The Vanderburgh County Drainage Board met in session this 15th day of September, 2015 at 5:55 p.m. in Room 301 of the Civic Center Complex with President Bruce Ungethiem presiding.

**Call to Order**

President Ungethiem: I would like to call the Vanderburgh County Drainage Board meeting for September 15, 2015 to order.

**Pledge of Allegiance**

President Ungethiem: Sheriff, since your predecessor did the Pledge of Allegiance in the previous meeting, would you like to join us, or lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Ungethiem: Thank you.

**Approval of the September 1, 2015 Drainage Board Meeting Minutes**

President Ungethiem: First on the agenda is approval of previous minutes. I would entertain a motion to do that.

Commissioner Kiefer: So moved.

President Ungethiem: I second. All those in favor say aye.

Commissioner Kiefer: Aye.

President Ungethiem: Aye.

(Motion approved 2-0)

President Ungethiem: Alright, those are approved.

**Walmart: Final Drainage Plan Continued from August 11, 2015**

President Ungethiem: My understanding is the next item on the list will not be heard this evening, and that’s the Walmart drainage plan. I think that’s been delayed until—

Jeff Mueller: Yeah, let me just make a comment about that.

President Ungethiem: Okay.

Jeff Mueller: John and I have been in continued contact with the consulting firm, looking at the drainage coming off the south of Boonville-New Harmony Road. I met with Mr. Markwell when he was here at the August 11th meeting to get a perspective of his issues. I went out on the site again when I had questions regarding the watershed. Where John and I are now is that I believe that we still need to review some numbers that John and I are close to being in agreement with the engineering firm’s calculations and the amount of water that is coming from the south to Boonville-New Harmony Road, but we’re having continued discussions as in how the water will get under the road. Therefore, I would recommend continuing this discussion until the October 6th Drainage Board meeting.

Commissioner Kiefer: Okay, do we need a motion then?
Joe Harrison, Jr.: Might as well.

Commissioner Kiefer: I'll make a motion to continue it.

President Ungethiem: I'll second that motion. All those in favor say aye.

Commissioner Kiefer: Aye.

President Ungethiem: Aye.

(Motion approved 2-0)

President Ungethiem: Alright, we'll move that to October—

Jeff Mueller: 6th.

President Ungethiem: October 6th.

President Ungethiem: Okay.

Jeff Mueller: Scott Township Fire Station #2, final drainage plan. This plan addresses a proposed new fire station to be constructed in Daylight, in the vicinity of Highway 57 and Green River Road. The final drainage plan consists of the construction of a dry detention basin, which the drive to the back of the station will actually form a portion of the retention. This is a small area, and the detention basin will be very shallow when not dry. The final drainage plan was submitted on September 9, 2015, with some revisions submitted on September 14, 2015. The plan that is requested to be approved consists of the original document, with a receipt date of September 9, 2015, and drawings titled existing site and site plan with the same submittal date, along with revisions with the receipt date of September 14, 2015. In the drainage plan, the owner requests a variance to not provide an easement for the detention basin, as the basin is located on the subject property and serves only this property, and to allow the construction of the fire station within 50 feet of the basin. I have no issues with these variance requests. The applicant also requested that the installation of the continuous concrete liner from the point of inflow to the point of outflow be waived. I would recommend denying this request, especially in view of the fact that the basin is not in an easement and would insure that everyone knew that the low area by the station is a dry basin. Also, I would hate to open the door on this type of waiver, as I could see everyone installing a dry basin as requesting a similar variance.

Commissioner Kiefer: We're talking about the Scott Township Fire Station #2 final drainage plan?

Jeff Mueller: Yes, yes.

Commissioner Kiefer: And you're recommending not to approve?

Jeff Mueller: No, to approve everything except for the variance request on the continuous liner.

Commissioner Kiefer: Okay.

Jeff Mueller: So, the engineer did include in the plans a design, and they do show the liner on the site plan. So, it's there, they just asked not to put it in. I'm saying, let's put it in. It will open too big of a Pandora's Box if we start doing that.

President Ungethiem: So, that's not a show stopper, they just need to spend a little more money putting the liner in?

Jeff Mueller: Yeah, I mean, we're talking about a liner three foot wide, and, I don't know, 30-40 feet long, something like that.

President Ungethiem: Okay.
Jeff Mueller: Okay? So, I’ve provided you with a copy of the review of the submitted drainage plan, and request that that review document be made part of the approved final drainage plan. The drainage plan was reviewed by the County Surveyor, and with the two recommended variances, those being the no easement for the shallow dry basin and construction within 50 feet of the basin, is found to be in compliance with Vanderburgh County’s drainage code, and therefore is being submitted to the Drainage Board for approval under section 13.04.090. I do want to note that the Township will also be required to obtain a permit from IDNR for their driveway to access Highway 57. So, any drainage approval would be contingent on the Township receiving approval for their permit from INDOT. So, that’s what we have.

Commissioner Kiefer: Okay.

Jeff Mueller: There’s a picture of it up there. Steve Hahn, the engineer, is here if you’ve got any questions of him.

Commissioner Kiefer: I’m going to make my motion to approve per your recommendation as you stated.

Jeff Mueller: Okay.

President Ungethiem: This has nothing to do with the drainage plan, but do you know where the cut in to 57 is going to be located?

Jeff Mueller: We’ve got it here on their….Steve, that’s on their maps, isn’t it.

Steve Hahn: Yes, it is.

President Ungethiem: How far from the intersection?

Steve Hahn: It’s 200 feet from the north property line.

Joe Harrison, Jr.: Can you come up to the mic.?

President Ungethiem: So, it’s, okay, so, it’s on the north end?

Steve Hahn: Yes.

President Ungethiem: Far enough away from Green River Road that we’re not going to have an issue there.

Steve Hahn: John and I have talked about…I’m Steve Hahn, I’m the engineer. John and I have had lengthy talks about separating the two. Our facility, as we’re proposing it, can be built in half the property, or there about. So, we had a choice in it.

President Ungethiem: Okay. I understand. I just wanted to make sure we weren’t stuck up into the north, into the Green River Road and 57 intersection.

Steve Hahn: Our real reason for choosing that had more to do with traffic and trying to get fire response and emergency response away from that intersection.

President Ungethiem: Right. It takes a little bit for the trucks to get up and get moving.

Steve Hahn: Engineers too.

President Ungethiem: I’ve driven one.

Steve Hahn: An engineer or a truck?

President Ungethiem: Huh? Both. I served on Scott Township for six years. I will second the motion. Madelyn, roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes.
Discussion of Bittner Lake Dam Non-Compliance Letter: Issues Involving Outlots

Jeff Mueller: Okay, drainage code proposed changes. Before we get into that, I’ve got something that’s going to get into the drainage code, but I would like to explain this. Before we get into this, actually we have an issue regarding a piece of property that the county recently acquired as a result of non-payment of property taxes.

Commissioner Kiefer: Oh, no.

Jeff Mueller: Yeah. Mr. Harrison requested that we cover this with you, and I insert it in the agenda at this point because it is pertinent to a portion of our discussion on the drainage code. You have in your packet a copy of a letter of non-compliance from IDNR that was sent to the County Commissioners. This letter, as you can see, states that the county is overdue in submitting to IDNR a biennial inspection that is required on all high hazard dams. The dam is part of two outlet parcels that exist as part of the Cletus Bittner Subdivision, and the Cletus Bittner Subdivision, Section A. On the first slide you will see the plat for Cletus Bittner Subdivision, which shows two outlots. Now, you will see, the second shows an aerial which highlights two parcels that were cut out, one from the lot in Section A, and the other from the outlots in the Cletus Bittner Subdivision to create a lot that solely contains the dam and some water area. So, the area that is in blue, gentlemen, you now own.

Commissioner Kiefer: How do you access that property?

Jeff Mueller: There is an easement to it.

Joe Harrison, Jr.: And the county’s owned it since the end of July?

Jeff Mueller: Since the end of July.

Joe Harrison, Jr.: Okay.

Jeff Mueller: There’s a lot of history on what occurred on these lots, which Mr. Harrison might be the better person to discuss, but needless to say, at this time, it appears that the dam is now the county’s. I have additional slides from a trip that John Stoll and I made to this site on September 10th. John and I attempted to make a preliminary look at the dam, but it was so overgrown we could only walk across the top of the dam. I’m going to bring this up because in the following discussion regarding some proposed changes to the drainage code, we’re going to talk about outlots, but I do want to point out, we’ve got a few pictures. The dam is over in here, all these trees and that are in the dam. This is standing here, and this is the dam here. It doesn’t look that bad until in just a minute here. We’re looking across the dam, and even though I’m short, you can see how tall the grass is.

Commissioner Kiefer: Who’s that guy?

Jeff Mueller: This is the best part of the dam, where I was standing, by the way, because that’s the only part we could walk on. A lot of it you can’t even walk on. So, if we are going to, if the county is going to do an inspection on this, they’re going to have to get it mowed and cleared and have someone inspect it. Supposedly, I’ve got that letter in here, I think they’re requesting that it be done by October. I do have a call in to Mr. Eggers of the, or Eggen, I’m sorry, of the Division of Water, to discuss with him this problem. But, I bring this up because I’m going to talk to you in a minute about some proposed changes to the drainage code, and one of them is that we eliminate outlots in subdivisions. That, from now on, every lake that’s put into a subdivision has got to be owned by someone besides a homeowners association. We all know what happens to homeowners associations, no matter what best intent, after a while the homeowners get tired of it and they go defunct. I’ve given you guys a list of some, we’ll get to it here in a minute, there’s six homeowners, there’s six subdivisions right now that we have issues with, I say six, but actually we just found out a seventh one, where these outlots are potentially or have caused us problems. One of these outlot situations resulted in an
obstruction petition here a few years ago, and it's still causing us some issues in the city. So, we've got to get someone to own these outlots. They can't be out there on their own. I bring this up because I'm going to talk to you now about....first of all, I don't know if you've got any more questions on this or not.

President Ungethiem: Yeah, let's, I've got a question about this particular one. We're now responsible for doing the inspection. How long do we have to complete that?

Jeff Mueller: It's in the letter. Let's see.

Joe Harrison, Jr.: It says October 23rd. The county just acquired the property in July, and Mr. Mueller has agreed to contact DNR to give them a factual situation on how we recently obtained it, how we've been out there to inspect it, how we can't inspect it, I guess. All we did was go out and look at it.

Jeff Mueller: Right.

Joe Harrison, Jr.: We can't inspect it yet, and buy some more time and get back with them and tell them what our situation is.

President Ungethiem: So, until we get to that point, is it your recommendation that we try to get this mowed so we can see what it is?

Jeff Mueller: I mean, if someone's going to have to perform an inspection, somebody's going to have to mow it. You can't inspect it as it is right now.

Commissioner Kiefer: Could we get the Highway Department out there?

Jeff Mueller: I don't know that they have the proper equipment.

Commissioner Kiefer: Bush hog it or something.

President Ungethiem: We can have Scot go take a look at it, but I don't know.

Joe Harrison, Jr.: Did Scot go out there with you?

Jeff Mueller: No.

Joe Harrison, Jr.: I think John may know too, the other thing is, I'm not too sure the easement we have is wide enough to even get anything in.

Jeff Mueller: We have to first of all figure out where the easement is, and that's going to take some people from my department to go out and locate a few things. Then, we're going to have to figure out how you can, just because you have a 30 foot easement or a 20 foot easement, you might be able to walk across it, but that doesn't mean you can get a piece of equipment in there.

Joe Harrison, Jr.: The other thing is, this, whoever has owned this property in the past, John I know has the answer to this, but they have not submitted their reports either, for a long time. It's been a number of years. John, can you provide some update on that?

John Stoll: Jeff, I guess, probably knows that better than I do. He was trying to get a copy of the one report that was on record for that site. I was just going to comment on the mowing. Scot did go out there. He thought they might be able to mow the top of the dam, but the rest of it was questionable because it was so overgrown, what the conditions were and whether he could do it or not. I know he's got plenty of other—

Commissioner Kiefer: Are the neighbors friendly?

John Stoll: I knocked on one door next to the access down to the dam, but no one was home, so, I haven't spoken to anyone else.

Commissioner Kiefer: It may be good probably to talk to the neighbors. They may help cooperate and help us with some issues. Who knows, maybe one of them has a bush hog, and will go down and mow it for us.

Jeff Mueller: I mean, the only issue I have is the fact that it's ended up in the county, I don't think they're very interested in maintaining it.
Joe Harrison, Jr.: Yeah.

Jeff Mueller: I mean, I don’t know that for a fact, but, I’m just—

Commissioner Kiefer: Well, I know, I don’t either.

Joe Harrison, Jr.: When was the last report? I mean, wasn’t it like in the…it’s been over ten years, hasn’t it?

Jeff Mueller: Yeah, it was like ten years ago, and I’ve tried to get a copy of that, and we haven’t…I’ve got some calls into DNR on that too. I do have a question on why, because it’s a high hazard dam, the State used to inspect high hazard dams, they don’t anymore. They changed the responsibility by State law for the property owners to be responsible for that. Because it’s a high hazard dam, the property owner is required to hire a professional engineer to do an inspection, and the inspection has to be done every two years, and the inspection report has to be submitted to the State. So, I question, you know, where are the last four or five inspections that should have been done? That’s the question I want to ask them, is did you guys write a ticket to anybody else on this issue?

Commissioner Kiefer: Right.

President Ungethiem: So, we’ve got several things that we need to understand about this before we make a decision on what we’re going to do.

Jeff Mueller: Yes.

President Ungethiem: Can we have that information pulled together by the next meeting so we can get kind of an idea?

Jeff Mueller: I mean, yeah, I’ll try. I mean, you know, I’ve got some phone calls in right now, you know, as far as that. I don’t know what else, you know, if you guys want us to try to get a few typical mowing contractors that we use to go out and take peek at it, without giving us a formal bid?

Joe Harrison, Jr.: That might be fine, but I think more than anything is we need some more time from DNR. I mean, that’s the first issue.

Jeff Mueller: Yeah, and that’s one of the things that I’ll ask for. Then, the next issue is what do we do with this thing long term?

Joe Harrison, Jr.: We’re the new kid on the block, so.

President Ungethiem: We currently own this, can we offer it to the adjacent land owners to see if they would be willing to buy it?

Joe Harrison, Jr.: Sure.

President Ungethiem: I mean, that would be an option that we could—

Commissioner Kiefer: How many acres is it?

Jeff Mueller: That we own? I’m not sure.

Joe Harrison, Jr.: Is it two and half or so?

John Stoll: That sounds about right. I don’t remember the exact total though.

President Ungethiem: I suspect the way they drew that, they made it two and half acres so that it would be part of the subdivision two and a half acre minimum so that—

Commissioner Kiefer: Septic?

Joe Harrison, Jr.: Well, no, it never got approved. It was split illegally.

John Stoll: Yeah, it's an illegal split.

President Ungethiem: Oh, it is? Okay.
John Stoll: Yeah, there’s no plat done for this.

Jeff Mueller: Yeah.

Commissioner Kiefer: I just didn’t know if it could be a home site.

President Ungethiem: No, it’s on the backside of the dam, so you can’t build.

Commissioner Kiefer: Okay, well, that’s why I said, you know, I didn’t think it would be, but I didn’t know how large…sometimes just looking at a map is hard to understand it.

Joe Harrison, Jr.: And, again, explain to DNR, you know, we inherited it because of the Tax Sale. It wasn’t like the county went out and bought it for investment purposes or anything.

Jeff Mueller: Right.

Commissioner Kiefer: Maybe we shouldn’t have taken it.

Joe Harrison, Jr.: Well, you’re right, I wish we would have known.

Jeff Mueller: I mean, John found out about it because he got a copy of the DNR notice.

John Stoll: Kristin forwarded that over to our office.

Jeff Mueller: We’re like, oh, great.

Commissioner Kiefer: Okay, well, I think we know what to do then.

Joe Harrison, Jr.: Yeah.

Jeff Mueller: I mean, we’ve got some things that we could look at if it ends up we can’t get it to somebody else. There’s some, we’ve thrown around a few ideas of what we could do.

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**Drainage Code Proposed Changes**

Commissioner Kiefer: You’re not wanting us to vote on the drainage code proposed changes tonight, are you?

Jeff Mueller: No, I just want to tell you a little bit about them.

Commissioner Kiefer: Okay.

Jeff Mueller: And go through them.

President Ungethiem: Okay, let’s move on to that.

Jeff Mueller: Okay. You have before you a fairly lengthy document with the proposed drainage code changes. This document is formatted with portions of the existing code, and that same portion of the code with suggested changes. The document you have has been in the making for about one and half years. John Stoll and I have met with the Southern Indiana Builders Association, or SIBA, as I will refer to them from this point forward, on two occasions. Some of the more what I would call controversial proposals have been tabled at this time, so that we can move forward with the round of changes that need to occur. There are more changes that can be made, but I would like to get through what we have first off. Okay? The suggested changes are highlighted in your document in three colors; green, purple and red. So, I hope you guys aren’t color blind. The green changes are changes that SIBA has agreed with. The purple are the result of our discussions in August with SIBA, so the most recent ones, and, you know, we’ve had some discussions and I believe I captured what we discussed in purple with John, SIBA and I agreed to. There is one single red proposal, which we’ll get to in a moment, and that is to not allow, without prior approval of the Drainage Board, the placement of retention or detention basins in outlots. I know
there were a few members of SIBA which opposed this change, but in view of the discussion we just had, plus a handout in your package which lists some other issues with outlots, I will add that we, and we had another one that’s just come up this last week, I firmly believe that it just needs to be put in the code. If you look at about one of your last pages you’ll see issues involving outlots. I’ve listed some subdivisions, their general location, and the current status of those. We actually have one other dry basin in the county, or actually it’s in the city, but the county owns it, because again, the homeowners association let it go. So, it’s a dry basin that the county is mowing. There’s been some other issues that have come up, and like I said, there’s one more that’s came up recently. So, I have a pretty strong feeling about this, and I’ve hopefully convinced you of the same thing. With that said, I would like to just draw your attention to what we’re trying to accomplish around this change of the code. You know, why make changes? This isn’t one of these where the code is broken, it needs an oil change and a tune up. Okay? You know, the question of why make changes, and the changes can be summarized into six items. First, a correction of a few typos, some dates, room numbers, like room numbers have changed from where things need to be, number of copies submitted, stuff like that. By the way, I think Madelyn typed that code. She did a great job of it.

Madelyn Grayson: No, no, no.

Jeff Mueller: Or whoever did. Second, on clarifications and definitions to certification requirements. When easements are required in commercial and industrial developments, some additional definitions into the code, requirements regarding phase in of drainage facilities, information on retention ponds for commercial/industrial subdivisions, correction to some Time of Concentration issues, additions of runoff coefficients, that’s mainly rock that we don’t have in our code, additional plat language regarding responsibility for repair of certain storm sewer systems. The third reason on the change is the reduction of certain requirements/enhancement of flexibility in drainage plans, which is something our developers like. We would eliminate the number of as-builts that would be provided. You could actually, there were some reduced requirements on items the preliminary drainage plan, but they would still be required in the final, allow for French drains to be designed in the swales, reduce requirement for easements of swales, allow for the additions of new materials as they are approved by INDOT, so we don’t have to come in and change the code when somebody’s piece of pipe, you know, approved by INDOT. Change the requirements on the distance of dwellings to detention facilities, which you know we’re getting those variances all the time, and allow the use of infiltration trenches. The fourth reason to, we do have some addition or some increase in requirements; one is to reduce when the Rationale Formula could be used, there’s some increased widths proposed for some pipe easements, that’s mainly where we have pipes that are large size or they’re deep. Okay? Set minimum grades for swales, some changes in the basin construction standards, and changes in the use of parking lots for detention. The next thing would be changes in the application process, requires identification of the applicant and authorizes the ability to require drainage plans to be submitted on a standardized application. So, let me just explain that real fast. We’re going to have a single identity form, so when a drainage application comes on, it will have the name, address, that information of the applicant. The applicant is going to sign it, so many times we get stuff from the engineer, but we’re going to have the applicants sign it saying that he understands he’s got a drainage plan and he has to adhere by it, and, you know, just basics. Then, also, that application would have to be submitted if you took over a subdivision. We had numerous subdivisions and we had the home crisis, or where the developer went belly up, somebody new came in, that new person is going to have to sign the application saying, hey, I’m taking this over. We have someone who is responsible for the drainage plans in these
subdivisions. So, they wouldn’t have to re-submit the drainage plan, they would just have to submit the front piece of paper. Also what we’re going to request, and the city and I both agree on this, is to come up with a combined city-county application, which the proposed changes in the code would allow us to do that, and then we would come back to you guys with an application, it would be a city-county application. The City Engineer would go through it for the city, we would go through it for the county. Everybody would be on the same page on what they’re submitting. It would make things a lot easier, I think, from both sides once everybody got used to it. Finally, a biggie, requires notification to adjoining landowners. I mean, we’ve had landowners come in here, I didn’t know about the drainage plan, nobody told me. Well, they didn’t have to. Now, they have to. So, with that in mind, I just want to point out a couple of biggies, and then we’re going to move… I mean, we’re not going to go through this whole document naturally, not at $100 a half hour, but I do want to point out a couple of things in this. On page four is where we talk about we have a cover page that clearly states who the developer is and what’s being developed, and it will be signed by the developer. The developer will also commit to supplying the Board with an as-built record drawing or certification so that we have something in our files saying that things have been built. You know, we have a few people that like to throw us a piece of paper and then go out and do whatever they want. It’s going to be, that’s fine, but then you’re going to give us a piece of paper saying that you did what you said, or you submitted drainage changes. Okay? Kind of putting an end to the playing dumb, I guess. On page 13, I added the requirement for notification of adjoining landowners of the submittal of a drainage plan. As I said before, this hasn’t been previously required, and it’s been the subject of many complaints with adjoining landowners next to the large developments. We would allow people to still do a joint notification with APC, but it’s not this, well, you send it out and the drainage plan had already been heard. It would have to be sent out seven days before our drainage plan meeting, but, you know, if they wanted to reduce postage they could send one notice out to everybody, but they have to make sure they meet not only APC’s deadline, but our deadline. Okay? On page 19, one of the changes, the width of the pipe easements to take into account the size of the pipe and the depth. When you use the easements we currently have, you might have a pipe that’s three foot or four feet in diameter, seven or eight feet in the ground that you wouldn’t be able to repair because the easements would be too narrow. So, we’ve got a little bit wider easements there. Page 24, ones that the developers like is the definition and change of the swale or easement to more closely match easements that are desired by developers. Page 32 is a change in some of the basin standards. One is that if you’re going to have a wet pond, 50 percent of it’s going to be over six feet deep. We’ve got too many ponds that are three and four feet deep, and they, you know, you either have a dry basin or you have a lake, not this in between. So, we can eliminate some of these ugly marshes that we have. It eliminates the outlots, which I think I beat that one to death tonight, but you know where I stand on that. Finally, page 39, there would be requirements on the plat language regarding maintenance and drainage features should a homeowners association cease to exist. So, that if someone comes in and a homeowners association ceases to exist, the owner of lot 33 understands that he’s got to maintain the outlet. It will be on the plat who has to maintain what features of the lake should a homeowners association no longer exist. One other thing, in the very back of that is I gave you an example of, there’s three forms that have been addressed in the application; Form 801, 803 and a Time of Concentration Form 830. I’ve already created those forms, so you can kind of get a feel for what they look like as you read through this. Okay? I’ve given this for reference and for you to look over in your spare time, but what I would like to do, with your permission, is to put these proposed changes into an ordinance format, working with Mr. Harrison, so that while we’re doing that, if you find anything in the proposed changes that give you heartburn, let me know, or
questions or whatever, but that we could get a document that we could move forward with. For the approval, I guess, we have to have it in ordinance form and it has to be read a couple of times. If you don’t, I don’t want to tie up Mr. Harrison’s time and you guys say, no, forget it, Jeff, don’t do that.

Commissioner Kiefer: I’m going to have to take your word for it on these Time of Concentration Tc Form 830.

Jeff Mueller: Uh-huh. I will tell you that that form is actually out of what they call the TR55 Manual, which is a very standard hydrological manual. Most counties use that form. We’re one of the few that don’t. Now, a lot of engineers give me that information that way, but we’re going to tell all of the engineers you’ve got to give it to us that way.

Commissioner Kiefer: That’s great.

Jeff Mueller: Unless you can come up with another method. I’ve got a spreadsheet that’s ungodly, that we’ve done a lot of comparisons of all of the ordinances in, you know, or not all of the ordinances, I compared them to the top 20 counties in Indiana, plus a few other select counties, like our neighbors, to try to get a feel for where we stand, and try to get us in line with the way other counties are doing some things, but without making…I don’t think I’ve done anything, I think if they would, SIBA would be talking to you, and I think us and SIBA have worked very closely on this. We’re not putting out a bunch of requirements that are going to just, oh my gosh, it’s, you know, it’s crazy what you’re going to be doing. We’re not trying to run anybody out of business. We’re just trying to clean up things a little bit.

Commissioner Kiefer: So, Jeff, I mean, this is just interesting to me, but I’m, you know, a novice at this, but is there data available where somebody could find the two year/24 hour rainfall?

Jeff Mueller: Yes. Everybody uses the same number.

Commissioner Kiefer: Okay.

Jeff Mueller: It’s, I can’t think of what it is, there’s a, yeah, it’s a real common number.

Commissioner Kiefer: Oh, okay. So, these aren’t, these are all things that a qualified engineer would not have any issue with?

Jeff Mueller: The two year/24 hour, the two year rainfall for Vanderburgh County is the same number.

Commissioner Kiefer: Oh, okay.

Jeff Mueller: So, I mean, once somebody looks it up, or we could even put it in there.

Commissioner Kiefer: They know it.

Jeff Mueller: It’s there, yeah.

Commissioner Kiefer: Alrighty, thanks.

Jeff Mueller: So, anyway, that’s what I’m basically asking to do is to kind of move ahead with this, because we’ve spent a lot of time on it. Like I said, if you catch Bill Pedtke some time, I think he’ll tell you that we, you know, there were some other things we discussed, and right now those are sidelined, to try to move forward to where we can get some changes in here. That’s what I’m after.
President Ungethiem: Jeff, if you had to evaluate the changes from a developer's perspective, would you say this would be more intrusive or less intrusive on development? Or about the same?

Jeff Mueller: I think it's going to depend on the development, because on some things they're gaining on, others they're maybe losing on. So, it kind of depends on what your development might have. But, I don't see this as being more, I don't see this as like, you know, hey, this is going to cost somebody $1,000 more a lot or anything like that.

President Ungethiem: I'm not necessarily thinking about the dollar effect, but more the time to prepare and time to—

Commissioner Kiefer: Well, you've got more flexibility on the, I saw that one business day prior to the Drainage Board, versus the Thursday before Drainage Board.

Jeff Mueller: Yeah.

Commissioner Kiefer: So, you did offer them some more flexibility in that regard.

Jeff Mueller: Well, that's on the agenda.

Commissioner Kiefer: Right.

Jeff Mueller: But, you know, one of the things we've tried to do, you can blame this one on me, but, you know, when I've been getting in drainage plans I've given you guys the review documents. That review document is portions of the code, and when we get that review document, and, you know, it's got blue and red the first time around, and we send the red remarks back to them, you guys have got to address those. Well, what we're trying to do is get everybody on the same page so that everybody's submitting the same thing. So, we don't have this, well, you made one guy submit this, but I didn't have to do it. Or, the city requires one thing and the county is something else, even though we're dealing under the same code. So, we get everybody on the same page, and, plus when we review it, or the city, and the City Engineer's Office will tell you the same thing, yeah, you get one guy and you spend a lot of time paging through the document trying to find something, and other guys it's on the front page. So, if we get to an application process, it's going to be very standard and, you know, I could answer yes, no, see table so and so, or see map so and so, or here's the calculation. It will be lined up so everybody will do things the same way, and the drainage plans will all look the same. So, you know, we've talked to a couple of different engineering firms, and, you know, we haven't gotten, you know, they've asked for a few changes, but I don't think we've gotten any real push back from them on it.

Commissioner Kiefer: Well, I think involving the homebuilders was a great idea, you know, the SIBA. So, you know, I think you approached this thing the right way.

Jeff Mueller: I did tell them, I said, you know, like I said, we've got the green, and the purple came about from an August 18th meeting where we kind of, you know, hey, can we have four feet instead, or six feet instead of four feet? Yeah, okay, that's fine. I'm not going to sit here and argue over a foot or two, but, you know, like I told them, I sent a message to, an e-mail to Bill, I said, the outlots, I know a few of your guys are against it, but I said, that one is just going to have to be one that's going to have to go away. I'm sorry, but, I just see that as too much of an issue. There were a lot of the things that we talked through and we changed numbers on them. You know, they were like, well, we didn't like this, well, how about this? So, we spent a lot of time in these meetings with them talking with them. So, I don't think you're going to get, I'm going to knock on wood, a whole
lot of calls saying, oh my gosh, what are you guys doing to us? You know, and I
don’t think we’re asking for a whole lot of things. You know, just like, you know,
the notices to the adjoining landowners on the drainage plan, we’re allowing
them to still send them out with the APC, you’re just going to have to make sure
you get them out a week before our Drainage Board meeting, so we don’t have
people showing up saying, well, I just got the notice today. Well, you didn’t really
even have to know it, they just did it, you know. I want to put an end to those
complaints.

Commissioner Kiefer:  They’re already doing it with APC.

Jeff Mueller:  Right, but they’re just going to have to mail them out a little earlier.

Commissioner Kiefer:  Yeah. Okay.

President Ungethiem:  Yeah, I would support, you know, I haven’t read the
changes, but I would support going ahead and making these in the form of an
ordinance so we can go ahead with the process. A couple of things that I would
suggest is, one, wherever possible, we need to make these electronically
capable of being submitted, so it’s easier for the developers and the engineers. If
they want to do it electronically that they could submit things electronically.

Jeff Mueller:  The only problem with that is that costs us money.

Joe Harrison, Jr.:  Yes.

President Ungethiem:  Okay.

Jeff Mueller:  Because when they submit all of these maps electronically, we’ve
got to print them out.

President Ungethiem:  Oh, so we have to maintain paper copies?

Jeff Mueller:  Yeah, and to be honest with you, it’s hard to review some stuff
electronically, unless you’ve got a really big screen.

President Ungethiem:  Oh, I understand.

Jeff Mueller:  Yeah, so, you know, I mean, I’ve had people where, you know, they
submit the drawings, and then, you know, they’ve got one change—

President Ungethiem:  Maybe not drawings, but applications.

Jeff Mueller:  Yeah, the forms I’ve got, for example, they’re set up in Word. So,
you can go through them and, you know, just mark them electronically.

President Ungethiem:  Right.

Jeff Mueller:  So, yeah, so, you know, I definitely feel that. Yeah, we want to
make sure things where they can go in and “x” yes, “x” no, whatever, you know.

President Ungethiem:  I want to try to make it as easy for them to give us the
information we’re asking for as they can.

Jeff Mueller:  Right.

President Ungethiem:  I think the other thing that would be important is once this
goes into position, that we probably should set up some kind of training, lunch
and learn, whatever, that these developers or the engineers could come down
and ask questions. We’ll go through a little presentation of why we’re doing this,
so that we get them on board early, so they’re not doing this the whole time.

Jeff Mueller:  Yeah, and like I said some of them, there’s been at least two of
them, you know, there’s probably four or five firms that handle 90 percent of the
drainage plans that come in here. The other 10 percent are by out of, you know, out of Evansville firms. So, you know, that’s going to make it easier for the out of Evansville firms too, because they’ll have an application, they’ll know what we’re looking for instead of reading through the code and saying, okay, now what do I give you guys?

President Ungethiem: Right.

Jeff Mueller: You know, it will make it easier for everyone involved.

President Ungethiem: Okay.

Commissioner Kiefer: We’ll review this between now and the next meeting.

Jeff Mueller: Okay.

Joe Harrison, Jr.: It may take us a little beyond that, but certainly in the next month to six weeks, don’t you think?

Jeff Mueller: Yeah, and, like I said, I’ve already got it electronically, so, it’s going to be a matter of me and you sitting down one day and being able to cut and paste.

Joe Harrison, Jr.: Again, this will be a, the Commissioners would have to consider it on two readings.

Jeff Mueller: Yeah.

President Ungethiem: Okay.

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Cancellation of the November 24, 2015 Drainage Board Meeting

Jeff Mueller: Almost done. Next, cancellation of the November 24th Drainage Board meeting. This is the Tuesday before Thanksgiving, and I won’t be available that night. I would like to get a notice out ASAP so the engineers are aware of this change, if you approve it. Also, as this would be the last meeting in November, I don’t think we’re going to have a ton of drainage plans coming in, you know, we’re going to be starting to slow down a little bit.

Commissioner Kiefer: Thanksgiving, yeah.

Jeff Mueller: Yeah, so, if you guys don’t have a problem, I would ask for a motion to cancel that meeting.

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

President Ungethiem: I’ll second. All those in favor say aye.

Commissioner Kiefer: Aye.

President Kiefer: Aye.

(Motion approved 2-0)

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Ditch Maintenance Claims

Jeff Mueller: The last thing is there’s a summary sheet in there for two claims for a total, on ditch maintenance, of $8,686.58. One of these claims is for the initial 85 percent payment to Elliott’s Excavating for work on Sonntag Stevens. I just want to point out that the total bill for this project, once we pay the 15 percent, will be $10,089. That’s $750 higher than the original bid. The reason for that was we gave them approval to do two additional things. One was there was a tree that
fell in the ditch that they had to pull out. The other was there was some construction debris that was in the ditch that wasn’t there when they did the pre-bid meeting. So, you know, $750 for the amount of work they did I think is reasonable. So, I just wanted to note that to you on those claims.

Commissioner Kiefer: I’ll make a motion to approve the ditch maintenance claims.

President Ungethiem: I’ll second it. Do we need a roll call? Or just… all in favor say aye.

Commissioner Kiefer: Aye.

President Ungethiem: Aye.

(Motion approved 2-0)

Public Comment

Jeff Mueller: Did you guys have anything?

President Ungethiem: That's all?

Jeff Mueller: Yep.

President Ungethiem: Any public comment?

Adjournment

President Ungethiem: Seeing none, I'll entertain a motion to adjourn.

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

President Ungethiem: So moved.

(The meeting was adjourned at 6:33 p.m.)

Those in Attendance:
Bruce Ungethiem  Joe Kiefer  Jeff Mueller
Joe Harrison, Jr.  Madelyn Grayson  John Stoll
Steve Hahn  Others Unidentified  Members of Media

VANDERBURGH COUNTY DRAINAGE BOARD

Bruce Ungethiem, President

_____________________________________

Joe Kiefer, Member

(Recorded and transcribed by Madelyn Grayson.)