Pigeon Creek Watershed Development Commission

Minutes
March 23, 2025 – 10:00 AM CDT
Vanderburgh County Civic Center Complex, Room 301, Evansville, IN

1. Call to Order

   The meeting was called to order by Chair, Linda Freeman.

2. Attendance

   Roll Call was taken with Linda Freeman, Chair, Karan Barnhill, Secretary Treasurer, Kristi Johnson, Member, present and Cheryl Musgrave, Vice Chair being absent. Also present was Justin Dickson, Executive Director and Craig Emig, Attorney. See list of the public that was present.

3. Pledge of Allegiance

4. Officer Elections

   A motion was made by Commissioner Barnhill and seconded by Commissioner Johnson to table the election of officers until the next meeting to allow all members to be present for this action. The motion carried unanimously. The officers will retain their offices until this time.

5. Action Items

   A. Budget 2026

   The budget was discussed briefly with some questions regarding the amount proposed for Legl Fees, Contractual services. Two minor adjustments were made to these items. Legal Fees were reduced to $40,000.00 and Contractual Services was reduced to $20,000.

   A motion was made by Commissioner Barnhill and Seconded by Commissioner Johnson, to approve the 2026 Budget with the two changes as discussed. The motion was unanimously carried.

   A. Bookkeeper Search.
   Justin Dickson stated that we need to narrow our list of applicants to those whom the board would like to conduct interviews with between the March and April meetings. In speaking with Craig, we could conduct these via Teams or Zoom provided we have two board members in the same room. He further stated that he believes this could be accomplished by having Linda and Karan in the Surveyor's office and this would allow Kristi and Cheryl to join electronically.

Then Craig suggested we then have an Executive session on the day of the April board meeting before deciding whom to hire and then execute the vote at the meeting following.

The Board members agree that the Executive Director should arrange these interviews and make them available through TEAMS or ZOOM, for the Board Members who attend virtually as well as the applicants.

The Executive Director will schedule the interviews and send the links to the Board Members and applicants.

B. Stream Gage Vanderburgh County Encroachment Agreement.

The Executive Director stated that we need to determine if the board agrees with the encroachment agreement prepared by Craig and approve to send to the Vanderburgh County Commissioners and County Engineer for their approval and signature provided, they have no changes.

Discussion was held regarding the encroachment agreement. The ownership of the gage was discussed. It was determined that the Commission should move forward with the Encroachment Agreement with the understanding that the ownership must be established, there must be a certificate of insurance provided and approval by the Executive Director and Counsel must be obtained.

A motion was made by Commissioner Barnhill, seconded by Commissioner Johnson to approve the encroachment agreement pending any changes that are necessary in terms of our discussion and that the agreement be presented to the County Commissioners at their March 31, 2026, meeting for approval.

The motion carried unanimously.

6. New Business

A. Commission loan repayment to Vanderburgh County Commissioners

The Executive Director stated that the Vanderburgh County Commissioners have requested that the loan of $20,000 loan to the Commission be repaid.

A motion was made by Commissioner Barnhill and Seconded by Commissioner Johnson to repay the loan to the Vanderburgh County Commissioners. The motion was approved unanimously.

B. Additional Services Contract with Christopher B. Burke Engineering.

Director Dickson stated that this is on the agenda to discuss the possibility of an "At Will" additional services contract with Christopher B. Burke Engineering for services that could fall outside of the scope of the commission work plan such as any services with any projects that we undertake.

Discussion was held regarding the contract amount.

A motion was made by Commissioner Barnhill and Seconded by Commissioner Johnson to approve an "ON CALL" contract for the amount not to exceed $20,000 with a one-year expiration date for the calendar year and have the contract reviewed and approved by counsel. The motion was unanimously carried.

7. Old Business

A. Update on Aerial Mapping Project.

Director Dickson provided an update on the progress of the Aerial mapping project. He stated that he had been contacted by the vendor who was contracted to perform the flight and they were able to photograph most of the creek. However, due to a waiver that is needed with the FAA, there were limitations on a section of the creek where they could not photograph. He further stated there was an approximate 3-mile section that they were not photographed.

He stated that the remainder of the photos were done and that the file size is very large and they will be post-processed into mosaic tiles and then they will be delivered.

Discussion was held regarding the FAA process for receiving the approval for future. The Commission agreed that there was no benefit to applying for the permit through the commission and then trying to get them to go back later in the year. It was the consensus of the Commission that it would not be practical to do that at this time.

Director Dickson stated that he would like to propose the possibility of making this a regular thing, since the cost was so low, to fly this every year or making it a biannual activity.

A motion was made by Commissioner Barnhill and seconded by Commissioner Johnson to give permission to the Chair and Director to sign the Waiver to the FAA for future flights using the Commission as the application rather than the contractor. The motion was approved unanimously.

B. Update on Tree Swap Program with SWCD.
The Executive Director stated that as an update on the progress of the tree swap program with SWCD and the possibility of supporting City tree plantings in Wesselman Woods that are replacing invasive species.

The Director stated that there are only a few applicants for the tree swap. He further stated that Erin Shoup had expressed that Shawn Dickerson, the City Arborist, is also doing a tree swap and he has asked if they could get 30 trees from this swap to be used in their program.
The program is the removal of trees along Lynch Road, and they would be planting the trees in Wesselman's Woods. These areas are both located within the Pigeon Creek Watershed boundaries.

Commissioner Barnhill stated that she would like Shawn to understand that the trees must be used as described above and not be placed in his tree bank to be used in other locations.

Commissioner Barnhill made a motion to approve Evansville City Arborist to received 30 trees to be used at Wesselman Woods as tree replacement for Lynch Road. The motion was seconded by Commissioner Johnson and unanimously approved.

C. Commission Bylaws.
Director Dickson stated that this matter was placed on the agenda to discuss the possible approval of the Commission Bylaws that have been working on for some time now.

Discussion was held regarding the fact that the Bylaws have been presented and reviewed by all members and counsel with all items that were discussed changes. They are just in need of approval by the Commission.

Motion was made by Commissioner Barnhill and seconded by Commissioner Johnson to approve the Bylaws as submitted and reviewed. The motion carried unanimously.

D. Update on the LARE Grant Log Jam/ Woody Debris Removal Project. Update on the field status of the project area that was submitted for the LARE grant and an update of the status of the grant and how we can use it as well as the timeline.

The Attorney Craig Emig stated that the contract has been reviewed and is standard form that is provided by the DNR and is their contract that they use for every LARE grant. He further stated that if the Board wants to approve the contract as they submit it, it will be fine because they probably would not allow any changes to the wording anyway.

The Director Dickson further explained that in discussion with Doug Nussbaum at DNR, he has indicated that the LARE Grant does not have to be used on the log jam that was submitted with the Grant Application. He explained that the money can be used on any log jam within the Creek and that the grant money can extend into another year but must be used by 2028

A motion was made by Commissioner Johnson to allow the Director and Chair to sign the contract, seconded by Commissioner Barnhill and unanimously carried.

E. Update to Commission website. Update to the status of the commission website. Executive Director stated that he is in the review process of the website. He further stated that he will send out links once he has received them to the board members for them to be able to review as well.

He explained that the e-mail will be two-fold, it will have a link for the website and one for the calendar aspect of the website which will be where the events and meetings will be posted.

In addition, there will be training provided and all members are encouraged to attend the training so there are multiple people able to manage and update the website.

8. Consent Items

A. Approval of February 23, 2026, Regular Meeting, and March 11, 2026, special meeting, PCWDC Meeting Minutes
Commissioner Johnson stated that she attended the March 11th meeting virtually, and the minutes need to reflect that so noted.

B. Treasurer/Chair
   1. Executive Director's Report
      i. Christopher B. Burke Engineering monthly report
   2. Treasurer's Report (per Executive Director's Report)

3. Claims Voucher Reports
    i. KDDK LLC Legal Fees – February 14, 2026, Statement #572427 for $720.00.
    ii. Stipend for cell phone use – Recurring Payment Allowed at $50 per month to the Executive Director. ($50 for March 2026)
    iii. Contractual Services Payments to Christopher B. Burke Engineering for services between January 1, 2026, to January 31, 2026, on invoice #41274 dated February 16, 2026, for $9,082.50. Contractual Services Payments to Christopher B. Burke Engineering for services between February 1, 2026, to February 28, 2026, on invoice #42150 dated March 10, 2026, for $2,755.00.
    iv. April invoice for Health Insurance Coverage for the Executive Director from Ambetter Health Solutions on March 9, 2026, for $645.20.
    v. April invoice for Vision Insurance Coverage for the Executive Director from Vision Service Provider on March 9, 2026, for $16.94.
    vi. WEX Fleet Universal – for fuel services Invoice for $41.68 invoiced on February 28, 2026, and due on March 26, 2026.

Commissioner Johnson stated that she did not see the stipends for the Board members on the list of expenses. Chair Freeman stated that it will be added to the report for payment.

Commissioner Johnson also stated that she did not see the invoice for the Christopher Burke payment. Executive Director Dickson stated that he inadvertently left it out of the packages for the Board and apologized. The invoice was placed in the One Drive Folder but not included in the member packets.

Commissioner Barnhill made a motion to approve the Consent Items as amended and listed above, the motion was seconded by Commissioner Johnson and unanimously carried.

2. Public Comment

Commissioner Barnhill stated that the MS4 Partnership Meeting is coming up on May 11th and 12th. They allow free tables for educational benefits for those attending. She suggested that the Commission have a table at no cost but the person manning the table must pay the registration fee of $175.00.

A motion to approve the registration fee for attendance at the MS4 Annual Meeting was made by Commissioner Barnhill and seconded by Commissioner Johnson. The motion was unanimously carried.

3. Adjournment

Motion was made by Commissioner Johnson and seconded by Commissioner Barnhill to adjourn. Meeting adjourned at 11:34 AM.

Those in attendance

Bella Foster – Indiana Department of Natural Resources

Stephan Wilson – B, F, & S Engineering

Karan Barnhill 4-27-2026

Karan Barnhill, Secretary/Treasurer Date