**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**NOVEMBER 13, 2018**

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; Marlin Weisheit, Secretary; Phillip H. Baxter, Surveyor; Steve Sherwood, Director of Storm Water; and Kim Lutton, Recording Secretary.

Present in the audience was Joe Grassman.

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of November 13, 2018 with the Pledge of Allegiance.

President Bob Johnson: Approval of minutes October 22, 2018

Commissioner Marlin Weisheit: Motion to approve

Commissioner Dan Saylor: Second

President Bob Johnson: All in favor? 3-0

**CLAIMS:**

None

**OTHER BUSINESS:**

President Bob Johnson: Any other business?

Steve Sherwood: Informational purposes, Ashbury Park, elderly couple was in Phil’s office and their intention is to honor the existing drainage plans to restore the lake to it’s design elevation.

Phil will have a talk with them and maybe get a letter to that effect and a time table when that is to happen with the basin. That’s my understanding so far.

And the Halston Manor, Jason last reported that the current president of the Home Owner Association which Neil Chapman left, sometime this month or next the basin there is supposed to be corrected per the approved scheme that was over a year ago I believe. That’s all I have for information on drainage board.

President Bob Johnson: Joe do you have anything?

Joe Grassman: No

 **DEPARTMENT OF STORMWATER**

President Bob Johnson: All right Mr. Sherwood

Steve Sherwood: Thank you Mr. Johnson. First item I have is to report to you, that the Bellvue ditch that drains the west side of Bell road, the ditch has been cut by Mr. Combs prior to Morrie’s stated dead line on November 1st. The photo there still represent what we saw last week, now the property owner who owns the land that the ditch was cut on called Bobby and was not happy and apparently according to him Mr. Combs didn’t inform him he would be getting on his property and cutting the ditch, that’s not what Mr. Combs told me prior to it happening but according to the property owner that’s what he states saying he’s not happy that it hasn’t been seeded straw or sodded yet, and he may want the developer to enclose it with a pipe and he was informed that he has to come back, not him but the developer will need to come back before the drainage board and amend the drainage plan if they wish to enclose that with a pipe to amend the drainage plans for the subdivision. That’s where it sits.

Commissioner Weisheit: Steve, what’s the distance of that?

Steve Sherwood: Around 100 feet give or take 10 feet. Basically it drains between the 2 small hilltops on Bell road. Just wanted to report that to the board.

The second item I have is lot 19 in Whispering Hills Subdivision, I have a landowner that’s complaining who owns lot 19, I believe it’s a rental property and the landowner who owns it is complaining that he’s having trouble getting that pipe to drain, if you’ll see from the existing street plans that were called for 120 feet by 36 inch reinforced concrete pipe culvert, upon inspection there’s actually another 50 feet of lesser diameter pipe, metal pipe added to the north end or upstream of that ditch, now it’s not what the approved street plans call for but someone has enclosed it and it’s got a 30 foot wide drainage and utility easement, 15 feet on lot 20 and 15 feet on lot 19 but you can see the landowner has not maintained it, not done a very good job, and you can see why they extended the pipe so they have more yard that wasn’t in a deep ditch between the 2 lots, now whether this was done in the late 70s when the street plans were developed by the developer or since enclosed by either of those 2 property owners I do not know.

I really don’t want to go against the approved drainage plans without consent of the board but the landowner asking me will I remove the 50 feet of pipe and put in the proper size pipe, I said I’m only here to instruct you, I am to honor the existing drainage plans, I will ask the board.

You can see the condition of the ditch is not maintained north of the pipe or upstream of the pipe that the pipe gets easily clogged with debris and you can see the landowners pile up their limbs and leafs and grass clippings along the top of the embankment. The ditch would’ve been 50 more feet of pipe would’ve put an 8 to 10 foot deep ditch between these 2 homes that was best illustrated in one of these other photos. You can see why it was done so these would people would have a yard but if it’s not on the approved drainage plan I have to bring it back before the board.

Commissioner Weisheit: What does your recommendation say?

Steve Sherwood: Well, traditionally we just maintained the approved drainage plan, somebody illegally enclosed it, I wish Morrie was here for an opinion, I guess we can wait until I get with Morrie render his opinion and bring it back and we can just table this issue at this point until we get an opinion but Phil is here, this drainage plan is from the Surveyor’s office, I didn’t know if Phil had a comment, I haven’t really discussed this with him yet today, this came up not too long ago.

Phil Baxter: I really don’t have an objection if he takes this pipe out and puts the proper size in.

Steve Sherwood: This is where it’s enclosed here it’s enclosed up here, whether they do that obviously he does not want to bear that expense.

Phil Baxter: I don’t know that we should do it.

Steve Sherwood: I don’t think that the pipe was put in properly, as you can see there’s an angle to that pipe and it looks to me that someone turned it and that turn may be causing a blockage. We could not get a video camera through it in the condition it was in.

Commissioner Dan Saylor: What size pipe is in there now Steve?

Steve Sherwood: We measured a 24 inch corrugated metal pipe at the north end so it appears that about 50 feet of 24 inch corrugated metal pipe has been added upstream of a 36 inch diameter reinforced concrete pipe. You can see one of these pictures shows the 36 inch pipe downstream is concrete, so I would just like the board to keep in the back of their mind until I can get with Morrie and Morrie give us a legal opinion, but I felt I needed to at least start the process with the board because this gentleman is hammering me for something to be done right away that he does not wish to pay for. Again he bought the home, he rents it out, he does not live there, he has since contacted me about several other rental properties stormwater to take care of for him too, which all matters aren’t really relevant to what stormwater can do. That’s all I have to report to the board, I will bring this up at a later date when Morrie is here. I was informed by Morrie this morning he is depositions until 2:30, he thought he may not make it here, obviously he did not make it in time for the start of the meeting.

President Bob Johnson: Okay. Anything else?

Steve Sherwood: Joe do you have anything for us today?

Joe Grassman: No

Steve Sherwood: Thank you

President Bob Johnson: Marlin?

Commissioner Marlin Weisheit: I have nothing.

President Bob Johnson: Dan?

Commissioner Dan Saylor: I make a motion to adjourn.

Commissioner Marlin Weisheit: Second.

President Bob Johnson: All in favor? 3-0