**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**NOVEMBER 27, 2017**

Special Session 1:00pm

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 special session with Bob Johnson, President; Dan Saylor, Vice President; Marlin Weisheit, Secretary; Phillip H. Baxter, Surveyor; Jason Baxter, Deputy Surveyor; Steve Sherwood, Director of Storm Water; and Kim Lutton, Recording Secretary.

Present in the audience was Matt Calvert.

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of November 27, 2017 with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

President Johnson: Ok. We have the minutes for November 13th, 2017.

Commissioner Weisheit: I make a motion to approve the minutes from the 13th.

Commissioner Saylor: Second.

President Johnson: All in favor? 3-0.

**GATEWAY PLACE LOT 1:**

President Johnson: First up we have Gateway Place Lot 1 / Drainage Approval / Cash Waggoner.

Steve Sherwood: Just to report back to the Board; this was approved subject to Phil and my review at a meeting in August. I just wanted to enter into the record, on behalf of Phil and I, Phil signed off on it last week so it officially has drainage approval for lot 1 of Gateway Place. No need to vote, just a matter of information.

**NORTHWEST CORRIDOR SANITARY SEWER:**

President Johnson: Next up we have Northwest Corridor Sanitary Sewer / Hold Harmless for Bluegrass Creek / Morley and Associates.

Matt Calvert: Matt Calvert, with Morley and Associates.

Phil Baxter: This is for the Northwest Corridor Sanitary Sewer in Lynnville. It’s for a Hold Harmless for Bluegrass Creek which they’re going to cross. Would you state the matter in why you’re going to cross it? Are you going to bore it?

Matt: We will be boring underneath, yes.

Phil: Did you bring a Hold Harmless?

Matt: I did not.

Phil: Okay, we’ll give you one and I’ll ask the Board to approve upon the completion of the Hold Harmless.

Steve: Subject to Morrie’s review.

Phil: Yes.

Commissioner Weisheit: I’d make a motion to approve as long as the Hold Harmless is in place and our attorney reviews it for their approval.

Commissioner Saylor: Second.

President Johnson: All in favor? 3-0.

**CLAIMS / OTHER BUSINESS:**

President Johnson: Claims? None? Any other business?

**PEBBLE CREEK:**

Steve: Just one item for the Board’s information; in a past meeting, similarly on Pebble Creek Subdivision, the design engineer was Bill Bivins. We were given permission to approve his drainage plans for Pebble Creek Subdivision at what time he could submit it for our review and consideration. I just wanted to bring to the Board’s attention that he did pick up the fifth set of plans that were reviewed on November 15th. To date nothing has been submitted to our office for review for drainage or streets when we were promised we’d have them back the next day. Just FYI.

President Johnson: We can move on to Stormwater.

**DEPARTMENT OF STORMWATER**

**CARTER HEIGHTS:**

Steve: Thank you, Mr. President. First item of business I have for you is the Carter Heights Drainage Improvement Project on Faye Lane. I went out and received two bids. This is to replace three culverts across Faye Lane and their inlets. It’s a concrete street, there’s little or no asphalt work on those concrete streets in that Carter Heights development so I wanted to put back concrete patches to make them the same state that the roadway is in. I went out and got two separate bids. One from Deig Brothers and one from Metzger’s. These were emailed back to me. I did not require sealed bids. These were the only two contractors interested that I approached in doing concrete work this time of year. Again, Stormwater will supply the precast inlet boxes. The other side will be replacing the existing inlets with three concrete spillways. The ditching work throughout the subdivision was already performed by our Stormwater forces earlier this summer. I had two bids back. Deig Brothers bid was in the amount of $57,561.00. Metzger’s Construction said they could perform the work for $22,900.00. I would like permission to award it to the low bidder of Metzger Construction so I can get the work done before Christmas this year which they indicated they could do.

Commissioner Weisheit: Make a motion to award it to Metzger’s for $22,900.00.

Commissioner Saylor: Second.

President Johnson: All in favor? 4-0.

**CLEARVIEW DRIVE:**

Steve: Thank you. Moving on, on the Clearview Drive Drainage Improvement Project; it has been completed. I’ll pass these photos down for the Board’s review. The invoice for Deig Brothers work, which was approved at a previous meeting, is $39,572.00. I would like approval of their invoice for that amount. As you see in the photos before you, the road was patched and Bobby said he will be paving that roadway next year. Troy Reynolds hired a contractor to do their outlet work at the south end of the southern basin. So technically all of the Clearview Drainage Improvement Project work and the retention basins is completed. So I would ask the Board to approve the final invoice of $39,572.00.

Commissioner Weisheit: Motion to approve.

Commissioner Saylor: Second.

President Johnson: All in favor? 4-0.

**BRUSH CUTTER:**

Steve: Next item I have; looking at some equipment for our Stormwater crew. I have specifications for a brush cutter to go on the end of our Kubota. It would look similar to this photo here. (showing the Board the photo) This is a 42-inch cutter head that would go on our Kubota instrument. We have sufficient size and horsepower to run the 42-inch. The cost of it is $6,450.00. In addition to that, I would like to buy a knuckle which will articulate the head. We can also use the knuckle to articulate our ditch cutting bucket. I don’t have a price on that but it should be a few thousand dollars as well. I’d like permission to spend that in our equipment budget yet this year. We do have the money available for this. We are still looking at buying a hydro-excavator that I mentioned earlier and we do have the money for that as well. We’re trying to get final specs together. Joe is on vacation today. We’ll proceed when we return from the Commissioner’s Conference.

Commissioner Saylor: I make a motion to approve the request for a brush cutter for $6,450.00 and a knuckle.

Commissioner Weisheit: Second.

President Johnson: All in favor? 4-0.

**HYDRO-EXCAVATOR:**

Steve: Thank you. The hydro-excavator is moving forward. As soon as Joe gets back, Bobby and I will meet with him. We think we like the Vermeer of the four we tested. They are the only local company. We think that for parts and other reasons that might be the best thing to move forward with as long as the price is reasonable in comparison to the other units available in the market.

**MR. KENNETH PRUITT / TORT CLAIM:**

Steve: Last item I have is; I believe you have been notified of a tort claim filed by Mr. Kenneth Pruitt on Anderson Road. I spoke to a few of you concerning that. He is filing for $30,000.00 in the tort claim and he doesn’t provide a breakdown of that. I am to report to you that we have spent $65,479.37 to date on this project which was basically to assist in removing and installing a pipe of proper size in the ditch that he put too small of a pipe in. I will pass to you the before photos followed by the after photos. If you would take a few minutes just to breeze through those. I’d be glad to answer any questions but I believe I’ve done everything that Mr. Pruitt required, that I said I would do in the county road right-of-way. I’ve passed all this information on to Morrie. Originally, I believe, we thought Todd Glass might handle it. After talking to Marlin, Morrie has had some dealings with this project and since it is a Stormwater project, it’s probably more appropriate to go through Morrie’s office than Todd Glass.

Commissioner Weisheit: I’d just assume wait until Morrie can address the situation because a tort claim is not an official lawsuit but it does allow them two years to file a lawsuit so I would want Morrie to respond to this request of Mr. Pruitt’s attorney.

Steve: He installed an 18-inch downstream of two 24-inch pipes. Waters flowed over Anderson Road eroding out the eastern edge of the pavement for a number of years due to this. I don’t believe there’s any record of him having permission to do a ditch enclosure. I feel like Bobby is correct in his answer to this that we should countersue him.

Commissioner Weisheit: I’d be willing to do that if Morrie agrees to. Let’s let Morrie address it with his attorney and see if that needs to happen.

Steve: As I explained to Mr. Saylor earlier, this was really, technically, a county Highway project but Stormwater took it on along with all the work that District 1 had. That’s all that I have unless you have any questions for me.

**MOTION TO ADJOURN:**

Commissioner Saylor: I make a motion to adjourn.

Commissioner Weisheit: I second.

President Johnson: All in favor? 4-0.