WARRICK COUNTY DRAINAGE BOARD

REGULAR SESSION - AGENDA
107 W. LOCUST ST., STE. 303- BOONVILLE, IN 47601
PHONE - (812) 897-6170

SARAH A. SEATON **TERRY J PHILLIPPE** **STACEY FRANZ**

Meeting Date: June 29, 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: Steve Sherwood, Morrie Doll, Stacey Franz, Terry Phillippe, Sarah Seaton, Amanda Mosiman, Steve Spinks and Ondrea Temme.

The meeting was called to order following the Pledge of Allegiance.

1. Approval of Minutes

June 8th meeting- Stacey Franz made motion to approve, Sarah Seaton seconded motion. Approved unanimously (3-0)

2. Drainage Review Requests

A. Animal Control Building Expansion

- Jim Morley w/ Morley& Associates -request for no drainage improvements related to a small expansion of the Animal Control building.
- It was noted that:
  - The project involves only a minor addition to the existing building.
  - The expansion will have a negligible impact on drainage.
- Recommended approval of the request for no drainage improvements.

Sarah Seaton made motion to approve, Stacey Franz seconded motion. Approved unanimously (3-0)

B. Primrose Retirement Community

- Jim Morley w/ Morley & Associates -request for no additional drainage improvements.
- Discussion included:

- The project will reduce the amount of impervious surface on the property.
- Existing and previously amended drainage plans already address the site's drainage requirements.
- No further amendments to the drainage plan are necessary.

Sarah Seaton made motion to approve, Stacey Franz seconded motion. Approved unanimously (3-0

3. Drainage Complaint – Donald Howerton

- The complaint concerns standing water on a neighboring property rather than Mr. Howerton's property.
- Staff reviewed:
  - GIS maps and property plats.
  - Photographs from recent rainfall.
  - Existing drainage patterns through the subdivision.
- Key findings included:
  - Standing water exists on a neighboring property more so than Mr. Howerton's.
  - A fence on the neighboring property may restrict the natural flow of water; however, it is not located within a designated drainage easement.
  - The subdivision was platted in 1966, and there are no recorded drainage plans for the development.
  - The county maintains drainage only within public road rights-of-way and cannot use public funds to improve drainage on private property.
- Board members discussed:
  - Whether the county should request removal or modification of the fence.
  - The importance of avoiding a precedent of directing property owners to remove fences on private property.
  - Potential mosquito concerns if standing water persists.
- Consensus of the Board:
  - The drainage issue is located on private property.
  - The county has no responsibility or authority to make drainage improvements in this situation.
  - No action will be taken by the Board.
- Surveyor's office will notify Mr. Howerton of the determination. It was noted that he may disagree with the decision based on previous communications.

Agenda Item #2: Yellowstone PUD Discussion

The Board revisited the Yellowstone PUD drainage issue that had been tabled from the May 26 meeting.

Steve Sherwood reported that, at the request of the county attorney, a report was prepared and distributed to the Board on June 3, 2026. The report included cost estimates for two options:

- The developer's (Mr. Mattingly) proposed solution.
- Rerouting the drainage through the public right-of-way to discharge at State Route 66.

Steve Sherwood, noted that rerouting the drainage through the public right-of-way would be significantly more expensive but provided estimated costs for comparison.

Discussion focused on the County's legal obligation regarding the drainage issue. Sherwood, explained that the drainage problem was not discovered until development of the property began, despite existing subdivision plans having previously been approved. The drainage anomaly was not identified by either the original subdivision engineer or the County during plan review.

Sarah Seaton questioned whether the new cost estimates would change the County's responsibility and maintenance liability. County-funded improvements on private property could obligate the County to maintain the drainage system in the future.

Steve Sherwood further explained:

- The drainage originates from public roadway inlets but enters private property where it becomes part of a private development.
- The developer is responsible for maintaining the private streets and drainage system.
- If the property owner blocks the existing drainage, water could back up into the public road right-of-way, creating a separate public issue.

Mr. Mattingly argued that water from the public roadway is being discharged onto private property and questioned why private landowners are prohibited from directing water onto neighboring property while the County appears to be doing so.

Board members responded that:

- The drainage pipe predates County maintenance of the roadway.
- The pipe was installed by the original subdivision developer, not by the County.
- The County accepted maintenance of the roadway many years later but did not install the drainage infrastructure.
- Historical subdivision records indicate several drainage anomalies existed that were not identified during construction or acceptance.

The Board discussed previous repairs completed within the public right-of-way, including replacement of roadway inlets and pipe, noting that these repairs were limited to infrastructure the County is obligated to maintain.

Morrie Doll advised that:

- Public funds generally cannot be spent to improve private property without creating legal concerns.
- Even with a contractual agreement disclaiming future maintenance responsibility, such an arrangement could establish an undesirable precedent for future requests.
- If the County were to invest public funds, it would require a public easement or right-of-way and could still assume future maintenance obligations.

Board members concluded that neither the facts nor the legal opinions had changed since the issue was previously discussed several years earlier.

A motion was made to formally decline County participation in funding or constructing the drainage improvement. Sarah Seaton made motion to decline, Stacey Franz seconded motion (2-1).

Non-Agenda Public Comments

Brent Cochran, incoming President of the Old Hickory Estates HOA, addressed the board regarding two drainage concerns.

1. Drainage and Sinkhole – Brookfield Drive / Old Hickory Estates

- Mr. Cochran explained that following recent heavy rainfall, a significant washout occurred near 3200 Brookfield Drive, resulting in an approximately four-foot-deep, two-foot-wide sinkhole.
- The sinkhole has exposed underground utilities, including a gas line. CenterPoint has been notified, and the area has been secured with cones while utility work is addressed.
- Mr. Cochran requested a site visit to evaluate not only the sinkhole itself but also the broader drainage system, expressing concern that runoff from the area near State Road 261, Arbor Ridge Drive, and nearby detention basins contributes to excessive water flow through the neighborhood.
- Action**:** Steve Sherwood agreed to conduct a site visit at 3200 Brookfield Drive, review the approved drainage plans, evaluate the exposed utilities and drainage conditions.

2. Erosion Along Lyndhurst Drive

- Mr. Cochran raised concerns about ongoing erosion along Lyndhurst Drive, adjacent to property he now maintains on behalf of his mother-in-law.
- He presented a photograph showing substantial erosion that has exposed a cable line. He stated the eroded area has expanded significantly over the past several months.
- Mr. Cochran attributed the erosion to runoff flowing from farmland through the drainage easement toward Blue Lake.
- Board members indicated they were familiar with the location and explained that the drainage easement is located within the subdivision and traverses reclaimed coal mine ground, which is particularly susceptible to erosion.
- The board advised that, according to the recorded subdivision plat, maintenance of the drainage easement is the responsibility of the adjoining property owners, not the county.
- It was noted that any potential claims regarding increased runoff from neighboring property would be a private matter rather than a county responsibility.
- Discussed how more intense rainfall events in recent years have contributed to increased erosion throughout the area.
- Mr. Cochran acknowledged the explanation and stated that the site visit regarding the Brookfield Drive issue remained his primary request.

Storm Water Department Report

Westwood Subdivision (Sections A & B)

- Steve Sherwood reported that utility conflicts delaying construction have been resolved.
- Construction is now progressing, with the project estimated to be 20–25% complete.

Baker Tilly Proposal

- Mr. Sherwood presented a proposal from Baker Tilly to prepare a requested RFP at a cost not to exceed $20,000.
- Steve Sherwood indicated the work would not begin until later in the year to allow system changes planned for 2026 to be incorporated, with implementation anticipated to support 2028 tax distributions.
- Because the board had not yet reviewed the updated ordinance, members agreed to postpone consideration of the Baker Tilly proposal until the next meeting.

Meeting Adjourned Unanimously 3-0