**MINUTES**
**WARRICK COUNTY DRAINAGE BOARD**
**&**
**DEPARTMENT OF STORM WATER**
***February 2nd,2026***
***2:30 pm.***
Regular Session
Old Historic Courthouse
107 W. Locust St. Suite 303
Boonville, In 47601
812-897-6170

The Warrick County Drainage Board and Department of Storm Water met in regular session with Terry Phillippe, President; Sarah Seaton, Vice President; Stacey Franz, Secretary; Morrie Doll; Attorney, Steve Sherwood, Storm Water; Steve Spinks Surveyor; and Ashley Knight, Recording Secretary.

Present in the audience: Jen Curry, Jason Baxter, Sherrie Sievers, Jeff Daily, Bryan Byers.

## PLEDGE OF ALLEGIANCE:

President Terry Phillippe: I'd like to call the Warrick County Drainage Board regular session February 2nd, 2026 to order. Please stand and recite the pledge with us.

## APPROVAL OF MINUTES:

President Terry Phillippe: next order of business is approval of minutes from the January 12th, 2026 meeting.

Commissioner Stacey Franz: I'll make a motion to approve.

Vice President Sarah Seaton: I'll second that.

President Terry Phillippe: All in favor 3-0.

**CLAIMS:**

President Terry Phillippe: next order of business is approval of claims.

Commissioner Stacey Franz: I'll approve the 353.68.

Vice President Sarah Seaton: I'll second that.

President Terry Phillippe: all in favor? 3-0

**BSM- Group/ Legal Drain**

President Terry Phillippe: next up is BSM legal drain crossing.

Bryan Byers: Bryan Byers from Spectrum representing BSM.

Morrie Doll: this is the application for the crossing at County Road 475 North?

Bryan Byers: yes, there are a few of them.

Morrie Doll: lets try to identify them as you make you; you're going to make all 9 presentations?

Bryan Byers: yes, I actually have 10.

Morrie Doll: I have 9.

Ashley Knight: I have 9.

Bryan Byers: I've got some copies here. Basically, some if you want to see them, they're well, an overview of the 10 locations.

Morrie Doll: yea that wouldn't hurt, I guess.

Bryan Byers: I don't have many copies but its basically a set.

Steve Spinks: so it's an overview then?

Bryan Byers: basically, an overview of each.

Morrie Doll: well, I think we need to make this a vote on a case-by- case basis.

President Terry Phillippe: want to start with the first one on the list, which is County Road 400 East and Folsomville Degonia Road.

Bryan Byers: and they're in order on those pages. This is a drain crossing.

Steve Sherwood: just for some background information on these; these all come from Warrick County Road right away applications where during my review of the permit they weren't probably aware they were crossing a legal drain or they may have but sometimes they're not. And I marked the county road permit to forward them to the county surveyor's office on a case-by-case basis so they can come in and get permission to cross each legal drain. Is that pretty much what you recall?

Bryan Byers: yeah, some of these there one of these permits has multiple drains…

Steve Sherwood: application, right?

Bryan Byers: we've been approved pending the drain permit approved for the overall county permit and then we put in a separate permit for these drains specifically.

Steve Sherwood: and they're aware of the requirement and most of the permit's application on road right away say they are going to be 5ft below the flow line but still I don't have the authority to approve the work in a legal drain. Morrie, I think that's been common so far.

Morrie Doll: that's right.

Steve Sherwood: so new county surveyor if he's got anything different. He can speak to that effect.

Bryan Byers: like I said there are 10 listed overall. There's three within a certain section which are listed first under we call it area EV100. The Lennis Heart on 400 East, The Brian Skelton on 500 East, and the K&H on Skelton Road.

President Terry Phillippe: So, counsel, when you referenced doing these one at a time, did you mean each crossing?

Morrie Doll: each crossing.

President Terry Phillippe: is there anything? These are all fairly contiguous in their scope of work, is there anything unique about the Lennis Heart crossing?

Bryan Byers: nothing I've seen on any of them. I, mean we've done these crossing before. Our contractors know the requirements and the bore depth in the rightway.

Steve Sherwood: and they're all proposed as bores as he stated. None of them are open cuts.

Steve Spinks: yea, you're going to have a bore machine. Correct?

Bryan Byers: correct.

Steve Spinks: sitting on one side of the legal drain and then you'll be boring down underneath of it?

Bryan Byers: correct.

Steve Spinks:  I was in the operating engineers for 28 years, so I know a little bit about that. And how deep are going to go under the drain?

Bryan Byers: 5 feet.

Steve Sherwood: minimum of 5ft.

Steve Spinks: 5ft yeah.

Bryan Byers: we can go deeper.

Steve Spinks: are you gonna; are you going to test it and make sure its five feet?

Bryan Byers: yea they have capabilities of testing depth as a boring.

Steve Spinks: all right. Now are you using sonar on that to where they can hear underneath there? Some of them boring machines have sonar.

Bryan Byers: what they have currently, I'm not sure but I know they can test depth on that. And they're pretty accurate if they're know they are going to hit anything or anything in the way. Of course, there's no locates to be done prior for everything.

Steve Spinks: see, well, one of the main concerns is, you know, these legal drains are underneath the jurisdiction of the surveyor and I'm the surveyor. So, when we have these cleaned, we just want to make sure that you are at least five feet down below there you know, because we can vary a little bit. And I know some of them things can go up and down a little bit, too. So, I just want to make sure that you're at least five feet underneath.

Bryan Byers: and we can go deeper if we need to. We have to do railroad tracks, too. And we got to be 15 feet from all those.

Steve Spinks: 15 feet under a railroad track.

Bryan Byers: its not quite 15, might be 10, 15. I can't remember the exact. We haven't done one in a while. Going deeper than 5 is easily attainable. If you prefer?

Steve Spinks: no, I think 5 would be fine. That's pretty good depth you know.

Steve Sherwood: I think their permit application also states they have to put some type of sign on each side of the embankment when they cross it so people in the future know that there's a buried utility there.

Bryan Byers: generally, a ground marker on each side.

President Terry Phillippe; so, we'll entertain a motion for the first one.

Vice President Sarah Seaton: I'll make a motion.

Commissioner Stacey Franz: I'll second that motion.

President Terry Phillippe: all in favor? 3-0. That one was the Lennis Heart. Next up is the Bryan Skelton crossing. Is there anything unique and identified about that one? Standard practice?

Bryan Byers: yes, sir.

Vice President Sarah Seaton: I'll make a motion.

Commissioner Stacey Franz: I'll second.

President Terry Phillippe: all in favor? 3-0. Next one is the K&H Lat Crossing. All three of these are under the EV100 by the way.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillipe: all in favor 3-0.

Commissioner Stacey Franz: sir, I do have something; I don't know if it goes through you or not. But I live out that way and we recently had Spectrum come through and they did the pipes and that was all great and then they were continuing to re come up the road like past the Church and what not. My only concern was when I was trying to get back and forth from home on some of those roads, its so curvy. There was nobody out there directing traffic.

Bryan Byers: okay, that is something they should be practicing.

Commissioner Stacey Franz: yea, so there was at one point I almost had a head on because nobody was; I needed to get home and I couldn't see and so I just took the chance and oh my goodness.

Bryan Byers: I'll bring that up to the contractor's attention.

Steve Sherwood: and one of your questions too, Stacey was that they're pumping water out of local creeks to fill their bore tanks.

Commissioner Stacey Franz: on the bridges. Yea, people have contacted me like, why is this equipment on the bridge? And I didn't know what it was, so I took a picture of it, sent it to Steve and Bobby as they work in that. But I think they were like sucking water out to help cool off their equipment or I don't know I hope they weren't putting anything into the creek.

Steve Sherwood: they use water in their boring operations. They feed it through to make sure that the bore head can go through.

Commissioner Stacey Franz: and they might have just left it on the bridge until they were don't at the end of the day. That might have been something, so I just tried to tell people while they're working on, you know, they're getting this installed and just leave it alone.

Bryan Byers: Ideally leaving it on a bridge is not optimal space for something like that. They shouldn't be leaving it.

Commissioner Stacey Franz: if I wasn't an honest person, honestly, I could have taken that one. I didn't know what to do with it at all.

Bryan Byers: I'll bring that to their attention.

Commissioner Stacey Franz: more so just making sure that there's somebody there to make sure we're not going to get wrecks.

Bryan Byers: yea they should be using signage on all non- visible areas or ever if we're any kind of roadside work. If we find them doing that, we put a stop to it and get sign something out there.

Commissioner Stacey Franz: well, I tried to talk to one of the gentlemen and had to get somebody else who had to get somebody else because the language barrier there but he was very nice once I finally got the person too.

Bryan Byers: and most of those should have, we use a company called Irvin to oversee all the subcontractors that we use. And generally, they'll have some sort of field supervisor out there with them on these. So, every once in a while, we've kind of reiterate that to them just so not just the subcontractor out there just working on their own.

Steve Spinks: Stacey, I was to address that a little further. I would like to have your phone number and also your whoever's going to be in charge out there on these job sites because my procedures as the new surveyor is going to be. I will have a picture taken of each job site. Prior before you starting one day, I would like a 24-hour call that when you were going to start on one of them, okay? There'll be a picture taken. And then there will be a drive by. I myself or my first technical deputy will drive by and just kind of spot check. And see if there's any issues. Like Miss Franz commissioner stated, you know, there was something on the bridge. We can't have that, you know, because it could cause an accident. So that's what we're going to be checking. And then I'm also the pictures are also for one will be taken during the work and then one after when you are done because I just want to make sure that we all take care of these legal drains. When you finish up on this project, each one should be no trash, should be no damage and that file by those pictures will verify that. Miss Franz, that won't happen. As your surveyor, I will make sure that those things are taken care of.

Commissioner Stacey Franz: well, they were very nice. I mean when I spoke to them and on the bridge, it was like its only this big. It wasn't in the way at all.

Bryan Byers: I appreciate that because these are things that we don't sometimes don't catch because we're not out there every day.

Commissioner Stacey Franz: which I'm thankful now because we hooked on.

President Terry Phillippe: so next section is the EV102E.

Bryan Byers: most of these are along that county road 475 and are all obtained within I think one permit. There's one powers is actually on state route 161.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. Next one is K&H Lat not to be confused with the first one we've done. This one is under section EV102.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. Next is Coles.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. Sir is there anything unique in identifying about any of the rest of these standard operating procedure? Next one is Shelton Knapp.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. Next is Shelton Knapp L1.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. Next is Wires.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0. And last one is Hutchinson.

Vice President Sarah Seaton: I'll make a motion to approve.

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: all in favor? 3-0

Morrie Doll: is that 9 of them? But you have 10.

Bryan Byers: that's 10. Seven in the 102 and the three within the…

Steve Spinks: 10 was an overview. I do have a question. One last thing here. I need to direct this to the legal counsel down there. I noticed on review of this just now when we got here every one of these top papers the date has expired. Morrie will that be a; do we need that corrected before they can start the work in case, they were to hit something?

Bryan Byers: is that the start date that was present?

Steve Spinks: well, every one of these have start date and ending date. Every ending date has expired by the 25th.

Morrie Doll: where are we on those?

Steve Spinks: the front paper, my front paper of each of them.

Morrie Doll: the 25th of January.

Bryan Byers: the meeting got pushed a couple of times. One due to well of course the recent weather and then had some scheduling conflicts throughout the holidays.

Steve Spinks: I just wanted to make sure that with that date expired.

Morrie Doll: Are you Mr. Cole?

Bryan Byers: Mr. Byers.

Morrie Doll: its Jessica Carr.

Bryan Byers: that was probably the date put on the drain permit. The drain applications itself. The county permits I believe are all still intact that these are included with. If we need some dates changed, we can.

Morrie Doll: we probably ought to have these updated now. I think she can probably make that change by initial. What's the end date? I mean what is it going to be? It says you're going to start one week after approval.

Bryan Byers: that's when we can start.

Morrie Doll: are you going to start on all 9 of these projects?

Bryan Byers: 100 would probably be first then 102 would come later. I would say withing the next month, we're going to be out there doing it.

Morrie Doll: well, can you get with Jessica Carr and have her get with Ashley and make these corrections so the date match?

Bryan Byers: yea we can do that. I think that was, like I said, I believe those were entered on the initial.

Morrie Doll: they were done a long time ago.

Steve Spinks: there were a couple setbacks. We had that bad weather and then I think that one time the hour difference one of you people was supposed to.

Bryan Byers: they gave me a schedule but they gave me the council meeting you guys have at 4. It's been a while since I've been up here one of these but…

Steve Spinks: so there has been some setbacks. I just want to make sure them dates was correct in case there was they hit something underneath; underneath there when the was borne and we had a major catastrophe or something happen. I want to make sure this county and this office the surveyor was covered underneath these dates.

Bryan Byers: yea we can get those corrected.

Morrie Doll: its really the end date, that's important. The others say one week after approval, well approval is happening today.

Bryan Byers: I'm not sure what they have on that.

Commissioner Stacey Franz: they have the end date like two months after.

Morrie Doll: so, you need to update that.

Bryan Byers: And then we still got to do the hold harmless agreement sent to us?

Morrie Doll: yes, I'll get with Ashley and get the hold harmless prepared.

Steve Spinks: don't forget to get me your name, contact number and that of your foreman that will be on the job site.

**OTHER BUSINESS:**

President Terry Phillippe: Steve Spinks Howard Williams Ditch.

Steve Spinks: I wanted to update the board a little bit. Phase one has been completed. We removed five beaver dams out of the Howard Williams Ditch. The water level did seem to drop a foot and a half to maybe two foot. So, we're working on that situation down there to try to get that backwater under control. So, that's all I wanted to let ya'll know. The drainage board and also those that watch that we are working on that down there. We have more to do. Phase two, I'd like to go into phase two. I got to work out some things on that and that would be removing of the silk that we can continue to make that nice down there and presentable. That's the big spot down there for the county. Deaconess Gateway big spot.

President Terry Phillippe: okay, anything else for drainage board?

Steve Sherwood: question do we have any forward progress on the beaver removal contract?

Vice President Sarah Seaton: its on the agenda tonight.

Steve Sherwood: oh, it's on tonight's agenda? I thought I saw it was supposed to come up somewhere. That would be good, get that worked out. I think Sherrie has been working on with Mr. Spinks.

**STORM WATER DEPARTMENT:**

Steve Sherwood: Thank you Mr. President. If you all will look at the big black binder in front of you. As I was requested to do some type of presentation, I decided to do a 62-page report. You were all emailed a copy of it Friday. The larger portion as I stated in the email, was black and white for you. You have the color portion, which is basically the middle exhibit C. I have contracted six of the seven council members. I have yet to get a hold of Brad Overton. None of them will tip their hat as to which way they would make a decision. I have presented the $7.50 cent per month storm water rate fee increase as asked by this board and will appear before county at 6pm tomorrow night. Morrie will accompany me as will Jennifer from our office. You are all welcome to attend, but I wanted to put the report in your hands today in case you have any questions. One council member has picked up their report already and the other six will be presented prior to the meeting tomorrow night in case they have any questions. I did have one call from Mr. Bacon who asked a very reasonable question. Why aren't we making these developers fix these problems? And I said, well, most of these are projects or rather subdivisions already under our maintenance for years. I said a lot of these problems were a result of early development subdivisions built in the 70's before any drainage ordinances existed and basically our current newest drainage ordinance that we finally have one is to remedy most of these problems we've been experiencing. Some of the other problems such as subdivisions built in the 90's or 2000 were because the drainage structures namely plastic pipe were put in without the proper back fill or bedding and the pipes deteriorated. Some of the older 70's projects had

corrugated metal pipe which basically we've exceeded the useful lifespan of corrugated pipe. You know 40, 50 years plus. And some of them are just merely drainage easements with very little slope that the property owner just does not maintain which then causes problems as it backs up. And I did an explanation on each of the projects listed in the Baker Tilly report. Gave them a four to five, six, seven-page explanation on each one, how the money is to be spent and for what. And then Mr. Spinks, which I believe this originally started with Mr. Wilzbacher had an amount in there to help assist them on certain future legal drain projects. We'll have to come back for appropriations obviously if we get the storm water rate fee increase. And I can't speak to that because Dennis didn't share that information with either Mr. Spinks or myself. So, I don't know specifically what those dollar amounts were for. And I don't think Mr. Spinks or myself or Ashley has had a chance or any success in getting Mr. Wilzbacher to say what those dollar amounts were for.

Steve Spinks: I reached out last night, tried to call him and not get no return, but I will continue to try because maybe he was tied up.

Steve Sherwood: So, if the board has any questions about the report between now and tomorrow night, by all means, please let me know by phone call, stop in the office, email whatever. But I think it should be pretty clear cut and concise as to what we're asking for. And if you look at the very back exhibit, it contains an eight page or so breakdown or what we spent all the money on major projects basically from 2014 to 2025.

President Terry Phillippe: did a good job on that Steve thank you.

Commissioner Stacey Franz: that's a lot of work.

Vice President Sarah Seaton: Thank you, would love to be there but I will not be able to so good luck.

Steve Sherwood: that's all I have for the board today.

**MOTION TO ADJOURN/RECESS:**

President Terry Phillippe: final motion.

Vice President Sarah Seaton: I'll make a motion.

Commissioner Stacey Franz: I'll second.

President Terry Phillippe: thank you. All in favor? 4-0