WARRICK COUNTY DRAINAGE BOARD
MINUTES

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: May 11, 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, Sarah Seaton, Amanda Bailey Mosiman, Steve Spinks, Ondrea Temme, and Terry Phillippe (virtual)

Pledge of Allegiance

1) Approval of Minutes

April 27, 2026 Stacey Franz made motion to approve. Sarah Seaton seconded motion. Motion carried unanimously.

2) Claims

Morrie -Hold Harmless $330.00- Motion to approve. Sarah Seaton made motion to approve. Stacey Franz seconds motion.

3) Drainage Approval -Take 5 Carolina

- Derek Rinsler with Land Design Development, Civil engineers on the project discussed the details of the project. 0.9 acre lot at the corner of State Road 66 and Bell Road, splitting the property into two pieces. The approval would be for the addition of some infrastructure on the what is currently the vacant half of the lot that will be developed in the future by another tenant. The detention basin is on the Take Five property; drainage from the neighboring property will drain over to that detention basin, then the basin drains out to State Road 66 onto an outlet. INDOT has reviewed and approved the basin both for at the take five site and then once the out lot was added in as well.
- Steve Sherwood explained this project an approved drainage plan; this is just an amendment to allow for the bank property. I'm assuming everything that was already built that's paved over Take 5 is to accommodate the new and improved amendment coming from the drainage from the proposed bank site. I went over the numbers with the surveyor's office and I believe we're both in agreement that it meets the minimum county requirements.

- Steve Spinks- Yes, it does. I was out there today also. I did take some pictures. Everything looked good. The retention pond looked good and it's really a nice job.

- Sarah Seaton-I'll make a motion to approve, Stacey Franz Second. Terry Phillippe- All in favor. Motion carried unanimously.

4) Storm Water Department

- Westwood Subdivision Sections A&B Drainage Improvement Project
    - Pre-construction meeting this week, notices sent to 12 residents that border the work.
    - A drainage swell will need to constructed down the common property line of those

- Approved 2026 Storm Water Rate Fee Increase – Progress Report
    - County Attorney to Prepare
    - History - commissioners approved the council's increase that was approved in February 3rd. Then it came back before the board of commissioners on February 23rd, the board approved at 3-0. All that is needed now was an amended ordinance, which we've been working back and forth with the county attorney to get approved. Debbie will put it on the next available commissioner meeting for approval for this to move forward.
    - Jen Curry- Storm water admin – stepped to the podium to discuss on the timelines needed with the auditor and treasurer's office for implementation. So, assuming that this would go through fine, Barbie Shelton, deputy clerk in the auditor's office, agreed that we would start the process in 2027 to be paid in 2028.
    - Jen then discussed the potential need to figure out a contractor to go through the 18,380 current parcels to redo each fee rate. Baker tilly was suggested because they do Boonville City's storm water fees. This is a large project. Hence, we are soliciting an approval from the board for RFPs.
    - Discussion ensued on different companies to consult, the scope of work for the RFP, and data manipulation process tools.
    - Sarah Seaton made a motion for Stormwater solicit at least a minimum three proposals together and come back to the board. Stacey Franz- I will second.
    - Terry Phillippe-I have a first and a second. I'll say no to that. I don't think that's necessary. I think it's a service and I think we can just find somebody to help Jen with the database, but I have a first and a second. Motion carried 2-1

- 2026 MS4 Annual Conference, May 12th, 2026 – Plainfield, IN
  Steve Sherwood Attending.

5) Citizen requests/Comments

- Norman Miller - 6899 Miller Lane – AMAX Coal Slurry Impoundment
    - been here twice the commissioner meetings to talk about the issue; here today for an update
    - reminder, this impoundment is northwest of Chandler. right next to Pigeon Creek.
        - 22 million cubic yards of coal slurry, which is 594 million cubic feet, which is equivalent to 21 square miles, 1 foot deep.
    - property owners are getting really a little anxious because this started back in August and September with the past Surveyor. He felt so strongly about it he resigned his office. I've been working in the background trying to assemble some information and have done numerous requests from the state. And on September 25th, IDNR gave a notice and opportunity to correct to the property owner. At this stage, I can't find any evidence that they're in compliance with that notice of correction. In December, there was some dialogue between the commissioners and Terry suggested a meeting with the governor.
    - Terry Phillippe-Yes, sir. It did. I met with the governor in Jasper and the governor declined to basically step into that conversation. In attendance, he had one of his assistants with him who also

worked in the coal industry. Basically, said not a state problem, it's the private land owners. My suggestion for you to get more specific information from Warrick County would be to go talk to Matt Goeble, the EMA director; he is the person that is compiling all of the information and he can probably help you with some details.

- Norman Miller - Terry, I appreciate that. I've been in communication with Matt and I've gotten the information that he has. It was interesting that we got a letter back from Mike Shoemaker who is a professional engineer that was hired by Mr. Newmaster. As I understand, they're already out of compliance. He said the tree clearing has been done or would be done in the next three months is a high priority. Dennis, the past surveyor, had had Lochmueller and Associates put a series of pins down the east side in one location and they were measuring those pins for movement. Likewise, investigate an auxiliary spillway within the next four months. I don't show that's been done. Prepare an emergency action plan; that has not, unless Matt says he's got it, since my last correspondence with him and data request. Again, my concern is when the dam was inspected the previous time was December 29th of 1998. It had not been again inspected until Dennis raised the issue. It was inspected on October 21, 2025 by this Mr. Shoemaker's engineering firm out of Pennsylvania. It notes for monitoring that there are 21 survey monuments were monitored between May 22, 2025 and August 4, 2025 but not after that. It also notes that piezometers, this impoundment originally had piezometers all around it, which are bore holes that go down into the dam to be sure if any water is still infiltrating through that they detect that water.
- Terry Phillippe - Mr. Miller, let me let me interrupt you here. I apologize. Not trying to be rude, but we do have a three-minute time limit on public speakers. I do want to respond to you here. My ask to the governor was not for any specific remedy. My ask was for some help because if this is private property owner jurisdiction, which it is, he doesn't have the means to solve this problem. Nor does Warrick County. It's going to take cooperation amongst many entities to remedy the situation. I believe and I'm basing my thoughts on Mr. Wilzbacher's knowledge in history that this thing shouldn't be there in the first place. I tend to agree that I have concern. I'm not sure what your specific ask is other than to keep the awareness at the top of the heap.
- Norman Miller- Yes, I'm certainly trying to keep awareness at the top of the heap. Now the one thing that we got back from the engineer that Mr. Newmaster hired it said it is expected that the monitoring program will take more time to implement than originally inspected due in part to funding limitations. So, he's already giving us an indication that this property owner does not have the funds to correct this problem. I'm just saying as a concerned citizen; this is serious stuff.
- Mr. Miller then asked who had visited the site. Steven Spinks offered to take Sarah Seaton and himself out to view the property if Mr. Newmaster was willing. Steve Spinks agreed to work with him and asked Norm to give him a few weeks to gather information. Terry Phillippe then encouraged anyone going to the site to view in its entirety, especially going all the way around to the Pigeon Creek side and looking at it from the outside.

Sarah Seaton-I'll make a motion to adjourn. Stacey Franz- Second.

Meeting Adjourned

Submitted

Ondrea Temme &
Amanda Mosiman

