The Vanderburgh County Drainage Board met in session this 2nd day of October, 2018 at 5:16 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 Vanderburgh County Drainage Board for today.

Pledge of Allegiance

President Shoulders: On that note, if you could join Commissioner Ungethiem for the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Shoulders: Thank you.

Approval of the September 4, 2018 Drainage Board Meeting Minutes

President Shoulders: Now I’ll ask for a motion of approval from last month’s minutes please.

Commissioner Ungethiem: So moved.

Commissioner Musgrave: Second.

President Shoulders: A motion and a second. All in favor please signify by saying aye.

All Commissioners: Aye.

President Shoulders: All opposed same sign.

(None opposed)

President Shoulders: The motion passes.

(Motion approved 3-0)

Cancellation of October 16, 2018 Drainage Board Meeting

Jeff Mueller: Let me take care of a couple things while I’ve got it here.

President Shoulders: Sure.

Jeff Mueller: I’m assuming that the 10/16 Drainage Board meeting is also going to be cancelled. Is that correct?

President Shoulders: Pardon me?

Commissioner Musgrave: Yes.

Jeff Mueller: The October 16th meeting?

President Shoulders: Yes, and I guess we would need to make a motion.

Commissioner Musgrave: I’ll make a motion that we—

President Shoulders: Move it to the 30th?

Commissioner Musgrave: --yes, cancel the—
President Shoulders: We don’t have one on the 30th already, do we?
Jeff Mueller: Yes, we have one on the 30th.
President Shoulders: We do? So, is it possible for you, Jeff, and, again, congrats on the award, by the way.
Jeff Mueller: Thank you.
President Shoulders: To consolidate both into one meeting?
Jeff Mueller: Yeah, we’ll just move everything that was—
President Shoulders: Can we move everything?
Jeff Mueller: Whatever was going to be on the 16th agenda will just be moved back.
President Shoulders: You don’t have anything pressing, or deadline wise on the 16th, do you?
Jeff Mueller: I don’t have any, the only thing would be just normal payments of bills or whatever drainage plans come in, you know.
President Shoulders: So, that wouldn’t…okay.
Jeff Mueller: No, it’s, we’ll be fine.
Commissioner Musgrave: Alright, I make the motion to cancel the meeting on the 16th, and to move it to the 30th, or hold our regularly scheduled meeting on the 30th.
Commissioner Ungethiem: Second.
President Shoulders: A motion and a second to move everything, move your meeting from the 16th to the 30th, and have a full, a longer meeting on the 30th. All in favor please say aye.
All Commissioners: Aye.
President Shoulders: All opposed same sign.
(None opposed)
President Shoulders: The motion passes there.
(Motion approved 3-0)
President Shoulders: And, Jeff—
Jeff Mueller: Sorry about that, I didn’t want it to slip by. Okay.

Opening of Bids for Additional Work on Harper Ditch

President Shoulders: So, what does the State’s best County Surveyor have for us?
Jeff Mueller: You know, it was a little bit of a surprise. Always nice to be noticed by my peers. So, anyway, moving on. First of all we say we have opening of bids, additional work Harper Ditch. This is the slide, Harper Ditch is actually under Newton Avenue and underneath that ground right there. What we would like to do is do some clearing. The goal of the work is that we have a 35 year old corrugated piping system that goes under the mall and a whole bunch of other places, and it comes out right up here at the canal. We’ve got trees growing up there, I don’t want those tree roots eventually going down and piercing the top of that corrugated pipe. So, I would like to clear out all of those trees. At the same time, we would be doing that work now, or in the next few weeks. We would be outside the Indiana bat clearing issues. So, we went out to our normal folks and got a couple, we could only get a couple bids, because everybody’s too busy. You have those bids before you, they are, one of them is for $7,290 from James McCullough, and the other one is for $8,500 from Allen Relleke. That was the only people we got any returns
from. So, I would ask that the James McCullough bid, since it’s the lowest one, for $7,290 be approved, and that we could go ahead and let him move forward with that work.

Commissioner Musgrave: So moved.
Commissioner Ungethiem: Second.

President Shoulders: A motion and a second to pass this. All in favor please say aye.

All Commissioners: Aye.

President Shoulders: All opposed same sign?

(None opposed)

President Shoulders: The motion passes.

(Motion approved 3-0)

**Construction in Floodway Renewal: ADM Grain: Ohio River**

Jeff Mueller: Next, I’m going to walk you through just a couple quick pieces of paperwork that you have in your file. As you know, DNR normally gives us their correspondence to the Drainage Board. The first thing from there is for ADM, it’s just an extension for their Construction in Floodway permit that had been previously approved. There’s no issues with that.

**Construction in Floodway: Vanderburgh County: Big Creek**

Jeff Mueller: The second one is Construction in Floodway for us, to do the work on Big Creek. I think you all already saw that that had been approved, but you’ve got the formal copy there. So, the work that we had planned on Big Creek that will be done this fall, as soon as the crops are out, which probably will be in the next few weeks, that work will move forward, and we do have a permit in hand now to do that work.

**Construction in Floodway Denial: Rose Products: Pigeon Creek**

Jeff Mueller: The last Construction in Floodway correspondence is actually a denial. This was for construction of some homes right along, this is Lynch Road, Green River Road, it was to build some homes in here. This is considered a floodway, and so, the DNR denied that. So, anyway, just wanted to pass those correspondences off to you.

President Shoulders: Thanks, Jeff.

Jeff Mueller: Okay?

President Shoulders: Uh-huh.

**Browning Manor: Cessation Order Corps of Engineers**

Jeff Mueller: Next is a quick discussion, you received an email from me regarding Browning Manor cessation of order from the Corps of Engineers. Glen Merritt is here, so he might correct me, but I’m going to walk through what I understand. It's my understanding that in the process of doing a jurisdictional determination that approximately 283 feet of jurisdictional stream had been identified back in July of 2018. From that determination a permit was required to be submitted; but with it being under the magic 300 foot threshold, chances are all it would be, would be a permit, and there would be no remedial, no work that would have to be done to replace that stream. Unfortunately, dirt work moved on ahead before the permit submission. The Corps sent the developers a letter in August saying that they really shouldn’t be doing that work without that permit submitted. The work continued, and finally the Corps had another, had a meeting with the developers to say, essentially, you can finish up some dirt work and get it seeded, but after that your work is, has to cease until the permit is approved. Also on that, there was a drainage plan that was going to be provided, there had to be some changes made in that final drainage plan. So, we actually don’t have a final drainage plan
for Browning Manor yet, because of some changes that have to be made in it to meet the Corps specifications. Is that a pretty fair summation?

Glen Merritt: Yeah.

Jeff Mueller: Thanks, Glen. So, anyway, that's what's going on there. So, once they get their paperwork through that will probably be started back up. Okay?

| Hawthorne Estates Noncompliance Letter |

Jeff Mueller: Next, Hawthorne Estates noncompliance letter. You have in your packet a letter sent to Mr. Dilip Patel regarding the lack of compliance regarding the construction of a swale, or lack of construction of a swale. Mr. Patel did contact me and stated, and Mr. Meritt of Cash Waggener confirmed, that the swale in question has now been staked, and it is to be constructed within the next couple of weeks. As a matter of fact, I got a call from BMB Contractor today regarding that swale. I'm not sure what, so we are moving ahead on that. So, I wanted to note that the swale construction is a part of the approved drainage plan, and it was to be constructed prior to this home receiving a Certificate of Occupancy. The lack of construction on the swale actually resulted in a homeowner complaint from an adjacent owner who was getting too much water in their backyard, which would occur since the swale wasn't constructed as designed. As we are trying to do on all of these subdivisions is try to stay ahead of this game so we don’t have some of the problems we’ve had with some of our other subs. So, yes, I may be taking a little bit harder line, but in the long run it's easier to write a letter now than go through what we went through on some other issues. Okay?

| Encroachment Agreement: Crawford Brandeis along Burkhardt Road |

Jeff Mueller: Next, you have an encroachment agreement, oh, there’s Browning Manor, just to kind of remind you of that one. An encroachment agreement along Burkhardt Road. You have a copy that’s been filled out in our encroachment agreement form. Essentially, what this is it’s from the Martin Group, and it’s for a proposed ten foot wide sidewalk that will be immediately adjacent to Burkhardt Road. Originally the developer was looking at a path further within the easement, but the City Engineer’s Office and myself both agree that it was a better plan if they would match what’s currently been constructed, and also it would prevent us having a path over one place, and then everybody walking along the edge of, you know, the curb, and, you know, a path there and people standing in a mud hole while they’re waiting on a bus. So, we’re going with one ten foot sidewalk, close to the curb where it will match everything else. So, that’s the request. I’m asking for your approval of that. Got any comments to it?

Glen Meritt: Just if they’ve got any questions.

Jeff Mueller: Okay.

Commissioner Musgrave: Did the developer go along with this idea?

Jeff Mueller: Yes, yes, and the request is signed by Mr. Martin.

Commissioner Musgrave: Alright.

Jeff Mueller: Okay?

Commissioner Musgrave: Motion to approve.

Commissioner Ungethiem: Second.

President Shoulders: We have a motion and a second. All in favor please say aye.

All Commissioners: Aye.

President Shoulders: All opposed same sign.

(None opposed)

President Shoulders: The motion passes, Jeff.
Jeff Mueller: Okay, next, ooh, I’m out of order here. Okay, let’s, if you don’t mind, I’m going to slide through to Saddle Creek first, since I’ve already got the slides up. Saddle Creek, this subdivision is located off of Baumgart Road in McCutchanville. The entire proposed subdivision is for 131 residential lots. You’ve seen it before, a preliminary drainage plan was approved. This is for the first section, for the final drainage plan. It’s for the first section, it’s for the east portion, it’s kind of the high ground area. This area will consist of 46 lots and require the construction of one retention pond for this section. The preliminary drainage plan for the entire subdivision was approved by a 2-1 vote by the Drainage Board at their June 6, 2016, I’m sorry, June 7, 2016 meeting. Just as a matter of record, Mr. Ungethiem was the only member that was on the Board at that time. If you remember, there was quite a bit of discussion about a number of issues on this subdivision. The entire proposed subdivision will require construction of two retention ponds. One located near Little Pigeon Creek, and the second that will discharge into an unnamed tributary of Little Pigeon Creek. For this section we’re only dealing with the one basin, that’s the east basin that’s not near Pigeon Creek. So, this is kind of the overall sub. This is the area that’s in Section One, kind of this area right here. Just another shot of the east area. This is Baumgart Road, so it would be this area right through here, okay? Again, this kind of shows the layout of the area. Baumgart Road, a road going down, splits off, and then there’s the construction of one basin right here. The other basin is far off to the west. This drainage plan does not address that, okay? These are the watersheds, I want to talk about them just for a second. The Developed Watershed One is to be routed through Basin Two. The Developed Watersheds Two, Four and Five are proposed to leave the site undetained. They’re right adjacent to the ditch there. While the basin is capturing flows from an offsite watershed, OS-4, that would be naturally undetained. So, the end result is, the basin is going to only have an 18 inch pipe, so there’s going to be some areas that are discharged undetained, but there’s some other areas that will be captured. So, he’s taking that all into account in his calculations, and I’ve looked them over and I agree with them. The plan was developed using HydroCad Version 9.1, and the program ran a Type 2 24 hour storm. The end part for the development utilized average lot size assumptions that conform with data from the USDA Soil Conservation Service TR-55 Urban Hydrology for Small Watersheds. It’s kind of the bible. As you may recall, revisions in the Vanderburgh County Drainage Code, effective January 1, 2016, required the use of more sophisticated computer programming for watersheds in excess of 50 acres, which was done for this analysis. I do want to cover one major issue. Okay, and this was addressed in the preliminary drainage plan, but I do want to bring it up again. Neither the Vanderburgh County Drainage Code does not have a, Vanderburgh County does not have any code, nor do I know of anything within the State law that deals with the construction of homes downstream from an impounding structure, although naturally this can be a problem in the future, as the IDNR could later make a determination that this is a high hazard dam, as they could any dam. In regards to this subdivision, the developer is showing five lots, lots 116 through 120, that adjoin the property that contains an impoundment that is located in Bentwood Estates. Any home built on Lots 116, and potentially 117 and 118, may be constructed below the elevation of the impounded water. I want to emphasize I’m not, in any way, inferring that there’s any structural issues with this impoundment, but I do want to note that this is a situation that exists, and I do have a proposed condition that I will read, and can be discussed as to whether you want it to be part of the approved plan. I have 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.

Surveyor comments submitted for the record:

“Saddle Creek-Final Drainage Plan Section 1. The final drainage plan was submitted on August 20, 2018, with revisions submitted on September 12, 2018; September 26, 2018 and October 2, 2018. The plan that is requested to be approved consists of the submitted document with a receipt date of August 20, 2018, with revisions submitted on September 12, 2018; September 26, 2018 and October 2, 2018, along with the following drawings. Drawings submitted on August 20, 2018: Drawing 1: Offsite Subbasins; Drawing 1: Undeveloped Basins. Drawings submitted on September 12, 2018: C-121, Drawing 2:
Jeff Mueller: The approved drainage plan, we had a long night when we went through it, the preliminary drainage plan, and there were eight conditions that came out of that meeting. You have a copy of those eight conditions in your packet. Seven of them are typed, and one of them is handwritten. Conditions, only conditions one, three and five; one, three, five and eight apply to this area. The others apply to the area that’s not being considered tonight. Those conditions are as follows; that the basins handling the drainage or the watersheds for which they are designed be completely constructed and certified prior to the occupancy of any home within the watershed or the corresponding watershed. We’ve been putting those on a lot of ours. So, in other words, they go ahead and they dig the basin, they can be constructing homes, but that basin gets certified before somebody moves in the house. Okay? So, they can be developing, just get it certified before that first house gets moved into. The second, number three, but it’s the second condition for this, the future buyers of lots downstream of the pond within Bentwood Estates be aware that there is a pond directly upstream of Lots 90 through 95, and that approval of the preliminary drainage plan, or in this case the final drainage plan by the Board, in no way certifies the technical safety of this structure. Furthermore that the plat clearly show 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. I do want to make a point that the numbers have changed, and so now, instead of 90 through 95, it is 116 through 120, and 91 through 94 is now 116 through 119. But, it’s the same lots, the same location and everythi, just a renumbering. The third condition, that the developer shall submit to the Drainage Board, through the Surveyor’s Office, any approval of any State and Federal permits regarding crossing of potential jurisdictional streams. Then, the next one, on the lots with drainage easements for the initial deed will contain language prohibiting obstructions within said drainage easements. On this last condition, Mr. Ungethiem, I don’t know if you remember, but this was a long discussion about, and I think it was Mr. Kiefer that wanted it in, and there was a lot of discussion on putting it in the covenants and restrictions, and whether they could put it on the deeds. I think the decision was you could only put it on the first deed, because you can’t enforce it beyond that. But, anyway, that condition has not been addressed. It was, you know, we had it that, hey, get some language put together, get it to Joe Harrison, Joe will look it over and then check it off the list, but it’s not happened. I did receive a call from a Chad Berchert of Krista Lockyear’s office with questions regarding the condition. I told him, I suggested that he read the minutes and that they get something over to the County Attorney, Mr. Harrison, to figure out, you know, if the language would be sufficient or not. As you’re aware, Mr. Harrison is out of state, or some people might say he’s out of the country since he’s in West Virginia. I used to work there, I’m allowed to say that. But, anyway, so we have those four follow through conditions, and we have one other condition that I would like to mention. This is one that Mr. Stoll brought up, and I think it’s a very good one. The County Engineer has concerns to the drainage coming off Baumgart Road. Based on the final drainage plan, the drainage from Baumgart Road will be routed through easements between Lots 1 and 2; and Lots 127 and 128. Once the grading is completed to redirect the Baumgart Road water to flow through the easement between Lots 1 and 2. The area where this easement intersects through road right-of-way for road one will be monitored for erosion. Per the County Engineer, if the concentrated flow coming from the easement into the road results in the area being eroded, a pipe would need to be extended from the curb inlet 502 back to the point where the easement between Lots 1 and 2 intersects the road right-of-way, and then an area drain would be needed at the end of the pipe. That requirement to install this pipe will be solely at the recommendation of the County Engineer. So, those are the five recommendations, but, like I said, one of them is I don’t know what you want to do about this, since we haven’t heard from the attorneys on this language, how we want to handle that. Is there questions or discussions about it? Do we wait until Mr. Harrison and Ms. Lockyear get something approved before we formally—

President Shoulders: Yeah.

Jeff Mueller: -- approve the plan? Or do we approve the plan but say they can’t move forward with any construction until that? Or do you just want to table it until the next meeting on that one?
Commissioner Ungethiem: I think we table it, well, my opinion would be table it until—

President Shoulders: Yeah.

Commissioner Ungethiem: --all of the legal stuff—

Commissioner Musgrave: Motion to table until all of the legal analysis is complete.

President Shoulders: Until he returns from another country, you mean?

Jeff Mueller: Yes.

President Shoulders: I have a motion to table.

Commissioner Ungethiem: Second.

President Shoulders: Okay, all in favor please say aye.

All Commissioners: Aye.

President Shoulders: Opposed same sign.

(None opposed)

President Shoulders: The motion passes to table until next meeting, until Joe returns to the United States, or wherever he is.

(Motion approved 3-0)

Jeff Mueller: Go ahead.

Commissioner Ungethiem: One question I had about this swale between the lots coming off of—

Jeff Mueller: Baumgart.

Commissioner Ungethiem: --Baumgart Road.

Jeff Mueller: Uh-huh.

Commissioner Ungethiem: Is that a question of if, or when?

Jeff Mueller: It would, John—

Commissioner Ungethiem: My understanding is, it’s going to be when it rains real hard it will erode. So, why don’t we go ahead and put the—

Jeff Mueller: John’s the one that brought it up. I’m going to let him kind of—

Commissioner Ungethiem: Why don’t we go ahead and put the pipe in now?

John Stoll: You can make that condition. My concern was, we’ve seen problems in those type of situations before. The watershed for this is very small. So, theoretically, like Glen’s calculations would show, there wouldn’t be a problem, but if you get extreme rain events, there’s going to be obviously more water coming through that, and it will be a concentrated flow discharging straight on to the road. So, if you would like, we could go ahead and address it now. I don’t remember what that distance is, maybe 100 feet or so, to run the pipe.

Jeff Mueller: About two lot widths, wasn’t it?

Glen Merritt: I do not know the linear footage of the pipe. It’s a lot of a lot and a half.

Commissioner Musgrave: I’m reluctant to do anything until the attorneys sit down and talk about it, and come back.

President Shoulders: Yeah.

Commissioner Ungethiem: I mean, this is a condition of do we take the water over the top of the ground, or do we take the water underneath the ground through a pipe?
John Stoll: The swale would be cut through two lots, and then it drains down towards the new street within the subdivision. It creates a point flow that would enter the new street, the existing curb inlet will not be immediately down the hill from that. So, theoretically you’re going to have a point flow coming in at that point with no inlet to catch it. If it’s a low flow, it wouldn’t be a problem. If it’s a high flow, then it could be like we’ve seen…a subdivision I cited as an example was, out of Booker Road. That has been a problem, but it was approved that way with a concentrated flow. So, the pipe could be extended off the curb inlet, and address the problem from the start. I should say, address the problem, it will address any problem that would have developed, regardless of the—

Commissioner Ungethiem: Right, well, what I’m thinking about is, okay, we’ve got the houses there, we’ve got the swale there, we’ve got the dog there and whatever else is there, and now we have a problem. How do we get on that property and fix the problem at that point in time? If we know what the fix is now, let’s go ahead and fix it now, instead of waiting until the residents have moved in and have to get on their property to fix it.

Glen Merritt: My name is Glen Merritt. I’m with Cash Waggener, the engineer on the project. I guess, I have two things, I have, there are other options, other than just putting an area drain in at this location. There’s roughly 150 foot of a roadside ditch off Baumgart Road that’s draining to this area between Lots 1 and 2. It’s a very small watershed. I think there’s other options of regrading that ditch and pushing a little more water to the southwest. I mean, this just got brought up this morning. John said he was going to make it a condition. It wasn’t going to be anything that was going to be forced, our hand wasn’t going to be forced at this point. But, if you guys are going to delay it, I mean, your other meeting is not until October 30th, I’ve got plenty of time to get this resolved. The bigger issue I have, the whole reason that we come before the Board with this final drainage plan for Section 1 is we have two or three existing lots that are fronting on Baumgart Road, at the northeast corner of this development, that have no internal road infrastructure. They’re large enough lots, they’re two and a half acres, they can be septic. There’s public water out in Baumgart Road to connect to. The developer is wanting to record a plat for these two of three lots to sell them, because there are no improvements that have to be done, but a part of that condition Jeff made is we had to get a final drainage plan approved for this particular Section, and they were under construction for this part of it that’s east of the big ditch. So, we were trying to get it all done at once, you know, with a bigger Section. I don’t know if there’s any way to approve the drainage for those two of three lots, because they don’t go to our detention basin. They’re just running off the same way they always have, back to the west, down through the woods, down through existing tributaries, that eventually run through the site. I would just ask, if there’s anything that we can do to approve something on those to allow that plat to get recorded, because that’s the only urgency that we are under right now. I can get this other stuff resolved with Jeff and John on this potential pipe extension before we come back on October 30th.

Jeff Mueller: I don’t have a problem with that, it’s just that I couldn’t approve anything, because it was part of an approved major subdivision. So, I couldn’t approve a drainage plan for two or three lots, other than they could have went through a minor, and, you know, started over and made it a minor. I don’t have a problem with what Glen’s saying, but, as I said, I, and I’ve told people many times, I’m the technical advisor, you guys are the ones that give the actual approvals. So, if….what lots would that be, Glen? I mean, if you’re open to that, to giving him approval for….he would, you would actually be giving him final drainage approval for three lots.

Commissioner Ungethiem: On the upper end, up on—

Jeff Mueller: Yeah, between Baumgart right off of Browning there, Bruce.

Commissioner Ungethiem: Yeah.

Jeff Mueller: Where those wooded areas is, just south of where Dr. Becker’s house is.

Commissioner Ungethiem: The three big lots there on the east.

Glen Merritt: It’s not going to show up on here really well, because I’ve cut it off. It’s 128, 129 & I believe 130. It’s just two, it’s 128 & 130.
Jeff Mueller: What about 129?
Commissioner Ungethiem: Yeah, Jeff, if you’re okay with… I can’t read the numbers. It’s these lots here, right? This is Baumgart Road coming down here.
Glen Merritt: The two lots that don’t have any frontage on (Inaudible).
Commissioner Ungethiem: Okay.
Glen Merritt: So, yes, it’s those two lots up front.
Commissioner Ungethiem: Yeah. Jeff, if you’re okay with it, I don’t have a problem with it.
Jeff Mueller: So, we would just, it would be approving how many lots, Glen? The drainage plan for two lots. What numbers would those be again?
Glen Merritt: 128 & 129.
Jeff Mueller: For Lots 128 & 129. I don’t have a problem with it, if you don’t.
Commissioner Ungethiem: So, you need a motion?
Jeff Mueller: Yes, I would.
Commissioner Ungethiem: Okay, I would go ahead and make a motion to approve the drainage for Lots 128 & 129.
Jeff Mueller: Yes.
President Shoulders: I will second the motion for Lots 128 & 129. All in favor please say aye.
Commissioner Ungethiem: Aye.
President Shoulders: Aye. All opposed same sign.
(No opposition)
President Shoulders: The motion passes for those two lots, Jeff.
(Motion approved 2-0)† (Commissioner Musgrave left the meeting early.)
Jeff Mueller: Okay, alright.
Commissioner Ungethiem: I just don’t want to have one of these.
Jeff Mueller: What’s that?
Commissioner Ungethiem: You and I have been talking about that’s a drainage problem over on Hunter’s Chase.
Jeff Mueller: No, we’ve got some (Inaudible. Not at microphone.)
Commissioner Ungethiem: We don’t need one of these two years from now.
Jeff Mueller: Right, I want two minutes to talk about that, but let me finish my other, one other thing.
Commissioner Ungethiem: Okay.
Jeff Mueller: I know everybody’s wanting…it’s been a long day.

| Final Drainage Plan: 728 E. Baseline Road: Basden RV |

Jeff Mueller: Basden RV, okay? This is for 728 E. Baseline Road, Basden RV. This area is east of the existing Basden RV lot, and located across from Boyle Lane. Mr. Ungethiem, if you remember, they were at one time going to put apartments in there. Okay? The plan consists of the construction of an RV parking lot and a couple of buildings and a detention pond. There’s also an area of future development that was included within the drainage
calculation. The plan is in the Impacted Pond Flat Drainage Area, and as you may recall, with the Technical Memorandum that was put out a couple of years ago, all new projects in this area require a two 100 criteria, that is the allowable drainage runoff is equal to a two year undeveloped, on a two year storm on an undeveloped, and you have to store up to the 100 year storm, for the developed. So, this is the first time we’ve done this, and it’s, you know, it’s got a nice size basin with an eight inch pipe. So, or a ten inch pipe, I can’t remember, but it’s kind of what all the farmers were concerned about, trying to cut down on the drainage up there. 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.

Surveyor comments submitted for the record:

“728 East Baseline Road-Basden RV. The final drainage plan was submitted on September 12, 2018, with revisions submitted on September 17, 2018; September 26, 2018; September 27, 2018, and October 2, 2018. The plan that is requested to be approved consists of the submitted document with a receipt date of September 12, 2018, with revisions submitted on September 17, 2018; September 26, 2018; September 27, 2018, and October 2, 2018, along with the following drawings. Drawings submitted September 12, 2018: Drawing 1: Undeveloped Basins; Drawing 2: Developed Basins. Drawing submitted on September 26, 2018: C-106 & Drawing 1: Existing Ditch Profile. Drawings submitted on October 2, 2018: C-101 & C-102.”

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 the Vanderburgh County Drainage Code. I do recommend two conditions; first that the required drainage easement for the existing stream be recorded prior to the start of any construction, beyond initial dirt moving activities; and, second, 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 bring for your approval the drainage plan, with the requirement to record the drainage easement prior to any construction starting on the site, and the condition for the C of O sign off pending submittal of completion of drainage work.

Commissioner Ungethiem: Jeff, I think we mentioned, at one point, and it was several weeks ago, that the retention in this area may be combined with the retention in the subdivision to the east, to help with some of the drainage issues that they’ve got over there.

Jeff Mueller: There was one lady that was a little concerned about the drainage, and I, and she said, you know, if you’re open to it, you know, that when they’re constructing this, if there’s something simple that can be done. Because she said something about a berm, you know, if they could do something simple, she would give permission to do that. I think it’s going to, we’re just going to have to wait until they get out and start constructing it—

Commissioner Ungethiem: Okay.

Jeff Mueller: --and see what gets cleared. Like I said, they were willing to, the developer was willing to do something, as long as it wasn’t, you know, spending two days over there—

Commissioner Ungethiem: Yeah.

Jeff Mueller: She was willing to have them come out, as long as it was something simple.

Commissioner Ungethiem: We could kill two birds with one stone here.

Jeff Mueller: Right.

Commissioner Ungethiem: It would be well worth it.

Jeff Mueller: Right, right.

Commissioner Ungethiem: Okay, I'll, this is the final drainage plan, right?
President Shoulders: Yeah.

Jeff Mueller: It’s a single lot. So, that’s what we have.

Commissioner Ungethiem: I would make a motion to approve the final drainage plan for 728 E. Baseline Road, Basden RV.

President Shoulders: I have a motion to pass that, I will second the motion. All in favor please say aye.

Commissioner Ungethiem: Aye.

President Shoulders: Aye. All opposed same sign.

(None opposed)

President Shoulders: The motion passes for that final Drainage Board on Baseline, Jeff.

(Motion approved 2-0)

Ditch Maintenance Claims

Jeff Mueller: Okay, ditch maintenance claims. You have in your packet a summary of the claims. I’m requesting approval to pay seven claims for a total of $2,285.49. All for work that was previously approved by the Board.

Commissioner Ungethiem: So moved.

President Shoulders: Second. All in favor please say aye.

Commissioner Ungethiem: Aye.

President Shoulders: Aye.

(Motion approved 2-0)

Other Business

Jeff Mueller: One other thing, in regards to your email. There were some gentlemen in here from Hunter Chase. It’s a mess. I mean, I don’t know how else to say it. The drainage plan, the fixes, some of the fixes people aren’t going to like, and the whole nine yards. But, the end result is, Mr. Merritt is working on a drainage plan. I’ve even asked Mr. Harrison, who has the right to put the plan in, since it’s a condo association, and you’ve got all of these owners and everything else. So, I don’t know what we’re going to be resolved, but supposedly Glen is going to be submitting something. The folks that came in here, are wanting to come before the Board October 30th, if nothing is submitted, it sounds like something may be submitted at that time. But, one question I do have, is since we have a condo association, with multiple owners, and we did this for Blue Heron, my own personal opinion is, if they’re going to bring a drainage plan in, I think the people that own condos out there ought to receive a notification, like they would if this was a new sub. I guess, I’m asking, that’s something that the Board, I have to ask you for, because it’s not required in this particular situation, but we can request notifications to be sent out.

Commissioner Ungethiem: I think that makes sense.

President Shoulders: Yeah.

Commissioner Ungethiem: Do you need a motion?

Jeff Mueller: Yes, would you please. That the notice would be sent out, per the code.

Commissioner Ungethiem: Motion to send out a notice notifying those folks in the condo association that there is a meeting on October 30th to discuss their—

Jeff Mueller: Well, or could we put it this way, that any drainage plan, whatever date it would be, the next drainage plan, whatever date it would be—
Commissioner Ungethiem: Okay.

Jeff Mueller: --that the proper notification would be sent out, with the proper amount of days, as per the drainage code. So, if they don’t bring it in until November, whatever, whatever, that’s what gets sent.

Commissioner Ungethiem: So amended.

President Shoulders: I will second whatever the State’s best County Surveyor just said to change the motion to, I will second that. All in favor please say aye.

Commissioner Ungethiem: Aye.

President Shoulders: Aye. Opposed same sign.

(None opposed)

President Shoulders: The motion passes, sir.

(Motion approved 2-0)

**Public Comment**

Jeff Mueller: The only thing else I had, and I’m surprised you didn’t bring this up, Mr. Shoulders—

President Shoulders: Oh, geez.

Jeff Mueller: -- Mr. Ungethiem, he didn’t give us a sports update this week.

President Shoulders: Nah, I didn’t want to bring it up.

Commissioner Ungethiem: I didn’t have the heart—

President Shoulders: Almost got through it, Jeff, you just had to bring that up, didn’t you?

Commissioner Ungethiem: To talk about the Central—

Jeff Mueller: The Memorial game.

President Shoulders: Oh, my God.

Commissioner Ungethiem: --well, the Central-Harrison game.

Jeff Mueller: Oh, no, I was wanting—

President Shoulders: Well, yeah, we can also talk about Central and Memorial.

Jeff Mueller: Yeah, that’s was what I wanting—

Commissioner Ungethiem: Okay, okay, let me put it on the record. Memorial is the only undefeated team in the city. They beat Central last Friday night.

President Shoulders: Yeah.

Jeff Mueller: I have nothing else.

President Shoulders: And Central did blow out Harrison, I will admit. At least we beat North.

Jeff Mueller: I have nothing else. So, that’s all I’ve got unless the Board’s got anything.

President Shoulders: Any public comment to the many people here today?

**Adjournment**

Commissioner Ungethiem: Motion to adjourn.

President Shoulders: Second. The motion passes. Thank you.
(The meeting was adjourned at 5:48 p.m.)

Those in Attendance:
Ben Shoulders    Bruce Ungethiem    Cheryl Musgrave
Jeff Mueller    Todd Glass    Madelyn Grayson
Glen Merritt    John Stoll    Others Unidentified
Members of Media

VANDERBURGH COUNTY
DRAINAGE BOARD

______________________________________________
Ben Shoulders, President

______________________________________________
Bruce Ungethiem, Vice President

______________________________________________
Cheryl Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)