**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**July 12, 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; Jason Baxter, Deputy Surveyor; and Jennifer Curry, Recording Secretary. Bobby Howard, Highway Department Director-standing in for Steve Sherwood, Storm Water Director.

Present in the audience: Scott Buedel, Mark Chamness, Tom Keith, and Bret Sermersheim

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of July 12, 2021 with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

President Bob Johnson: Our first item is the approval of minutes for June 28, 2021

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

**MARK CHAMNESS- CHAMNESS SURVEYING- SCHIFF FAMILY SUBDIVISION**

President Bob Johnson: First up we have Mark Chamness with Chamness Surveying for Schiff Family Subdivision requesting no drainage plans.

Mark Chamness: Mark Chamness representing the Schiff Family.

President Bob Johnson: Okay, and you are requesting no drainage plans.

Bobby Howard: Is this changed? There was originally going to be a road extension.

Mark Chamness: There was, and then they opted not to do that.

Bobby Howard: That is Three Lakes Drive, that one there by the gravel road; I think they have a consensus to do a gravel road extension on Three Lakes Drive initially. Now it is being divided without having the need for the extension?

Mark Chamness: Right, we took away one lot and we were able to use the footage there existing around the cul-de-sac.

President Bob Johnson: Mr. Baxter?

Phil Baxter: We recommend approval, the smallest lot is almost 4 acres there is no need for drainage plans.

President Bob Johnson: Are you okay?

Bobby Howard: Yeah, I just wanted to make sure because it was changed and reasons why because a couple years ago they got a consensus.

Commissioner Terry Phillippe: This is official action then, for consensus? I make a motion to approve.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0. Thank you.

Mark Chamness: Thank you

**SCOTT BUEDEL-CASH WAGGNER & ASSOCIATES- CASTLE RIDGE SUBDIVISION, NEWBURGH, IN 47630—Continued from 6/28/21**

President Bob Johnson: Next up we have Scott Buedel with Cash Waggner & Associates for Castle Ridge Subdivision with the request to vacate Gardner Webb Ditch for Castle Ridge Subdivision with Hold Harmless Agreement and Legal Description from land owners.

Scott Buedel: Scott Buedel with Cash Waggner & Associates on behalf of Daniel and Angela Niehaus who own the property that the Legal Drain is on. We are asking that the Legal Drain that extends into our property basically terminate at the common property line, our north property line, we do have an approved drainage plan, we just brought it up earlier when we walked in from 2020 for the overall development and there is an existing basin that pretty well sits where that Legal Drain was. We were just asking for the Legal Drain part of it be terminated out our north property line and after our last meeting I had worked with Morrie and I do have a waiver in petition to vacate, I had emailed that to Phil and I do have the original if you need to original, and then talking with Phil’s office we did do the Hold Harmless and have that signed and notarized I have the original for that too if you need that.

President Bob Johnson: Okay, thank you, Mr. Baxter

Phil Baxter: I’m good with it.

Morrie Doll: This is the head water on that part of the ditch, it’s not that there are other properties water flow across the Niehaus and there is a catch basin now in the right-of-way where the ditch would be and the Niehaus’s are the only affected property owners and they’ve signed both the petition and a waiver of public hearing.

President Bob Johnson: Okay, anything to add Bobby?

Bobby Howard: Nope.

Commissioner Terry Phillippe: I make a motion to approve.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Scott Buedel: Do you want the originals?

Morrie Doll: If you would give the original to Phil or to Jennifer, please.

Phil Baxter: Thank you Scott.

**BRET SERMERSHEIM- MORLEY & ASSOCIATES- JACOBSVILLE EAST SUBDIVISION NO. 2- NEWBURGH, IN 47630**

President Bob Johnson: Next we have Bret Sermersheim with Morley & Associates for Jacobsville East Subdivision No. 2.

Bret Sermersheim: My name is Bret Sermersheim, I’m with Morley representing the two owners of the subdivision in St. Luke’s and Jacobsville East just requesting that no drainage plans be required at this particular time they don’t know of anything they are going to do with the property they are wanting to purchase the back portion of St. Luke’s for future development of their parcel to the north.

President Bob Johnson: You okay with it?

Phil Baxter: Yes, I agree that we will request drainage plans after they decide they want to build, if they build.

Commissioner Dan Saylor: I make a motion for the waiver.

Commissioner Terry Phillippe: I will second.

President Bob Johnson: All in favor 3-0

**TOM KEITH-EASLEY ENGINEERING- VILLAGE OF LEXINGTON II PUD- NEWBURGH, IN 47630**

President Bob Johnson: Mr. Keith with Easley Engineering for Village of Lexington II.

Tom Keith: We are re-platting Lot 74 from a 10 lot subdivision to a 1 lot subdivision, we are going back in time, it was originally designed as a multi-family lot for town houses or brownstones. When the bank took over the project from the developer, Barrington Development, when the bank took it over they decided that maybe they could sell individual lots better than the multi-family lot so we re-platted it for them. The developer who has bought it Niam Homes feels like they can go in, put a multi-family unit in, and make it work better, so nothing has changed, drainage is the same.

Commissioner Dan Saylor: Is this apartment?

Tom Keith: No, these are town houses, condos.

Commissioner Dan Saylor: Do they have to be that? I’ve gotten a phone call on this and saying they don’t want apartments…

Tom Keith: They are not apartments, we are on record they are not apartments.

Commissioner Dan Saylor: Okay.

Phil Baxter: Drainage is all in and the same.

Bobby Howard: Aren’t we still holding some money on some drainage?

Tom Keith: It’s still under the bank’s letter of credit, the bank…by selling the property from Niam Homes they have agreed to hold the letter of credit until the streets and drainage was approved.

Morrie Doll: The streets are not in here…

Commissioner Dan Saylor: So, those town homes Tom, are they going to be like what is out there now?

Tom Keith: No, they are going to be 90% brick, they are not going to look like the brown stones, they are going to face the streets where the brown stones are the reverse, no these are going to face the streets.

Commissioner Dan Saylor: Okay.

Tom Keith: We have had meetings with the property owners out there with the adjacent property owners, we had a good meeting with them last week and everybody seems to be on board.

Commissioner Dan Saylor: Okay, that’s when I got the email probably over a week ago, so okay good deal and I haven’t heard anything since so you must have gotten that quelled.

Tom Keith: We hope so.

President Bob Johnson: Mr. Howard anything to add?

Bobby Howard: No, Sir.

Commissioner Terry Phillippe: I make a motion to approve.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Tom Keith: Thank you much

**CLAIMS:**

President Bob Johnson: No claims Jennifer?

Jennifer Curry: I do have one, it came in after I made up the agenda so I was just going to bring it up here, I have an Office Depot claim for $366.46 to be approved.

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: Any other business for Drainage Board? Mr. Howard you have Storm Water.

**STORM WATER DEPARTMENT**

Bobby Howard: Storm Water I just have a small report that Steve wanted to go on record that he did submit two (2) projects for the SWPPP Grants prior to the July 15th deadline and those two (2) projects are ones that the Board has approved in the past and they are in the design stages that Tanglewood Ditch and Fuquay Road Drainage Improvement Project for $800,000.00 in the Yorkridge and Stonegate Subdivision Drainage Improvement Project for $300,000.00 for the total requested amount of $1.1 Million-Dollars.

President Bob Johnson: Anything else? Councilor?

Morrie Doll: No Sir.

**MOTION TO ADJOURN:**

Commissioner Terry Phillippe: I make a motion to adjourn.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0