**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**March 14, 2022**

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; Steve Sherwood, Storm Water; Phil Baxter, Surveyor and Dana Upton, Recording Secretary

Present in the audience: Glen Meritt, Michael Stevenson, Randy & Kim Gilliam, Fred Kuester, Robert E. Elpers, Debbie Bennett-Stearsman.

**PLEDGE OF ALLEGIANCE:**

President Bob Johnson opened the meeting of March 14, 2022 with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

President Bob Johnson: Approval of minutes for the February 28, 2022

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

Commissioner Dan Saylor: Second

President Bob Johnson: All in favor 3-0

**Glen Meritt- Cash Waggner & Associates- YELLOWSTONE P.U.D**

President Bob Johnson: Next up, we have Glen Meritt-Cash Waggner & Associates- Yellowstone P.U.D Drainage Approval

Glen Meritt: Glen Meritt with Cash Waggner. I’m the Engineer on the project. This development has a mixed use. It’s Commercial on the north end. There’s an existing Commercial building that was already constructed on the property when John Mattingly purchased it. We are looking to build 4 additional buildings up on the Northwest end. There is an existing entrance already there that accesses State Road 66, then on the South end, there are 48 units, which, it’s a mix. There’s some that are fourplexes, there are some that are duplex unit and the fourplexes are being installed because there’s quite a bit of elevation difference across this property from East to West so those are going to be 2 stories, 2 units on top and then 2 units on the bottom that will access the West most drive, 2 detention basins. 1 on the North end that is a wet basin and its capturing run off from the, all the Commercial property and then about half of the Residential property. It has a 6 inch Orifice outlet to the INDOT Storm Sewer that’s on the East side of State Road 66 and then at our Southwest corner at the Wildwood Dr. connection, there’s another Dry Detention Basin that’s capturing the south half of the Residential. The North Detention Basin is a little bit bigger. That’s why it’s a Wet Basin. It’s designed to meet the 100 year release rate or the 100 year design, it’s still releasing at the 5 year undeveloped rate and then the South Basin, it is designed for the 50. The release rates are both choked down a little bit because INDOT. We had to get INDOT approval and their requirements are a little more stringent. It’s still the 50 year design but they are, they require some different storms and computer modeling for instance on the North Detention Basin, the allowable release rate is 10 cubic feet per second and we’re releasing at 3 and a half CFS and then the South Detention Basin, the allowable is 4.1 CFS and we’re release at 135 and both of those basins, I don’t know if I mentioned, on the Southside they are both 6 inch Orifice, 12 inch pipes with 6 inch Orifice in them. Steve requested that on those Outlet structures so they are both very small outlet pipes. Be happy to answer any questions you guys might have.

Commissioner Dan Saylor: Glen, I have a question. Who is going to be responsible for maintaining these Basins?

Glen Meritt: John. John Mattingly. All the properties are rentals. Say the North end, the Commercial, I mean he really doesn’t know what is going to go in there. I mean he’s hoping some people have little office buildings or just storage units and then say the Residential on the South is all just rentals, so John Mattingly will own, he owns the property now and he’s going to continue to own it. I called him and asked him that question on the way up here just to make sure and he said that he will be the one responsible for maintenance of those.

Commissioner Dan Saylor: That’s better than some firm out of New York that doesn’t give a damn about Warrick County. At least I know where you live.

Glen Meritt: Right, and he’s been doing it for a long time so he’s got several developments in Warrick County. Been around for a while.

President Bob Johnson: ok Glen, we’ve got some Remonstrators here so, I’d like to call Randy & Kim Gilliam. Please state your name and you’re address for the record.

Randy Gilliam: Good morning, Randy Gilliam, 5211 Oakwood Dr.

Kim Gilliam: Kim Gilliam, 5211 Oakwood Dr. Newburgh.

President Bob Johnson: ok.

Commissioner Dan Saylor: What was your first name again?

Randy Gilliam: My first name is Randy.

Commissioner Dan Saylor: Randy?

President Bob Johnson: I’d entertain what your complaint is or what your concerns are.

Randy Gilliam: Sure, the concern is that our property connects directly to the Mattingly Developments which means we share a low spot with this Development. I’m to assume that when they put these developments in they’re going to raise that grade of the land up. That’s going to leave me with the low spot and they might have adequate draining for their developments but my back yard could become a small lake during rains so I don’t know, will that be adequately drained, I don’t know. I certainly don’t want a lake in my yard when it rains heavy.

Commissioner Dan Saylor: You don’t want to be the new Retention Basin do you?

Randy Gilliam: Absolutely, that was exactly what I was thinking. Yea, so that’s my major concern with the drainage problem there. I’m assuming they will have to raise the level of grade to build on. I don’t see that area staying low. So of course, my property will still stay low there.

President Bob Johnson: ok, lets uh, is that your only concern?

Randy Gilliam: With the drainage, yes.

President Bob Johnson: ok, so let’s go ahead and step back and let Mr. Meritt address that if you would.

Glen Meritt: Where is the property address located? Is it north of our Development?

Randy Gilliam: its lot 5, it’s actually north and west of, you will develop on actually 2 sides of us.

Glen Meritt: North and West? I don’t have that, I don’t have that street on here. I mean, we cannot fill at the property line, I mean, that’s not how you’re allowed to design a Development Subdivision, I mean will we raise some of the elevations on our site? Yes. But if the property line is at a certain elevation, we will tie back into it, I mean, most of the drainage on the Northeast side, there is some water shed that runs to the Southeast to the Sudamar Subdivision and we’re not disturbing that. Lot 3 is undeveloped at this point. Everything that we’re disturbing is running to the West which is where our Detention Basins are, everything discharges to INDOT right-of-way.

Commissioner Dan Saylor: So, there’s nothing that’s going to be dumped more on his property?

Glen Meritt: Absolutely not. I mean, that’s. If there is a low spot at the property line, I mean if that is a ditch. Is it a swale?

Randy Gilliam: No, it’s literally a low spot. Like I said, you are developing on 2 sides of me.

Glen Meritt: I still don’t understand where he’s at on, I don’t have a map

Randy Gilliam: You are developing to the West, I’ve got a map.

Glen Meritt: show me exactly where you are at.

Randy Gilliam: I’m right here

Glen Meritt: ok.

Randy Gilliam: and this is the low spot

Glen Meritt: I got ya, I see where he’s at now. Thank you. That helps me tremendously. In that corner, he is at the Northwest corner of the existing subdivision. That’s to our East and he is correct, there are low elevations there. I mean, immediately North of that is where the Northeast end of our Detention Basin #1 is and then there is a swale. I’ve got it roughly 50 foot North of the property line there where those elevations are continued or going to continue to go down to that Detention Basin, we are not going to fill along the property line and burn it off, I mean, that’s not how you’re allowed to design, that’s not how I’m going to design a development. Our road loops at a little bit South of that point that he’s talking about and I mean, there is a pretty steep fill bank or there will be a fill bank there where it dives back off to existing ground where we won’t, like I said, we will not be disturbing that existing elevation. Then it will be graded down to the swale and then it ultimately goes just a little bit to the West to our Detention Basin.

Steve Sherwood: Just for clarification, where Mr. Gilliam, Mr. & Mrs. Gilliam live, will you be disturbing any of the area that abuts their property by this plan?

Glen Meritt: What do you mean, on our side?

Steve Sherwood: yea

Glen Meritt: Well yea

Steve Sherwood: ok, was there an East West diversion ditch along the common, would be your North line, their South line that takes it West to the Highway or is the grade not working in that favor.

Glen Meritt: The Swale does extend to the East

Steve Sherwood: I know there’s an existing ditch behind the existing building between that and the next Commercial property closer to 66. I just didn’t know back out of sight, does that ditch purpose to bring that drainage west to that ditch outflow to the highway, to answer his question.

Glen Meritt: Yea, that the Swale that I’m talking about is Swale #4, I don’t know if you guys have an exhibit in front of you or not. It extends about halfway across their property and the Swale elevation is at 442.5. If you go due south, the property line elevation is a 448 and the low spot that I think they are referencing is over in their northwest corner and it’s a 444 elevation.

Commissioner Dan Saylor: Their property is, the Gilliam’s is a 444?

Glen Meritt: Correct

Steve Sherwood: But to their concern if any water was to run off of your developments property and go north towards theirs, would it be cut off by this ditch and diverted?

Glen Meritt: It’s not going to go the North. I mean, on the West side of their property is where our access drive is located at. That is all sloping to the West and I mean, that’s all going to be captured by the road and taken to the North but then on the North property line, like I said, all of the elevations are dropping down. I don’t know if you can see it better on this (brings drawing to the Board)

Commissioner Dan Saylor: Watch your step.

Glen Meritt: This exhibit shows it a little bit better. This is their lot.

Commissioner Dan Saylor: Who is their? The Gilliam’s?

Glen Meritt: yes

Commissioner Dan Saylor: ok.

Glen Meritt: those are all existing contours and I am assuming that’s where they are talking, it gets kind of low back there in the corner but here is my swale and it extends all the way up to here and there’s not really any reason to put it further because it’s all draining.

Commissioner Dan Saylor: Where is your Retention Basins at? Right there, is that it?

Glen Meritt: That’s the big one, the other one is in the corner. This is the wet one.

Commissioner Dan Saylor: ok so the retention basin is 440. So what’s his lowest spot?

Glen Meritt: I believe it’s at 444.

Commissioner Dan Saylor: 444, yea.

President Bob Johnson: and this is 440

Glen Meritt: the Detention Basin drops another 3 and half feet.

Commissioner Dan Saylor: So this is still, if I am reading this right, it is 4 feet lower than his lowest spot?

Glen Meritt: and that Swale there, like I said is a foot and half lower than that, so I mean It’s going to be

President Bob Johnson: It’s going to run this way.

Commissioner Dan Saylor: So you’re running it all that way? Ok. You can’t trap or dump water on it so.

President Bob Johnson: Glenn. (Gives Glen Exhibit back) Are there anymore Remonstrators for this project?

President Bob Johnson: Mr. & Mrs. Gilliam, based on what we see and what we are hearing, you’re not going to, your property should not get disturbed because everything is going to be running away from you towards the Retention Basin because it’s a lower elevation. On Paper.

Randy Gilliam: Is the current elevation that is there going to still exist and run that way, it can’t run that way right now.

Glen Meritt: Based on the contours that we have shot, I mean, I am not showing a low point, I mean, does it exist all on your property?

Randy Gilliam: It’s also on my property and right where it connects to the Mattingly property too as well, but then it rises up as it goes towards 66 and then of course it rises up as it goes towards the Mattingly building.

Glen Meritt: I got you, do you want to come up here and look at this exhibit real quick?

Randy Gilliam: Sure!

Glen Meritt: what I am talking about. This is your property right here correct?

Randy Gilliam: yea, and this is our low spot right here. This is, and my property slopes toward the low spot, my house is up here. And this is of course where it’s low for the Mattingly area.

Glen Meritt: Right, and I mean we’re going, we’re not really going to, we’re going to build it up back in this corner because I mean, we’ve got a road that is coming in and we’ve got to loop it together but I mean, it’s going to continue to slope down, I’ve got some rip rap on the edge of the road because it is a pretty steep embankment that’s going to be there. But in that North corner, this is an existing contour and that’s a 444 elevation. I’ve got, this is, this line here is a swale that we have designed and I am at 442 and a half here so I am cutting into the existing ground like 3 or 4 foot here where this can all slope and go to this swale but this is the outline of my Detention Basin that, where all the water is running and I mean its 4 foot lower than this point.

Randy Gilliam: So this and this and this would all have to slope this way correct?

Glen Meritt: Correct and I mean if we need, if you need this northeast or northwest portion of your property chopped down a little bit, I mean I am fine with saying we can do that when we’re out there grading it I mean the elevations that I have don’t reflect water ponding at that particular spot if you’re saying it ponds here and you’re worried that we’re going to elevate it and back it up.

Randy Gilliam: oh, heavy rain, it will, it ponds right all here.

Glen Meritt: We’re leaving all that, we’re leaving that low and I mean even cutting it down more because there is a 444 like you said, it does go back up but this, all is a detention basin in the top of the bank of the detention basin is 4 to 6 foot lower than existing ground down there. Im at 440 and a half which is 3 and half foot below your northeast northwest corner.

Randy Gilliam: so I know this plan here though rises up higher so you’re going to create that space there? Because I know it doesn’t stay that low from here to here.

Glen Meritt: Create what space? I didn’t follow you there?

Randy Gilliam: Here is my low spot. Here is your basin.

Glen Meritt: the road is all going to be elevated. It’s all going to be pushed to the north.

Randy Gilliam: this area here is higher than this area

Glen Meritt: and that’s all going to be cut down. Like I said this whole, this dark line that you solid line. That’s a 440 or will be a 440.5 elevation and I mean I’ve got existing contours in there at 447, 446, 445 so like you said there is a little mound in there right now, looks like there is some sort of depression right through this particular spot but I mean, all of that is going to be lowered and chopped down an average of 4 to 5 feet and this is going to be chopped down another 2 to 3 feet from that 444. I know it’s hard to probably look at this because you don’t look at these a lot but like I said, that’s a 442.5 elevation and I’ve got an elevation on your property at 448 if you go directly south.

Randy Gilliam: yea that’s definitely the area of the low spot.

Glen Meritt: right, so my swale elevation here if im going from a 442.5 down to a 439.5 is probably a 440.5- 441 maybe so I mean we’ve got a 3 foot drop from this point down to that point so I mean we’re going to have to cut it down off of your property unless you tell me that you want us to come in there and clip that corner off and maybe slope it a little bit further down.

Randy Gilliam: yea, just as long as this whole section here isn’t elevated beyond that because then that will capture right there.

Glen Meritt: no, that is my true low point for the whole thing. Everything from this development goes to that swale and or that detention basin and then it releases out to the west to the existing storm sewer pipe, there will be areas that are filled that the particular low area that you’re referencing in that little high knob, that is all going to be chopped down when the development.

President Bob Johnson: does that address your concern Mr. Gilliam?

Randy Gilliam: umm yes, as long as it all goes to the scale that he described that should have adequate draining in theory.

President Bob Johnson: ok

Glen Meritt: like I said we per the Warrick County Ordinance, we only need to design for the 50 and that basin will hold the 100 and like I said the original numbers, we could release 10 CFS and we’re only releasing like 3 so that basin can store a lot of water down there in that corner.

President Bob Johnson: Thank you. Steve, you got anything?

Steve Sherwood: Nope, I believe everything is in order as per our discussions and the numbers he has cited.

President Bob Johnson: Mr. Baxter?

Phil Baxter: We’re good.

Commissioner Terry Phillippe: I make a motion to approve the request from Cash Waggner for Yellowstone P.U.D.

Commissioner Day Saylor: Second

President Bob Johnson: All in favor 3-0

Glen Meritt: Thank you.

**Fred J. Kuester- Engineer & Land Surveyor (and Robert Elpers)– Elpers Ridge Subdivision**

President Bob Johnson: Next up, we have Fred J. Kuester, Engineer & Land Surveyor with Elpers Ridge Subdivision requesting Drainage Plans be waived due to minimal land disturbance.

Fred Kuester: I am Fred Kuester- Land Surveyor

Robert Elpers: Robert Elpers

Fred Kuester: the project. I have some small plats here, do you want me to pass them out?

President Bob Johnson: sure.

Steve Sherwood: watch your step Fred when you come up here.

Fred Kuester: I beg your pardon?

Steve Sherwood: Watch your step when you come up here.

Fred Kuester: This is a 5 lot subdivision out northeast of Lynnville on Gore Road and we have 3 lots, all lots front on Gore road and we have 3 lots between 4 and 5 acres and then well I call it the 4th lot I’m talking about, Ed presently lives on and has a house on it and that is 6.8 acres so they’re all considerable large lots and actually lot 5 is 69 acres. Quite a bit of farm ground involved in that but we’re, they’re planned for Residential construction and due to the minimum of land disturbance, the owner is requesting that the requirements for a drainage plan be waived by the Drainage Board.

President Bob Johnson: Steve, you got any issues?

Steve Sherwood: all lots exceed our minimum 2.5 acres so it’s typical for the request.

President Bob Johnson: Mr. Baxter?

Phil Baxter: No, it’s good. Smallest spot is almost 4.5 acres as you can see so yep, we’re good with it.

President Bob Johnson: Any questions Commissioners? Entertain a motion

Commissioner Dan Saylor: I make a motion to approve the drainage plans for Elpers Ridge Subdivision.

Commissioner Terry Phillippe: I’ll second.

President Bob Johnson: All in favor 3-0

Fred Kuester: Thank you.

**Michael Stevenson-SJCA**

President Bob Johnson: Next up, we have Michael Stevenson- SJCA. Section Corner Perpetuation contract completing Ohio Township.

Michael Stevenson: Hello, Michael Stevenson, SJCA. I just got a contract with the Surveyors Office to finalize I think its 18 corners. There’s been a number of projects that have been done over the years in this township and this will basically just finish off that township and finalize that for Jason. They are kind of spattered all over the township so it kind of makes it a little more difficult but, and we’re also in sections 1, 2 and 3 which also are little more difficult. But we just kind of have contract there and if you have any questions, I’m here for it.

President Bob Johnson: ok. Questions?

Jason Baxter: We’re just hoping for a consensus to get this contract approved.

Steve Sherwood: and just to reiterate, this will complete all of the sections in Ohio Township which Surveyors Office has worked very hard to get to this point. It’s not the end, they will be doing more beyond Ohio Township.

Commissioner Dan Saylor: What’s this particular contract dollars?

Jason Baxter: For $45,000.00

Commissioner Dan Saylor: $45,000.00 even?

Jason Baxter: yes

Steve Sherwood: And this will come out of their Section Corner Perpetuation fund which basically every deed that gets recorded in Warrick County, $5 goes to that fund. I believe they’ve got to go before Council.

Jason Baxter: Correct.

Steve Sherwood: to request that money.

President Bob Johnson: Any issues?

Commissioner Terry Phillippe: I’m good with it.

Commissioner Dan Saylor: I make a motion to approve. Do we need to do this by motion?

President Bob Johnson: we can

Steve Sherwood: I would assume that would be appropriate.

Commissioner Dan Saylor: I make a motion to approve the Perpetuation Contract with SJCA.

Commissioner Terry Phillippe: I’ll second that.

President Bob Johnson: All in favor 3-0

Michael Stevenson: and will that need to go before the Commissioners as well for approval or?

President Bob Johnson: I don’t know, it just did. We might bring it up. I believe it’s under Rogers Administration items.

Commissioner Terry Phillippe: stick around for 30 more minutes.

Michael Stevenson: perfect, thank you.

**CLAIMS:**

President Bob Johnson: Next we have claims for $156.17.

Commissioner Terry Phillippe: I make a motion to pay the claims

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

**OTHER BUSINESS**:

President Bob Johnson: Any other drainage business? Nope

**STORM WATER DEPARTMENT**

President Bob Johnson: Mr. Sherwood

Steve Sherwood: Thank you Mr. President. I’ve asked Debbie Bennett-Stearsman to be here today so she can give a little bit of a background on the state revolving funds, there is some money out there she thought it would be a good idea we request an application to put in. I’m working on getting her that information. She will do the actual application but part of it requires a PRE which is a Preliminary Engineering Report and I requested proposals from our 3 consultants or actually 2 of them. 2 projects have the same consultant and the Stonegate/ Yorkridge has Clark Deets which already has the design completed ready to go, we’ve just not had the funding to put it in. The other 2 projects by Lochmueller Group are of course the Fuquay/Tanglewood and the North Green Springs Valley which is under a very early design at this point. Debbie.

Debbie Bennett-Stearsman: ok. I’ll try to go through this briefly. I’m sorry the way the paper looks but I just found this out and tried to throw something together. Debbie Bennett-Stearsman speaking. I met with Steve and Barbie about potential funding sources for some of the Stormwater projects that Steve has and I went through some funding sources with him and Im just going to review these quickly and help you one way or another to make a decision. The first funding source we talked about was USDA Rural Development. Unfortunately, Rural Development does not have grant funding. It is a 40 year loan at an intermediate interest rate of 2% you can use ARP or OCRA grants as match if you don’t want to take the entire loan. The second is the Office of Community and Rural Affairs which is OCRA. The maximum they have is $700,000.00 with a 20% match but it is income based on the area that you are servicing. It has to be 51% low to moderate income. You may use ARP or USDA to OCRA. Then the next 2 are from the State Revolving fund. 1 is the Build Infrastructure Grant or the BIL. I checked this weekend and am actually waiting for an email back but it is supposed to include Stormwater funding that is up to 49% grant and 51% loan. There must be a formal PER and application submitted by May 1st of 2022 and the project must have a clean water component in it and I’ve got examples of that if you need to know. The other is the SWIF funding or the State Water Infrastructures Fund which was last year, they had funding and I believe you applied for that last year. Right now, they are not sure if they are going to have Stormwater included in it but if you do you’re still going to have to have a PER if they have the Stormwater component. Then the next is the Warrick County American Rescue Funds or ARP. We have put 3 projects from Steve on the Board. He submitted those preliminarily and then the last is just the State Revolving Loan Fund which is a 20 year low interest loan so those were the sources we discussed and he told me the 3 projects he was looking at and I told him the problem that he’s having when he’s applying right now for Federal Funding is even though he has plans and specs he doesn’t have what is called a Formal Preliminary Engineering Report which is most of the time taking what he has and putting it into a format for one of the funding Agents. I can’t tell you one way or the other whether it will be funded if you move forward with this but I can tell you the way that you’re applying right now, the format. I know it sounds crazy but that format is not acceptable for any of these grant sources. Most of the grant sources do include loans. We had that discussion as well. So, if you would be applying, I guess we’d have to go to the County Council to get loan funding. I just want you to know what the different sources are and I know he has received quotes on doing the Preliminary Engineering Reports. I don’t know if this helps you make a decision or not but I’m open to questions in trying to make those decisions.

Steve Sherwood: Thank you Debbie. And just so you know the amounts we are talking about for these PER’s or Preliminary Engineering Reports for the 2 Lochmueller projects which Is North Green Springs Valley and the Fuquay/Tanglewood. They are proposing a total of $28,500.00 to prepare the 2 PER’s and Clark Deets is proposing $18,500 for the Stonegate/Yorkridge project. So a total of $47,000.00 if we commit to do that, we still don’t know if we are going to get the grant or not, but that’s why I asked Debbie to explain that to the Board because she can do it much better than I can. Do we want to risk preparing 3 PER’s for the cost of $47,000.00 on a chance of moving forward and getting a grant. It’s still a risk which is why I asked her to. Thank you.

Commissioner Terry Phillippe: So if I understood you correctly, this is all basically the information that we have it just has to be reformatted and put into a particular book.

President Bob Johnson: With an Engineering Report.

Steve Sherwood: Yea, and it’s best that the Engineering Consultants who did the project prepare the report because I could not get the information together.

President Bob Johnson: Steve, how much money is the Tanglewood Project?

Steve Sherwood: Tanglewood is estimated in 2018 dollars of being half of a million dollars. North Green Springs Valley which I just got some preliminary numbers back, depending on which option we go with is a 1.6 or 2.1 million dollar project not including Engineering costs.

President Bob Johnson: So, with that being said, why does Warrick County have to take the risk? Why can’t the Engineering companies take the risk of preparing the Engineering Report to get the job?

Steve Sherwood: I haven’t asked them to prepare it for free. There’s usually a cost associated with a PER.

President Bob Johnson: I mean, if I’m not mistaken, Lochmueller has already went through and engineered the hell out of Tanglewood Ditch.

Steve Sherwood: yes, they would have to yes, put all of the information together in a format that is presentable.

President Bob Johnson: and we paid a fortune for that.

Steve Sherwood: I can ask them to do that.

President Bob Johnson: I just don’t, I’m not trying to be argumentative. I’m just trying to figure this, you know, trying to understand it all. If I was after 2 million dollars or a million dollars’ worth of business, I’d be willing to give up $18,000.00 worth of Engineering time that I’ve probably already got done.

Commissioner Terry Phillippe: That’s kind of the same angle I was coming from. It’s already, the contents are already there. We don’t necessarily have to decide anything today.

Debbie Bennett-Stearsman: No, you do not. I was just.

Steve Sherwood: She just has a looming deadline of May 1st for these to be done. We don’t have to make a decision today.

President Bob Johnson: you always got a deadline.

Debbie Bennett-Stearsman: I live in deadlines. I did want you to understand that a lot of them are conditioned by loans and so that you can also understand when he talks about grant funding why it is so difficult to get it for this particular Stormwater projects vs like other municipalities. You have 2 agencies you have to go before.

Steve Sherwood: and the May 1st deadline was preference. The sooner you get the applications in, the better.

President Bob Johnson: How difficult are putting together these Engineering Reports?

Steve Sherwood: I’ve not had to do one so, I don’t know the depth involved but as you have stated, they’ve got all the information, they have to pay someone to sit down and throw it all into a format that is suitable.

Commissioner Dan Saylor: Debbie, if we were to do loans on this project, does that affect our future grant capabilities?

Debbie Bennett-Stearsman: No.

Commissioner Dan Saylor: not grant, I’m sorry, bonding capabilities.

Debbie Bennett-Stearsman: Well, that’s what we’ve been trying to decide. So typically when they look funding for any of these grants, they look at the impact on the Stormwater rate for the customer so we averaged I think at one point, every customer would be, I’m just using as an example $4 a month and if we were to do a loan for a million something, how would it affect that rate, would it raise it to $5, $6 so they look at buying down the gap. That’s what typically these grants are and it’s difficult cause I think we came up with 16 or how many thousand people for the county, so the impact if you did one of these projects and had to look at Stormwater rates, it probably would not impact it that much so that’s a large part of the scoring criteria.

President Bob Johnson: Thank you. Thank you Ma’am. Anything else? Mr. Sherwood?

Steve Sherwood: we don’t have to take any action.

President Bob Johnson: ok.

Steve Sherwood: I will ask the Consulting Firms involved to prepare at no cost a PER if that’s what the Board will like.

President Bob Johnson: Well, I’m not saying at no cost. I mean, Tanglewood. If we get that grant, you know the Engineering Firm that did all of the Engineering is going to do the work. They’re going to get the contract. I mean,

Steve Sherwood: The construction engineering, yes.

President Bob Johnson: to me it just, makes sense. It’s a business decision.

Steve Sherwood: yea, we’re already invested over a $100,000.00 in design fees to date on that project alone.

President Bob Johnson: Right, so I just don’t understand why they are wanting. I’m going to be quiet and just leave that one alone ok. Anything else Sir?

Steve Sherwood: yes, next item I have is the Pipe and Precast Bids on the Fuquay/Tanglewood project as I discussed the last meeting, I sent out 3 proposals that were going to be open at todays meeting. I was just handed the loan bid that arrived during this meeting and this is for the bidding out of the precast pipe and drainage structures for the Fuquay/Tanglewood. We talked about ordering these in advance because it takes a few months to prepare and build these instead of putting them in the cost of the project, we like to bid and supply the material and just put out a contract to install it and it lessens the amount of time for the project. The only bid I have received of the 3 is from County Materials Corporation and the cost of the precast alone for the structures and pipe is $232,068.86. This is the only bid I’ve got, I’ve been told the other 2 bidders would not be submitting a proposal just due to 1, didn’t have the time and 2, it was too far away to travel to supply a smaller project, if you consider that amount of money a smaller project.

Commissioner Terry Phillippe: Is that number in line with what you expected?

Steve Sherwood: It’s in line with the material cost for that project, yes.

President Bob Johnson: It’s only going to go up I think.

Steve Sherwood: If we were to put it in the bid, obviously the Contractor would have a markup on that, that’s why we asked for structured information up front and buy it ourselves.

Commissioner Dan Saylor: and that markup is at least going to be 10-20% so

Steve Sherwood: Plus cost and concrete and steel is going up weekly. I would ask the Board for approval of County materials at that cited Bid amount.

Commissioner Dan Saylor: Did they say what the lead time on this Steve?

Steve Sherwood: I gave them to have it ready by the end of May, ready for delivery in my bid specs.

Commissioner Terry Phillippe: I’m not sure how many pages you have there, did they say that was acceptable?

Steve Sherwood: pardon?

Commissioner Terry Phillippe: I said I’m not sure how many pages you have there, is that acceptable on their end?

Steve Sherwood: They don’t state a date in this but it is in my bid specs and they do reference the bid specs.

President Bob Johnson: Entertain a motion

Commissioner Terry Phillippe: Dan you good with that?

Commissioner Dan Saylor: yes

Commissioner Terry Phillippe: I’ll make a motion to approve

Commissioner Dan Saylor: Second

President Bob Johnson: All in favor 3-0

Steve Sherwood: Thank you. The next item I have before you, you have a copy before you regarding the Pruitt case. 3 page Commissioner Saylor and I were at mediation last week. You have a copy of the mediated settlement agreement. Both parties have agreed to this and signed it. I believe Commissioner Saylor has talked to each Commissioner during the process as well, I just need to enter this into the record today that we have reached a mediated settlement agreement at no cost to either party.

President Bob Johnson: ok, thank you. Good job Commissioner Saylor

Steve Sherwood: Do we need to vote on that Commissioner Saylor? For the record.

Commissioner Dan Saylor: I mean,

President Bob Johnson: It’s a signed document.

Commissioner Dan Saylor: It’s a signed document so I don’t know what a vote is going to do. I mean, we’ve signed it so we’ve agreed to it.

Steve Sherwood: That’s fine.

Commissioner Dan Saylor: Now I’m trying to think what would an Attorney say?

Commissioner Terry Phillippe: It’s on the record now too.

President Bob Johnson: Well, it’s on the record now, so.

Steve Sherwood: It’s on the record. Yea

President Bob Johnson: I agree with it. Terry you?

Commissioner Terry Phillippe: I agree with it.

Commissioner Dan Saylor: There’s a consensus that we all agree with it.

Steve Sherwood: The last item I have for the Board, I just want to make you aware we have another Basin issue in Baywater Subdivision. Outlet structure that takes the 2 lakes that are divided by Oak Grove Road there at Berkshire on the Northside and Baywater on the Southside, there is a lone 15 inch design structure by Morley that was approved by Drainage Board. The channel out all of the acreage of water, apparently the land owner that’s responsible for it is not maintaining it, matter of fact they even built their rear yard fence within the easement. It gets continually blocked up by Beavers. The Pool elevation is about 2 feet higher than normal and it’s within a foot of going over Oak Grove Road so, I am going to write a letter to the Developer, which in this case is Uebelhor who has since sold all of the lots to Jagoe and between the 2 of them, they need to resolve this issue with either them or the landowner that the structure is supposed to be maintained by. Just for the Boards information. That’s all the business I have unless the Board has any other questions.

President Bob Johnson: Mr. Baxter?

Phil Baxter: Nope.

President Bob Johnson: Jason?

Jason Baxter: No sir.

**MOTION TO ADJOURN:**

President Bob Johnson: Motion?

Commissioner Terry Phillippe: I make a motion to adjourn.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Steve Sherwood: Thank you.