

Pigeon Creek Watershed Development (PCWDC) Minutes

February 24, 2025, at 10:00 am

Vanderburgh County Civic Center, Room 301

Evansville, IN

Attendees:

Commissioners Linda Freeman, Karan Barnhill, Cheryl Musgrave, Kristi Johnson, and Craig Emig, legal counsel. See attached list for guests.

Treasurer's Report:

1. The total billable parcel count is 34,570. The total projected revenue is \$561,230.74.
2. No funds have been expended to date from the Commissioner's available line-item amount of \$ 52,939.47

Action Items:

1. Approval of January 13, 2025 Minutes
The motion to approve was made by Commissioner Barnhill
Seconded by Commissioner Johnson
Adopted unanimously
2. Electronic Meetings Policy, removing non-officer names from signature line.
The motion to adopt was made by Commissioner Barnhill
Seconded by Commissioner Johnson
Adopted unanimously
3. Legal Agreement for Counsel
Discussion points included other entities represented by the law firm Kahn Dees Donovan and Kahn and what would happen in the case of conflict. In that case, different counsel would have to be sought for the matter at hand. If different counsel was not desirable and a conflict was present, the Watershed should seek signed, informed consent documents.

The motion to adopt was made by Commissioner Barnhill
Seconded by Commissioner Musgrave
Adopted unanimously
4. Selection of Financial Institution
The board was presented with proposals from two local institutions, German American Bank and Old National Bank.

The motion to adopt German American's proposal was made by Commissioner Barnhill
Seconded by Commissioner Johnson
Adopted unanimously
5. Submit Claim for Funds to Establish Bank Account
The motion to create a claim for \$10,000 to the Commissioner's line item to obtain the funds to open the German American account was made by Commissioner Barnhill.

Seconded by Commissioner Johnson
Adopted unanimously

6. Permission to send Letter of Intent for Wright Foundation for Sustainability and Innovation (WFSI) Tree Canopy Improvement Grant and John Harsch Regenerative Agriculture Grant

Discussion included whether the Watershed, a government entity, would meet the qualification of the grant for non-profit. It was noted that the Watershed could in future establish a non-profit entity to qualify for grants restricted to non-profits and that the Watershed could partner with non-profit entity for grants with this requirement. Also noted that the sending of a Letter of Intent does not bind the Watershed to any financial commitment.

The motion to approve sending a Letter of Intent was made by Commissioner Barnhill
Seconded by Commissioner Johnson
Adopted unanimously

7. Insurance Update

Bob Dillow of Torian Insurance emailed that a Public Officials Bond will include all Commission members versus individual bonds for each member. A bond amount with a \$250,000 limit is likely the amount offered in the marketplace, but pricing may dictate a request for either lower or higher amount. Discussion was to wait for pricing to come back and consider it at a future meeting.

Informational:

1. Receipt of PCWDC TIN/EIN from IRS
Cheryl Musgrave and Justin Dickson worked on obtaining PCWDC's TIN/EIN on the IRS online website. This is needed for numerous applications and submittals.
2. Receipt of Vendor Number with the Vanderburgh County Auditor's Office
Linda Freeman and Justin Dickson submitted paperwork with the Auditor's office to obtain a vendor number to process claims submitted against the Vanderburgh County Commissioner's line item. This line item was authorized within the interlocal agreement dated December 17, 2024. The vendor number will also allow other payments to be made to the PCWDC from county funds if needed, in the future.
3. Billing Parcels submitted for PCWDC with the Auditor's Office
There were numerous issues to overcome to establish the billing file for the Auditor's office that would enable the billing of the PCWDC parcels in XSoft. Mike Ward, Chief Deputy Surveyor, dedicated several days utilizing Vanderburgh County's GIS data and mapping software to create the PCWDC watershed parcels. Additional work occurred with the Assessor's office to resolve issues like tax ID numbers and classification issues.
4. Pigeon Creek Logjam - Dennis Wilzbacher, Warrick County Surveyor
The log jam is 350 feet long, fully plugging the creek; the creek is outside its banks. Water is five feet higher on upstream side, between Stevenson Station Road and Interstate 69. It was noted that Pigeon Creek meanders in and out of both counties at various points.

Surveyor Wilzbacher stated it is a county Surveyor's duty to let the public know of dangers, and this is perceived to be a danger. Written communication has been made to CenterPoint about the tower. The CenterPoint tower is 138,000 kVa. One of the four tower legs is completely exposed and not supporting the tower. A second leg appears to be in danger of losing its support as well. Surveyor Wilzbacher estimates approximately 500,000 people may be at risk of power disruption in this situation. CenterPoint has been informed and responded it is designed to stand on 3 legs.

Discussion included potential funding to remove logjam, which may cost more than \$60K to remove if experience is any guide and upwards of \$200,000. In the past, Warrick County covered the cost to remove a major logjam at roughly the same point. Further discussion of how and when to clear a logjam proceeded. Permits and authorization from other agencies that may supersede the Watershed's authority and cause delay in logjam removal were discussed.

Surveyor Wilzbacher discussed his work toward a future retention area within Warrick County.

Ken Smith, Department of Natural Resources, asked if there is an exact location of the log jam. While GPS points have not yet been obtained, the logjam is east of Lost Bend Lane, south of Heim, and west of Stevenson Station.

Old Business:

1. Application for Section 205j Water Quality Planning Program Grant update, grant to be filed as soon as possible.

The motion was made by Commissioner Barnhill
Seconded by Commissioner Johnson
Adopted unanimously

2. Authorize RFP for the work plan will be considered upon completion of final document and vote at a future meeting.
3. LARE grant update: Commissioner Johnson will follow up with necessary ID numbers to the Grant Administrators.
4. Legal Counsel Craig Emig will research payment of claims, meeting attendance statutory per diem, administrative expenses (for example, payroll and payroll related expenses, supplies, legal advertising).
5. Work on the By-laws will continue.

New Business:

1. Day School parent Alex Mourer contacted a commissioner with questions regarding flooding and Water Quality of Pigeon Creek which runs through their property as well as expressing a desire to engage the students in creek water quality studies and other educational opportunities. Commissioner Barnhill will reach out to Mr. Mourer.
2. Discussion of future partnerships

Public Comment:

Cliff Weaver, Director of EMA. Director Weaver visited the site of the prior and current logjams. Director Weaver noted Texas Gas has a pipeline that runs through this area. The tower leg exposure was noticed a couple years ago.

EMA requests placing a stream gage on the creek near the Warrick County Border. There are no EMA grants available right now for this purpose. Director Weaver noted that Texas Gas may be open to helping pay for a gage.

Adjournment:

The motion to adjourn was made by Commissioner Barnhill
 Seconded by Commissioner Johnson
 Adopted unanimously

The next meeting will be on March 24, 2025, at 10:00 a.m. in Room 301 of the Civic Center, 1 NW MLK, Jr. Blvd, Evansville, Indiana

PIGEON CREEK WATERSHED DEVELOPMENT COMMISSION February 24, 2025 - Sign In Sheet ~ PLEASE PRINT NEATLY

	NAME	PHONE	ADDRESS & E-Mail Address
1	ELDON MAASBERG	812 963 5044	14947 LUTTERBACK
2	Ken Smith	317 250-0006	KESMITH@DNR.IN.GOV
3	DAVID EICHELBERGER	317-281-5222	CHRISTOPHER BURKE ENGINEERING deichelberger@cbbel-in.com
4	Bella Foster	—	isfoster@dnr.in.gov
5	Bradon Downings	317-616-8941	bdownings@bfsengr.com
6	Kristi Johnson		DNR kristjohnson@dnri.in.gov
7	Math McBride	812-575-7272	city engineers office
8	Megan Klenck		SWCD
9	CLIFF WEAVER	812 483 7400	EMA
10	Stephen Wilson	225-931-4708	swilson@bfsengr.com
11	Dennis Wilzbacher	Warrick County Surveyor	
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