MINUTES
WARRICK COUNTY DRAINAGE BOARD
&
DEPARTMENT OF STORM WATER
March 9th, 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: Sherrie Sievers, Jim Morley Jr., Kyler Klein, Chris Bayh, Jen Curry, Jeff Daily, Debbie Bennet- Stearsman, Bryan Byers.

PLEDGE OF ALLEGIANCE:

President Terry Phillippe: I'd like to call the Warrick County Drainage Board regular session March 9th, 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 February 23rd, 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 for $822.46

Commissioner Stacey Franz: I'll approve the 822.46.

Vice President Sarah Seaton: I'll second that.

President Terry Phillippe: all in favor? 3-0

BID PACKETS- HOWARD WILLIAMS DITCH:

President Terry Phillippe: we have an update on bid packets from Howard Williams Ditch.

Sherrie Sievers: Sherrie Sievers acquisition administrator. I have got the new RFP done. Mr. Spinks has asked that I hold off on it thought. He is working with the railroad company…

Steve Spinks: CSX.

Sherrie Sievers: I think they've got some work if I'm not mistaken that you need to do, or that we need to do is that correct?

Steve Spinks: yes, in front of the trestle because we don't want to touch the trussells because they're getting rotten on the bottom. And so, I've asked them and I've made contact with an actual live person, and they said they put it on the agenda and that they're going to send a crew down there and remove all that driftwood from in front of the trussells and then we can go in and clean that.

Sherrie Sievers: So, I'm just on standby, I've updated the RFP with everything we need. I still need the linear feet to add in there. And then once I have that and you're ready to bid it out, I'm ready to go with the new RFP.

Steve Spinks: okay, I'll stay in touch with you.

Morrie Doll: are they going to take the trash out of the ditch when the railroad removes it from the trussell?

Steve Spinks: well, Morrie I've never actually I just come on in November last year, so I haven't seen it done. It has been said that they've done it before.

Morrie Doll: remove the trash?

Steve Spinks: yes. So, I'm not for sure how they're going to do it.

Morrie Doll: we need to hold them to that. We don't want them just turning it loose.

Steve Spinks: right, right. Yeah. Sending it down the creek to the next railroad trust. I will, I'll do that sir.

Sherrie Sievers: thank you.

Steve Sherwood: it's all underwater today, the water's up within a foot of the bottom of the trussells.

Steve Spinks: you know what I'm hoping? Well, I shouldn't say that. When the water goes down, it might all be gone. That be sending it down creek, we need to get it cleaned out.

HARMONY HILL:

President Terry Phillippe: Next order of business is Harmony Hill.

Jim Morley Jr.: Jim Morley Jr project engineer. And so, this is a subdivision that you all saw maybe a year or two ago and it was the same place just a whole lot more subdivision lots. Originally it was going to be lots that were I don't know an acre or two acre something like that. And now it's a subdivision that's going to have like 10 acre lots in it. They decided that demand was not there for the smaller lots to offset the cost of the infrastructure. So, on the front side you all see is kind of where in the world is it? On the back side you'll see kind of a zoomed it basically has 10 acre lots that front on the road on its west side and then along the highway across the bottom it got some like two-and-a-half-acre type size lots that front.

Steve Sherwood: for the boards reference, the original one had a north south road running down the middle with lots on either side. Now they just want the lots to be less in number and front what would be the east side of Eskew Road.

Jim Morley Jr.: yea, there's a whole lot fewer lots out here and because of the low density we're seeking a request for no drainage improvements.

Steve Sherwood: so, in general these are mostly 10 acre lots. I think there's a 12 acre at the north end and a five and a couple three and a third acre lots at the south end.

Jim Morley Jr.: yeah, it typically; it's a farm field now and typically if once its grassed, it'll actually have a lower runoff rate. A grass yard typically has a lower runoff rate that a dirt farm field has. So, we would not expect to see any adverse effects of this being…

Steve Sherwood: your only impervious surfaces would be rooftops, driveways, sidewalks, sheds, garage, whatever the fact. But as you said, it's normally demonstrated that taking a pasture,

especially on a 10acre lot, your runoff is even reduced from what it would be in a pasture by the time you make it all a grass lot, even with typical home improvements.
President Terry Phillippe: how many lots are there total?

Steve Sherwood: I think 17.

President Terry Phillippe: 17 and then 3.5 is the smallest.

Jim Morley Jr.: yeah, something like that.

President Terry Phillippe: I'll entertain a motion.

Steve Sherwood: anybody speaking for or against?

President Terry Phillippe: is anybody here to speak for or against? Yes sir, come on up. Sorry about almost skipping you.

Chris Bayh: Thank you, good afternoon. Appreciate it. I'm speaking here on behalf of company called Cypress Farms LLC. It's the property owner immediately to the left of the west of this property right across Eskew Road. Here to speak against this, not in opposing that there be a development altogether. It's okay if we can find a development plan that works. But there is we do have and I'm here with my client Mr. Hendrickson who you can see behind me. We do have a serious concern about doing this without a drainage plan in particular as the plot shows and as you'll see if you go out there if you're standing in the road, you're looking up on Eskew Road looking up at the property in question. You'll see it rises pretty darn sharply. Not so much that you can't build, not so much that drainage can't be accomplished, but the water comes down that hill and hits the ditch on the east side of Eskew Road from there. And it can collect very, very, very quickly in a significant rain. From there, it goes south along that road to where it hits a dry dam towards the bottom of the property and then goes under Eskew Road and onto Cypress Farms property on the east side. Our question, our problem isn't so much with the rate of runoff such as, you know, whether it's a versus a dirt field versus a grass field but what happens to it when it gets to that ditch. Right now, instead, what we had before was a plan for a road to run through the middle of the property. Now all we have are I suppose driveways that are going to connect these props these plats to Eskew Road to provide road access of course and how is the water going what is the plan to get the water under those driveways. We would like to object to this to the extent that there's no drainage plan and we think that law is pretty clear that it requires that there be at least some plan. And submitted materials here request that there be none and on the farm's checklist. This list is not applicable for number five. The lack of a drainage plan. I'm happy to hear any questions if you all have any.

Steve Spinks: can you explain what Mr. Hendrickson is wanting to do on the other side that this would affect?

Chris Bayh: Sure, what's planned on the other side is an IDEM approved land application operation to essentially to create soil excuse me nutrient-rich dirt. It's essentially create it recycles organic material and creates nutrient-rich dirt. That was approved by the Department of

Environmental Management in 2023. The applicant here Oakland Holdings litigated that issue to try to get the permit invalidated. Achieved an order requiring that the permit be reapplied for because of the lack of one piece of information because there was no soil PH that was submitted with the application. So, on a technicality we are reapplying for that permit. That permit application is an administrative order on that said with that one correction the permit should be issued promptly and notice of that has been given to all adjoining land owners including the applicant here that's what's being planned for the adjacent property.

Vice President Sarah Seaton: so, how do you feel that this is going to impact Mr. Hendrickson's plans?

Chris Bayh: we just want to make sure that the water is going when this is built, we want to make sure that the water continues to go where it's going now.

President Sarah Seaton: because your active interest is soil.

Chris Bayh: yes.

Steve Sherwood: for the record, did you state your name in the opening comments?

Chris Bayh: sure, Chris Bayh for Cypress Farms and I believe I neglected to. Thank you.

Steve Sherwood: would you like to respond to the comments Mr. Morley?

Jim Morley Jr.: Jim Morley Jr. Project engineer. So, the runoff will leave this site just the same way it's always left the site. It'll go to a roadside ditch down the roadside ditch and eventually under the road through covert just like it always has. As stated earlier and I guess he actually said he didn't he wasn't concerned about the volume. But the; it is pretty typical that we do the request for no drainage improvements has acted as the drainage plan for many projects that have come before this board that are low density type projects. So, that actually historically has been the drainage plan. In this situation, the water will come to the roadside ditch and then there will be driveway culverts for wherever there's a driveway coming off the highway or Eskew Road, either one. And those driveway coverts are typically part of that driveway house building permit. I think they go through the county engineer's office. So, Bobby Howard has the opportunity to you know to see that and everything. So, its overseen by the county highway department or the county engineer's office. And I sure don't see how this would have change in drainage patterns than what's out there now or any negative effects on anyone.

Steve Sherwood: and you don't have a primary plat approval at this point. This is drainage comes first. But your primary plat or in the end your secondary plat if any drainage easements are required, they'll be shown on your plat will they not?

Jim Morley Jr.: yea.

Steve Sherwood: so, you're not changing the drainage pattern at all. They ultimately will still drain to the same point or points they drain to now wherever it exception of adding driveway culverts. So, appropriate size where necessary.

Jim Morley Jr.: yea, it'll drain to the roads like it does now and then it'll drain down the roadside ditches like it does now and eventually under the roads through a culvert. But it is this process is the process we've done historically. This is what I would call low density subdivision lots that are about 10 acres in size is about as low density as you're going to get. And this is historically how we've handled these projects because especially when you're turning from an agriculture condition into a yard condition, you typically don't see anything negative there.

Commissioner Stacey Franz: so, it shouldn't adversely affect Mr. Hendrickson in any way?

Jim Morley Jr.: no.

President Terry Phillippe: so, let me understand this. Mr. Hendrickson's to the east, correct?

Jim Morley Jr.: to the west.

President Terry Phillippe: to the west okay. So, the water along the western border of the Oakland Holdings property goes from north to south, right?

Jim Morley Jr.: yeah.

President Terry Phillippe: and then when it gets to Eskew or to state road 61, it goes from…

Vice President Sarah Seaton: or does it at some point…

Jim Morley Jr.: there's actually a large culvert that crosses over to the pit underneath Eskew that it'll go…

Commissioner Stacey Franz: through this pit?

President Terry Phillippe: little north to south and then east to west.

Jim Morley Jr.: yeah. So, the water is all going towards them. So, they're downstream 100%. They're downstream, they're not getting any more water in any different fashion than what they are today.

Steve Sherwood: but there's two or three lots that border what we call the 261 bypasses. You have to get INDOT approval for those entrances.

Jim Morley Jr.: correct, we've actually already reached out to INDOT for that. And those coverts actually are design well not we design them. They're permitted through INDOT. But the ones on Eskew Road are permitted through the county. And so, from; I can't, I got no opinion on the litigation and the IDEM stuff. That part I got no opinion on. On a drainage standpoint, I'm

confident that this won't have any negligible or won't have any negative effects on the neighbor. We're not changing how water flows. It is going to go to Eskew road and under Eskew road. It would go to the highway, down the highway, under the road. So, I'm confident in that plan and this process is what we've historically done for projects like this.

President Terry Phillippe: thank you, anything else sir?

Chris Bayh: Thank you, again, our main concerns being the water coming into the ditch off the dry dam, which already, I should clarify, has culverts in it. East West oriented culverts. Are those going to continue to be there? is it going to be changed? Are they going to be expanded? And then once it hits that ditch, we would I think that it would be appropriate to show the details on how this driver is going to work. What size culverts, what dimensions covers just to make sure that we don't have a situation in which it's not sufficient to handle the flow. We don't quite know how the flow is going to change. We just again we're not objecting to this development going in. We just want to know the details about it because we're downstream, we're downhill you know. So, we want to ensure that this does not create a problem that jeopardizes our property, thank you.

Steve Sherwood: this subdivision is large enough that we won't have shared driveways because they basically have 300 foot plus frontages with 10 acre lots. We have had subdivisions where the engineer does size the pipe. The developing engineer sizes driveway culverts, but again the county would be sizing these. There is only going to be about 12-13 lots at front Eskew road and once we have a final plat with Mr. Morley's drain easements, we would be able to calculate a proper size driveway culvert.

Commissioner Stacey Franz: so, that would avoid the problem?

Jim Morley Jr.: yeah, the culverts he's referring to are all designed by the county. They're not…

Morrie Doll: sized.

Jim Morley Jr.: sorry, sized by the county.

Steve Sherwood: we give them the size, the type and how they're installed. It's up to them.

President Terry Phillippe: and additionally, it be the highway that would maintain the roadside ditch.

Steve Sherwood: currently do.

President Terry Phillippe: you guys do a good job at that, so I don't see any problems there.

Vice President Sarah Seaton: did you catch that part Mr. Hendrickson? I didn't know if he heard that part.

President Terry Phillippe: okay, thank you sir. Does that answer everyone's questions? Okay, I will entertain a motion.

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

Commissioner Stacey Franz: I'll second that.

President Terry Phillippe: I have a first and a second. All in favor? 3-0.

DURHAM at BERKSHIRE PUD:

President Terry Phillippe: next is Durham at Berkshire PUD.

Jim Morley Jr.: Jim Morley Jr. project engineer. So, this is out in the Freidman Park area. On one side is kind of where in the world are we map and this is just south of the entrance into Friedman Park off of Oak Grove Road and on the back side is kind of a zoom in and this is a little history lesson for you. Macon Corporation bought about a thousand acres out here 35-40 years ago and back then I mean it could have been in the different state it was so far out from development and now 35-40 years later and this is now the last piece of ground that Macon Corporation had out of that original purchase that is being developed and so it is the end of an era so to speak of the original purchase area and so, this is a standard residential subdivision. Regular set of pipes, drainage swells, detention basins. We drain four different detention basins on this piece of property. So, all of our water is detained and slowed down so it doesn't leave any and actually slower than what it did before. And it'll tie into a residential subdivision to the east and Oak Grove Road to the south…

Steve Sherwood: north.

Jim Morley Jr.: north, yeah sorry. Road to the north. And it's a nice project, and we asked for approval.

Steve Sherwood: I believe its 101 lots plus a couple out lots. And this concludes the last part of taking up the vacation of Prospect Drive, I believe as well.

Jim Morley Jr.: yeah, so Prospect Drive, a part of Prospect Drive was vacated, I don't know four or five years ago…

Steve Sherwood: about 3,300 feet.

Jim Morley Jr.: and it used to be Prospect Drive went through there because originally this was all going to be an industrial area. And as the industrial market kind of dried up and the residential market was going red-hot, they petitioned the county to vacate a portion of Prospect Drive and what would have been industrial property got converted to residential property and I think I don't know if I got the numbers to support it, but I think this; they got more housing permits in this

part of the county than anywhere else in the county. And so, it's a hot place to be. So, they are trying to keep up with demand.

President Terry Phillippe: Mr. Sherwood is there anything else we need to know?

Steve Sherwood: no. Mr. Howard's and I have gone through the street plans. I'd defer to Mr. Spinks. If he has any questions on the drainage?

Steve Spinks: no, no I don't have any questions on the drainage.

Steve Sherwood: I believe they made all the revisions we asked for. The one pipe size I think you've adequately demonstrated the size that's in Mr. Howard I think is happy with the calculations that you provided. So, with that if Mr. Spinks doesn't have any reservations, I think it's ready for drainage board approval.

President Terry Phillippe: well just curious again one more time on the project size?

Jim Morley Jr.: its 101 lots. I don't remember how many acres it is. I can look it up for you.

President Terry Phillippe: I don't care I was just curious.

Commissioner Stacey Franz: what size are the lots?

Jim Morley Jr.: they vary in size. I think they vary between like 50 and 70 feet wide.

Steve Sherwood: yeah, they're quarter to 30 generally.

Jim Morley Jr.: yeah, that's in general keeping. It's a little bit there's some subs out there that are 70, some that are 50 and some that are 60. And this subdivision has a little bit of all three of those.

Morrie Doll: so, it's a Jagoe.

Jim Morley Jr.: and so, it's that it's that price will…

Steve Sherwood: end up being Jagoe development.

Jim Morley Jr.: it's interesting that is if you ask me do I want to live on a 50-foot lot I want a little more room but…

Morrie Doll: yeah, affordable housing.

Jim Morley Jr.: but that's the demand right now…

Morrie Doll: its affordable housing.

Jim Morley Jr.: but that's the demand right now affordable housing even the smaller lots is what's in demand right now and so part of that like you said is houses are so expensive now that every dollar counts and so this is a way, they can keep housing cost down.

President Terry Phillippe: okay, anyone?

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

Commissioner Stacey Franz: I'll second.

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

THREE I-DESIGN:

President Terry Phillippe: Three I-design Warrick County School Corporation. I assume that's what that stands for.

Kyler Klein: Kyler Klein with Three I-Design. As you stated, we got the Warrick County Corporation doing a pre-K addition to the existing gymnasium that was able to be salvaged from the fire. The rest of that building was removed and they're tying into that. Four buildings for this phase one with a potential phase two with some more classroom additions. And all this drainage is designed for both phases in the event that they would do that.

Commissioner Stacey Franz: Kyler, where are we talking about?

Kyler Klein: it's on State Road 261.

Vice President Sarah Seaton: the building that burned by Castle.

Commissioner Stacey Franz: oh, the building that burnt.

Steve Sherwood: what used to be a church was bought by a school court and the center part burnt down last year or two and this is part of the rebuilding efforts and redevelopment of that area.

Commissioner Stacey Franz: okay, I know where you are now.

President Terry Phillippe: any comments?

Steve Sherwood: again, I defer to Mr. Spinks if he has any comments about this here, this situation here.

Steve Spinks: I wanted to let you all know that they have kind of went above and beyond. Tell them about the underwater holding area that you're putting in.

Kyler Klein: so, we have a subsurface detention in series with a detention pond kind of at the outlet point. And there's a bypass pipe between them where if one were to ever back up, the other takes over. So, its' just and added later of protection for flows downstream.

Steve Spinks: and they're doing that on their own correct?

Kyler Klein: yeah, it just aids in our detention volume, but it provides access as well.

Steve Sherwood: it's all part of their drainage plan. This is different from a subdivision as where it would be privately maintained, kind of like a commercial lot, so to speak. But they still had to generate and hold back less water than they have been releasing in post or pre-development. So, post development still has to hold back the water and the difference because they are making parking lot improvements and some other impervious surfaces. So, they have a combination of where the current watershed comes through. They have two inline retention traditional pond retention basins and in addition they're doing an underground structure to help facilitate and make sure that they meet the total amount of released waters less than what would be released before development. So, it meets our drainage ordinance criteria.

President Terry Phillippe: is the subsurface retainage similar in design? one we had to have a camera…

Steve Sherwood: similar it's kind of like the Evansville Christian School if you go back to that detention, they're holding back more than what would have been released in pre-development which is critical because all this drains to Old Hickory five if you recall there's discussion on the basin that the landowner wanted to fill in that basin when he bought it on a sheriff's sale. We could not let that happen.

President Terry Phillippe: all right.

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. Thank you.

BLUEGRASS CREEK:

President Terry Phillippe: next is Bluegrass creek legal drain crossing.

Steve Spinks: nobody showed up for that. But I'm going to explain that to you because it's on there.

President Terry Phillippe: who is that Mr. Spinks?

Steve Spinks: Steve would know more. What happened here is they're putting some stuff in down there on Baseline Road and they come to the creek which is a legal drain, Bluegrass Creek and that comes into our department. So, Steve kind of turned this that part of it to us. I got you some pictures there. Nobody showed up, I guess today to…

President Terry Phillippe: who is it?

Vice President Sarah Seaton: who's supposed to show up?

Steve Spinks: well, it ties in with CenterPoint, right?

Steve Sherwood: well, it's a CenterPoint project working county road right away, and of course, like all these that come before drainage board through Mr. Spinks office. During my review of the working county road right away, I noticed they are crossing the legal drain. They need to come to drainage board for approval across the legal drain and they need a hold harmless agreement. Everything else that Morrie's going to say that they need to do. And at that point, I gave a copy of the approved permit saying that this does not complete the permit until they get approval from drainage board for crossing the legal drain. Then it's handed over to Mr. Spinks office at that point.

President Terry Phillippe: do we have a contact name that we're dealing with?

Commissioner Stacey Franz: is it Daniel?

Steve Sherwood: Daniel Hedinger.

Steve Spinks: they've got their equipment out there, those pictures I gave you and put out went out there and took they've got their equipment sitting out there and this is my understanding this has stopped them because they've got to have a hold harmless and they've got to have a permit from us to go ahead go underneath this but I kind of figured somebody would be here today to represent this but apparently, they're not.

Steve Sherwood: I mean they were instructed by your office to be here.

Steve Spinks: yeah.

Morrie Doll: table it.

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

Steve Spinks: yeah, that'd be the thing to do.

President Terry Phillippe: who was asked to be here?

Ashley Knight: Daniel.

President Terry Phillippe: okay, that's what I have thank you.

Commissioner Stacey Franz: I'll second the motion.

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

OTHER BUSINESS:

President Terry Phillippe: Okay, Spectrum acknowledgement and consent for aerial.

Morrie Doll: that was a situation that they're going across a regulated drain with a cable, but they're not going under the drain. They're going over the drain by attaching it to a pre-existing line, CenterPoint power line. So, they're using the poles.

Steve Sherwood: it's an aerial application.

Morrie Doll: so, I don't think we need a hold harmless because they're not impacting the drain. But on the other hand, my recommendation is a drainage board and surveyor's office need to know it's up there. So, this is an acknowledgement that I've asked them to come and present that fact to the board. The board acknowledge that, make it part of our minutes. That hey, we're aware that at this particular location there's a line up there so that when and if we ever have to perform maintenance on this legal drain, we're cognizant of that line down and we're not just relying upon CenterPoint saying, oh yea it's okay. There are other parties, Spectrum has an interest as well.

Steve Sherwood: and this did not come through the county engineer's office because it's not working a county road. I believe you're working in state right away. Indiana 62.

Bryan Byers: yes, 62.

Morrie Doll: but you're crossing a regulated county drain in the air.

Steve Spinks: yeah, just to take you all back a little bit here and give you a little history on it. This man was here, Brian and we authorized, you all did, the drainage board authorized their permits to cross several legal drains and they was all done properly and everything. And then I went out checking some work and there was a little bit of misunderstanding there, went back and forth, but we got it straightened out. And I asked him, as Morrie did, me and Morrie been on the phone for him to come here and explain that to the board members exactly how they get to do this, which they're going to go up over Baron Fork. They're going to go up over that legal drain instead of going underneath of it. And they get their permission from CenterPoint to use their poles. I believe I have a picture in there for you all that you can look at. So, that's what I wanted him to be here and explain that to you all because it's probably going to happen again when the

go across these much wider legal drains as they are coming into the county to do this, internet stuff.

Morrie Doll: what I've asked CenterPoint to do is make a presentation to the board that they a have CenterPoint's consent to use their poles for this purpose. And that this is a location where we're going; they're going overhead. And it seemed to me one of the things that we talked about in the telephone conversations was you're on the pole maybe just at that ditch or you may be on the pole for quarter mile, half a mile. It's whatever you've worked out with CenterPoint.

Bryan Byers: yes. In this instance, we're I think we're going about four or five spans from Frog Pond Road going west across the ditch and then going back underground shortly after that.

President Terry Phillippe: okay, so were just waiting on the paperwork.

Morrie Doll: well, there is no paperwork in a sense.

Bryan Byers: I've submitted to their office the paperwork. It's the permits with our approval to attach at specific heights for these poles and the map where it's at. If anything, more is needed, I can send it over.

President Terry Phillippe: but will receive that right?

Morrie Doll: she will, she has.

President Terry Phillippe: she has.

Ashley Knight: I have.

Vice President Sarah Seaton: anything we need to do other than acknowledge?

Morrie Doll: acknowledge it. You haven't; we don't need a hold harmless or anything else. We're just acknowledging, hey it's up there.

President Terry Phillippe: got it, good thank you.

Bryan Byers: thank you, going forward on these aerial crossings, just submitting paperwork like we've done?

Morrie Doll: yes.

Bryan Byers: is good.

Steve Spinks: yes, that'd be good. Just as long as it's in the file and we know about it so that when we do send a crew out there to do maintenance on the ditch, then we're aware of it. We're aware of it that you've attached that on there. and you're doing; your crews doing real good work. I went out there today and looked at some of it again as they as they perform their work.

Good and safe, they've got all their flags out, got their cones out and everything else. Doing a good job.

Bryan Byers: good to hear, thank you.

President Terry Phillippe: any other business for drainage board?

Steve Sherwood: just want to report back to you on Halston Manor Basin. The April 1st or rather March 1st deadline came and go. So, our pipes are back under water. Next nine months.

President Terry Phillippe: this is like a joke, isn't it? An ongoing joke.

Steve Sherwood: yep. But its per the agreement that was allowed.

Morrie Doll: yeah, the board previously was worried about wintertime freezing and the impact on the public pipes in that neighborhood and the homeowners were worried about the aesthetics.

Vice President Sarah Seaton: ponds pretty.

Morrie Doll: yeah. And so, as a consequence they; that was a compromise that was worked out that during the months where freeze and thaw is likely to occur, they would lower the level of the detention facility and pond and expose the pipes so that they wouldn't freeze and then the rest of the year they could do with it as they had planned. I mean my recollection is that the drainage facility is not built according to specs.

Steve Sherwood: they modified the outlet basin.

Morrie Doll: they raised the level of the water.

Steve Sherwood: and if you recall on Stahl Road Business Park, we have a similar situation where because of lack of maintenance of the retention basin all of our pipes are underwater.

Vice President Sarah Seaton: I drove out there Saturday…

Steve Sherwood: and I went out after the rain and the water's back at the flooding conditions in November and December. Morrie did draft the letter sent it to him February 23rd. I followed up with my own package to specify exactly what they need to do and the email came back. We received then said thank you from Ashley Meyer said myself and Henry Meyer out of town till middle of April. We will work to get someone out there on our behalf to remedy a solution as soon as possible.

Vice President Sarah Seaton: so, I drove out there Saturday and I also went over to Fritz Storage and it looked good in that area. But which property is responsible in that Stahl Business area?

Morrie Doll: well, that's the thing, commissioner. There are drainage within Stahl Business that drains into a detention pond that then flows over to the Howard Williams ditch. However, to the

east of that, there's unimproved land. And over the years, there was a farm drain, private drain that ran across the end of that land. And it also drains into Howard Williams, but it skipped the detention.

Steve Sherwood: so, all this water coming up here…

Morrie Doll: these lots are supposed to go into detention…

Steve Sherwood: the only thing is supposed to drain in here. None of this offsite is supposed to enter, but its entering.

Morrie Doll: it is entering.

Steve Sherwood: basins filling up beyond capacity. There's a pipe here that's due to the beaver dam that's right here. And then all this water backs up on this guy. And he's one of the guys complaining.

Vice President Sarah Seaton: okay, because I drove back here and that looked okay.

Steve Sherwood: so, the dermatology gets issues here. Miller's property gets issues here and the Dirk property and they bought all these lots, but this lot here means they have to maintain the basin, which we pointed out, but they've let all these trees grow out 15 or 20 feet tall since they acquired the property in 2018.

Morrie Doll: and no one is stopping the infiltration of offsite water.

Steve Sherwood: you got water coming in here and two or three others; all this water comes off of JT Colonial Hills into the basin. The basin that Morley designed was not supposed to be this large to handle all the offsite water and Jim and I have spoken on this on many occasions and I guess he'd like to address us again.

Jim Morley Jr.: I could just answer questions but I mean I did the design of that a long time ago and I agree with everything Steve said. There was a small farm ditch that was never supposed to go into that basin. It was supposed to tie into Howard Williams Ditch just north of the…

Morrie Doll: north of there…

Jim Morley Jr.: and all the lots in that industrial park were supposed to drain into this basin, be detained and then go out into Howard Williams ditch. But I would also agree it is not been maintained. And over time the farm ditch became the de facto ditch and then somebody routed the farm ditch into the basin. So, yea there's plenty of things that are out there that weren't supposed to be out there.

Morrie Doll: well, behind Colonial Gardens it actually; they've pushed soil or dirt or gravel or something across the property line onto these people's property.

Jim Morley Jr.: and they're not supposed to do that.

Morrie Doll: and they're not supposed to do that and that impacts where the water goes.

Steve Sherwood: And when I talked to the property owner, JT McCarty, he thought the concrete line swale that you designed in your subdivision was in fact he thought was his drainage ditch. I said no you've gone over your property line; you're approaching the next property. So, it is a bit complicated but if we can get past them maintaining the retention basin, and I believe your plans show a restricted orifice on that basin for a 12-in pipe.

Jim Morley Jr.: I'll take your word on that one.

Steve Sherwood: there's no detail for it, but it says restricted orifice.

Morrie Doll: but that impacts the Howard Williams ditch. It dumps more water.

Steve Spinks: when they push that material back into what they're not supposed to push it into, then that causes a lot of backups. So, what I saw was that their landscaping outfit needs to get out there and push their material back on their own property and get it off of that retaining pond back.

Morrie Doll: I would agree.

Steve Spinks: they've gotten carried away. And that's one of the things that needs to happen. And also, Aaron Miller sent me an email. You know, he's the one that brought all this up and started the whole deal. He shot me and email last week wanting to know what's going on. So, look in your emails, Mr. Sherwood because…

Steve Sherwood: I don't have any.

Steve Spinks: I turned it over to you. Well, I emailed him and I said email ask Mr. Sherwood because its…

Steve Sherwood: I have nothing from him in the last two weeks. His attention is on Wyngate which you had me address.

Steve Spinks: yeah, that's another situation there.

Morrie Doll: I mean, its just flat, where does it go?

Jim Morley Jr.: I mean there was at one time there was talk about cutting a new ditch up.

Steve Sherwood: there was, but nobody ever none of the three owners responded at that time.

Steve Spinks: you know what I'd really like to do before my term is up? Probably won't happen in the next couple years, but I want to try to somehow turn Howard Williams ditch at a point and

send it to the Ohio River. That's what I'd really like to do. Find the center point, let some of it continue to go into where its going, but then let a lot of that go into the Ohio River. And I've been told there's parts there that used to that used to kind of happen before the I69 come through. So, just got that on my thought pattern. You know that solve a lot of this water problem you know.

Jim Morley Jr.: so, if I can answer any questions for that, please let me know.

Commissioner Stacey Franz: Thanks Jim.

Steve Spinks: Sherwood, I'm not firing anything at you because you know you guys got that worked out.

Steve Sherwood: well, he asked me as the engineer to answer any questions they may have. It's still a drainage board.

Morrie Doll: it's a drainage board issue. But he's got the initials after his name and that's why I directed their questions to him.

Steve Spinks: that's right. I'm talking about Aaron Miller. I emailed him.

Steve Sherwood: same difference. I've been thinking about giving both of them an update but I'm sure they both know the waters back.

Steve Spinks: were working on it. So, everybody knows out there that the situations being worked on. Just takes time to get it done and get the water out of here.

President Terry Phillippe: okay Mr. Sherwood.

STORM WATER DEPARTMENT:

Steve Sherwood: Thank you Mr. President. On the storm water side, I just want to let everyone know that the proposed storm water rate fee was increased officially by the board of commissioners, which you are well aware of. What I'm going to ask Morrie what would be the next step?

Morrie Doll: it goes to the county auditor. And its included appropriately. I think its going to be the spring of 27?

Steve Sherwood: I mean, who's pushing this at that point? Is that something the county attorney needs to or is this a stormwater matter as an MS4 need to push?

Morrie Doll: no, it would be that its an ordinance. Therefore, it needs to go from the commissioners to the auditor. Doesn't the auditor sit in the commissioner's meeting?

Vice President Sarah Seaton: yes. The representative.

Steve Sherwood: I just wanted to bring it up so its not sitting in limbo that there is that it's moving forward.

Morrie Doll: needs to go to the auditor's office be included in the property tax bills for 27.

Steve Sherwood: the next item I have is I wanted to update you on the Westwood Subdivision section A and B project, 9 of the 12 temporary right of entry agreements have been received prior to the deadline of last Friday. I will attempt to send the remaining three property owners a second notice with a shorter deadline response and then report back to the board. Hopefully, we'll get all 12 received yet this month. And the last thing I have…

Morrie Doll: none of them have refused.

Steve Sherwood: no, we have nine signed and executed back agreeing with the project. Just need three more.

Commissioner Stacey Franz: remind me Steve, what were we doing with Westwood?

Morrie Doll: replacing the pipe.

Steve Sherwood: that's going to be a future project. Replace about 800 lineal feet of storm pipe that is basically in bad condition. And then the last item I have is our office, which is Jennifer, is working on the MS4 2025 annual report, which is due by the end of this month and we should meet that deadline. Jennifer's worked hard on it and we're about ready to wrap it up. That's all I have to report unless the board has anything else for me?

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? 3-0