**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**January 11, 2021**

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 Bob Johnson, President; Dan Saylor, Vice President; Terry Phillippe, Secretary, Morrie Doll, Attorney, Phil Baxter, Surveyor; Steve Sherwood, Director of Storm Water; and Jennifer Curry, Recording Secretary.

Present in the audience: Stephan Noelle, Reginald Heck

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of January 11, 2021 with the Pledge of Allegiance.

**ELECTION OF OFFICERS:**

President Bob Johnson: First we have the Election of Officers for President, Vice President, and Secretary.

Commissioner Dan Saylor: I make a motion for Bob Johnson, President.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0. I make a motion for Dan Saylor for Vice President.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0. I make a motion for Commissioner Phillippe to be Secretary.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

**APPOINTMENT FOR DRAINAGE BOARD ATTORNEY**

President Bob Johnson: Appointment for Drainage Board Attorney, we have the contract for Councilor Doll here; it seems to be in order.

Morrie Doll: It is exactly the contract we signed last year with exception of the date change.

Commissioner Terry Phillippe: I make a motion to approve the contract for Board Attorney.

Commissioner Dan Saylor: I will second that.

President Bob Johnson: All in favor 3-0

**RESOLUTION #2021-1:**

President Bob Johnson: Resolution #2021-1, meeting dates and times.

Commissioner Dan Saylor: I confirmed all these dates that was submitted and those were all in accordance with our Commissioner meetings, as it’s scheduled as of now.

Morrie Doll: For the record that would be the second and fourth Mondays…

Commissioner Dan Saylor: Except for Holidays. I think it’s October 12th and the 25th there might be another one.

Commissioner Terry Phillippe: Probably Veteran’s Day in November.

Commissioner Dan Saylor: November 10th? I think that’s the only, yeah that’s the only.

President Bob Johnson: Do I have a motion to accept?

Commissioner Dan Saylor: Sole moved.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0

**CERTIFICATION OF ACTIVE DRAINS 2021**

President Bob Johnson: Certification of Active Drains 2021, Mr. Baxter has anything changed?

Phil Baxter: No, not this year, not this past year it’s all the same

Morrie Doll: So, the motion would be to re-certify the 2020 Legal Drains for 2021.

Commissioner Terry Phillippe: I make a motion to re-certify Legal Drains from 2020 into 2021.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

**APPROVAL OF MINUTES**

President Bob Johnson: Approval of minutes for December 28, 2020.

Commissioner Terry Phillippe: I make a motion to approve the minutes.

Commissioner Dan Saylor: I will second that.

President Bob Johnson: All in favor 3-0

**STEPHAN NOELLE-HECK’S ENGINEERING- MARTIN FARM SUBDIVISION LOT 2**

President Bob Johnson: Next we have Stephan Noelle Heck’s Engineering Martin Farm Subdivision Lot 2 requesting no drainage improvements. Lot 1 was approved on 9/14/2020.

Phil Baxter: Do we have someone representing this?

\**Audience Member*- Yes\*

Steve Sherwood: This is west on Highway 61 on the north side of New Harmony Road

Phil Baxter: Right next to Thresherman’s Park

President Bob Johnson: Phil, do you have any issues with this?

Phil Baxter: No, do you want to say anything?

Reginald Heck: Nope, it’s draining fine the way it is it’s just going to be a house.

Phil Baxter: Okay, what size is the lot?

Stephan Noelle: 20 acres

Reginald Heck: It’s right next to where they re-did 61 to the south.

Phil Baxter: Right, the bi-pass. We have no problem with it; it doesn’t need drainage plans.

Steve Sherwood: Well over 2.5 acres

Commissioner Dan Saylor: I make a motion to accept the no drainage improvement for the Martin Farm Subdivision Lot 2.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0

Jennifer Curry: Gentleman, could you state your name’s for the record for me, please?

Stephan Noelle: Stephan Noelle

Reginald Heck: Reginald Heck

Jennifer Curry: Thank you.

President Bob Johnson: Thank you Gentleman.

**CLAIMS:**

President Bob Johnson: Next up we have claims; we have a total of $22,494.72. $22,046.50 is for Willow Pond Ditch Restoration Project.

Commissioner Day Saylor: Commissioner Johnson I have a question for Legal Council, it says 70% completed, what was the total bid of that project.

Jennifer Curry: $31,495.00

Commissioner Dan Saylor: Councilor, we can go ahead and approve this payment of 70%; we aren’t breaking any rules or anything there?

Morrie Doll: We’re not if Phil says he has inspected this and believes this number to be accurate.

Phil Baxter: Yes.

Commissioner Dan Saylor: He has said, he has told me that and visited everybody.

Morrie Doll: Yes, you can pay for the work that has been done.

Commissioner Dan Saylor: Will the Auditor have any problems with this?

Morrie Doll: Well, I’m just saying the State Board of Accounts shouldn’t have any issue with it.

Commissioner Dan Saylor: I make a motion to pay the claims.

Commissioner Terry Phillippe: I will second.

President Bob Johnson: All in favor 3-0

**OTHER BUSINESS:**

President Bob Johnson: Anything else for Drainage Board? Mr. Sherwood

**STORM WATER DEPARTMENT**

Steve Sherwood: Thank you Mr. President. My apologize for sending out an incorrect agenda I copied last years 2020 agenda. First item I have is to renew Morrie Doll’s Storm Water Attorney Contract he has also professed to you it is identical from 2020 and I have a copy, I believe, did you already circulate a copy for them?

Morrie Doll: I don’t think I did.

Steve Sherwood: Here is one that we can pass that down and if they are in agreement we can go ahead and have that signed after the meeting concludes if you wish, I just need the record to approve his contract for 2021 which is identical to 2020.

Commissioner Terry Phillippe: I make a motion to approve the contract retaining Council for 2021.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Steve Sherwood: Last month we already approved the Erosion Control Inspector’s contract , next item I have is the MS4 Operator which must be a Commissioner last year Commissioner and President of the Storm Water Board, Bob Johnson, served in that capacity what is the Board’s wishes for 2021

Commissioner Dan Saylor: I think Bob has been very excited on holding that position, so I make a motion to have Commissioner Johnson.

Commissioner Terry Phillippe: I will second Dan’s motion.

President Bob Johnson: All in favor 3-0

Steve Sherwood: For the record I will still serve as the capacity for MS4 Coordinator, but the Operator must be a Commissioner to sign anything that requires that signature accordingly. Just to keep the Board apprised of current changes, the MS4 IDM has this past Fall approved their general permit after several years of going back and forth in reviewing it I will present more information to the Board as that develops. I have not reviewed it in fully in order to digest it; I have gotten bits and pieces of it through the internet. They are going to have to have a new permit, we will have to apply for and sign and execute a new permit upcoming so I will bring that to our Attorney’s attention when that information is available. We are working on the 2021 annual report which must be submitted prior to April 1st Barbi and I are working on that. From the last meeting I have a contract for the Board to execute for Lochmueller Group for the proposed North Green Springs Valley drainage study that we authorized and approved them for, and I have a contract to go with that proposal. I will ask for the Board’s signatures at the conclusion of this meeting, technically we already approved it at last months meeting. Next item I have, if you recall our ordinances the original Storm Water MS4 Ordinances are dated in 2006, there is three of them. We talked about updating them, IDM wants them done every 5 years, last year they told us to wait until this new permit was approved I am told the new permit was approved this past Fall. We have been working with Wessler with a lot of our MS4 Ordinances and updating of other matters that fall under the MS4 permit. I would like the Board’s permission for me to contact them and get a proposal for updating our 2006 Ordinances now that the General Permit has been updated.

Commissioner Dan Saylor: Who is it Steve?

Steve Sherwood: Wessler has been working with us in the past; the original ordinances were developed under Commonwealth

Commissioner Dan Saylor: Where are they out of?

Steve Sherwood: Indianapolis.

Morrie Doll: Are they an Engineering Firm, Law Firm?

Steve Sherwood: They are an Engineering and Environmental Firm and well-versed with MS4 policies, procedures. They helped us update our facility SWIPPPs for all six SWIPPPs.

Morrie Doll: Have they given you a price?

Steve Sherwood: No, but I want to seek permission to get a proposal from them I don’t want approval for their work other than to get a proposal at this point so we have some idea on what all will be involved.

Commissioner Dan Saylor: Is that just, not by vote, but by consensus?

Morrie Doll: Yes

Commissioner Dan Saylor: I’m good with that.

Commissioner Terry Phillippe: Yup.

Steve Sherwood: Very good, I have your consensus I will proceed to contact them. They reached out to me at the end of December 2020 and I said I would wait until the beginning of 2021 to approach the Board. If you recall they did our facility SWIPPPs for the Highway Department and Sheriff’s Department, Animal Control, Parks, etcetera. Last meeting I asked the Board considering the plan we have already can and ready from 2017 now that we have the last executed easement from the Yorkridge Stonegate Subdivision, we don’t have to move forward yet at this point but I did send the Board the entire set of plans just 6-7 pages showing them what the proposed project was. I know we are talking about Tanglewood and Fuquay project, Morrie is going to have more on that in a minute. I just want the Board to be aware, I sent this out for their review if you have any questions please contact me and we will make a decision in the coming month or months if we want to proceed with this if there is a hole in our 2021 schedule we can move this project ahead. If not, as I have discussed with Commissioner Saylor we do have other projects in the pipeline, but we are trying to figure out how to forecast the schedule in there and where this will fit in either 2021 or years to follow. With that, if the Board doesn’t have any questions for me and I don’t see Joe sitting in the audience, I will turn it over to Morrie to talk about his progress with meeting with Mr. Hartz.

Morrie Doll: Just a brief comment I have spoken with Mr. Hartz telephonically he seemed very willing to talk to us about our goals to fix the Tanglewood drain. He proposed he would be available this Thursday afternoon or Friday afternoon, he was going to check with his wife to see if she wanted to join in, I suggest we meet up here the first time because I thought we wanted to invite the consultants to display what their opinion was about that drain. He was going to call me back and I will circulate to all of you what works best for him. That is all I got.

Steve Sherwood: That’s it.

**MOTION TO ADJOURN:**

Commissioner Terry Phillippe: Motion to adjourn.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0