

**VANDERBURGH COUNTY
DRAINAGE BOARD
JUNE 22, 2021**

The Vanderburgh County Drainage Board met in session this 22nd day of June, 2021 at 3:41 p.m. in Exhibit Hall A of the Old National Events Plaza with President Cheryl Musgrave presiding.

Call to Order

President Musgrave: I'm going to call to order the June 22, 2021 meeting of the Vanderburgh County Drainage Board.

Pledge of Allegiance

President Musgrave: If you will all please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Approval of the May 25, 2021 Drainage Board Meeting Minutes

President Musgrave: Is there a motion to approve the minutes of the previous meeting?

Commissioner Hatfield: So moved.

Commissioner Shoulders: Second.

President Musgrave: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, I also am a yes. That's agreed unanimously.

(Motion approved 3-0)

Verita Telecommunications/Zayo Group Applications to Affect Legal Drains

President Musgrave: We move now to Verita Telecommunications/Zayo Group applications to affect legal drains, Crawford Brandeis (2) and Boesche.

Linda Freeman: Boesche. We've got some wild names. Basically, Verita Telecommunications and Zayo Group are the contractors responsible for the installation of fiber infrastructure, and they're the ones that were trying to install it over our Crawford Brandeis culverts. A side note on that is Hydromax was not able to use their robot. They're going to probably have to do a manned inspection. So, that's the progress report on that. And, so, we're waiting, they're, we're waiting for them to be able to do that. Verita and Zayo have proposed new routes to install their fiber project. This route involves two crossings of Crawford Brandeis and one crossing of Boesche. They have submitted separate applications for each of these crossings, and they have been approved by the Vanderburgh County Surveyor. I'm just seeking retroactive approval by these, of these by the Drainage Board. All of the applications have their cross-sectional drawings depicting minimum depth requirements for the cable boring, which is three feet below the flow line, or three feet below the culverts. I would recommend approval of that please.

President Musgrave: (Inaudible. Microphone not on.) retroactive?

Linda Freeman: It's on the—

Madelyn Grayson: This one says 6/16.

Linda Freeman: Okay. Sorry.

President Musgrave: Is there a motion for approval, starting on June 16, 2021?

Linda Freeman: Yes, Ma'am.

President Musgrave: For these separate applications?

Commissioner Shoulders: So moved.

Commissioner Hatfield: Second.

President Musgrave: And a second, Madelyn, please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, I'm a yes. That passes unanimously.

(Motion approved 3-0)

Centerpoint Energy: Application to Affect Legal Drain

President Musgrave: We move now to the Centerpoint Energy application to affect a legal drain, Sonntag Stevens.

Linda Freeman: Yes, Ma'am. Centerpoint Energy has submitted, through Neikirk Engineering, an application to affect Sonntag Stevens legal drain. Centerpoint is constructing two additional structures at their 2601 Bergdolt Road laydown site. These additional buildings necessitate the addition of detention capacity. The site is within the city limits, the drainage plan will be reviewed by the City Engineer's Office, however, their basin is proposed to discharge to Sonntag Stevens. Runoff from this site already discharges to Sonntag Stevens, but this plan should control the amount and rate of runoff and they're kind of improving that current discharge. So, I recommend approval for their application to affect a legal drain.

President Musgrave: Is there a motion?

Commissioner Shoulders: So moved.

Commissioner Hatfield: Second.

President Musgrave: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, I am a yes. So, that is a unanimous approval.

(Motion approved 3-0)

Cambridge Village, Phase IV: Final Drainage Plan

President Musgrave: We move now to number six, Cambridge Village, Phase IV-Final Drainage plan.

Linda Freeman: Yes, Cambridge Village, Phase IV was granted preliminary approval at the March 2, 2021 Drainage Board meeting, and they are now seeking final approval. The final drainage plan has been reviewed by both the County Surveyor's Office and the County Engineer's Office, in order to allow the developer to order pipes and materials and get started, rather than holding him up till July the 13th. John Stoll talked to him several times today, we are in agreement to ask the Board to grant final approval, with conditions, to be addressed before we both sign off, before John and I sign off with APC on this. Some of the items that we would like to see addressed to date; the pipe sizes and locations seem to be sufficient, which is why we're willing to let them get started, however, there are numerous issues that give both myself and John pause for these plans and the variance requests. At this time, we do not know if there may be a need for additional pipes, and, if so, we would put those forth to the developer, to Morley, the engineer. The variance request states that there are cross sections for the natural watercourse. There is data, numerical cross sections, but not graphically depicted. I would like to see those graphic cross sections.

President Musgrave: Is that typical, Linda?

Linda Freeman: I'm sorry?

President Musgrave: Are graphic cross sections part of the code? Is that typical?

Linda Freeman: They are supposed to supply cross sections, and they have given us numerical cross sections, but they haven't given us, like the drawings where it actually shows—

President Musgrave: And, that's a typical (Inaudible. Talking over each other.)

Linda Freeman: That's typical that we usually have those in our plans. We're not asking for anything out of the ordinary.

President Musgrave: Commissioner Hatfield?

Commissioner Hatfield: Yeah, I've read ahead, and what I would like you to do in each paragraph, like your first one you did great—

Linda Freeman: Uh-huh.

Commissioner Hatfield: -- your last sentence is your ask.

Linda Freeman: Yes.

Commissioner Hatfield: Okay, your next paragraph I'm looking for your ask, and, so, I'm going to need help from you to find that, because, you know, what I'm anticipating is you're going to want us to make a motion to move forward with this, with these following stipulations.

Linda Freeman: Yes, and actually—

Commissioner Hatfield: Instead of reading all the way through the commentary—

Linda Freeman: Uh-huh.

Commissioner Hatfield: --if each, if we do this again, what I think you ought to do is underline a specific ask, condition.

Linda Freeman: Right. Basically, I was kind of, I've been pretty wrapped up with some other issues that—

Commissioner Hatfield: Yeah, I know. I mean, you know, it's—

Linda Freeman: So, I was trying to get my, the idea, the issues that John and I talked about in a, something that I could give to Jim Morley, to allow him to see some of the items that we were addressing, or wanting to see addressed.

Commissioner Hatfield: Yeah.

Linda Freeman: And, then, this is not a complete listing.

Commissioner Hatfield: Okay.

Linda Freeman: So, we're conditional with some of these things. If you want me to read through these—

President Musgrave: I would rather you didn't.

Commissioner Hatfield: Yeah, I'll tell you what, I wouldn't, because a lot of it is, you're making a case for what you want to see.

Linda Freeman: Yes.

Commissioner Hatfield: But, what I think really, you're the Surveyor, we rely on your expert information to lead us. What I would like to see is for you to tell me exactly what your motion should be conditioned on. I'm fine with the first paragraph.

Linda Freeman: Right.

Commissioner Hatfield: You would like to see graphic cross sections.

Linda Freeman: Yes.

Commissioner Hatfield: But, then reading down further, the next two paragraphs, you really don't have any conditions. You're making commentary. On the third one, this needs cleaned up.

Linda Freeman: Yes, and I'm sorry, I was quite busy with several things. John Stoll's on the road, we were talking on the phone—

Commissioner Hatfield: Right.

Linda Freeman: --I was trying to type and talk and think.

President Musgrave: Well, how about this?

Linda Freeman: It's basically to—

President Musgrave: That the motion be to grant the final approval, but it's conditional on the receipt of the graphic cross sections and the inverts and elevation details, and final quality review of the plans—

Linda Freeman: Yes, various—

President Musgrave: --by the Surveyor and the Engineer?

Linda Freeman: --assorted and a sundry items that—

President Musgrave: Okay?

Linda Freeman: --we, every time we looked at the plans, we did see something else.

President Musgrave: So, if I can have that motion by a member of the Board?

Commissioner Shoulders: I will make that motion, and, again, with the graphic depicted cross sections, elevations, so forth.

President Musgrave: Is there a second, Mr. Hatfield?

Commissioner Hatfield: Are we all, are you okay then with the condition that they, that all we're conditioning this on is graphic cross sections?

Linda Freeman: No, we're looking at—

Commissioner Hatfield: I didn't think so.

Linda Freeman: Yes, that's what I'm, I'm sorry, I'm trying to articulate—

President Musgrave: (Inaudible. Talking over each other.)

Linda Freeman: --that there's other items and this is not a complete list, in and of itself here. We are going to meet with Morley, probably the first of next week, sit down and go over everything, but we were wanting to allow them, kind of like we did with, was it Westridge? To allow them to get started ordering their materials.

President Musgrave: Again, that's why I said and certain qualitative aspects as determined by the Surveyor and the John Stoll.

Linda Freeman: And John Stoll.

President Musgrave: So, that's already in the motion.

Commissioner Hatfield: I would like to ask Jim Morley, Jr. a question. Jim, we're going to make this conditioned on this cross section, graphic cross section, but she's saying there's other things. Do you commit, on the record, to comply with what John Stoll and Linda are saying that is within the law and within what they can require you to do?

Jim Morley, Jr.: Yes.

Commissioner Hatfield: Great.

Jim Morley, Jr.: I mean, we always work with them—

Commissioner Hatfield: Great.

Jim Morley, Jr.: --and come up with a project that's great. So, the desire to push forward today is just because there's three weeks before the next meeting.

Commissioner Hatfield: Uh-huh.

Jim Morley, Jr.: They want to be able to get their materials ordered—

Commissioner Hatfield: Great.

Jim Morley, Jr.: --and get that stuff going, so.

Commissioner Hatfield: That's a second. Thank you, Jim.

President Musgrave: Alright, we have a motion and a second. Please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, I'm a yes as well. The motion carries.

(Motion approved 3-0)

Continuation of Schapker-White Drainage Obstruction Petition Hearing

President Musgrave: We move now to Schapker-White obstruction petition, continued.

Linda Freeman: Yes, Ma'am. I really don't have any additional statements. Just that we do not see that it's a significant impediment to the waterflow. The folks need to work together. There's, John Stoll and I have talked about this at length as well. There's, the only reason I mentioned the east-west ditch is because there is enough fall there, that if

they would work together, from the installed, engineered Braun pipe that we talked about at the last meeting, that there was enough fall from the invert there to the invert at Green River Road, that if they would work that ditch, they could possibly alleviate a lot of their problems. I'm not going to say 100%, because that would entail a massive watershed study. It's on private property. It's up to the individuals to work on this problem. We do not have any, the Surveyor's Office has no authority to fix these problems. We've offered up a lot of information to both parties. As far as the Green River Road plans and submittals that were done there, John Stoll has said that that is downstream of the obstruction, so it is, the Green River Road is kind of another issue, potentially, but not part of this obstruction petition.

President Musgrave: So, the petition is by the Schapker's vs. Mr. White?

Linda Freeman: The White's.

President Musgrave: And, your recommendation is denial?

Linda Freeman: Yes, that the rock crossing is not a significant impediment to the waterflow.

President Musgrave: Okay, alright.

Linda Freeman: It may be a 10%-20% type of—

Commissioner Hatfield: Uh-huh.

Linda Freeman: --but, it's not the, it's not 100% going to fix that issue.

President Musgrave: Okay, in that case, thank you, and I would like to ask Mrs. Schapker, who is behind you—

Linda Freeman: Yeah.

President Musgrave: --to please come forward.

Randy Schapker: Good afternoon, Commissioners. My name is Randy Schapker, and I live at 11220 N. Green River Road. State your name.

Sherry Schapker: Oh, and I'm Sherry Schapker, his wife.

President Musgrave: Please go ahead.

Sherry Schapker: It's going by itself. Okay, here—

Randy Schapker: Okay, the first video, this was taken on June 8th, we had a third of an inch of rain.

Sherry Schapker: It jumps. I can't get it to stop.

Randy Schapker: And, as you can see, that is a three-foot, I believe, culvert on the Braun property.

Sherry Schapker: Hang on. It's jumping.

Randy Schapker: And, that is already almost maxed out. Because of the obstruction in the ditch, it's not letting the water flow through there freely.

Sherry Schapker: Are you ready for the next one?

Randy Schapker: And, that was a third of an inch of rain on June 8th, at about 2:00 in the afternoon.

President Musgrave: Can I interrupt you to please come forward, up here, and show me on this map where that pipe is?

Sherry Schapker: Braun is right here.

President Musgrave: Uh-huh.

Sherry Schapker: It's at our south corner.

President Musgrave: Okay.

Sherry Schapker: It's to our, our property we have hardly any on the other side of the ditch. We have hardly any on the other side of the ditch.

President Musgrave: This one is right here?

Sherry Schapker: Nope, right down here between Schapker and Braun is where that culvert is.

Randy Schapker: And, as you can see where that green property pin is, if we had had about another, maybe another third or a quarter, maybe a half or more inch of rain, that that water would have come out of the ditch bank and onto our property. And, then, this video here shows—

Sherry Schapker: (Inaudible) Let's talk about that one.

Randy Schapker: Okay, this video here shows that when the water heads towards Green River Road, it does flow north and not south in front of our property. It actually flows under the subdivision and then north, and then up further is a four-foot culvert that it goes under Green River Road.

President Musgrave: Once again, can you come and show me—

Sherry Schapker: Yeah.

President Musgrave: --on this map, where that video was?

Sherry Schapker: Okay, so, the ditch runs behind ours, and that second video was showing the water flowing across the White property. And, down here at Green River Road is where it shows it goes north, it goes under and then it runs between here. So, he was showing a culvert down here. None of this water runs to this culvert.

President Musgrave: I just need to know what you're showing.

Sherry Schapker: Okay.

President Musgrave: Okay, so, what is the point you are making about these, this video?

Randy Schapker: We're just showing that the obstruction in the ditch is holding the water back, behind our property. That it's not getting a good flow. And, then, so you have some pictures in front of you, and the first picture shows the depth of our ditch, which is 29" deep, and that is about 15' north of the Braun culvert. And, then the next picture shows the ditch behind our property is approximately 23 1/2" deep, and that's about halfway down the ditch. And, then on the next page, is the depth of the ditch at our, at the Schapker-White property line, and that ditch there is only 14 1/2" deep. So, you can see already that the, with him holding the water back, that the ditch is actually silting shut. And, then our ditch is 67" wide and that is approximately 15' from the Braun property. And, then about halfway down, our ditch is 54" wide, 20' from the White property it's 54" wide, and then the ditch behind our property is only 16" wide at the White property. And, then if you see the aerial video, the footage, the aerial, in 2019, you can see that there was a well-defined ditch, before he put the rock obstruction in the ditch. And, then in 2020, you can see the picture with the rock obstruction in the ditch, and you can tell already how the ditch has already silted shut. So, this is what I'm willing to do, I will remove my makeshift berm and clean the debris away from the ditch. I need to know how much fall I need on my ditch from the Braun culvert to my property line. The ditch, my ditch is 122' long, so I need to know, do I need an inch fall every 10'? If I do that, then that makes that ditch 12" fall from the culvert, from the Braun culvert to the White-Schapker property line. Okay? And, my ditch is about, roughly runs around 67" wide, I will need to know also if that ditch is wide enough? It's 67" wide, and I will make it that wide all the way down to the White property line, or if it needs to be wider than that.

President Musgrave: Okay, that's not a question that—

Randy Schapker: Oh.

President Musgrave: -- we can answer.

Randy Schapker: Okay.

President Musgrave: Again, it's private property—

Randy Schapker: Okay.

President Musgrave: --and the Surveyor's Office does not control ditches on private property. And, I can't see, there you are, I'm not even sure that she's in a position to offer a recommendation, but might refer you to a private engineer.

Linda Freeman: Just an FYI, Cash Waggnier did, what is it your niece?

Sherry Schapker: My cousin.

Linda Freeman: Cousin? They did the watershed and pipe design for her cousin's property. So, he, they would have a lot of...for the Braun crossing to get back to the back. And, then, we did shoot the invert at that pipe and at the Green River Road pipe, so they could ascertain what the flow line would need to be. Now, the width and stuff, that would be a little bit out of our, you know, but Cash Waggnier could come up with that for you.

President Musgrave: Okay, so is that clear? That you're going to need to consult with an engineer, and Cash Waggnier's an engineer?

Randy Schapker: Okay, yeah, we will consult with—

President Musgrave: Okay, we're not recommending a particular engineer.

Randy Schapker: Okay.

President Musgrave: That's not our role.

Sherry Schapker: We're willing to do that on our side, if he's willing to do something on this side.

President Musgrave: Alright. Does that conclude your presentation?

Randy Schapker: Yes.

President Musgrave: Alright, thank you very much.

Randy Schapker: So, we will confront¹ with Cash Waggnier then.

President Musgrave: Okay. Mr. White? Per the Surveyor's recommendation of a denial of the petition, what further information do you have to offer?

Christopher Patrick White: If the Board is in agreement with the Surveyor, I have nothing else to present. But, if that's not the case—

President Musgrave: Alright.

Christopher Patrick White: --I would like to present.

President Musgrave: Commissioners, do you have...the Schapker's are discussing their desire to right size this ditch, and I know that the County Engineer and the Surveyor have both opined that the ditch is in need of maintenance, and it looks like most of it is on your property. Are you committing to also work on the ditch to make it flow better?

Christopher Patrick White: Actually, the portion of the ditch that runs, so there's been a little bit of a misunderstanding on my previous presentation, where it's been mentioned that I said that the flow going towards Green River Road did not, pretty much was not understood correctly. While I am talking about an entirely different section of land, an entirely different culvert, and the reason why that's important here is because I think that that ditch, the shared ditch is not the contributing factor to their issue. So, if the Schapker's were to spend that money, and we were also to spend that money, I don't think it would

¹ Should be consult.

solve the issue of water flooding their pole barn. And, that's the information that I have today, if you would like to see it.

President Musgrave: So, your answer is, no, you refuse to work on your ditch?

Christopher Patrick White: Yes, and also, a portion of this ditch is also shared with Braun. They have a property line between us and the subdivision that has half the ditch there, where there's a lot of, there's cable utilities, natural gas utilities, electrical utilities and subdivision property lines that also need to be worked with. So, and, again, if that were to be done, that would not solve the Schapker's problem. If you would like, I could present—

President Musgrave: A very disappointing answer. Commissioners, do you have any questions?

Commissioner Shoulders: I really think it's time.

Commissioner Hatfield: So, let me understand correctly. Linda is saying that your rock obstruction is not a considerable contribution to this issue, correct? Your neighbors are saying that, you know, they want a solution to this and they're willing to spend some money to try to make the entire ditch flow well. So, what was your answer to that?

Christopher Patrick White: The, so, where this ditch is collecting water from is not the same area that is flooding their pole barn.

Linda Freeman: That's not the obstruction, that's not the (Inaudible)—

Commissioner Hatfield: I can't hear you, Linda.

Linda Freeman: Yeah, I'm sorry.

Christopher Patrick White: Go ahead.

Linda Freeman: The rock chute is, the pole barn flooding, that wasn't really...the petition is the rock chute, the rock crossing. And, that channel is the channel that I'm referring to, that, if, per chance, I'm not going to say it would completely alleviate everything out there.

Commissioner Hatfield: Uh-huh.

Linda Freeman: But, if they, if the Schapker's are willing to work their stretch and if you would work your stretch just, you know, like get that flow line, because there were some lumps and bumps, you know, there were some high spots between your property line and the Schapker's, that if you potentially could work that flow line out and maybe open that channel up, there is some leftover, I'm going to say, there's grass clippings, there's things that have collected, that if you would both work on those types of things, that you could help each other, that the water would move further. Now, that, the stretch that runs east-west, that is not part of the subdivision. We found the property pins for them. Now, I don't know who that east-west stretch of ditch belongs to. There's been, like in John Stoll's emails where he's stated that they weren't able to figure out who owned that, but there is enough fall that if they got it to that point, they should be able to help the situation.

Commissioner Hatfield: Okay, I'm gonna—

Linda Freeman: I'm not going to say 100%.

Commissioner Hatfield: I think I'm just going to cut to the chase. Because this is the second meeting, alright. So, when everyone first got here last month, or two weeks ago, or whenever, it was that little bridge that used to be there and everything was hunky dory. Everything was fine. Everything drained fine, right? Then you put rock in, now, wait a minute, I'm going to finish my train of thought. Then, they think, they say you put rock in and everything changed. Linda, who is, I consider, our expert, has told us that, yes, it has some impact, but it's not "the" impact. It's not the majority of the impact. They have offered to do stuff on their side, even though when they came in here a couple of weeks ago, it was about the rock and the bridge and all that. But, since they, in that time they said, you know, we want this to drain well. We're willing to do what we have to do to help this situation. Here's the deal, I'm going to vote that that rock is an obstruction, because she said that it is an obstruction, to a certain extent. I think what I want to see from you is what

I've done my whole career, which is try to work a problem out with a neighbor. And, for whatever reason, this has come to us. And, so, if it's going to be that you're not going to maybe look at some of the issues with your land that might be causing this, other than the rock, I'm going to vote to have you remove the rock, because she says it is somewhat of an obstruction. I think what I want to hear is that you're willing to work with your neighbor to try to get this ditch to work well, and be willing to do that. That's what I'm looking for, straight up.

Christopher Patrick White: Can I—

President Musgrave: If you have a response, come to the microphone so that it's part of the minutes.

Christopher Patrick White: Yes, and I understand. I've, you know, I was more so I was trying to help fix the particular issue that I thought they were having. So, I do understand your comment. Again, the ditch, I would really like to improve that, but it impacts other properties that could cause flooding to their properties. So, this ditch, obviously, drains this whole farming field. If this, if the amount of water that went into this ditch, if that volume increased, then there could be potential flooding. I've contacted John Stoll when the Green River Road construction was going on, to help confirm there wouldn't be any additional flooding with his, with the drawings that were proposed to him. You know, he helped me understand that there would not be any additional flooding issues, but he did warn me not to touch it. And, he said that there could be some things done differently, but it would take a significant, a big, big investment and a big collaboration between utility companies, different property owners along the subdivision, in case we had to encroach into their property. I would love to walk it with you and show you, but at the time, John Stoll was even telling me that this is a big issue that I may not be able to handle.

Commissioner Hatfield: Okay.

Christopher Patrick White: I do agree, I would love to fix the ditch because it causes problems on my property.

Commissioner Hatfield: Do you think, and I appreciate that, I really do. Do you have any idea if you could maybe build a bridge back the way it used to be?

Christopher Patrick White: We wanted to. I have a presentation on that also. So, there's a picture I showed in my previous presentation where there was actually debris from the field that was getting washed, you know, just drained—

Commissioner Hatfield: Uh-huh.

Christopher Patrick White: --but that debris from the field was going on top of the ditch. What I was trying to show there is the water is hitting the side of that bridge. When it's hitting the side of that bridge—

Commissioner Hatfield: You know, here's the deal, we can't keep, two people that are willing to work with each other, you wouldn't even be here. I've been there a million times in my own company, for the last 37 years. But, it's here, and we're not going to spend time on this every meeting, and we're not going to allow anyone to spend that much time with the Surveyor and the County Engineer.

Christopher Patrick White: I understand.

Commissioner Hatfield: Really, it's down to this, help with the ditch on your side, build a bridge or remove the rock. It's that simple. And that's where I'm at, Commissioner Musgrave.

President Musgrave: I appreciate that. Are you seeking to conclude this matter today, or to—

Commissioner Hatfield: I think that there's three answers to this issue; remove the rock, build the bridge back the way it was, or help the neighbor get your drainage worked out. Because, see, all they're asking us to do is have you remove that rock. They're not asking us to do anything else, and you can't get any assistance from the County Engineer to help

engineer this ditch. They can't and you can. There're three options; remove the rock, build the bridge or work with your neighbor. That's it.

President Musgrave: And, I want to make sure you understand that, let's say that one of the Commissioners was willing to make a motion to deny the Schapker's petition, that does not stop them from filing one next month where they allege that the condition—

Commissioner Shoulders: Right.

President Musgrave: --of your ditch is the problem. So, there's no winning this. Even if you walked out of here with everything you've wanted today, the rain is going to continue to fall. That ditch needs to be properly maintained. So, Commissioner Hatfield, I'm going to ask you exactly what your motion is.

Commissioner Hatfield: I want to give this man an opportunity to decide his, the fate of this decision.

President Musgrave: Was that a motion to table?

Commissioner Hatfield: I want to hear. You've got three choices. Are you interested in any of those three choices?

Christopher Patrick White: Um, yes, I am. It's hard for me to make a decision right now—

Commissioner Hatfield: Okay.

Christopher Patrick White: --on which one we're going to choose.

Commissioner Shoulders: To table.

Christopher Patrick White: But—

Commissioner Hatfield: Tell you what—

Commissioner Shoulders: If it doesn't happen, yeah, I would say table, if he wants to think about your three options.

Commissioner Hatfield: Yeah.

President Musgrave: In tabling it, I want you to understand, Mr. White, that the government's goal is not to back up water on anyone's property.

Christopher Patrick White: Right.

President Musgrave: And, County Engineer, John Stoll, will look at it, now that you've properly identified the (Inaudible) that you had an issue, and we will attempt to make it right. So, county matters that need to be handled are not an impediment to you handling your problems.

Christopher Patrick White: I understand.

Commissioner Hatfield: I'll make a motion to table this until our next meeting three weeks from now.

Commissioner Shoulders: Alright, I will second the motion to table this for one final time.

President Musgrave: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, that is also a yes.

(Motion approved 3-0)

President Musgrave: We are tabled until, is it July 13th?

Linda Freeman: I think so.

Commissioner Shoulders: Yeah.

President Musgrave: Alright. Thank you.

Linda Freeman: Yes, July 13th. Thank you. Just, so many times if you would work together, that's the easiest, cheapest route.

Ditch Maintenance Claims

President Musgrave: Now to the ditch maintenance claims.

Linda Freeman: Yes, Ma'am.

President Musgrave: And, you have passed out this. You have passed out a list.

Linda Freeman: Yes, you have a list, and I'm sorry, I'm so used to actually bringing claims to you, that get processed through you, I neglected, but this is up from February the 2nd, we have 11 claims with a total amount of \$13,832.88.

President Musgrave: Is there a motion to approve?

Commissioner Shoulders: So moved.

Commissioner Hatfield: Second.

Linda Freeman: All previous work approved.

President Musgrave: Madelyn, please call the roll.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: Yes.

(Motion approved 3-0)

Other Business

President Musgrave: Is there other business?

Public Comment

President Musgrave: Is there public comment?

Adjournment

President Musgrave: Is there a motion to adjourn?

Commissioner Shoulders: So moved.

Commissioner Hatfield: Second.

President Musgrave: Madelyn?

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Musgrave?

President Musgrave: And, I'm also a yes.

(Motion approved 3-0)

President Musgrave: Thank you.

(The meeting was adjourned at 4:14 p.m.)

Those in Attendance:

Cheryl Musgrave

Linda Freeman

Jim Morley, Jr.

Christopher Patrick White

Ben Shoulders

Craig Emig

Sherry Schapker

Others Unidentified

Jeff Hatfield

Madelyn Grayson

Randy Schapker

Members of Media

**VANDERBURGH COUNTY
DRAINAGE BOARD**

Cheryl Musgrave, President

Jeff Hatfield, Vice President

Ben Shoulders, Member

(Recorded and transcribed by Madelyn Grayson.)