**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**MARCH 11, 2019**

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; Phillip H. Baxter, Surveyor; Steve Sherwood, Director of Storm Water; Morrie Doll, Attorney; and Jennifer Curry, Recording Secretary.

Present in the audience was Danny VanHooser, Jordan Aigner, John Wilson, Michael Carter, Bobby Howard, Joe Grassman, Alejandro Moahicka

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of March 11,2019 with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

President Bob Johnson: First up we have the approval of minutes for February 25, 2019

Commissioner Dan Saylor: I make a motion to approve the minutes.

Commission Terry Phillippe: I second that motion.

President Bob Johnson: All in favor 3-0

**JORDAN AIGNER- LEXINGTON SUBDIVISION: BASIN APPROVAL**

President Bob Johnson: First up we have Jordan Aigner Lexington Subdivision basin approval.

Jordan Aigner: Jordan Aigner with Aigner construction, so we are here looking at Lexington once again, Michael Carter is representing the bank as the owner. We have been working together with the engineer for the past year and a half to try and find what we need to do to get this front basin area accepted. They had remembered, remember this is a previous developer we’re basically just contract to consultant assisting the bank and the basin was left in its current condition which everything is stable there except there were trees grown up, willow trees, we removed all those to really reveal the actual contoured of ground looks like. We did that last fall when we did that as you can image over years of growth there was kind of like a silt dam that had accumulated that two outlets and when we did that a bunch of water came rushing out of the existing, it basically had been lying in there because its pooled and ponded up stream. So, the system now works better and Michael said he has not received any other complaints about water coming out of inlets or anything like that. That’s kind of an update on what we’ve done for this one particular area what we could never figure out why the original plans never had reflected what was there. Everything was built and stabilized other than the growth, regular maintenance had not been done. We finally found with help with the engineer a drainage study which I gave to Jason Baxter, we met on site and it was the engineer it was their understanding was Bruce, the previous developer already got this all approved, that why the basin looks like that. For the longest time we couldn’t figure out where this report was or anything. We finally found it, he thought it got submitted and maybe it did, maybe it didn’t, we wanted to come here and basically say “okay” now we are at this point, we are requesting that this is actual to be amended to the original plan. It probably was done at some point in some time its what the developer said that we couldn’t find it in any kind of documentation, so here we are. Kind of just to check the box and make things right as we move forward, this is just one thing that we want to have on record that we did come and request the revision that is currently there now. Do you have any questions for me?

President Bob Johnson: Steve, have you checked this out?

Steve Sherwood: I don’t believe I have yet. The question that I had, and maybe Jason will answer it, we have an approved retention basin, the original Lexington sub, apparently something was submitted by Miller, but not approved since then?

Jordan: Yeah, what’s there now is what he has brought somewhere in the line that Miller built what’s on his paper which is not on the original.

Steve Sherwood: My only concern is that whatever was approved originally and what’s built there now we need some numbers that substantiate what originally was approved to be built and what’s there now will actually retain the same amount of water and function basically in the same capacity. Do we have numbers that substantiate that?

Jordan: Yeah they are in here, they basically have calculations overflow calculations, flow rate design. Again, this is something that was dated January 27, 2011 okay, and this is the one picture that I could find, this is what the basin looks like that’s why they built it like that. I guess he just needed to dig deep enough to find it that it was there. So we have calculations ready to go.

Steve Sherwood: We’ve had some other part of that subdivision that was submitted I think Bobby would say there’s a street that was submitted but not approved, but I think its…

Bobby Howard: Never been submitted and never been approved.

Steve Sherwood: Never been submitted or approved, but my point is if your (Surveyor) office yet has had a chance to review and compare the latest submittals to what the original intent was, if not we just need some time to take it.

Jason Baxter: As for the numbers, I have not.

Steve Sherwood: Have you got the numbers that Mr. Aigner is speaking of then we just need to go over it and then bring it up in the future meeting.

President Bob Johnson: How much time do you need? Can we do it next meeting?

Steve Sherwood: I say we bring back for our next board meeting, table this.

Jordan Aigner: We’re okay I prepared Michael that it might be something you guys would need to think about and I didn’t know how much time Jason had to look at it but we do want make a request to amend those plans, as such, as designed several years ago but if you need some more time to look at it and if we could do it by next meeting and between now and then if you have any questions you can contact myself and Michael we can offer any further verification we can certainly do so.

Morrie Doll: Motion to table?

Commissioner Terry Phillippe: I make a motion to table.

Commissioner Dan Saylor: Second

President Bob Johnson: Okay the motion to table it until our next meeting on March 25th . All in favor. 3-0

Steve Sherwood: The only question I have is if there are any changes are they going through your office? Or Esley’s office?

Jordan Aigner: The design is going through Esley’s he is the engineer of record he did the report, so I don’t mind to facilitate by any means.

Steve Sherwood: If we were to come up with anything I just need to know who to…

Jordan Aigner: I got some hard copies if you would like me to leave them with you guys.

Steve Sherwood: Id leave them all with Jason’s office and we will look at it from there. Thank you.

President Bob Johnson: Thank you Jordan.

**JEREMY ELROD (MORLEY)- LOT 1 ROSLIN INDUSTRIAL PARK**

President Bob Johnson: Next we have Jeremy Elrod from Morley’s with Lot 1 Roslin Industrial Park.

Alejandro: Good afternoon, I am presenting on behalf of Morley my name is Alejandro Moahicka(?) I brought a couple exhibits to show you.

Commissioner Dan Saylor: Sir, can you spell your name.

Alejandro: It’s A-L-E-J-A-N-D-R-O.

Alejandro: Basically, what we are requesting today is legal drain relaxation from the 75 ft. off of the physical top of the bank to match the platted legal drain of Roslin Industrial Park, as you can see on the site plan, the red line, it shows where the physical top of bank right away would lay as you can see from our proposed layout that wouldn’t fit a building in that area so we are requesting that it be relaxed as what was recorded in the original plat that was approved by drainage board in 1999 as the legal drain shows on the green line.

Phil Baxter: Dan, you and Bob recognize where this is?

Commissioner Dan Saylor: I’m not 100% sure.

Alejandro: The second…

Phil Baxter: Roslin Road, down almost to the back entrance of Victoria on the North side of the road.

Commission Dan Saylor: Oh okay, there’s a building on there now?

Phil Baxter: No.

Commissioner Dan Saylor: No?

Phil Baxter: That’s a proposed building.

Commissioner Dan Saylor: Oh so that’s a proposed building? Okay I see that now.

President Bob Johnson: They need it relaxed so they can build the building.

Phil Baxter: There are about 2 or 3 building along there before you get to this property.

Alejanadro: The next page actually shows an areal map of where we are at, Victoria maintenance building is to the North so you can see where we are on Roslin Road. The third page is just showing you the plat for Roslin Industrial Park, then the last is it zoomed in with that legal right of entry is located right now per the plat.

Steve Sherwood: So per your color drawing, your red line represents the current 75 foot legal drain setback.

Alejandro: That would be the physical right of entry off the top of the bank.

Steve Sherwood: And the green line is what you’d like it relaxed to. Do you have a footage that it needs to be relaxed to?

Alejandro: Yes.

Steve Sherwood: Do you have a footage or distance that it equates to?

Alejandro: That would be close to relaxing it to 35 feet, recent we didn’t want it to call it a relaxation to 35 feet was because we just wanted to keep things consistent with the plat and just show as the plat had been approved.

President Bob Johnson: Any questions Steve?

Steve Sherwood: No sir

Phil Baxter: We’re good with this proposal.

Steve Sherwood: Just one bit of information we replaced, if you can see in the colored drawing there shows two pipes across Roslin Blvd, we recently replaced one of them and that ditch needs basically some excavation to get those pipes to flow freely. Do you know if the owner has any intention of reworking that ditch to achieve positive drainage?

Alejandro: I don’t think so, because that’s a legal drain.

Steve Sherwood: We still have right to get in there to maintain the ditch, but we also have many things to do.

President Bob Johnson: So, do we need to have changes up into your office to show that the changes are being made if we do so approve this.

Phil Baxter: Yes, it will need to be a record to file.

Alejandro: Actually, that document on the last page its something we would like to start doing to keep good record of any relaxation that are approved so with that if the commissioners were to approve it and sign it, County Surveyor, and the Auditor so we can keep good record of what we are going here.

President Bob Johnson: I entertain a motion.

Morrie Doll: Can I ask why you are wanting the Auditor to sign this?

Alejandro: That is just a format we had used in the past in Vanderburgh County so that’s why we had it laid out before.

Commissioner Dan Saylor: So you don’t have any problem, Phil?

Phil Baxter: Is the form in order Morrie?

Morrie Doll: Yeah the form is in order.

Jason Baxter: I would just like to have a footage though that its relaxed to….

Morrie Doll: That has been our custom, that we would have a footage. But as you know its from top of bank and top of bank can change over periods of time. This is more permanent in the sense that its on the plat as long as we can find the starting points in the measurements of the plat you’ll always be able to find where this is.

President Bob Johnson: You are looking for a relaxation from 75 ft. to 35 ft?

Alejandro: Approximately, yes that’s what it would come down to.

President Bob Johnson: Any other questions? Do I have a motion?

Morrie Doll: May I ask Commissioner is the motion to the platted line or to 35 feet because that’s two different things. That was the debate that Jason just brought up.

Jason Baxter: Yeah.

Morrie Doll: I was just unclear what the motion was.

Jason Baxter: Id like to just get the numbers and check the plats and measure them, if its 35 feet then that’s good enough for me.

Morrie Doll: So this would be fine?

Jason Baxter: yeah

Morrie Doll: Okay, so there is a motion to approve the relaxation that is printed in the document that’s been provided by the applicant.

President Bob Johnson: Id just rather call it 35 foot.

Morrie Doll: If that’s it, that’s not what this resolution says.

Alejandro: We just wanted to keep it consistent with what the plat has, that was kind of the whole reason behind it.

Morrie Doll: The measurement on the plat’s not going to change, its fixed you find the starting point you’ll always find that line. If you say 35 feet 75 feet from top of the bank I’ve often wondered what that meant, and its going to be perhaps changes over time I’m thinking of Pigeon Creek, Little Pigeon Creek I’m sure that 35 foot mark has moved over periods of time so in terms of stability you probably have a more stable number if you do it with the plat. But if you always want to know you can find the top of bank and measure 35 feet regardless then you would want to site it by measurement amount. To you, Jason, and Surveyors office.

Phil Baxter: You’ll probably get a difference measurement over time.

Morrie Doll: What you may think is the top of bank is different in the eyes of someone else, but if you are willing to do it to the plat of the resolution that has been offered for your signature is accurate, if on the other hand if you want to do it to the 35 foot measurement we would have to do something different on paper.

President Bob Johnson: Jason you said you were alright.

Jason Baxter: Yeah that’s fine.

Commissioner Dan Saylor: So, I make the motion to approve the relaxation as per the plat.

Commissioner Terry Phillippe: Ill Second

President Bob Johnson: All in favor 3-0

Morrie Doll: (to Alejandro) Are you asking the board to sign it now so you can take it to the Auditor?

Alejandro: Yeah that would be good.

Morrie Doll: I think you also, Phil, need to sign it. We will need a copy of the signed version, just so we have something for the minutes.

(Form given to Jennifer to copy)

**DANNY VANHOOSER- OTTER CREEK**

President Bob Johnson: I apologize but I went out of order on the agenda, we should’ve had Danny VanHooser from Otter Creek permission to install a railcar culvert in legal drain to construct a driveway.

Danny VanHooser: Danny VanHooser, I live at 1244 Otter Creek Drive, I’ve got some proposed drawings here for you, this is future building project that I am looking to do if everything goes well. I would like to sell my house and build another house in Otter Creek. The map of course is just showing where the proposed site is the second page is the drawing of that I am proposing to build to get across Otter Creek. Those are two I call “overseas” storage containers that we put inside the ditch. I want to put them down in Otter Creek, its got a rocky bottom to sink those in the bottom and rip rap where the entrance where the containers will be to keep erosion and stuff down and then put 3 foot of dirt over it so I can run my utilities through there and of course rock over the top of it.

Steve Sherwood: Did you say run your utilities across that? What would happen in the event that it gets washed out?

Danny VanHooser: My utilities are gone.

Steve Sherwood: I understand you have two shipping containers side by side so there would be a center wall that would be left in place.

Danny VanHooser: Yes their would be.

Steve Sherwood: Have you run any hydraulic calculations to see if these container sizes are adequate to pass the watershed that generates up stream of here.

Danny VanHooser: No sir I have not. Pretty much all I can go by is the years that I’ve been there and that creek usually runs 2-3 feet deep and I’ve never seen that creek near out of its banks with all the rain and stuff we’ve had.

Jason Baxter: I was down there the day after the last long big rainfall we had 3 ½ -4 inches down there and it was in the bank only running ½ full or so.

Commissioner Dan Saylor: Danny what is the length of those shipping containers?

Danny VanHooser: 40 foot.

Commissioner Dan Saylor: So you’re putting two 20s down there?

Danny VanHooser: Yes sir.

Commissioner Dan Saylor: Are you buying a 40 and cutting in half or two 20s?

Danny VanHooser: I think I buy two 20s because I think it’ll be stronger.

Commissioner Dan Saylor: Would they be attached in anyway or are you just going to set them there?

Danny VanHooser: They’d be welded together, and I’m also going to weld some pieces on the side to retain the dirt and gravel, I don’t know what exactly its going to be but I’m going to have to weld some steal in there to hold that stuff back.

Commissioner Dan Saylor: For like a wing wall?

Danny VanHooser: Yeah for a wing wall.

Commissioner Dan Saylor: That metal gets exposed to rust and once it rusts it creates a barrier to where it doesn’t eat through, it’s a chemical reaction, its build for salt exposure.

President Bob Johnson: Questions?

Morrie Doll: We would also want to make sure the Drainage Board or Warrick County would have any liability for maintenance or upkeep.

Danny VanHooser: If I do this project there’s a lot of work I have to do to Otter Creek because there’s trees that have eroded and fallen in there and I’m going to take all the trees that I’ve cleaned Otter Creek up.

Steve Sherwood: The purpose is for crossing the creek with utilities are you going to create another building site?

Danny VanHooser: I’m going to build a house back there.

Steve Sherwood: Is this the only way to access the property?

Danny VanHooser: It’s the only way.

Steve Sherwood: So Fire and Emergency would have to cross this, its all private at that point. You cant get to it by a public roadway once you leave Otter Creek Drive.

Morrie Doll: I’m worried about…will this…. This is the part you wish to build on is the back part here?

Danny VanHooser: Actually it will be up here against the lake, I need to get past this flood plain here and the house will….

Morrie Doll: Where is the driveway coming in off of the subdivision?

Danny VanHooser: Right here both these lots right here.

Morrie Doll: Okay, so you will have a driveway that comes to a public right away and that’s the driveway that will go back and it will cross this creek someplace and you are actually going to build back on the far side of the top blue line?

Danny VanHooser: That’s correct.

Danny VanHooser: The driveway will be approximately 1400 feet long.

Steve Sherwood: I don’t know if the Plan Commission has seen that as a buildable lot yet or?

Morrie Doll: I don’t know, I was just worried that their wouldn’t be a public needed access to a right away, but there apparently will be.

President Bob Johnson: We have not seen this in APC yet?

Morrie Doll: I haven’t seen it.

Danny VanHooser: I haven’t actually purchased the property pending what I can find out about crossing the creek, because if you cant cross the creek you cant build on the lot.

President Bob Johnson: Right.

Morrie Doll: So, who is the owner of the property?

Danny VanHooser: Randall Pemberton.

Morrie Doll: Mr. Pemberton supports your application for crossing, he knows you are doing this?

Danny VanHooser: Yes he does.

Phil Baxter: Randall actually came in our office some years back and was talking about the possibilities of crossing this and then he never mentioned anymore about it.

Danny VanHooser: He’s had trouble finding someone crazy enough to pull it off I think.

Steve Sherwood: Back to my question about hydraulics, I’m not sure how large the water shed is but DNR has criteria once you try to put a structure in a creek over so much acreage, so does IDM so I don’t know if he has approached them, it may be beyond the jurisdiction of our board.

Morrie Doll: How wide is this creek? 17 feet?

Danny VanHooser: 17 feet is the top of the bank its not in the actual water way its at the top of the bank.

Commissioner Dan Saylor: The actual water way you said it was about 12-13 feet?

Jason Baxter: Yeah, probably. The way the bank lays its kind of hard to get a true measurement.

Morrie Doll: Is there one of these houses on this areal photo, is it partially in the flood plain?

Danny VanHooser: It looks like it.

Commissioner Dan Saylor: Assume all this area between the blue lines is flood plain…

Morrie Doll: I’m just trying to figure out what would flood if there was a blockage..

Jason Baxter: I couldn’t see anything coming up over the crossing looks like…

Morrie Doll: Even if there is 3 feet of dirt on top, I mean that general level you’d think it would go over this crossing?

Danny VanHooser: It would go over the crossing before it flooded anything.

Morrie Doll: Is this within the jurisdiction of Army?

Steve Sherwood: Could be Core, DNR, and IDM.

Morrie Doll: It could be all three regulatory agencies that are involved.

Steve Sherwood: We don’t have any watershed or hydraulic information to view.

Morrie Doll: Which would mean you would have to get approval by 2 different State agencies and maybe the US Army Core of Engineers.

Danny VanHooser: Really?

Morrie Doll: Yeah. Sorry.

Steve Sherwood: I would say he almost has to go to them before he comes back to Drainage Board.

Morrie Doll: I think before you can approve this you have to know that the other regulatory agencies have signed off on this and probably we need something from Mr. Pemberton joining you in the application, because you don’t own the ground he ought to have something in this file that says “hey yeah I’m for that too” and I don’t know if I can tell you the right order whether you to go IDM, or DNR, or Army Core first, one is going to point the finger at the other saying you got to have their approval too, the other is going to point the finger back. Because we are in close proximity to the river we’re under the jurisdiction of both Army Core of Engineer and IDM and anytime you deal with a regulated drain you’ve got to perhaps make sure you in compliance with those agencies. Would you like to investigate that and then come back?

Danny VanHooser: Probably not, if its going to be that much trouble I’m just going to forget about it.

Morrie Doll: I’m sorry, I wish we could give you final approval but I don’t think we can legally. I’m not trying to be difficult, I didn’t want you coming out here to day and the Board approve it and you think okay I got everything I need and next thing you get a violation letter from IDM or DNR worst yet the Army Core of Engineers you’d be really disappointed. I’m not saying it may not be able to be done, I’m just saying there is a process that you need to look into and go through and that would be those three agencies.

President Bob Johnson: It would be worth a phone call or two.

Morrie Doll: Yeah, just till the time.

Danny VanHooser: Who would you call first?

President Bob Johnson: Army Core of Engineers…

Morrie Doll: I would call them all in the same day. Would you like the board to table this today, give you some time to do that.

Danny VanHooser: Yeah I think that’ll be alright.

Commissioner Dan Saylor: Table until the next meeting?

Morrie Doll: That’s two weeks, or do you need more? I mean if you have a job, you may not get it done in two weeks do you want to put it off until April?

Danny VanHooser: Yeah that would be fine.

Commissioner Dan Saylor: So, that would be April 8th.

Morrie Doll: Is that alright, April the 8th @ 2:30

Danny VanHooser: Alright.

Commissioner Dan Saylor: I make a motion to table to April 8th.

Commissioner Terry Phillippe: Second that motion

President Bob Johnson: All in favor? 3-0

**CLAIMS:**

President Bob Johnson: Are there any claims Jennifer?

Jennifer Curry: No

**OTHER BUSINESS**:

President Bob Johnson: Any other business? Mr. Sherwood its all you.

**STORMWATER DEPARTMENT**

Steve Sherwood: Thank you Mr. President, first item of business I have before you in my handouts I had a one page notification of the upcoming MS4 Annual Meeting on Tuesday May 14, 2019. In this meeting its an annual meeting I attend but its going to be discussed supposedly by IDM the new permit, we’ve been holding up prevision to the MS4 ordinances until the new permit comes out, it probably would be worth while if the MS4 operator, which I believe is designated as you Mr. President, previously it was Marlin Weisheit if you are designated member of the board would like to attend this program it would be most informative presentation if not able to, we will probably have our consultant Wessler come down to present what changes are going to need to happen to our ordinance and follow this annual conference.

Morrie Doll: They’re going to be passing out information it says.

Steve Sherwood: And I will be there to collect it and present back to the board I just want to forward the board an opportunity to be there.

President Bob Johnson: I took this over for Marlin didn’t I?

Morrie Doll: Yes you did.

Steve Sherwood: Its in Indianapolis at the Mariot East, just wanted to bring that to your attention.

President Bob Johnson: Thank you.

Steve Sherwood: I have got an invoice for the previously approved $2,170.00 amount for the Raingarden seminar that we will be hosting. If you recall we approved this on February 11th and its made out to Holly McCutchen with the Warrick County Soil Conservation Service they forwarded the invoice to us to sign the contract to pay for it I believe Morrie had some information that he wanted to discuss with the board relative to us signing this document.

Morrie Doll: Steve had Chris bring up the minutes of the Feb 11th meeting and he is correct we did approve, there was a request made to you by the Warrick County Soil and Water Conservation District to fund this project you’ll remember, we did approve, we did agree, this is exactly the right amount. My concern is they want this Board to become the contract employer of the party who is coming to give the presentation, and that’s not something we talked about. Warrick County Soil and Water is going to sponsor this and host it, we agreed to give Warrick County Soil and Water $2,170.00 no issue with any of that, I just cant recommend the Board sign the contract with a company in New York to do this when we didn’t discuss or agree to that. My recommendation Holly and or the Warrick County Soil and Water Conservation Office needs to be the contract provider we need to have an inner department transfer of funds from Steve’s budget for Public Education to Soil and Water to pay this contract and we need to do it quickly because this is going to occur in April 8th I just don’t like the idea that we are signing a contract with a New York entity.

Steve Sherwood: To wish of the Board I will contact them and they can sign the contract we will supply the funds as previously agreed.

Morrie Doll: If you want to make sure we don’t delay this seminar, you can approve the disbursement of $2,170.00 today subject to the right party signing the contract and that may speed things up, other wise it will be next meeting which may be cutting it too close to April 8th.

President Bob Johnson: I think that is the best plan of action.

Commissioner Dan Saylor: So we need to make a motion to approve the disbursement?

Morrie Doll: Yes Sir

Commission Dan Saylor: I make a motion to approve the disbursement of $2,170.00 for the Raingarden seminar.

Commissioner Terry Phillippe: I second

President Bob Johnson: All in favor? 3-0

Steve Sherwood: Thank you, Morrie Thank you for your advice. Next item I have is basically just an update for the Board for the Tanglewood project update with Lockmueller Group looking at the original contract that we entered into last fall, we were looking to have a draft report this month, been contacted by Lockmueller Group on the 21st I shall meet with them to discuss the draft and in April they will have a presentation to the Board of those findings so I will be gong through the draft documents with them yet this month I just want to update with the Board we are on schedule. Only other information I have for the Board we talked about doing a drainage project at 3100 Old Hickory Drive in Old Hickory Estates the structures have been horded over the winter and are in place, putting out a bid here soon in April for a construction project in May if you recall we held up on doing it on the roadway because of the amount of traffic being detoured from the Oak Grove Road phase 3 project through Old Hickory which we still have some traffic being detoured but they now have the option to get back out on that Oak Grove Road at Coalmine intersection now that that part will be open for traffic we only need about a 1-2 week closure to accommodate traffic. Also, the letter we spoke about at the Engelbrecht basin because 3 additional feet was reported by Morley and the increased pool elevation Jason’s been working with me and we think we got the owner, the proper Homeowner Association contact regarding that I will be getting that letter out alerting them to the problem and have them appear before the Board with a proposed solution and that’s the last item I have to report to the board unless anyone has any other questions.

Steve Sherwood: I sent the Board a email back on Feb 27th for the Board’s information relative to the comment made by Ted Blake asking what are we doing to resolve the flooding issue at Framewood basically reported to the Board what the status of that was. Ted’s property backs up to the Northern part of Framewood Estates we’ve had a project in place in 2012, actually two projects and they died for majority of the owners coming in line with us to move forward so we still don’t have resolution that everyone is happy with projects since then, I just want to update to the Board.

Morrie Doll: We’ve spent money on engineering…

Steve Sherwood: As I recorded previously about $40,000 before..

Morrie Doll: And we cant acquire the necessary easements right ways.

Steve Sherwood: Temporary right of entry agreements.

Morrie Doll: The landowners haven’t resolved….

Steve Sherwood: I know Ted has brought this up before and he’s brought it up again I just wanted to remind the Board what his complaint was about and why its not being dealt with. That’s it.

President Bob Johnson: Mr. Grassman anything? Mr. Howard?

Joe Grassman: I don’t have anything.

Bobby Howard: No

President Bob Johnson: Anyone here? Anything else?

Commissioner Dan Saylor: I make a motion to adjourn.

(voice in audience)

John Wilson: 4 years ago I had Marvin Bruce, I got the copies on all of this, her name is Chris Sander(?) down there at the bottom and he knew about it, he’s the Stormwater and Marvin, I had a brain aneurism and I say the wrong words and I get excited, they all knew, I’m disability so I come up here and talk to Williams, Marvin, and his name is Reed Rhode(?) and he said no problem and I talk to Ron Bacon up at the church we have 465 at the pizza place Friday and I talked to Ron Bacon and he said yeah John it was all supposed to be taken care of because 4 years ago, I have the copy I haven’t paid Stormwater for 4 years and he knew about it and Chris and all of them said we’re taking care of it for all disabled people its all taken care of for people like me I got the copy that Ron, and I got it, they said no problem. So I always go and learn all this about people I went down there and its been disability then whole time I went and got the other day, it shows right here it went up $55 and I said all the girls in court, down and the commission knew about, not the commission but the courthouse they said John something isn’t right and I said yeah it aint. I went and talked to him because the day I brought a guy here and he’s disability and I went to his house and I said Bob, this is, he said I’m going to take care of it Bob no problem.

President Bob Johnson: John, what I did was I looked up the minutes from the meetings. From when you got reprivel from this fee, I looked up the minutes on that meeting, I had Mrs. Skinner pull that up for me and I reviewed it and what had happened was at that time 4 years ago the State was in the process of introducing a bill to be signed stating “All people on disability does not have to pay this fee” You had been coming in front of the commissioners and I guess this Board, I don’t know, to complain about that Stormwater fee and in an effort to squash it since it was being proposed in the State House, they relieved you of that apparently went on for 4 years but the law never got passed, it never made it to the floor and it never got passed. So, in essence, you should’ve been charged with it once it did not pass.

John Wilson: Well, all people knew about it and it was all going through, all the girls knew about it and said yeah john its all going through, Chris got her name she signed the paper. 125 for John Wilson received for Stormwater you…

President Bob Johnson: I have read all those papers John the problem is, every disabled person in this county that owns property is paying that Stormwater fee, and

John Wilson: And that’s what we were fighting for and that’s why…

President Bob Johnson: I understand that, but its not a law John, the law never got passed.

John Wilson: So how can, it got done before that so that’s what I’m saying is that all those girls are going to have to go to court to show all that.

President Bob Johnson: What girls are going to court?

John Wilson: Well I’m not telling ya, but all of them are going to have to go to court to show all that and they knew about it because its not a lie if you do that and we go to court then that’s going to be a sue for disability because I’m disability and my brain is going on right now and you guys done it and Marvin is going to be in trouble and the girls going to be in trouble that’s why I’m in there because their going to have to go to court to show all that.

President Bob Johnson: John, I’m not going to take up time here, but I am going to tell you I am not going to make an exception for one person in the county when all other people.

Morrie Doll: You cant.

John Wilson: I talked to Ron Bacon Friday and it was all supposed to take care of disability all together.

President Bob Johnson: I’m sorry, but I don’t think that is correct.

John Wilson: Okay, ill get the thing going then get to going then.

President Bob Johnson: Okay Sir, thank you.

**MOTION TO ADJOURN:**

Commissioner Dan Saylor: I would like to make a motion to adjourn.

Commissioner Terry Phillippe: I’ll second that motion

President Bob Johnson: All in favor 4-0