The Vanderburgh County Drainage Board met in session this 26th day of June, 2018 at 3:23 p.m. in Room 301 of the Civic Center Complex with President Ben Shoulders presiding.

### Call to Order

President Shoulders: I would like to call to order the Drainage Board for, what is today's date, June 26th?

Commissioner Musgrave: The 26th of June.

President Shoulders: June 26, 2018.

### Pledge of Allegiance

President Shoulders: If you could please join Commissioner Musgrave for the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Shoulders: Alright, thank you.

### Approval of the June 5, 2018 Drainage Board Meeting Minutes

Joe Harrison, Jr.: Do you have your mic on?

President Shoulders: It’s on. Now I would like to entertain a motion for approval of the previous minutes from last time.

Commissioner Musgrave: So moved.

President Shoulders: I will second. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. Opposed same sign.

(Non opposed)

President Shoulders: The motion passes.

(Motion approved 2-0)

### Application to Affect Legal Drain: Sonntag Stevens

President Shoulders: Mr. Mueller?

Jeff Mueller: (Inaudible).

President Shoulders: What do we have here today?

Jeff Mueller: Not a lot, but you’ve got to give me a minute. Okay, the first thing on the agenda, Sonntag Stevens application to affect legal drain. This request is by the A. Schulman Company to install some additional rip rap along one side, above the normal flow line of the drain for about 30 feet in length, to tie into some existing rip rap to keep where the drainage is coming off the plant yard, from doing any further erosion along the bank. I went out and looked at what they’re proposing to do, and it’s right in here, they’re just going to add some rip rap down through here. I believe that’s where it’s at.
they’re going to add a little rip rap there, and they just wanted, they’re going to do the work, they just want our permission to do it. I appreciated that they called us and asked first. So, I would ask for your approval on this.

Commissioner Musgrave: Motion to approve the application to affect legal drain, Sonntag Stevens.

President Shoulders: I will second that motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. All opposed same sign.

(No one opposed)

President Shoulders: The motion passes.

(Application approved 2-0)

Jeff Mueller: One thing, I just want to point out real fast, I’m sorry. Actually the area was more up in here. But, anyway, this guy right here called, he’s complaining about Sonntag, or about the ditch and it’s eroding away the bank, and it’s going to affect his building there. I don’t know what we’re supposed to do, because I doubt if he had permission to put the building there in the first place. Just bringing it up. So, if he complains in the future, I’m going to say, well, whatever.

Application to Affect Legal Drain: Nurrenbern

Jeff Mueller: Okay, next, application to affect legal drain, Nurrenbern. This request is by a consultant working for INDOT. This is for rehab work on the culvert itself that runs under State Route 66, the Lloyd Expressway. So, I always appreciate they let us know what they’re doing.

Commissioner Musgrave: Do you need a vote on that?

Jeff Mueller: Yes, please.

Commissioner Musgrave: I’ll move to approve the application to affect the legal drain at Nurrenbern.

President Shoulders: I will second the motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. Opposed same sign.

(No one opposed)

President Shoulders: The motion passes on Nurrenbern.

(Application approved 2-0)

Final Drainage Plan: 3511 Mesker Park Drive

Jeff Mueller: Okay, final drainage plan, 3511 Mesker Park Drive. This site is on Mesker Park, north of Diamond Avenue. The plan consists of construction of addition to the existing church and parking lot additions and improvements. I’ve submitted a summary of the plan, and rather than read this information, I’m requesting that the information be included into the minutes as if read into the record.

Submission of Information by Surveyor: 3511 Mesker Park Drive:

“The final drainage plan was submitted on June 12, 2018, with revisions submitted on June 20, 2018, and additional information and revisions submitted on June 22, 2018. The plan that is requested to be approved consists of the submitted document with a receipt date of June 12, 2018, along with revisions and additional information submitted on June
20, 2018 and June 22, 2018, along with the following drawings. Drawings submitted on June 20, 2018: Index Sheet, C1 & C2. Drawings submitted on June 22, 2018: C3, C4, C5 & Drainage Map ExA."

Jeff Mueller: I’ve also included with your package a review of the submitted drainage plan, and request that the review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County’s drainage code. I recommend that one condition be placed on the approval of this drainage plan, that being as with all single lot drainage plans, that as a matter of record, that prior to the County Surveyor signing off on any Certificate of Occupancy, that the owner, or developer, supply the required as-built or record drawings, or certification documentation, as required by the code. So, with that, I’m bringing to you approval of the drainage plan with the one condition noted.

President Shoulders: I would entertain a motion for Mesker Park Drive.

Commissioner Musgrave: I will make a motion to approve the final drainage plan at 3511 Mesker Park Drive, with the condition that prior to the Surveyor signing off on the plan, that the petitioner provide the as-builts at a timely manner. I will also ask that the, that this be entered into the record as if read. Was there anything else you needed? That’s it?

Jeff Mueller: That’s it.

Commissioner Musgrave: Okay, that’s my motion.

President Shoulders: I will second that motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. All opposed same sign.

(No opposition)

President Shoulders: The motion passes.

(Motion approved 2-0)

Final Drainage Plan: 12731 N. Green River Road: The Station Restaurant

Jeff Mueller: Okay, final drainage plan, 12731 N. Green River Road, and just for our record, that’s RNJ Minor Sub. This is part of the RNJ Minor Subdivision. That site’s located in Daylight, where Green River Road intersects Highway 57, just south of the new Scott Township Fire Department building, and north of the Rounders Too Restaurant. It’s actually a replacement for that restaurant. The plan consists of construction of a new restaurant and parking lot. I’ve submitted a summary of the plan, and rather than read this information, I’m requesting this information be included into the minutes as if read into the record.

Submission of Information by Surveyor: 12731 N. Green River Road:

“The final drainage plan was submitted on June 11, 2018, with revisions submitted on June 22, 2018. The plan that is requested to be approved consists of the submitted document with a receipt date of June 11, 2018, along with revisions submitted on June 22, 2018, along with the following drawings. Drawings submitted on June 11, 2018: C1.0, C1.1, C1.12, C1.21, C1.3, C1.31, C1.33, C1.5, C1.6, C1.7 & C1.71. Drawings submitted on June 22, 2018: C1.2, C1.32 & 1 of 1 Minor Sub. Drawings submitted for informational purposes only and not reviewed as part of the formal drainage plan approval (EWSU Plans): C1.4, C1.41 & C1.42.”

Jeff Mueller: I’ve also included with your package a review of the submitted drainage plan, and request that the review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County’s drainage code, with the exception of a couple items, of which the engineer has requested a variance, and you have that variance. First is a request for the side slopes of the dry detention basin to be 3:1 instead of the required
4:1. Being that this is a dry, shallow detention basin, I have no problem with this request, but I will say that moving forward any requests for slopes steeper than 4:1 on a wet retention basin will most probably, due to safety concerns, be recommended for denial. That’s not the case here though. The second request is to narrow the required maintenance pathway from 10 feet to five feet. In the areas where this is being requested there is parking lot adjacent to the basin. In both of these cases, the variances being requested, due to space limitations in order to meet, not only the required parking requirements, but due to this being a pizza type, sports type restaurant, they’re probably going to need the parking lot at a lot of times, and there’s no street or any other place to park. They don’t have any place to overflow.

President Shoulders: Uh-uh.

Jeff Mueller: So, they want to put in as much parking as they can. The third variance request is there’s a small amount of area behind the proposed building that’s being requested to leave undetained, because the drainage cannot be captured. You have the letter addressing these variances for your approval. So, I recommend, under, I do recommend this plan, or not recommend, but I have two recommended conditions for this. First, under Section 13.04.095 (e), Conditions of Drainage Plan Approval, the code states that, “an easement has been dedicated to house any off-site drainage facilities, if such facilities are required to serve the project’s stormwater drainage system.” The plan shows areas of encroachment for grade work, as well as an outlet pipe protruding into the adjoining property, which is the Indiana Southern Railroad. The engineering firm recognizes that there is a need for both a permanent easement for the pipe, as well as a temporary easement to do necessary grade work in two different locations. Therefore, I’m requesting that the final drainage plan be conditioned that no sign off to proceed occurs until the easements, both the temporary and the permanent, are acquired, and in the case of the outlet pipe, the permanent easement, that that easement be recorded and a copy provided. So, with that, I bring to you for the approval of the drainage plan with the two conditions noted, and approval of the three variances discussed. I’m sorry, the other condition I did not note was, that as with any other project, single project, that they again give me an as-built prior to Certificate of Occupancy. So, those two conditions.

Commissioner Musgrave: Alright, I will make a motion to include the two conditions, as stated into the record by the Surveyor, and any other portions—

Jeff Mueller: That I read.

Commissioner Musgrave: --of his remarks that he asked to be included.

Jeff Mueller: And the approval of the variance.

Commissioner Musgrave: And approval of the variance. That’s my motion.

President Shoulders: I will second the motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. All opposed same sign.

(None opposed)

President Shoulders: That motion passes.

(Motion approved 2-0)

Magnolia Ridge: Preliminary Drainage Plan

Jeff Mueller: Last drainage plan, this is a preliminary drainage plan. This is for a subdivision off Green River Road, north of Daylight, Highway 57, and this will be heard at the July 5th Area Plan Commission. The proposed subdivision is for 156 residential lots, which will require the construction of three retention ponds. To give you an idea, that’s the layout, but kind of gives you a feel for it. Boonville-New Harmony down here, this is where Green River Road crosses 57. So, that’s where it’s located, okay? The plan requests that three separate areas along Green River Road be allowed to leave
undetained. As you will recall, the county, in the Technical Memorandum, addresses undetained drainage, and these areas do meet that criteria. I've submitted a summary of the plan, and rather than read this information, I’m requesting that this information be included into the minutes, as if read into the record.

**Submission of Information by Surveyor: Magnolia Ridge: Preliminary:**

“The preliminary drainage plan was submitted on June 11, 2018, with additional information submitted on June 19, 2018 and June 20, 2018. The plan that is requested to be approved consists of the submitted document with a receipt date of June 11, 2018, along with revisions and additional information submitted on June 19th and June 20, 2018, along with the following drawings. Drawings submitted May 30, 2018: C109, C110, Undeveloped Sub-basins 1 & Developed Sub-basins 2. Drawings submitted June 19, 2018: Offsite Sub-basins Drawing 3, C101 & C102.”

Jeff Mueller: I've also included in your package a review of the submitted drainage plan, and request that the review document be made part of the approved preliminary drainage plan. The drainage plan was reviewed by the County Surveyor and found to be in compliance with Vanderburgh County's drainage code for a preliminary drainage plan, with the one exception, and therefore is being submitted to the Drainage Board for approval under Section 13.04.090. The one exception is the no detention on the three areas and the variance letter that you have addressing that. So, to summarize, you would be approving the drainage plan as submitted with the one variance.

Commissioner Musgrave: I'll make a motion to that effect.

President Shoulders: I will second the motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. All opposed same sign.

(None opposed)

President Shoulders: Okay.

**(Motion approved 2-0)**

Jeff Mueller: By the way, just so you know, that's the way it's going to look, layout wise, of what they're proposing.

**Ditch Maintenance Claims**

Jeff Mueller: Last, ditch maintenance claims. You have your summary sheet for the claims. There’s seven claims for a total of $5,856.29. The claims are all for work that was previously approved by the Board, with the exception of one claim for $300, which was for the removal of a tree on the Pond Flat Lateral D.

Commissioner Musgrave: Move approval of the ditch maintenance claims, totaling $5,856.29.

President Shoulders: I will second the motion. All in favor please say aye.

Commissioner Musgrave: Aye.

President Shoulders: Aye. All opposed same sign.

(None opposed)

President Shoulders: Okay, the motion passes on the ditch maintenance claims.

**(Motion approved 2-0)**
Public Comment

President Shoulders: Any other business? Public comment? No?

Adjournment

President Shoulders: I need a motion to adjourn.

Commissioner Musgrave: So moved.

President Shoulders: I will second. We are adjourned. Thank you.

(The meeting was adjourned at 3:33 p.m.)

Those in Attendance:
Ben Shoulders
Joe Harrison, Jr.
Members of Media
Cheryl Musgrave
Madelyn Grayson
Jeff Mueller
Others Unidentified

VANDERBURGH COUNTY
DRAINAGE BOARD

__________________________________________
Ben Shoulders, President

__________________________________________
Cheryl Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)