

# WARRICK COUNTY DRAINAGE BOARD

## REGULAR SESSION - AGENDA

107 W. LOCUST ST., STE. 303- BOONVILLE, IN 47601

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SARAH A. SEATON

TERRY J PHILLIPPE

STACEY FRANZ

**Meeting Date:** September 28, 2026

**Meeting Time:** 2:30 P.M.

**Link to view meeting via YouTube:** [Warrick County Meetings](#)

**Note:** Persons with disabilities or non-English speaking persons who wish to attend a public meeting or hearing and need assistance should contact the Commissioner's Office, 107 W. Locust Street, Suite 301, Boonville, Indiana 47601 or 812-897-6120 not later than one (1) week prior to any meeting or hearing. Every effort will be made to make reasonable accommodations for any such person or persons.

Present: Terry Phillippe, Sarah Seaton, Stacey Franz, Steve Sherwood, Morrie Doll, Steve Spinks, Rachel Cook.

Pledge of allegiance

### 1. Approval of Minutes

**Terry:** Okay. First order of business is approval of minutes from the September 14th meeting.

**Stacey:** Motion to approve.

**Sarah:** I'll second.

**Terry:** All in favor? I. Motion carries (3-0)

### 2. Claims: Total is \$670.17

**Terry:** And the next matter is claims. I'll just read them individually. Claim for Alpha Laser for \$112.12. O'Reilly Auto Parts \$183.33. Hopf Equipment \$100.01. Warrick county treasurer gas-surveyor vehicles \$173.77. 4J's hardware \$100.94.

**Stacey:** Make a motion to approve.

**Sarah:** I just I do have a question about the gas. Is that one month?

**Steve Spinks:** Yeah, that's one month. I do a lot.

**Sarah:** How many vehicles, just one?

**Steve Spinks:** No, I still had the technical deputy at that time. So, he was doing some driving, too.

**Sarah:** Okay, I was just curious, but I'll second.

**Terry:** Why is that payable to the treasure?

**Sarah:** It's always that way.

**Terry:** Oh, okay. All right. So, I have a first and a second. All in favor? I. Motion carries (3-0)

**Sarah:** Something about they can't take, whoever I don't I think it's the sheriff's department, can't take in funds. So, it has to go from the treasure into back into there.

**Terry:** That makes sense.

### **3. Otter Creek Ditch/Lake Forest Phase 2- Relocation of Otter Creek Ditch (Morley)**

**Terry:** Okay. Next order of business is Otter Creek Ditch Lake Forest phase 2 relocation of Otter Creek Ditch.

**Steve Spinks:** Mark's here. He's going to explain all that to you.

**Mark:** Mark Chamness with Morley.

**Terry:** Haven't seen you in a while.

**Mark:** Excuse me?

**Terry:** We haven't seen you in a while.

**Mark:** Yes, keeping a low profile.

[laughter]

**Mark:** So, I mean, we had submitted a Lake Forest was a subdivision and then this issue with Otter Creek had come up and through some meetings and different things they and through some work that Steve Spinks had done, they had come up with what DNR I guess it approved for the what had been relocated and how much. So, our plat was approved subject to this meeting here. So, I don't know if you have any questions to me. I can kind of show you on this drawing where it's where it is located now, if that that works.

**Steve Spinks:** What this is, this was in our last meeting and we didn't have the investigation totally done yet. So, it got all approved, went to APC pending today that you approved the final investigation to show where this was moved at here. The Otter Creek out there, part of this land sale was moved. Okay. And we didn't know anything about it until it came through and Molly caught it when the land got divided up. So, it was still on GIS as the original part of it and it's not as long as it used to be. You'll go to that second page there. I believe it is the third page. It shows you the yellow line where it is now. This is the new one that goes into that stripper pit there. Comes out of it. And then we've got all your information there to where we contacted, and where Ondrea had contacted the DNR and she completed the investigation. And then we've got your GIS maps there that shows you the difference where the old water creek was on that first GIS map. And then you got the second GIS map here that shows you where the new one is. Now on this second GIS map, you can see the blue line still goes on, but that's just a drainage ditch. That's just a natural drainage. And right there where the footage is, is where that Otter Creek actually starts at. So, Mark's here to answer any other questions for you if you would like to know anything else. But that all happened between 2006 and 2009. Vigo coal relocated it. It never was brought in here in the beginning like the other one that we found a few months ago and properly vacated with this board to do the procedure proper. So, we'll probably have some more of these come up as the coal company out there decide to sell off some of their property. We're probably going to find more of these legal drains that's been relocated.

**Sarah:** So, we're just retroactively approving what's already been done, right?

**Mark:** Yeah. It's been when you said it was done when in 2009?

**Steve Spinks:** Between 2006 and 2009.

**Mark:** Yeah. So, it's been like it has been since then.

**Sarah:** No problems?

**Mark:** But for you, we just want to get the easement updated and get it current where the ditch is.

**Terry:** What is this location right here? That property with the building.

**Morrie:** I don't, I don't you know I don't know.

**Terry:** During covid we spent covid money to put iPads up here in every location and have maps for us.

**Mark:** What are you asking?

**Sarah:** What the structure is

**Morrie:** The development here.

**Steve Sherwood:** Down on the aerial just south is that old coal mine facility

**Mark:** I'm not sure how you pronounce it but Baehl?

**Rachel:** It's Baehl family farms.

**Mark:** Yeah.

**Sarah:** Okay. So, it's a family farm

**Terry:** Okay. So, Steve (Sherwood), my question is for you since you've been here the longest. Is this in relation to a project that was done, I'm going to say 15 years ago, guessing um Robert Stone, amongst other farmers, has kind of beat me up over it over the years because the drain doesn't work like it's supposed to. Is this that same location?

**Steve Sherwood:** I don't think it's the same location, but I can't say with certainty that it is.

**Terry:** Okay.

**Steve Sherwood:** I thought his was further to the south. The Robert Stone issue

**Mark:** from further south. That'd be kind of big creek area, wouldn't it?

**Steve Sherwood:** I think so.

**Terry:** Say that again.

**Mark:** Big Creek area, which is that's the next legal drain south.

**Steve Sherwood:** The only question I have on this page, Mark, you show a red dot with a proposed culvert. Is that something that's going to be sized that's got to come before drainage board at some time?

**Mark:** That's not anything that I've proposed there. That's something

**Steve Spinks:** That's where it drains out of the pit, Steve (Sherwood). That's a pit drain there.

**Steve Sherwood:** Well, it says proposed culvert as well.

**Mark:** I think that was maybe something from DNR. It wasn't anything from me. Oh, I see what you're talking about there.

**Steve Sherwood:** The pit drains to the relocated drain down at the

**Steve Spinks:** Yes, now where the red dot is, that's my understanding where the red dot is.

**Steve Sherwood:** That's all the questions I have.

**Steve Spinks:** Talks about another spot in there of culvert. That's where it goes underneath the street at. That's where the Otter Creek goes underneath that county road out there. And then we'll adjust the legal drain so it can be certified at the beginning of the year like you do every year. So, we'll have the right footage on there for you on this.

**Terry:** Okay. So, what is Lake Forest 2? What's the project there?

**Mark:** It was 170 acres that they're cutting off and then Peabody's got it with their land that they're selling

**Terry:** Outside the recreational area?

**Mark:** Yes. Yes. Yeah. There're no building sites on this.

**Terry:** You don't know of anything else going on there?

**Mark:** I don't.

**Terry:** Okay. Okay. I'll entertain a motion.

**Sarah:** I'll make a motion.

**Stacey:** I'll second.

**Terry:** Thank you. All in favor? I. (3-0)

**Mark:** All right. Thank you.

**Steve Spinks:** Thank you Mark.

#### 4. Warrick Trails at AMEX Field (Morley)- Drainage Approval

**Terry:** Next project Warrick trails at AMEX field.

**Jim:** Jim Morley, Junior, project engineer. Out at AMEX Ballfields there at the corner of Anderson and Lincoln Avenue. Warrick Trails is proposing to put a walking trail around the existing ball fields and improve some of the parking lots and add some parking lots. I think most folks in that area know that it's an under parked area. And I think this will greatly improve the area. And then they're also uh in the middle of the picture you have in front of you, there's a you can kind of see the trail is that dark line around along the top and they kind of bump up around it. There's hopes of maybe having a turf field there in the future and so they're kind of trying to make room for that in the future, also so it's pretty nice project for the that park.

**Steve Sherwood:** Give them an update on the wetlands adjacent to and to the north that's being used as a retention area.

**Jim:** And so immediately to the top left of your picture there they are buying ground from an adjoiner to kind of help make this happen. And that area to the top left of that picture is uh designated as a wetland area. And that wetland area by default provides some what I'll call natural detention. And that area water just kind of like most wetlands water kind of just sits there instead of draining out. And so, we are using that as for lack of a terms an offset to the drainage in the area um to basically mitigate these improvements that are going in. And so, it's a I think it's a nice project. Uh, you will see, uh, assuming this moves forward, you'll see in the commissioners where we're asking for improvement of the trail and stuff like that. There's a trail along Lincoln Avenue and such that's in the in the county right of way and stuff.

**Terry:** Got a question and it's not in your wheelhouse.

**Jim:** Oh, no.

**Terry:** It's probably a Steve Roelle question, but do you by chance know is that old rusty fence part of the improvement of the trail?

**Jim:** Is the is the getting rid of the rusty fence? Well, I don't know the answer to that. I can try to find out for you. I can try to find out and let you know that at four o'clock. How about that? So, ask me that question at 4.

**Steve Sherwood:** I think there's a note on there. It says some of that fence the noise is being removed. So,

**Jim:** Yeah, I think they're improving some stuff. So, but I can ask that question.

**Steve Sherwood:** When I asked Jim, will this eliminate the on the edge of the road parking along Lincoln and Anderson? He said yes.

**Jim:** Yeah.

**Steve Sherwood:** By definition of how they prepare to enclose the ditches.

**Jim:** Yeah, there's a ditch along Lincoln and it'll get piped and stuff.

**Steve Sherwood:** There got to be some kind of bollards or something that will prevent. So, I that negated the question I had for any no parking on the edge of the road signs if that's the way this works out.

**Jim:** Yeah, they're going to do it in phases so it won't all be done at once, but ultimately the when it's all said and done that it's a win. I mean, you won't have people backing out on the road and stuff. And so, it's very much needed in that area.

**Steve Sherwood:** And yes, I'm sorry.

**Sarah:** I just have a requirement. As somebody who lives off of Sharon and tries to make it across Lincoln on Saturday mornings to get to the baseball fields on Vann, I need you to put a roundabout in there.

**Jim:** Okay

**Sarah:** We need a roundabout there. I'm trying to get across.

**Steve Sherwood:** There's still a significant parking area there at the southeast corner of that intersection of Anderson.

**Jim:** Yeah, we looked that up and what was it? It was owned by the ball club or something like the Pepsi youth or something like that.

**Steve Sherwood:** There is a crosswalk for them at that location.

**Jim:** But hopefully the number of people that have to cross that street will be significantly less after this.

**Steve Sherwood:** So, Jim's company requested a meeting at 2 o'clock in the county surveyor's office last Thursday. We reviewed it and they agreed to make some changes there. changing out some of the nyloplast structures to cleanouts or wise after some discussion with the contractors that called your office and mine about issues with availability of those types of structures. So, in the essence of time, I told Jim I would ask the board if they could approve that subject to that detail being put on these plans. These are laid in my chair I think on Friday and I was off Friday so I just looked at them today but I think that's the only thing we need to worry about. They have some proposed drainage ditches on the north but they said they'll try and get positive drainage. So, it's hard to define a slope because it changes so much up and down through there.

**Jim:** Yeah. It's basically where the where that water where the water comes down the hill and sits in that wetland because if you'll see that path kind of does a little bit of a wiggle along the north property line. you don't really put drainage ditches in wetlands to drain wetlands uh because that kind of goes against wetlands. but what you can do is we're basically going to I call it knock out the high spots so that when the wetland does drain out eventually, there won't be any trapped water anywhere. And so, we're not necessarily putting in a ditch, so to speak. We're just trying to knock the high spots off so that it eventually drains out when the wetlands feel like it's time to drain out. And Steve (Sherwood), I did check the detail thing and I have a I just got an email and I'll forward it to you. Okay. But we'll follow up with an amended plan.

**Steve Sherwood:** So, in the essence of time, I think you'd like to have this just signed off on today if the board's willing to do so subject to that detail being added to the plans.

**Jim:** Yeah, that'd be great if possible.

**Steve Sherwood:** I know your goal is to get a significant portion of this bill yet this year.

**Jim:** Yeah.

**Terry:** Anyone?

**Sarah:** I'll make a motion to approve.

**Stacey:** Second.

**Terry:** All in favor? I. (3-0)

**Jim:** Thank you all. Appreciate it.

## **5. Town of Newburgh & Common Wealth Engineers-South Broadview Subdivision (Previously Tabled)**

**Terry:** Okay. Next order of business is the town of Newburgh, Commonwealth Engineers, South Broadview Subdivision

**Chris:** Good afternoon, I'm Chris Wischer, attorney here for the town of Newburgh. Russell Power and Chris Cooke are also here with me. Um this we were here a couple meetings ago about project in South Broadview um sewer project manhole repair and replacement project. Um there were concerns about it at that time just to kind of and Morrie can add anything if I missed something but we basically revised the agreement to remove the cost sharing elements of the agreement. So, the town of Newburgh is going to pay the entirety of the cost of the project, including the improvement of the drainage structures. And um we I revised um the portions of the contract that made any statements about future responsibility for the drainage components and the drainage easement. Just were not making any statements at all either way, as opposed to the way it was written before, which I think were the main comments we received at that time. In making those changes, it occurred to me that without those components, this really wasn't so much an interlocal agreement as an access agreement and construction agreement. So, I changed it, took some of those

interlocal agreement requirements out um and simply made it an act a consent basically agreement where the county has given consent to the uh town to work within those drainage easements. Um I sent it to Morrie, and I think he's okay with the agreement as it's written now. Uh yeah, I also added in the insurance paragraph to make sure the Warrick County is an additional insured on the contractor's insurance.

**Morrie:** We have no financial responsibility.

**Sarah:** Sounds good.

**Steve Sherwood:** Or future maintenance

**Morrie:** Or future maintenance responsibility as to the

**Chris:** See how see how easy and nice we are.

**Sarah:** We appreciate that.

**Stacey:** Okay.

**Morrie:** Yeah, it it's fine. And this is a conforming copy of the agreement which would be signed by you (Terry Phillippe).

**Terry:** (Steve Sherwood) have you looked over?

**Steve Sherwood:** I have not but I trust Morrie, he's gone through it all

**Morrie:** I have gone through it all

**Steve Sherwood:** We discussed it prior to the meeting so it meets all the criteria we discussed

**Chris:** The project itself has not changed we can do the project just as originally planned um which we think will leave the drainage uh at least we'll be repairing what we disturb and hopefully making it better. Not as far as maybe was, you know, maybe contemplated but

**Steve Sherwood:** I did do a bit of research as you recall last time, we discussed it. Um, I mentioned that Bobby Howard did previously uh get maintenance of concrete ditches uh not allowed by the county. And thanks to his help, I did find it in the drainage board storm water board minutes of February 23, 2009 that says that we have uh no maintenance as it is a private issue and then not to be maintained by the county. So, I did find that in writing as uh Bobby recalled it to be

**Morrie:** Policy of the county.

**Steve Sherwood:** Policy of the county not to maintain concrete land ditches

**Sarah:** Okay, I guess we're finding that. I'll make a motion to approve that then

**Morrie:** Chris. Um, the agreement calls for a slight change in the bottom of our surface water drainage. Um, instead of a concrete ribbon, you're going to install I was looking for the language

**Steve Sherwood:** flex cement.

**Morrie:** No,

**Chris:** In this agreement?

**Morrie:** No, you were, you were

**Sarah:** like some kind of concrete putting

**Steve Sherwood:** concrete pyramid woven into a mat

**Russell:** articulated block.

**Morrie:** Yeah, articulated blocks. Articulated blocks.

**Chris:** So, it's like a flex.

**Steve Sherwood:** The common name for the trade product is flex cement.

**Sarah:** Okay.

**Steve Sherwood:** We've used it on a few federal aid roadside ditches in the past

**Chris:** and so that's acceptable and it'll replace the concrete bottom at least in that portion with that. So, okay. and the head wall be replaced and all that too.

**Terry:** (Stacey) She (Sarah) made a motion

**Stacey:** Second.

**Terry:** All in favor? I (3-0)

**Chris:** thank you.

**Terry:** Thanks, guys.

## 6. Comments & Discussion

**Terry:** Okay. Any other comments for drainage board questions?

**Steve Sherwood:** I do have one other issue I'd like to discuss with the board before moving to storm water. County surveyor asked me to do some research on solar farms and this is just being brought to your attention and you're not prepared to discuss anything. Mr. Spinks has yet to put on the agenda. If you go through the cover letter,

**Terry:** How many pages is this?

**Steve Sherwood:** Oh, I've only got two pages up front. Most of it is attachments as you'll find out. I was at uh a conference last week. One of the topics happened to be solar farms and I met the county surveyor Greg Lake from Howard County and he was gracious enough after his presentation to send me copies of all the agreements and ordinances his counties had in place for a number of years regarding solar farms. So, all those are attached for your use and review and you can probably forward them on to uh Morrie's use or county attorney's use or whatever you deem necessary. The big thing I wanted to present to you is that I found very interesting that in there Howard County hired a consulting engineer to oversee the construction of the project. In there, you'll find language that the county entered an agreement 60 days prior to starting construction. And the interesting part is they made the developer pay for all of that fee, which I think and I briefly mentioned to Mr. Spinks last week that I don't think the county or his office has the resources to monitor up to as APC paperwork submits that it could be a five-year construction project. So, I'd like the board to consider that as this moves forward that I'm trying to uh assist Mr. Spinks research and getting some of that information out there. So, you'll find in there that there's an agreement for use and repair of drainage facilities and a request for proposals for consulting services. I just referenced an agreement for use, repair, improvement of the roads. I think we're working on RUA for the current Rustic Hills solar farm. And then the head of board of commissioners' ordinance concerning solar energy systems. I think we have something similar, but there may be other information in here you may wish to add to your solar ordinance. And then of course a decommission agreement which I think we are getting one in place as well for rustic hills. But this gives you a feel for what other counties in the state are encountering. There's some other stuff that's not mentioned. We'll probably discuss in the future such as traffic. They mentioned a lay down yard of about 36 acres in their drainage plans, but I have yet to find it. So, I'm going to ask them for some clarification. Some of the other problems Howard County encountered which they would they would have thought of earlier was the noise and their solar units were piled driven posts in the ground which makes for a wonderful metal noise.

**Sarah:** Absolutely.

**Steve Sherwood:** That you want to establish hours so not to upset the neighborhood. I'm not sure how these are going to be constructed yet, but the other big thing I thought was important was grading of sections needs to be done in advance and revegetated ground cover established before you come and construct the solar panels. Help cut down tremendously on erosion, he said.

**Sarah:** So, have you shared this with Steve Roelle?

**Steve Sherwood:** Pardon?

**Sarah:** Have you shared any of this with Steve Roelle because I know he's working with this now

**Steve Sherwood:** No, I have I have PDF copies of all this. If you wish me to share these electronically, let me know who I need to send them to. But the county surveyor, you three and Morrie are seeing this for the first time. I literally finished this one hour before the meeting today.

**Sarah:** Yeah, I think a discussion with Steve (Roelle) as he is like actively working through some of this for Rustic Hills would be really good.

**Steve Sherwood:** I appreciate Mr. Lake, the county surveyor in Howard County, sharing all this information with me. I think it will pay dividends for us to at least have some healthy discussion on it moving forward.

**Terry:** Very good. Thanks for that work.

**Steve Sherwood:** That's all I want to report it under drainage board.

**Steve Spinks:** Thank you, Steve. That's fantastic. Good work.

**Steve Sherwood:** As I alluded to you last week, I was still trying to get some stuff wrapped up.

**Steve Spinks:** Yeah, it's outstanding.

### **Storm Water:**

**Steve Sherwood:** So, under storm water business, all I have is for your discussion is I'm still looking at establishing a storm water fee structure and ordinance. I think I've narrowed it down to two counties. I'll be sharing that with you probably before the next meeting for your consideration. One of them was Howard County. And the interesting part about that is they only had a thousand-acre land used for SWIP fee.

**Sarah:** Where is that?

**Steve Sherwood:** That it's in Kocomo.

**Sarah:** Okay.

**Steve Sherwood:** Surrounding County of Kocomo. And their SWIP fee maxed out at \$100,000 because that was the most, they could take in for getting up to the amount of acreage. As you see here, we're going to be in upwards of 2,600 to 2,700 acres, which makes us a rather large solar field. If you recall, the one in Rustic Hills, the two sites, but they're pretty much side by side, is only about 1,400 acres. These sites here, as my letter explains, there's about 10 different property owners and about 54 tracks involved collectively, and they're spread out. If you go to the map on page two, it shows you the general layout where it is east and northeast of Tennessee.

**Stacey:** Yeah, I've already met with that guy a couple times where this was that documentation that I said 500 pages for us (Commissioners) to go through.

**Steve Sherwood:** So, if you have no question on sweat fees, I do have one other item Morrie and I discussed prior to the meeting. I think we need to have the board's input on at this meeting today. I don't know if you can see this, but this is a lot in Victoria National. There was a dedicated drainage easement off the original plan here, and this storm sewer structure was built down this easement. Then they did a plat amendment in 2004 and had a new easement dedicated over here. And then they did a street amendment to relocate the drainage. Well, Mr. Gupta, who owns and resides at this lot, and if you would pass that down to each board member for a brief look at, the storm water structure was never relocated. The easement has been vacated, but the structure is still there. And had he not called with problems, we never would have known. But we're at a dilemma on where to go with this. It it's collapsed in several sections. Mr. Gupta is a doctor at Ascension. He's very interested in getting this resolved because right now all the water runs down his driveway into his rear patio and pool area. So, Morrie and I had discussed where was the ball dropped and we think we by chain of title where the ball was dropped. Morrie would you care to explain going forward?

**Morrie:** Looking at when the motion or the application to vacate, which ultimately came to this board, predecessors, it looks like it was done in 2004, February the 26th of 2004. Looking at the chain of title to the real estate in 2004, that property upon which the vacated easement was located was owned by Mr. and Mrs. Daniel Hermann, H E R M A N N, of Evansville. It's changed hands three different times since then, but Hermann's were the original owners. What I'd like for the board to do is instruct us to try to reach out and see if we can locate Mr. and Mrs. Hermann and find out why this wasn't constructed after they vacated, move the easement. And then ultimately, if we can't find them, I guess we move up the chain of title to Mr. and Mrs. Adams. They were the second owners. And then ultimately, Mr. Langenberg, LAN GEN BERG,

and he was the owner immediately prior to Mr. Gupta. So we have to see if we can track down why it wasn't done. We'll start with Mr. Hermann.

**Sarah:** So, to what end, like what responsibility would the Hermann's have?

**Morrie:** Steve (Sherwood) and I estimate

**Steve Sherwood:** Could be between \$80,000 to \$100,000 relocating structures and filling in the old

**Morrie:** They promised in the relocation that they would relocate the drain. They didn't.

**Steve Sherwood:** We have drainage board amended plans showing it was approved but just never done.

**Sarah:** To the Adams they may not. If they knew nothing of it, they have no responsibility.

**Morrie:** Chain of command. I mean it would be chain of title. So, A to B, B to C, C to D. I mean,

**Sarah:** But if they had no knowledge, if it wasn't disclosed,

**Morrie:** I'm not sure knowledge was required.

**Sarah:** Oh, really?

**Morrie:** Yeah.

**Steve Sherwood:** But the vacation happened in '04 and the building permits were pulled in 2006, two years later.

**Sarah:** Okay. So, when was the home built?

**Steve Sherwood:** 2006.

**Sarah:** Okay. That's what I was under the assumption the home was already there. It changed hands. The property had changed hands.

**Steve Sherwood:** It was all vacated before the home was ever on property.

**Morrie:** And that quite frankly was because the drain cut through the center of the lot almost.

**Steve Sherwood:** You can see it better on the aerial here.

**Sarah:** So, whoever the builder was would have had knowledge of that.

**Morrie:** My contention would be

**Steve Sherwood:** Well, whoever conveyed the property in '04 to whoever owned it in '06

**Morrie:** Which would have been Hermann's to the Adam's. And now this is failing and we're not sure why. I mean you've run a camera down it.

**Steve Sherwood:** Yes, we've run camera from both ends.

**Sarah:** Is it going under the driveway though?

**Steve Sherwood:** It goes under a portion of the driveway under the landscape wall differential of elevation. And you can see the pipe still comes out in the seawall there at the lake and it's a straight line.

**Morrie:** The pipe is galvanized?

**Steve Sherwood:** plastic ADS plastic 18 inch. We had tree roots growing through it because they planted trees where there was an easement at the time, but now it's not an easement. So, you can see how complicated.

**Terry:** So, it can't be lined in other words.

**Steve Sherwood:** No

**Terry:** Even as a band-aid?

**Steve Sherwood:** No, can't do a band-aid at this point.

**Terry:** Okay.

**Steve Sherwood:** There's several spots where it's collapsed.

**Terry:** How long is it?

**Steve Sherwood:** Almost 300 ft.

**Terry:** And what's what was the length of what should have been installed?

**Steve Sherwood:** Pardon?

**Terry:** What's the length?

**Morrie:** Longer

**Terry:** Yep. I figured it'd be longer. Yeah.

**Steve Sherwood:** The new one will require similar footage and two new manholes to reroute it to the platted easement, which we have approved plans for, but they were never built.

**Sarah:** Is this, this is not our drain to maintain?

**Steve Sherwood:** It is currently. Yes,

**Sarah:** It is ours. Okay.

**Steve Sherwood:** And that's Mr. Gupta's concern is he doesn't want to have to flood anymore.

**Morrie:** It is flooding the Gupta property.

**Steve Sherwood:** This may take

**Sarah:** So, we are trying to find out so that we can ask this to be paid

**Morrie:** Yes,

**Sarah:** Mr. Gupta is trying to

**Steve Sherwood:** And this may take some time to get to where it's resolved, which is Mr. Gupta's concern.

**Terry:** Who owns the property to the east?

**Steve Sherwood:** Mr. Combs.

**Sarah:** Okay. So, is the ask going to be as this is figured out that

**Morrie:** We're going to start out by asking why it wasn't built?

**Sarah:** I didn't know if this if this drags out some time. Are we going to go ahead and fix this for Mr. Gupta? So, that

**Morrie:** that is a pretty expensive fix. I mean, you could this board could instruct us to fix it, but it's an accepted drain. but it was never built

**Steve Sherwood:** And never relocated per all the vacations, approved drainage plans, etc.

**Morrie:** And it's an expensive fix, rough estimate

**Steve Sherwood:** Which is all more reason why we ask for credit on the drainage plans.

**Terry:** I'm good with these things get done.

**Sarah:** Oh, absolutely. Yeah. I just wonder if that's

**Morrie:** Consensus is

**Terry:** Yes

**Morrie:** Reach out to the original owners follow through the chain of title

**Steve Sherwood:** We'll start with the original owners and the vacation process people and see what happened between them and the builder of the lot two years later. That's all that I have for the board. I appreciate you allowing me to bring that last one up with no warning.

**Terry:** Seems like we're on a treasure hunt sometimes, doesn't it? Final motion.

**Sarah:** I'll make move to adjourn.

**Stacey:** I Second

**Terry:** Meeting adjourned.