The Vanderburgh County Drainage Board met in session this 13th day of March, 2018 at 3:36 p.m. in Room 301 of the Civic Center Complex with Vice President Bruce Ungethiem presiding.

### Call to Order

Commissioner Ungethiem: Good afternoon. I would like to welcome you to the Vanderburgh County Drainage Board meeting for March 13, 2018.

### Pledge of Allegiance

Commissioner Ungethiem: If you would please join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

### Approval of the February 13, 2018 Drainage Board Meeting Minutes

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

Commissioner Musgrave: So moved.

Commissioner Ungethiem: I will second. Any discussion? Seeing none, all of those in favor signify by saying aye.

Commissioner Musgrave: Aye.

Commissioner Ungethiem: Aye. Opposed?

(None opposed)

Commissioner Ungethiem: The motion carries.

(Motion approved 2-0)

### Discussion of Ditch Bid Opening at March 27th Meeting

Commissioner Ungethiem: Jeff?

Jeff Mueller: Kristin, before you run off, just one comment. Next meeting we'll be opening the bids, so can we set it up where we start the Drainage Board, agree to open the bids, and then we adjourn and then we go with the Commissioners meeting? Like we've done in the past, and then that way they can be, we can be opening the bids. That's what we normally did before. Do you know what I'm talking about, Joe? We used to open, we used to say we'll open the Drainage Board, and you'll say agreement to open the bids, and then we adjourn and then we go to the Commissioners meeting.

Madelyn Grayson: You don't actually adjourn.

Joe Harrison, Jr.: I think what we've done before is, right after the meeting, while they're signing all of their paperwork and all of that—

Jeff Mueller: Okay.

Joe Harrison, Jr.: --which takes five or ten minutes usually.

Jeff Mueller: I thought we opened them.

Joe Harrison, Jr.: Well, I mean—
Jeff Mueller: If we can’t, we can’t.

Joe Harrison, Jr.: Drainage Board is a separate meeting.

Jeff Mueller: Okay, yeah, I know, that’s why I said we sometimes opened them—

Joe Harrison, Jr.: But, I think you can start the Drainage Board meeting right after the Commissioners meeting, then, you know, recess for 15 minutes—

Jeff Mueller: Well, okay, if that’s what you want to do.

Joe Harrison, Jr.: --sign everything.

Jeff Mueller: If that’s what you want to do. I just wanted to bring that up. So, alright, we’re fine then, Kristin. It’s just that sometimes it takes a while to get through all of those.

Joe Harrison, Jr.: But, I think, at least that will give us (Inaudible. Microphone not on.)

Jeff Mueller: Okay. Alright, that’s fine.

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**RNJ Minor Subdivision: Waiver to Drainage Plan**

Jeff Mueller: Okay, sorry about that, RNJ Minor Subdivision, you’ve got a letter and a proposed plat. Our drainage code requires all commercially zoned subs, whether they’re major or a minor, to have a drainage plan. On this particular subdivision, Scott Fire Township, Scott Volunteer Fire Department has already got a building constructed. They’ve got an approved drainage plan, they’ve even submitted the as-built. So, really all we’re doing is creating one lot. So, all they’re doing is they’re asking, in their approval letter, just saying instead of presenting a drainage plan for the minor sub, can we put it on the plat that when the second lot is developed they’ll provide us a drainage plan at that time. That way they can go ahead and record the plat and go ahead and move ahead with selling Lot 2, and then whoever buys it can go ahead and bring us a drainage plan. We did this before on St. Mary’s Minor. So, I’m just asking you to approve their request which is in that letter.

Commissioner Ungethiem: Okay, I would entertain a motion to approve the minor subdivision waiver to drainage plan for the subdivision.

Commissioner Musgrave: So moved.

Commissioner Ungethiem: And I will second. Any discussion? All of those in favor signify by saying aye.

Commissioner Musgrave: Aye.

Commissioner Ungethiem: Aye. Opposed?

(None opposed)

Commissioner Ungethiem: The motion carries.

**Motion approved 2-0**

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**Ditch Maintenance Claims**

Jeff Mueller: Ditch claims, you’ve got three claims for a total of $1,180. I do want to point out that one of those claims is for the $200 for the permit fee for the Pond Flat/Big Creek work that we plan on doing this year. That would be for the DNR permit. We’ve done these, I think we’ve submitted two or three permits before. So, when we get the check, you know, once we get the permit ready we’ll bring it back to the Board for you guys to sign it, and then we’ll send that off for them to review. That’s for, that will be for work that will be on the west side, north of Woods Road to the county line. So, we’ve been gradually going up through there, cleaning up both sides, pulling the slopes back.

Commissioner Ungethiem: Okay. I would entertain a motion to approve the ditch claims.
Commissioner Musgrave: So moved.

Commissioner Ungethiem: I will second. Any discussion? Seeing none, all of those in favor signify by saying aye.

Commissioner Musgrave: Aye.

Commissioner Ungethiem: Aye. Opposed?

(None opposed)

Commissioner Ungethiem: The motion carries.

(Motion approved 2-0)

Other Business

Jeff Mueller: The only other business, I just wanted to mention a couple of things. I was up at, I have a hard time saying that word, that school in Lafayette.

Commissioner Ungethiem: The “P” word?

Jeff Mueller: The “P” word. Anyway, at Road School up there, the 104th Road School in Indiana history, by the way. I met the new Division of Water Director. He’s only been on staff for a few months, but told him that, you know, that we had a Joint Board down here and there’s been discussion about Pigeon Creek, and, you know, and having people involved. So, kind of gave him a heads up, so if he hears anything he’s got my card and he can contact me and say what’s going on down there, I’ve been hearing things. So, the guy’s last name is Mueller. So, no relation.

Commissioner Ungethiem: Yeah? Nice name.

Jeff Mueller: Yeah, nice name, so anyway.

Commissioner Musgrave: There’s one of those in the Justice Department too.

Jeff Mueller: Yeah, I know. He might be related, because knowing where he comes from. The only other thing I wanted to tell you, while at Road School there was discussion about the, what was Rule 5, and what’s going to be the General Permit. There are issues regarding legal drains that the County Surveyor’s Association is still not happy with. I think they’re going to go back and discuss that, a small group of us, last year, and we’ll probably have another meeting again this year with people from DNR to discuss those issues. What we don’t want to be doing is submitting a 401 Water Quality Permit every time we want to do maintenance on legal drains. So, that’s what we’re trying to get exempted. Some of it got exempted, but not all of it. So, we’re, they are working with us, but not to where everybody’s satisfied with it. Okay? But, that is being worked on. The only other thing that I wanted to tell you is that there was a proposed bill that got changed, but it’s kind of an interesting bill, and the reason I say that is, it’s going to be on a trial basis just in Johnson County, but what it is, it’s a pilot project to see if it would work there. A homeowners association could come in to the County Commissioners and request that the county repair pipes that would be normally fixed by the homeowner’s themselves. Then the county could go back and assess the homeowners. So, it kind of almost would be like a legal drain in reverse. I think it’s kind of an interesting situation. Like I said, it’s going to be on a three year pilot in Johnson County, and I think we need to keep an eye on it, because it might be something that would be…we’ve had a couple of subdivisions here we’ve had pipe failures, they’re outside the right-of-way, they’re not within the Plan B, they’re especially older subdivisions, and this is something that could, okay, the county will fix it and we’ll go back and assess everybody. It would be a good way of getting some things fixed. That’s it on the legislative front.

Commissioner Ungethiem: Could we do that, clean non-legal drain ditches as well, if they have to be cleaned?

Jeff Mueller: I think we could do a lot…I mean on this—

Commissioner Ungethiem: Clean the ditch and then assess later?
Jeff Mueller: I think that's kind of what they're looking at.

Commissioner Ungethiem: Yeah.

Jeff Mueller: Would be some kind of a deal like that where, you know, or maybe just structures, but maybe that could be put in there where we could go in and just do any storm maintenance within a subdivision and then agree to go back and assess the members, you know, or something like that. So, I think it needs to be looked at. There were some issues brought up like, well, what about a subdivision that doesn’t have a homeowners association, but, to me, what if 51 percent of the homeowners came in and requested it, or something like that. I think, there's some interesting ways, because we've talked about, you know, we've talked about trying to put stuff in legal drains here, and we put that option in our drainage code. The only problem with that is, is when we have a subdivision here, and, you know, we say, well what if we put everything in a legal drain, well what about the poor farmer over here that now has to pay an assessment, you know, so how do you come up with a good method? You can't leave that guy out, because the law is very, it states that you have to, everybody in the watershed has to be assessed. So, I think this would be another way of maybe addressing some drainage issues in our subs in the future.

Commissioner Ungethiem: Okay. We'll keep our eye on it.

Jeff Mueller: Alright.

Commissioner Ungethiem: Anything else?

Jeff Mueller: That's all I got. Short meeting, the next meeting, like I said, we'll be opening up a bunch of bids.

Commissioner Musgrave: Motion to adjourn.

Joe Harrison, Jr.: Can I mention one thing?

Commissioner Musgrave: Oh.

Joe Harrison, Jr.: I think the Joint Warrick County-Vanderburgh County Drainage Board meeting is the 28th, March 28th.

Jeff Mueller: I thought it was April 2nd.

Madelyn Grayson: No, that’s the Blue Ribbon Jail Committee.

Commissioner Ungethiem: That's the Blue Ribbon Committee.

Jeff Mueller: Yeah, I thought it was April 1st or April 2nd.

Madelyn Grayson: It’s the 28th at 2:00.

Joe Harrison, Jr.: It's at 2:00, I think, maybe I don’t know if it’s in this room.

Madelyn Grayson: It is.¹

Joe Harrison, Jr.: Now, did we send the notice out yet?

Madelyn Grayson: No.

Joe Harrison, Jr.: If not, we need to get one out.

Madelyn Grayson: We did not.

Joe Harrison, Jr.: We need to get that out tomorrow.

Jeff Mueller: But, what date is it? Isn't it April?

Joe Harrison, Jr.: No, it's March 28th.

¹ The Joint Drainage Board meeting is to be held in Room 307 on March 28, 2018 at 2:00 p.m.
Madelyn Grayson: It’s March 28th.

Jeff Mueller: March 28th? Okay, it’s the Thursday before—

Madelyn Grayson: It’s a Wednesday.

Jeff Mueller: -Easter? Or Wednesday before Easter?

Commissioner Ungethiem: The 28th at 2:00.

Madelyn Grayson: Yes.

Commissioner Ungethiem: In this room?

Madelyn Grayson: Yes.

Jeff Mueller: And, I don’t know—

Madelyn Grayson: Jeff, you said you weren’t sure you were going to be able to be there.

Jeff Mueller: No, I’m not sure.

Joe Harrison, Jr.: Okay.

Commissioner Ungethiem: Okay.

Jeff Mueller: Okay?

Joe Harrison, Jr.: And, we’ll get that notice out.

Adjournment

Commissioner Musgrave: Motion to adjourn.

Commissioner Ungethiem: I will second that, and we are adjourned.

(The meeting was adjourned at 3:45 p.m.)

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

VANDERBURGH COUNTY
DRAINAGE BOARD

________________________________________
Bruce Ungethiem, Vice President

________________________________________
Cheryl Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)