Commissioner Kiefer: No.

Commissioner Ungethiem: I will second it.

President Melcher: Alright, any other questions? Anybody from the audience? None? Roll call please.

Madelyn Grayson: Commissioner Ungethiem?

Commissioner Ungethiem: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Well, I don't know, no. Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes, that passes 3-0.

(Motion approved 3-0)

Jeff Mueller: Again, as a comment, you know, the reason I read the dates and the maps, is because when we get all of these things in and we come back and then something has been changed, and then 20 years later you're trying to figure out which map applies and which one doesn't, we've got it in record that it was this map, this map, and this map.

Commissioner Kiefer: I agree with you. I was just jumping the gun.

Jeff Mueller: No, no, but I mean, I think sometimes the audience is sitting there going what in the world is he doing reading all of this stuff. So, it is a matter of so that we know what's there.

Commissioner Kiefer: What we're voting on and it's in the record.
Jeff Mueller: Right, and that the package in the file is what’s here, and anything else in the file is not what was the actual approved document.

Commissioner Ungethiem: If you think this is bad, come to Area Plan and listen to some of the—

Jeff Mueller: Don’t you forget I’ll be at Area Plan Thursday.

Commissioner Kiefer: He’s on Area Plan.

Commissioner Ungethiem: Well, that wasn’t to him, that was for everyone else.

Jeff Mueller: Yeah, okay.

Commissioner Kiefer: Thanks.

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Cambridge Village II: Revision to Final Drainage Plan

Jeff Mueller: Alright, Cambridge Village II. The submitted revised drainage plan was essentially a change of some swales and a single pipe system, therefore, I really didn’t put together a formal review document. I did give you guys a couple of e-mails. I had one issue with their submittal that needs to be addressed with this, and that is that the amount of cover on one of the pipes that was submitted, P-507, does not meet the requirements of the Vanderburgh County drainage code. The engineering firm, Morley and Associates, has supplied data from the pipe manufacturer, per the code, under 13.04.270 (B), which is “Minimum Cover over Storm Sewer Pipe and Culverts” that states, “All non-flexible storm sewer pipe and culvert material shall be covered by a minimum of 1 ½ feet of cover, unless the applicant submits detailed plans, accompanied by a manufacturer’s recommendation specifying allowable cover less than 1 ½ feet in depth.” I would recommend as a condition of approval, that since a large amount of the pipe is to be located on the Cambridge Golf Course, that the pipe will have a cart path crossing, and the pipe has less than the required cover, that the pipe not be included in the Plan B Fund that the county maintains, and that the plat denote that the pipe will be maintained by the owners, and the maintenance provision for this pipe and connecting structures outside the right-of-way of the street be addressed on the plat. Okay, a lot going on right there. I don’t have anything on it. Essentially, on the very south end of the Cambridge Village II Section, the area is lower than what they thought it would be. So, they’re taking the drainage over to a lake on the golf course, but when they’re taking it over, they’ve got minimum cover, they’ve got about a foot of cover instead of a foot and a half, right about where the cart path crosses. So, what I’m saying here is fine, we’ll let you guys put less than a foot, but it’s going to be done, it will, according to the specifications they provided, the concrete pipe will hold it, it’s just going to be golf carts crossing it, but we’re not going to be responsible for that pipe later on, with the two dollars a foot, we’re going to put in the plat that they’re going to be responsible for the pipe. That way, with a whole bunch of golf carts crossing over that pipe, if it ever gets damaged, it won’t the county that will be responsible. It will be the golf course that will be responsible for it. Believe me, I’ve driven my golf cart around, I know I’m not always on the path, but my ball isn’t either.

Commissioner Ungethiem: The cart is on the path, the ball’s not always in the fairway.

President Melcher: My ball is on the path.

Jeff Mueller: Yeah, that’s right.

President Melcher: That’s how I get it to further.

Jeff Mueller: That roll, that’s right. So, anyway, the revised drainage plan was submitted on May 2, 2016, with a revised submittal on May 20, 2016, and an additional submittal by e-mail on June 2nd and June 6, 2016. The plan that is requested to be approved consists of the revised submitted document dated May 20, 2016, including the responses dated June 2nd and June 6, 2016. Information regarding the pipe strength included with the June 6, 2016 e-mail, along with drawings G-100, C-102, 103, 500 and 501, dated May 20, 2016. Also submitted along with those drawings were additional street drawings for reference. The revised final drainage plan was reviewed by the County Surveyor and
found to be in compliance with Vanderburgh County’s drainage code, with the exception of the amount of cover on the pipe, and therefore would recommend that the condition, that a condition that pipe P-507, structure 508 and those portions of pipe P-505 and structure 506, not within the right-of-way of the street, not be included in the Plan B Fund, and that the necessary notes be placed on the plat addressing the required maintenance of the pipe by the owners of the land where the pipe will be located.

Commissioner Ungethiem: So, clarify for me, who will be responsible for this?

Jeff Mueller: Well, it will be the golf course or there will be two landowners. There would be two lot owners and then the golf course.

Commissioner Ungethiem: Okay, we don’t know who the lot owners are at this point in time?

Jeff Mueller: No, the lots haven’t been sold.

Commissioner Ungethiem: Have we gotten any information from the golf course that they are agreeable with this.

Jeff Mueller: The golf course and the developer are one in the same.

Commissioner Ungethiem: And they are agreeable with this?

Jeff Mueller: Well, that’s what the engineering firm told me.

Commissioner Ungethiem: Okay, I didn’t see anything in the document, so, I just wanted to make sure.

Jeff Mueller: Well, I guess, what we’re saying is if you want it, this is the way it’s going to be. Otherwise, come back and give us a foot and a half cover.

Commissioner Ungethiem: Yeah, okay. I make a motion to approve.

Commissioner Kiefer: I’ll second it.

President Melcher: Any other questions? Anybody from the audience? Roll call please.

Madelyn Grayson: Commissioner Ungethiem?

Commissioner Ungethiem: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes, it passes 3-0.

(Motion approved 3-0)

Saddle Creek Subdivision: Preliminary Drainage Plan

Jeff Mueller: Saddle Creek Subdivision, preliminary drainage plan. As you are aware, the preliminary drainage plan for this subdivision was delayed from the last Drainage Board meeting on May 10th due to technicalities regarding notification of adjoining landowners. A new notification was sent out on May 24th to 26 adjoining landowners. A copy of that notification, as well as copies of 19 of the green cards, and seven certified receipts for those adjoining landowners whose cards had not yet been received was submitted to the Surveyor’s Office yesterday on June 6, 2016. I will list this as part of the submittal of the drainage plan. So, even though in the last meeting no vote was taken on a preliminary drainage plan, the Board did allow comment, and had several comments put in the record, most however not related to drainage. A couple of comments I would like to address. First, there was a comment regarding a new study by IDNR on the floodway of Little Pigeon Creek in the area. I talked with Dave Ballew in the Building Commission, and Dave stated that to his knowledge no study is underway by IDNR. As a matter of fact, he thought
the gentleman he talked to may have been a little bit confused on what was relayed. However, as we discussed, the permitting for the construction within the floodway would go through IDNR. So, IDNR would address the floodway and any requirement for new studies. Second, in the last meeting there was a request by members of the audience to have a meeting with the developer. It’s my understanding from watching the news media that the meeting occurred on Thursday, June 2nd. Also, at the request of the Board, the preliminary plan was put on the Surveyor’s Office website, and Linda did an e-mail to those persons who left an e-mail on the sign in sheet letting them know that the plan was available on the website for review. Okay? So, now, I don’t know where we want to go from here, in that there has been….oh, I’m sorry, I wanted to address one other thing. One issue that I did again want to cover, is Vanderburgh County does not have any code, nor do I know of anything within the State law, and Mr. Harrison and I talked about this too, that deals with the construction of homes downstream from an impounding structure. Specifically, we have mainly one lot that is directly downstream from an impoundment that’s located in Bentwood Estates, and five other lots that potentially a home could be constructed adjacent to the impoundment and be below the elevation of the impounded water. I brought this issue up at the last meeting, and since that time had a discussion last week with the president of the homeowner’s association of Bentwood about the concern with homes being built downstream from their dam. Again, I want to emphasize that I’m in no way inferring that there’s any structural issues with this impoundment, but I do want to note that the situation exists, and I do have a proposed condition that I will read and can be discussed as to whether it should be a part of the approved plan. At this time, we can go through the drainage plan again, it will be essentially the same narrative. Nothing has changed as far as anything that’s been submitted, other than the fact that they did submit the information regarding the notification. I can also go back over the drainage plan again, if we wanted to. I know there’s probably some folks here that may want to make comments, and I know the developer is here. So, do you want me to go through the drainage plan a little bit more again? Or, where do you all want to proceed from here?

President Melcher: Would you like for him to go through it again?

Commissioner Ungethiem: I’m okay with the drainage plan. If there’s any additional comments.

President Melcher: What about you?

Commissioner Kiefer: Yeah, I’m fine. I was just pulling it up on Google Maps to get a better look at the site.

Jeff Mueller: I do have, remember, we do have some pictures. We can go back and forth, this is the overall area, this is a little bit blown up, the west area here. The middle area. This is the lake that I was talking about that’s in Bentwood that discharges through here. This is the very eastern area right here. Overflows, the water from Plantation flows through two ditches and discharges right through here and goes down a ditch. The water from Bentwood comes out of this lake here and discharges through this ditch right here. Okay? Then the Basin One, which is along Little Pigeon Creek, or near it, this is down, this is going to require the Construction in Floodway Permit. Then this is the Basin Two along this ditch right here. Okay? So, we’ve got that up there anyone that was wanting to know.

Commissioner Ungethiem: The impoundment area, is that considered a large enough body of water that the dam needs to be inspected before houses can be built below it?

Jeff Mueller: The criteria for whether that would be considered a high hazard dam, I don’t know, because I don’t know, you know, about that, but you can always request a dam upstream of you to be declared high hazard to DNR if you, by writing DNR and requesting that. But, I don’t know if they meet that criteria now or not. I can’t remember the, I’ll be honest with you, I get confused the DNR requirements and what I used to have in the mine requirements, because they’re two different numbers.

Commissioner Ungethiem: Yeah, I know of another lake out in that area that had houses built below the dam, and then people started asking questions about the dam, and the
lake association wound up having to spend a large amount of money to put in a secondary spillway on that lake. It’s a bigger lake than this one.

Jeff Mueller: I think I know which lake you’re talking about.

Commissioner Ungethiem: Yeah.

Jeff Mueller: I don’t have the answer to that question. If they were to that criteria right now it should have already been done. So, that lake was built prior to the drainage code, so it’s not in our files either as far as, you know, anything, you know, it wasn’t really used, I mean, I’m not saying it wasn’t used for retention, but it wasn’t designed as a retention pond for our drainage code.

Commissioner Ungethiem: Oh, the one I was talking about?

Jeff Mueller: No, the one, Bentwood’s, because it was prior to our drainage code being adopted. Did you want to open up to public comment now? Or, do you have more questions of me?

President Melcher: I don’t. Do you have any?

Commissioner Kiefer: No.

President Melcher: No, we need the public comment.

Jeff Mueller: Okay. Anybody want to make comment?

Joe Harrison, Jr.: Krista, or the developer.

Jeff Mueller: I’m sorry, the developer?

President Melcher: The developer ought to go first.

Joe Harrison, Jr.: Yeah, the developer goes first.

President Melcher: Just like everybody else, just state your name and your address.

Joe Harrison, Jr.: The developer always goes first.

Glen Merritt: My name is Glen Merritt. I’m with Cash Waggener and Associates, the engineer on the project. We did have a meeting, a private meeting with the adjoiners last Thursday evening for a couple of hours and tried to answer as many questions as we could that they had. I’m just here to answer any additional questions. I think we went through last meeting and then the meeting with the adjoiners last Thursday and have answered most of their questions, but I would like to hear their comments and respond to them accordingly after I hear what their questions are.

President Melcher: Excuse me, if you had a meeting with them, did they have any questions?

Glen Merritt: I mean, there was a lot of questions. I mean, there was—

President Melcher: How do you think the meeting went then?

Glen Merritt: I thought the meeting went very well. I mean, a lot of the questions that were raised were not drainage related. There were some drainage questions, basically kind of explaining what we were doing with our plan. One lady was questioning the outlet from Plantation, because there is no detention basin on Plantation, and it routes through the one western ditch that Jeff was pointing out right there at the edge of the wooded area. Kind of got brought up last time, I mean, the question on swales in backyards and things like that getting filled up. I mean, these two ditches that are draining the water from the adjoining subdivisions are three to four-foot-deep ditches, 10 to 15 foot wide. I mean, they are not, you know, little half a foot, foot depressions in rear yards. They are major waterways that are going to be left intact. The only part of the ditch that we’re planning on disturbing is where we’re crossing it with a road where we have to, and there’s a four by six box culvert that is going to be installed at the ditch that’s carrying the water from the Bentwood lake, and then the watershed from Plantation is going to be a 42-inch culvert, just a 42-inch diameter, circular diameter concrete culvert that will be placed...
beneath the roadway. The rest of the ditch will be left in the state that it is today. So, I mean, there is no reason to expect any blockage of the water. I mean, the water is still going to flow down those ditches like it does right now.

President Melcher: The maintenance on those ditches, will that be you, or the developer?

Glen Merritt: The maintenance, I mean, the ditches, I mean, part of the preliminary drainage plan, what Jeff has asked me, I mean, they’re all going to fall in platted easements.

President Melcher: Okay.

Glen Merritt: The maintenance on those ditches typically falls on the homeowner. I mean, if it’s not going to be a legal drain, where, you know, the county would be responsible for it, I mean, if something happened and somebody wasn’t maintaining it, or there was blockage, you know, there would be a drainage easement in place for the county, in an emergency situation, to go out there and maintain it, but it would fall on the homeowner.

President Melcher: Okay.

Commissioner Ungethiem: The current ditch now handles the water flow as it is now, but my guess is, is when the development goes in place there will be additional water flow that goes into those ditches from downspouts and roofs and that kind of thing, has that been calculated in to make sure that that ditch still will handle that water?

Glen Merritt: There has, I have not done any calculations on the existing ditch itself. I mean, that may come up on the final. I mean, there is a little, there probably is a little additional water that would be draining to those existing ditches, but the majority of it is going to be undisturbed, wooded rear yards on the larger lots on the east side of the subdivision, where the water technically should not, the run off should not be increasing. Most of the improvements where you have the homes and the roadways that are going to be built, new storm sewers and/or swales would be picking up that water and taking it to one of the two detention basins.

Commissioner Ungethiem: To the detention basins?

Glen Merritt: I wouldn’t expect to see a whole lot of increase on that, on those existing ditches. I mean, I think the water that we would be potentially cutting off with the roads and the houses and routing those to the basin, you know, would possibly take water away from the ditches further downstream. Maybe not right there at the confluence where Bentwood detention basin discharges onto our property, but further to the south. I mean, I can run those numbers for Jeff and get those numbers to him, but it wasn’t something that came up at the preliminary stage.

Commissioner Ungethiem: Okay.

Glen Merritt: Anything else?

President Melcher: Okay, any other questions? Okay, just come up one at a time and state your name and address.

Faye Powell: (Inaudible) my property in Plantation that drains into Saddle Creek. My property is in Plantation Estates, and it’s two acres, and around my two-acre property there’s a drainage ditch that drains all of the water from Plantation Estates around my property on both sides, and in the back, and then it spills out into the property now owned by Saddle Creek. Which, according to their plan, they plan to build four houses abutting up to my back property. My concern is I’ve asked about the drainage and the comment has been well, we followed the rules. I want to know what the rules are, and can I be assured, as a property owner, that during construction and so forth, the water is not blocked and I end up with a lake in my backyard.

President Melcher: Before we go any further, can you state your name?

Faye Powell: I’m a little bit, my hearing—

President Melcher: Okay, if you could state your name and address.
Faye Powell: Oh, okay.

President Melcher: That way we know who’s speaking.

Faye Powell: Yeah, I’m sorry. Faye Powell, 1101 Suwannee Drive, Evansville, 47725. That’s Plantation Estates.

President Melcher: Thank you. We record all of this, so, we’ll know what’s going on. Thank you.

Faye Powell: But, I’m just asking the Commission to make sure that there is, that the drainage that goes around my house is taken care of, and it doesn’t end up on my property. When I look at their, the Saddle Creek plan, I’m thinking, how are you going to build four houses abutting up to my property line and take care of all of the water, because there are pictures of the ditch and the ditches are quite big ditches, and when it rains there’s a lot of water. So, my request is that you, you know, take that into consideration and hopefully give me an answer.

Commissioner Ungethiem: Faye, let me ask you a question. Currently, when it rains, do you ever have water back up on to your property?

Faye Powell: No, no.

Commissioner Ungethiem: So, it, right now, as it flows now, all of the water—

Faye Powell: No, I’ve never had water on my property.

Commissioner Ungethiem: -- moves...okay, so, if we have a situation down the road where that water starts to back up, we know that that’s not a normal situation?

Faye Powell: Right, right.

Commissioner Ungethiem: Okay.

Faye Powell: Okay, thank you.

Commissioner Ungethiem: Thank you.

President Melcher: Do you want to answer that concern?

Glen Merritt: I mean, it pretty much follows what I said before, I mean, when Jeff brought up that, pointed out those two major waterways draining Bentwood and Plantation, the west most ditch which runs through the west edge of the wooded area, I mean, that is running down a side yard between two lots, and there is a 15 to 20-foot drainage easement that is on our drainage plan that will be platted with those lots. That ditch is to be left alone, and then there will be the 42-inch culvert installed beneath the roadway, and that water will continue on downstream. It does not go into the detention basin.

President Melcher: So, you’re saying it’s not going to go in her backyard?

Glen Merritt: No. The storm sewers are sized for the 25-year storm. I mean, Plantation was one I brought up a while ago, I mean, they were developed prior to the ordinance, and I’m sure she gets a lot of water, because there is no detention on that site whatsoever.

President Melcher: No, I understand.

Glen Merritt: And, we’ve accounted—

President Melcher: But, we’re talking about today, I understand that.

Glen Merritt: Oh, I know, but we’ve accounted for all of the watershed that’s coming off of that entire subdivision, the way it is right now, and sized the storm sewers accordingly to meet the specifications of the ordinance.

President Melcher: So, nothing is going to back up during construction or anything?

Glen Merritt: I mean, when construction goes in, or when they start construction, I mean, the 42-inch culvert should be installed beneath the roadway for them to cross it, and
everything should function just fine. I mean, there should not be any problems, unless a tree or something falls in the ditch and block the culvert. There’s going to be safety factors in there, on the roadway, where the road can’t be so high, or, you know, to block water, and if a tree did get clogged in the ditch, that it would overflow over the roadway before it would back up onto their property. I mean, there’s several safety factors that will be built into that plan where that will not happen.

President Melcher: Okay.
Commissioner Kiefer: I have a question.
President Melcher: Go ahead.
Commissioner Kiefer: Okay, so, you’re putting in the, I’m looking at this map where she lives and I see where there’s the drainage easement here. It’s hard to read that print, but, so that’s the drainage easement right there? I noticed here, I’m looking at the elevation, so, her property is like right now 418, what would the elevations of these lots be after that goes in?
Glen Merritt: (Inaudible. Not at microphone).
Commissioner Kiefer: It looks like there’s a considerable drop off, you know, from the property line. I guess, my question would be, these lots; 92, 89, 90, 91, 92, all of those lots that back up against that subdivision, what’s going to keep them from having so much water coming off her property on to the new lots?
Glen Merritt: (Inaudible. Not at microphone.)
Commissioner Kiefer: Her property, I think,—
Glen Merritt: It’s on down.
Commissioner Kiefer: Oh, is it on down? I guess, what my question is, since the elevation is so high on here, what’s (Inaudible. Microphone not on.)
Glen Merritt: (Inaudible. Microphone not on.)
Commissioner Kiefer: Okay, so I understand (Inaudible). I guess, my question is (Inaudible) these lots here from having a lot of water? It’s just the individual easements between each—
Glen Merritt: Yeah, I mean, there’s not, I mean, the main flow from Plantation comes down this channel right here. I mean, you can see here there’s no defined channel anywhere over here on these lots. There’s just a little bit of sheet flow (Inaudible) these lots—
Commissioner Kiefer: Yeah, but what I was getting at, would these people get a lot of sheet flow is what I’m getting at?
Glen Merritt: It’s not a lot. I mean, the majority of the water comes through that channel right there where the 42-inch culvert is going to be installed. I mean, I’ve got, that existing tree line back there, and we don’t plan on, or we’re not going to disturb it, we can’t say that the homeowners won’t disturb it when they get in there, but I would think they would leave that as a natural buffer. I mean, we’re going from 423, I mean, I’ve got (Inaudible)—
Commissioner Kiefer: Oh, no, there’s no question, you’ve got a great drop off there.
Glen Merritt: It’s just going to be routed around there.
Commissioner Kiefer: But, these people living in here aren’t going to have a problem is what you’re saying?
Glen Merritt: No. No, absolutely not.
Commissioner Kiefer: Okay.
Glen Merritt: So, there’s not a significant amount of run off. I mean, you’re going to get run off from that back yard, but it’s all grass, and, I mean, you may be talking an acre or
two coming through, you know, four or five side yards. I mean, it’s going to be split up, whatever hits here is just going to Y around, you know, each house, that’s all it boils down to on that.

Commissioner Kiefer: Okay.

Jeff Mueller: Mr. Kiefer?

Commissioner Kiefer: I was just asking about the properties that will be built, because all of those houses are significantly, will be lower, those lots will be much lower than where she lives at. I was just curious if there is sheet flow or other water that will be getting people to appear before us a year from now or two years from now saying, hey, I’m getting water from Plantation Estates coming down on my house.

Jeff Mueller: And to address that too, I initially there was no drainage easements, and I talked to Glen about it, because I was actually wanting a swale along that line. He said, you know, and I agree with him, let’s put the swales in between the property to capture the back yard drainage, and then also then they’re not going along, if they did what I wanted them to do, which was put a swale along there, then they’re going through there and knocking all of those trees down to create a swale.

Commissioner Kiefer: Right.

Jeff Mueller: This way they can leave some trees up, and then, you know, just make sure that the back yards drain in between the individual houses. So, I, you know—

Commissioner Kiefer: I think it’s going to be a communication part on the developer, because we’ve seen it in the past, you sell a lot with a drainage easement and the next thing you know they’ve got a swimming pool over the top of it.

Jeff Mueller: Yes.

Commissioner Kiefer: Or a fence.

Jeff Mueller: You’ve always got to bring that swimming pool up in the drainage easement, don’t you?

Commissioner Ungethiem: Yard barn.

Jeff Mueller: Yes, one other thing I did want to point out, I don’t know if Ms. Powell remembered, but myself and the County Engineer, John Stoll, went out and walked her property. It is how she describes it. Essentially, about the southern half of Plantation drains using the streets, because it’s kind of a loop street, and it almost kind of follows those, and then it goes into two ditches, one on each side of her property that merge behind her property and go into this wooded ditch that’s there in existence. Also, one other thing that I wanted to point out is, I don’t know if they’re going to be able to disturb a whole lot of those ditches anyway, the existing wooded ditch, because it may come under a jurisdiction, which is why they’re going to be very limited on what they can do. They may just be able to put the pipes in in the streets and have to leave the rest of those ditches alone, which, I think that’s going to be nice for the development, and it will be nice for the folks that are concerned about them being blocked, because they won’t be able to block them.

Commissioner Kiefer: Yeah, I just want to make sure that a couple years from now we’re not hearing problems from—

Jeff Mueller: I’m not going to ever guarantee that. I mean, we try to address as much as we can in the plans.

Commissioner Kiefer: Yeah.

Jeff Mueller: You know, so.

Tom Ellis: Can I just quickly add to what’s been said? My name is Tom Ellis. I live at 10700 Old Plantation Drive. I have the unfortunate responsibility of being president of the
homeowner’s association. So, I represent 31 homes in the subdivision. I’ve been there for 23 years. So, I know a little bit about it. For example, my property has a 40-foot elevation drop from one end to the other. So, when we have water hit that subdivision, you would be really amazed. I had no clue what I was getting into when I built that house. I mean, it is a river that comes off of our subdivision. It was designed, you know, to run off into that space, and if you saw the ditches there, I don’t think, if you saw it in person it’s even deeper and wider than you’re seeing on that picture. So, we’re, obviously, pretty concerned from the potential water problem. It only affects about five homes, one of which was Ms. Powell’s, because we run that way. There’s actually a third ditch that goes down and then joins it and comes back on the other side of another property. We just want, and I want to say, Mr. Stoll has been very helpful. He’s been very friendly. He’s taken time to explain this all to me. You know, I’m not an engineer that does this design, but I’m still overly concerned when somebody starts talking about putting 128 homes right behind you, and you’ve got all of these small homes right behind some very big homes, and they’re trying to put four or five homes in the space of her property alone, which is going to take water runoff. There’s just no way around it. We have the lake just to the east of us, which is Bentwood, and, you know, they’re talking about putting in basins, but, still, when you, if you design the system in the basins for that amount of water and you start building homes and you start leveling ground and taking trees off and everything else, there’s still a lot of water that comes down there. What we really want to do, we’re not against development, okay? We’re not trying to stop anything, we just want to make sure that it’s really done right. So, that’s my point.

President Melcher: Thank you very much. Is there anybody else?

Keith Krietenstein: Not drainage related. Do you want me to hold that until Thursday?

Joe Harrison, Jr.: Yeah.

Keith Krietenstein: Okay.

President Melcher: Hold that till when?

Commissioner Ungethiem: Thursday at the APC.

President Melcher: Oh, okay. Any, Jeff, are you going to finish up?

Jeff Mueller: Yeah. Okay, one other issue to bring up, just as a reminder, is regarding the outlet structure for Basin One, that’s the west basin, that a proposed offsite easement is shown on the Baumgart property. Tom Baumgart has been talking to them, Tom called me today, he’s fine with everything. As a matter of fact, he wanted to know if he needed to show up. He’s got grandkids in town, and I said, no, you don’t need to, as long as you’re happy with things. But, you know, there is an easement that’s going to be required for the discharge of the outlet pipe for detention Basin One. So, the final drainage plan, that easement would have to be recorded as a condition. I have given you a number of conditions. Let me read to you what I have here, and then if you want to discuss we can go from there. The preliminary drainage plan was submitted on April 25, 2016, with additional submittals on April 29, 2016; May 2, 2016; June 6, 2016; and via e-mail on May 4, 2016. The plan that is requested to be approved consists of the submitted document dated April 25, 2016; responses dated April 29, 2016; May 2, 2016, and the e-mail of May 4, 2016, and the information submitted by e-mail on May 4, 2016. The copy of the notification to the adjoining landowners, as well as the copies of the green cards and receipts submitted June 6, 2016, along with drawings that consist of the following: drawing 1 with a submittal date of April 25, 2016; drawings 2, C-101 and C-102, with a submittal date of April 27, 2016; and drawings C-111 and C-112 with a submittal date of May 2, 2016. I’ve provided you with a copy of the review of the submitted drainage plan, and request that the review document also be made part of the approved preliminary drainage plan. The preliminary drainage was reviewed by the County Surveyor, and found to be in compliance with Vanderburgh County’s drainage code with regard to the requirements for a preliminary drainage plan. Although a final drainage plan or plan, depending upon how the developer decides to submit as they move forward, will be required. I would recommend that the following seven conditions be stipulated, that would later be concluded with any final drainage plan approvals for the associated lots. I’ve given you a handout sheet in your package that has those proposed conditions. You might want to...
get those and, probably it's the second to last sheet, I believe, in everything that I gave you. Okay? Here are the conditions that I propose; that the basins handling the drainage of the watersheds for which they are designed be completely constructed and certified prior to the occupancy of any home within the watershed of the corresponding watershed. Portions of Lot 6, 7, 12, 13, 16, 17 and 18 are located in a floodway of Little Pigeon Creek per special study “Special Flood Hazard Information Report-Little Pigeon and Locust Creeks, Evansville-Vanderburgh County, Indiana” United States Army Corps of Engineers, March 1981 and will require an IDNR Construction in Floodway Permit.

Because of this requirement, the plat for this area will need to address issues regarding any modifications within the floodway, specifically that modification or construction of any fence, out building or any other structure within the floodway is expressly forbidden without approval from IDNR. The future buyers of lots downstream of the pond between Bentwood Estates be aware that there is a pond directly upstream of Lots 90 through 95, and that approval of the preliminary drainage plan by the Board in no way certifies the technical safety of this structure. Furthermore, that the plat clearly shows the offsite existence of the lake and state that the outflow from this lake drains directly to the existing stream located on Lots 91 through 94. That no development shall occur within the area of Basin One until approval of necessary State and Federal permits, and that copies of approvals of such permits shall be submitted to the Drainage Board, through the Surveyor's Office, upon receipt of approval. Five, the developer shall submit to the Drainage Board, through the Surveyor's Office, any approval of any State or Federal permits required regarding crossing of potential jurisdictional streams. Six, that the approval of any secondary plat, which would require the construction of Basin One, will be withheld by the Surveyor until such time as the offsite easement in the area of the outlet pipe discharge on the Baumgart property be recorded, and evidence of the recording be supplied to the Surveyor's Office. Seven, if the developer wishes to proceed with utilizing Plan B for the maintenance of pipes outside county road right-of-way, that the developer specifically exclude and that any plats regarding this subdivision specifically exclude the maintenance of any structures within Basin One that fall within the floodway of Little Pigeon Creek.

Commissioner Kiefer: I would like to make a recommendation that they don’t clear the entire site first, where it’s all dirt before they start doing their work.

Jeff Mueller: I don’t think we want another situation like we’ve had somewhere else.

President Melcher: Any other, anybody else anything?

Tom Ellis: Could I add one thing?

President Melcher: Yes, sir.

Tom Ellis: We would actually like to see the whole drainage plan instituted before they start leveling, if we could. I know that that’s a bigger investment up front, but, you know, if they just take one little side and, you know, just do one area, well, it’s got a little retention basin, but it could still run down on us if the whole system hasn’t been properly engineered and started to begin with. So, that would be our request if you could make that a condition.

Jeff Mueller: Do you want to address that?

Commissioner Kiefer: I don’t think they can do that without finishing out all of the lots with drainage easements between each lot.

Joe Harrison, Jr.: I don’t think they can do it.

Glen Merritt: I mean, for us to do that, I mean, it’s pretty much feasibly impossible to install the entire drainage plan. This subdivision is going to be phased. We’re going to start on the east end, and per what Jeff’s conditions are, I mean, if we start on the east end, then we’re going to have to do something with the east detention basin, because this watershed out here is split into two basically. The wooded area and a little bit of the farm field drains to the two large ditches that we’ve been talking about most of the evening, through the woods. The rest of the farm field drains over, basically, sheet flow over toward Little Pigeon. So, I mean, anything that we do on the east half, and we’re going to start at Baumgart Road, that’s our main connection point, we’ll have to build the detention basin number two to capture our watershed. Whether we install the storm sewer completely
down to it, or wherever we dead end the section, we’ll have to put in a temporary ditch, and we’ve done that in multiple subdivisions before. Just as long as that water that we’re putting the improvements to, allow it to get to the basin to retain it. I mean, that’s a typical construction process. I mean, that’s how this one is going to be built. I mean, it’s 130 something lots. Nobody in their right mind is going to go out there and develop that whole subdivision at one time. It’s going to be piecemealed over four or five years before we ever get down to that west end. So, I mean, that’s feasibly impossible for us to do that. We will do and work with Jeff, just like we do on every other subdivision, and make sure that we meet the requirements of the drainage ordinance for each section of the subdivision that we develop.

President Melcher: So, you’re saying four or five years, that’s how long it’s going to take?

Glen Merritt: I mean, it depends on the market, but from everything that we’ve talked with the developer on, I mean, we anticipate it taking that long before we get down to the western end, yes.

President Melcher: Okay. Any questions? Is there any final comments from the public? Anybody?

Commissioner Ungethiem: Jeff, I’ve got a question here. As I understand it, when this is developed and built out, the two existing ditches that come down through there are going to be the responsibility of the property owner where that ditch goes through to maintain and keep it clean and keep it adequately running?

Jeff Mueller: Yeah, and that’s the case for all of our other subdivisions, but go ahead.

Commissioner Ungethiem: It’s going to go through a wooded area, there’s going to be the distinct possibility that there’s going to be a tree on the side of that ditch bank that’s going to drop into that ditch and potentially clog that ditch, and if the person who owns that piece of property doesn’t clear that ditch of that tree, or doesn’t feel it’s necessarily their requirement to do so, what is the recourse of the people who live upstream of that tree falling into that ditch and potentially blocking the flow of water from their property downstream?

Commissioner Kiefer: I think we saw that with Pigeon Creek. I don’t know if that was you or who did that, but I remember, I mean, not blocked it, but, I mean, went down and looked at it.

Commissioner Ungethiem: Right.

Commissioner Kiefer: I remember we had Warrick County people coming in saying, hey, all of Warrick County is backed up because Pigeon Creek is—

Commissioner Ungethiem: Well, they called again about a month ago and said they were backed up again.

Joe Harrison, Jr.: Well, they can file an obstruction petition.

Commissioner Kiefer: But cannot we have, I mean, since this guy’s going to own, he’s not going to sell these lots immediately. Since he’s going to own all of that property, could we not have an easement, an ingress and egress into the—

Jeff Mueller: We can do exactly what we did up at Fenway Park. Remember the drainage plan wasn’t being followed up there because the ditch wasn’t constructed, and you, as the Board, sent out a letter to those homeowners saying, fix your ditch. I mean, because this ditch will be in a drainage easement, you could do the same thing under the drainage code. Just send a letter out to the homeowners saying, fix your ditch. Give them an order to do so. I think, also, you could file an obstruction petition, but you would be better off following the drainage code for ordering it to be maintained.

Glen Merritt: I’ve got one comment that I would just like to add. I mean, I understand everyone’s concern, but one thing when I was over there talking with Joe showing him those elevations on the plan, one thing you have to realize, there’s a significant elevation difference from Bentwood and Plantation, once you get down into where our roadway is in Saddle Creek. If that ditch gets clogged, and I brought it up earlier, you know, that there
is potential for trees and limbs or whatever, but the first problem, or the first person that’s going to get flooded out is going to be the lots within our subdivision. Because they’re going to be considerably lower and they are going to be close to the road elevation where that culvert is located. I mean, we’re going to put those elevations on those lots and require them to be at a certain elevation. The street is probably going to have to have a depressed curb. We’ve done that in other cases where we’ve had a significant amount of water, where get rid of the curbs and have a 15 to 20-foot overflow emergency spillway, that once it hits that elevation, I mean, we were looking at that, the 42-inch culvert. My road elevation right now was at 411, and the elevations up on Plantation were like 418. So, I mean, it’s going, if it did get backed up, and that pipe got clogged, it would get to, you know, 410 or 411, and then it’s going to start overflowing that roadway and spill over into the open channel again on the other side, you know, of the pipe where it goes back to the open ditch again. So, I mean, that’s the last thing that we want to happen. Our lots are going to be elevated high enough where they are protected from any amount of water that, you know, it’s, if we put those lots two foot above the road, you know, it’s going to have to be flowing two-foot deep across that entire roadway before it’s going to get into our house. It’s certainly not going to back up on any of the adjoining subdivisions. I mean, most of them are 200 or 250 feet to the north, and the elevation alone would not—

Commissioner Ungethiem: So, you’re indicating there’s about a seven-foot elevation difference between the existing Plantation Estates and the potential obstruction at the roadway.

Glen Merritt: The roadway, right. The ditch is another three or four foot below that, you know, where the actual pipe would be. So, and that’s just for that particular instance on Plantation. I didn’t look at the elevations on the six by four culvert, but it’s pretty much, everything north of us is quite a bit higher than what we’re dealing with down there. We are not going to design that subdivision where we’re going to flood out a house, you know, a new house to get built, within our own development, let alone, you know, somebody adjoining our property. I mean, those houses, everybody keeps bringing up how big those lots are, I mean, it’s 150-200 feet to our north property line, and then those houses are another 100-200 feet to the north up above that. You know, they’re, and the elevation, just like the other gentlemen with the president of the homeowner’s association for Plantation said he’s got 40 foot of drop across his lot. I mean, there is significant elevation all over the place out here, and that’s the last thing that we want to have happen is something get flooded out. So, I mean, we will design it with every safety factor in place, that if something does get blocked there will be an overflow channel across the roadway, and I don’t believe we will have any problems with anything out here on this site. We’ve went above and beyond, I mean, I’ve ran through three different storm scenarios with Jeff on these calculations. It’s, the site is over 50 acres, since the new ordinance got in place at the end of the year, we had to run a computer model, and we analyzed three different storms, and everything met the drainage ordinance in all three situations. Like I said, I can guarantee you that we’re not going to have a flooding issue out here. I’ve been doing this long enough that we will do it the right way and make sure none of that happens.

Jeff Mueller: My only other comment would be, I would love to tell them let’s make this a regulated drain, except when we would do that, then we would punish the people from Plantation and from Bentwood, because then they would be part of the watershed. That’s why I said we’ve got to figure out some way that we can make these regulated drains, but not, you know, charge people offsite when they, you know, for, you know, get hit with a development they really aren’t thrilled about and then have to pay a fee on top of it. So, if there’s some way that we could do this as a regulated drain without including them, that would be the ideal solution, and that’s what we’ve got to work to is try to figure out how to do that. But, you know, then we would have a method.

Commissioner Kiefer: I don’t understand why that ditch can’t just be an easement.

Jeff Mueller: It will be, it will be a drainage easement.

Commissioner Kiefer: But, I guess, my question is, could you, if somebody called you up and said, hey, I’ve got this problem, are you allowed to walk along back through there? I’m not saying go out there and clean it out, but at least identify a problem. Are you allowed to, could you access it or would you be trespassing?
Jeff Mueller: You have to, through the drainage obstruction petition process, if someone files that, then when you give me the order then I can go on someone else’s property. But, no, I cannot go walking a ditch along a neighborhood, unless it still within, unless the ditch is still under the, you know, we haven’t released the letter of credit. Then Mr. Stoll and I can, yes, go in and look through it. But once the letter of credit is released, no, we do not have the right to walk down—

Commissioner Kiefer: I just didn’t know if a solution was just to have some kind of ingress/egress access easement on to the ditch, along the ditch. Nobody, I mean, then you could walk on it anytime as a public utility type easement.

Jeff Mueller: Well, being able to walk on it would be one thing, but being able to—

Commissioner Kiefer: Well, I’m not saying you’re necessarily going to do the work.

Jeff Mueller: No, no, but, I mean, yeah—

Commissioner Kiefer: You would have the homeowner do that.

Jeff Mueller: -- I don’t know.

Commissioner Kiefer: I don’t know.

Jeff Mueller: I don’t know if easement language could be made like that or not.

Commissioner Kiefer: I mean, while you’ve got one guy that’s going to own all of that property, once you start selling off lots and you’re dealing with, you know, all of these different lot owners, then it’s impossible to—

Joe Harrison, Jr.: If there’s ever a problem someone can file an obstruction petition and you can get on the property.

President Melcher: That’s happened before.

Joe Harrison, Jr.: That happens all the time.

Commissioner Kiefer: I understand. I guess, I was trying to eliminate a couple of steps, you know, Joe Citizen calls Jeff and says, hey, my neighbor has got an obstruction and you’ve got to go out there and take a look.

Jeff Mueller: I’ll look over the fence, I’ll do this and I’ll do that, but I cannot—

Joe Harrison, Jr.: And you’ll look at photos that they bring in.

Jeff Mueller: Or, yeah, or we can use a photo lens and take pictures, but we won’t go on somebody else’s property.

Commissioner Ungethiem: Get a drone and fly over.

Jeff Mueller: Yeah.

Commissioner Ungethiem: Is there any way to, in a subdivision like this, require the subdivision to pay an annual fee for ditch clean out/removal/up keep, that kind of thing? I know when you’re in a subdivision and you have a lake, that they define, or that they actually access you a fee for lake management in some subdivisions, and that’s built into your purchasing of the house, is that you will spend “x” number of dollars on lake management. Can we do that same kind of thing for ditch management?

Jeff Mueller: Well, I mean, a homeowner’s association could be responsible for the maintenance, and then they could do that, but the problem with homeowner’s associations is, everybody is aware that after a while they go away, nobody wants to be president. Which I commend you for still being president, because, you know, and the other issue is that, okay, you make an assessment and it’s $100 to everybody in the subdivision, and two or three people say, I ain’t going to pay it. Then the homeowner’s association has to decide whether they want to go down and file a lien. In my subdivision we actually did that, but that’s not a very popular position to take with your neighbors to do that. As I think Mr. Harrison will say, that after a while the covenants and restrictions they just kind of fade into nowhere and that’s where the homeowner’s associations
sometimes go too. That's why, if we can ever get a legal drain situation to work out, then we're the ones assessing it, and if you don't pay it then it goes through the tax procedures. You know, we haven't, I still don't have a good way of doing that yet. We're going to have to investigate how some other counties are doing it. I don't have that answer tonight for this subdivision. So, I think what we have to do is just rely on our drainage code. Maybe what we need to do in our drainage code is see if we can strengthen it up a little bit on enforcement of how drainage easements are maintained. That might be the better method, I mean, you know, we went with the fence issues and we've got it now where the Building Commission can write a violation for fences and other obstructions within a drainage easement, and we didn't have that a year ago. So, we've made some progress, and maybe we just need to strengthen our drainage code some more, until we can come up with a better way.

Commissioner Ungethiem: I think the other weakness in this drainage plan that I see is the swales between the houses that have to be maintained by the homeowners, and I understand that swales tend to fill in over time, and as those swales fill in then you start to get water issues. Is there any way that we can improve that, other than having a lot of above ground shallow swales in between houses to allow that water to come from the back of the houses to the front of the houses?

Commissioner Kiefer: Well, because those are on the property lines, along the property lines, so, I could see fences, people tend to like to put fences up. I could see a fence along each and every one of those drainage swales.

Jeff Mueller: Again, we now have the right, under anything that's been done since the passing of that to order the fence out.

Joe Harrison, Jr.: Right.

Commissioner Kiefer: Yeah, I understand that.

Jeff Mueller: We didn't have that before.

Commissioner Kiefer: But, I mean—

Jeff Mueller: Yeah, I know, but we didn't have that right, you know, that's something that just in the last year, any fence now that's put in a drainage easement can be ordered out, or they can receive a fine from the Building Commission.

Commissioner Kiefer: But, you know, I'm kind of like Bruce on this one, that, you know, I'm saying it's a good, ideally, great plan if everybody, you know, keeps obstructions off, everybody keeps the swale the way it's supposed to be, it's probably a perfect plan, but we all know human nature. As soon as those lots are sold off, fences go up, yard barns go back there.

Commissioner Ungethiem: Those lots are fairly tight together.

Commissioner Kiefer: Yeah.

Commissioner Ungethiem: The first thing you're going to want to do is get some privacy in my back yard. So, they're either going to want a privacy fence, or they're going to start planting trees, or they're going to start doing something along that property line to separate them from their neighbor's yard, and it's going to be in that swale.

Jeff Mueller: I agree with that, but the one difference between that swale and one swale that would run past ten or 11 lots, you know, you go back and you block the swale in your back yard and you messed it up for all of your neighbors down here, but when you mess that swale up between you and your neighbors, the water is going to stand in your back yard. So, there's going to be a little bit of incentive to keep that swale open, in that, if you don't, it's going to be on your back yard.

Commissioner Ungethiem: Jeff, you know that even though that it's their fault, this doesn't keep them from calling us and wanting us to fix it.

Jeff Mueller: I could tell stories, and I know you guys are wanting to get out of here tonight.
Commissioner Kiefer: Well, I mean, I would like to see the developer make a big commitment that when he sells these lots, these people understand what they're getting into that, you know, that's something you're not supposed to be building on, or putting something on that obstructs it.

Jeff Mueller: I agree with that, Mr. Kiefer, and I think, but, you know, we have this in every subdivision, and in some subdivisions people do a great job, and some people it's just like, do you realize what you're doing? In the old days of when, you know, and I've had this happen that a couple of people want to file an obstruction petition and I say, go talk to your neighbor, and see if you guys can't get out there with a wheelbarrow and some shovels and work on this problem together, instead of fighting each other, hiring a lawyer, hiring an engineer and having a drainage obstruction petition. I mean, that's what it really has to get back to is the days of people working together. I don't know, I don't know, you know, but to try to come up with a fool proof plan that's going to guarantee that it's going to be 100 percent that these swales between houses are going to work, I mean, we could put a pipe in there and a drain in the back yard, then what's going to happen? Then the drain is going to get clogged, or somebody's going to put the dog house on top of the drain.

Commissioner Kiefer: Yeah.

Jeff Mueller: It doesn't matter what we do, there's always a potential for somebody to screw things up, you know, on these things. Especially on these little swales, so you hope the two adjoining neighbors, but the big issue with the open ditches on these is, yeah, you could have a tree fall in them every now and then, that's a big thing, but, you know, the developer can't, he can't affect a lot of these trees. You would hope that people would not want to tear those trees down, because that's going to be their natural boundary back there. I mean, I've got a creek behind my house, and, yeah, I've had a few trees go down, but I still like having that barrier back there. But, you know, I don't know that we're ever going to come up with a guaranteed, you know, unless we have a Ditch Czar that goes out and just starts (Inaudible) people and everything else.

Commissioner Kiefer: No, but, I think the, you know, on the onset, like the fencing, you know, if the developer would, you know, make it a part of their, when they sell a lot that people understand they cannot build on those drainage easements. You know, they've got to build inside them.

Jeff Mueller: Well, let's remember, let's back up on to the fence ordinance that was passed. We talked to the developers, and we said, you guys need to be telling people to get these fences out, because we're not going to release your letter of credit when there's fences in the drainage easement. Because you can't say that it's built according to plan when there's a fence in there. They were saying, well, we go back to people and they tell us, they just tell us no. You know, and so, the fence ordinance that was passed, was passed with SIBA's backing, because then the developers can go in and say, I need my letter of credit released on that swale behind there, you've got a fence in there and they say I'm not going to move it, and then they say, well, we've got a method of getting it moved, because we can make a complaint to the Building Commission, and the Building Commission can send them a letter and send them a fine. So, while it's being developed, up till that time, until that developer gets his letter of credit released, we do have a very good system in place to be able to keep fences out now that we didn't have before.

Commissioner Kiefer: Well, then we'll probably have to hold that letter of credit until all of those lots are sold along that back line.

Jeff Mueller: Well, we normally hold a letter of credit for like...you don't release for this, this and this. The whole swale has got to be done.

Commissioner Kiefer: Right.

Jeff Mueller: You know, John's pretty methodical about how he releases his letter of credit and stuff. So, and we all know, we still, you know, we're going to be addressing letter of credit issues, Mr. London and that on trying to get more teeth in the letter of credit. So, we try to release some of those things too. It's not perfect, by any means, but I would like to say that I think that us and the city and we're all working together and we're trying to get a lot of these problems resolved.
President Melcher: Jeff, there’s somebody behind you. Would you like to say something now?

Keith Krietenstein: May I? My name is Keith Kreitenstein.

President Melcher: I’m sorry, repeat it at the mic.

Commissioner Ungethiem: Yeah, come to the microphone.

Keith Krietenstein: Keith Krietenstein, President of the Havenwood Meadows Homeowners Association. Your concerns are valid. The problem with holding the developer’s toes to the fire, at the first lot sale may be good, but once that property turns over to the second owner of that property, and they decide not to run through the homeowner’s association for approval of placement of that fence, they’re going to put the fence up and you’re just five, ten years down the road, but you’ve got the same issue, not controllable by the developer. That’s all I’m saying. The problem is real, a solution very vague, very difficult.

Jeff Mueller: What we’re all saying is if anybody puts a fence up now in that drainage easement out in your subdivision, you can’t go back on the old ones, but on the new ones, you can file a complaint with the Building Commissioner.

Keith Krietenstein: I agree.

Jeff Mueller: So, we now opened that up.

Keith Krietenstein: But, you’re talking about having the developer control that from the get go.

Jeff Mueller: Right.

Keith Krietenstein: Which is good for the first round of sales. That’s all I’m saying.

Jeff Mueller: Right.

Commissioner Kiefer: Okay.

President Melcher: Anything else, Jeff?

Jeff Mueller: Not on this particular issue. I’ve just got one more thing, but I didn’t know where we stand on this.

Joe Harrison, Jr.: Let’s go.

Jeff Mueller: Joe’s got a flight tomorrow.

Commissioner Kiefer: Bruce, do you want to make the—

Joe Harrison, Jr.: He’s got something else, I think.

Commissioner Kiefer: Oh.

President Melcher: Do you got something else on this subdivision?

Jeff Mueller: I don’t.

President Melcher: Okay, that’s what we thought.

Commissioner Kiefer: Okay. Well, it’s less than a perfect plan, I think, but, are you going to make the motion?

Commissioner Ungethiem: Jeff, in your opinion, is this a drainage plan that is executable, and will follow the guidelines that we currently have for subdivisions?

Jeff Mueller: Yes.

Commissioner Ungethiem: Based on that, I would make a motion to approve the preliminary drainage plan.

Commissioner Kiefer: As proposed conditions for Saddle Creek?
Commissioner Ungethiem: With the proposed conditions.

Commissioner Kiefer: Okay, I'll second that.

President Melcher: Any other questions?

Commissioner Kiefer: Well, I wouldn't mind hearing from the developer, you know, himself, so he could...you know, I'm really concerned about these fences. I hate to make a big deal about it, but how many meetings have we sat through here at the Drainage Board, hearing complaints, hearing problems. You know, one guy built a fricking block wall, you know, a block wall fence, you know, where, you know, nothing could drain through it. I would like to see something on the deed or something that specifically points out that they're not going to be building these fences.

Jeff Mueller: Joe, those are on the plats.

Commissioner Kiefer: Yeah, I know.

Jeff Mueller: I mean, they're on the plats.

Commissioner Kiefer: I know, but I want to strengthen it. I want extra protection, above and beyond.

Jeff Mueller: Yeah.

Commissioner Kiefer: I want a commitment from the developer that there's some extra, an above and beyond commitment on these fences.

Krista Lockyear: I don't, Krista Lockyear, on behalf of the developer. I mean, it's a great idea, but I don't think we can give any extra commitment. I mean, it's a legal, legally they can't do it. It's on the plat. They have the obligation, every homeowner has the obligation to abide by the law. You can't ask a developer to say, I'm never going to sell a house to a guy who is a criminal.

Commissioner Kiefer: Right.

Krista Lockyear: Because that's just beyond the developer's control. These are acts of individuals who are violating the law. I know it's really strong in everyone's mind right now, so, it's an issue, but we've never asked any other developer to make additional promises.

Commissioner Kiefer: Yeah, I think if it appears on the deed though, when I buy a house that's already been built and it's used, I don't always see the plat. I see the deed though. Every time, I always get a deed, but I don't always get a copy of the plat. I think if it appears on the deed—

Krista Lockyear: Well, but you can't make, the developer can put it on his deed to the first buyer, saying, "Subject to the easement, as shown on the plat", but there's no way to enforce that the next seller down the road puts it on their deed.

Joe Harrison, Jr.: Yeah, they can put it on the first one, right.

Krista Lockyear: Sure.

Commissioner Kiefer: So, you can't have something recorded on the deed that has to carry—

Krista Lockyear: Well, it's recorded on the plat. So, it's already a public record. When I do my title commitment, it's going to reference, hey, homeowner you're buying subject to everything that's on that plat.

Commissioner Kiefer: So, what you're saying is—

Krista Lockyear: You know as well as I do, a lot of homeowners don't read that.

Commissioner Kiefer: No, no, no, I know, I'm just...so what you're saying is, there's no additional provision, no additional thing that can be said on there?

Joe Harrison, Jr.: You said you could put in on the first one.
Krista Lockyear: We can put it on the first deed that it's subject to—

Joe Harrison, Jr.: It might not be on the fifth deed.

Commissioner Kiefer: Well, I think the first deed is better than not.

Krista Lockyear: Sure.

Joe Harrison, Jr.: It’s the law anyway.

Krista Lockyear: Right, right.

Commissioner Kiefer: I understand that, but I also know how, you know, the second guy that buys that house, he won’t see the plat, he’ll just see the deed.

Joe Harrison, Jr.: Well, it will be on the second deed.

Krista Lockyear: So, we’ll put a provision in the deed that it is specifically subject to the easement, the drainage easement, on those lots that it actually is.

Commissioner Kiefer: Yeah, I know it’s redundant, but, I mean, I think it’s, every little extra will be a benefit. So, with that, you know, I guess I’m, I don’t know is there anything else we could vote?

Commissioner Ungethiem: We have a motion and a second.

Wayne Kinney: Joe, can I ask you something? When you said it’s not a perfect drainage plan.

Jeff Mueller: You need to come to the mic.

President Melcher: Microphone, and state your name and address for us. We just keep this for the record, that’s why we need it.

Wayne Kinney: I’m Wayne Kinney, the unlucky developer. No, I’m just kidding, but my question is you said it’s not a perfect drainage. What would be a perfect drainage, in your opinion?

Commissioner Kiefer: I think not having the drainage swales between every single one of the properties along that one border, that north border. I don’t know what the perfect plan is. There may not be one.

Wayne Kinney: Okay.

Commissioner Kiefer: But, I’m just saying, I know from our history and experience sitting on the Drainage Board, that those swales between properties tend to be problems later.

Wayne Kinney: Right.

Commissioner Kiefer: Now, maybe, hey, I’ll be gone. I won’t be the guy listening to it.

Wayne Kinney: Right.

President Melcher: I was going to remind you of that after this meeting.

Commissioner Kiefer: Yeah, but—

Wayne Kinney: We’ll send you a postcard.

Commissioner Kiefer: -- I’m trying to do a favor for the man or woman down the road that has to sit on that Drainage Board.

Wayne Kinney: We’re trying to develop it so the swales get the water down.

Commissioner Kiefer: Right.

Wayne Kinney: I think the thing that’s lost in all of the presentations just sitting here tonight is, this ground, if you think about sitting on Highway 41 and looking up where Tom Baumgart’s house is, this has a 50 foot drop easily.
Commissioner Kiefer: Right.

Wayne Kinney: So, I'm pretty comfortable that the lady and everybody—

Commissioner Kiefer: I'm not as concerned about the neighborhood behind it. I haven't been. I was more concerned about the future homeowners, you know, I just wanted to make sure they're protected.

Wayne Kinney: But, I think that's going to be an issue with any subdivision built, let alone this one.

Commissioner Kiefer: That's what I'm saying, yeah.

Wayne Kinney: So, how as a developer can we, or how can we work with the Drainage Board to develop something long term that's sustainable?

Commissioner Kiefer: Well, I think you have with Jeff. I mean, Jeff and you guys have worked together. I was just asking for a little extra protection. I know it's redundant, but if that commitment is there, then, I'm okay to vote for it.

Wayne Kinney: I also don't think you'll have a fence issue where we have the top part of this subdivision. The woods, I doubt if you'll ever see a fence in that, because it's going to be tailored more toward the Bentwood. I don't think there's any fences in Bentwood or Plantation. I would think down on the—

Joe Harrison, Jr.: He's talking about within your subdivision.

Commissioner Kiefer: I'm talking about within your subdivision.

Wayne Kinney: That's what I'm talking about. The first development will not have any fences, because the terrain will not let you install them properly.

Commissioner Kiefer: Yeah.

Wayne Kinney: Okay?

Commissioner Kiefer: Okay, well, then it won't be an issue then.

Wayne Kinney: It should not be.

President Melcher: So, are we ready? Do you want to call the roll?

Madelyn Grayson: Commissioner Ungethiem?

Commissioner Ungethiem: I'm going to vote for this preliminary drainage plan. The other issue that I've got is purposely building houses in a flood zone. The item two portion of this conditions, I think we need to pay specific attention to as we go forward. Those people that are going to buy those properties and put houses on those lots, I think are going to be disappointed long term, but I will vote to approve the drainage plan.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Again, my concern has been the future homeowners, and, you know, wanting to protect them. With the recommendation from the County Surveyor and these special extra conditions on here, proposed conditions, and along with that added language to the deeds, I'll vote yes.

Madelyn Grayson: President Melcher?

President Melcher: Well, I guess, I'm a little different than anybody else. I kind of worry about the people upstream, downstream, side of the stream. We hear this all the time, and we've been through all of these battles. I'm trying to find a way we can solve these problems, and you've got to do it here, right now. If you don't do it now, it's not going to happen. So, I have to vote no. It does pass 2-1, but I have to vote no on this one because I'm not convinced that the drainage is going to work. I'm just not. I'm not an engineer, but I know you drive down Lynch Road and all of these others and you see all of this flooding, and everybody promised the same thing. I remember when Marsha was out there filling sandbags, you know, when she was a Commissioner. So, I mean, enough is enough. So,
I think, there might not be a perfect plan, but I think there should be a better plan. So, again, I voted no. So, it passes 2-1.

(Motion approved 2-1. Commissioner Melcher voted no.)

Ditch Maintenance Claims:
Claim for IDNR Application for Pond Flat Main: aka Big Creek

Jeff Mueller: I’ve got one other thing and then we’re done for the night. Ditch maintenance claims, you have in your package a summary sheet for five claims for a total of $3,782.78. Included in the claims is a request for $200 to IDNR, which is the application fee for a Construction in Floodway Permit for Pond Flat Main, aka, Big Creek. There’s some work that we’re going to do up there that we need to have a Construction in Floodway Permit. Also included is a payment for $1,500 to Frontier Geospatial for the flyover of the drone of Eagle Slough that we did, commissioned last year. I will show that to you at a different meeting. So, that’s all I’ve got, so I request that those five claims be approved.

Commissioner Ungethiem: I make a motion to approve.

Commissioner Kiefer: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion passes 3-0)

Adjournment

President Melcher: Before we leave, we have to sign this plat down here. So, all three of us have to sign it. Anything else?

Jeff Mueller: That’s all I’ve got.

President Melcher: Motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Ungethiem: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion passes 3-0)

President Melcher: We are adjourned.

(The meeting was adjourned at 6:52 p.m.)

Those in Attendance:

Stephen Melcher     Joe Kiefer     Bruce Ungethiem
Jeff Mueller        Joe Harrison, Jr.  Madelyn Grayson
Glen Merritt        Faye Powell     Tom Ellis
Keith Krietenstein  Krista Lockyear Wayne Kinney
Others Unidentified Members of Media
VANDERBURGH COUNTY
DRAINAGE BOARD

________________________________________
Stephen Melcher, President

________________________________________
Joe Kiefer, Vice President

________________________________________
Bruce Ungethiem, Member

(Recorded and transcribed by Madelyn Grayson.)