**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**August 26, 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, Morrie Doll, Attorney, Jason Baxter, Deputy Surveyor; Steve Sherwood, Director of Storm Water; and Jennifer Curry, Recording Secretary.

Present in the audience was Barbi Shelton, Dan Katz, Cynthia Epley, Mary Tucker, Jim Tucker, Joe Russow, Scott Buedel, Nick Will

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of August 12 ,2019 with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

President Bob Johnson: First thing we have to do is approve the July 22, 2019 minutes.

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

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

**DOLLAR GENERAL- ST. JOHN’S & WALNUT STREET-ELBERFELD, IN**

President Bob Johnson: First up we have Dollar General St. Johns and Walnut St Elberfeld, Joe Russow with the Farnsworth Group. Please state your name.

Joe Russow: Good Afternoon everybody, my name is Joe Russow with the Farnsworth Group representing Rusty Doss at Overland Engineering the designer of the site plan for the Dollar General. I had a requirement that you guys needed four (4) full sets of drawings, I just need to leave those with you before I leave?

Jason Baxter: I will take them.

Joe Russow: Okay. I’ll keep one up here for reference just right now then I will leave it with you guys. So, the stores proposed on the corner of Walnut St and St. John’s Road in Elberfeld, the existing site right now is all grass with the addition to store parking, detention is going to be required, we aren’t asking for any variation or anything from that. We did prepare storm water detention calculations which I know were submitted over a week ago for everyone to review and we’ve incorporated a basin end of the site design on the Southern portion of the site is gong to collect all runoff generated by the store. Our calculations show the existing runoff right now for the 5 year storm off the site is roughly 1.3-1.31 CFS our proposed calculation with no detention there would be almost 8-CFS, 7.93 to be exact CFS of flow generated by the store itself, so we defiantly have some detention that will need to provide with our proposed outlet just an outlet wall of the 6-inch orifice, we were able to achieve 1.21-CFS as a release rate so we are limiting that just below the existing release right now at the site . The required detention volume to be provided will be about 4,600- cubic feet on the basin we are proposing is just over 7,800-cubic feet, so with that generated and incorporated into the site we will be able to achieve the required detention for the 50 year storm at the site after the construction of the store and parking drives and all of that. If there is any questions from the Board I can address those at this time.

Jason Baxter: Steve, do you have anything?

Steve Sherwood: We require that the site review earlier that the site would have to have some type of drainage calculation provided, he has demonstrated to you that the pose development will generate more than the existing site as it is pre-development, so he has provided sufficient drainage calculations and detention basin volumes for that site, and it is on-site. All that we ask is that you inform your client that the maintenance and care for the detention basin will run with the land whether it remains a Dollar General or whoever occupies it in the future.

Joe Russow: Okay.

Commissioner Dan Saylor: Is that dry basin or wet basin?

Joe Russow: It will be a dry basin. We’ve got on the plans on sheet C-6 has the detail of that detention on that outlet wall with that orifices at the bottom so the basin will entirely drain out.

Commissioner Dan Saylor: I think its real important to what Steve just mentioned, I want to reiterate that, it seems like we are dealing with a lot of these basins now, seems like when the ownership changes they don’t necessarily hear the responsibility of maintaining these, so its real important they know that’s their responsibility to maintain them and make sure they operate as designed.

Joe Russow: I guess that would be my only question on that, if there would be a sale or something like that in change of ownership they would just have to be made aware of that in the agreement that when that did change hands they were still responsible for maintaining that basin. Obviously, with the ownership right now, there is no issue or question there they wont maintain it and as the store goes on, I guess that would be my only thing.

Steve Sherwood: I don’t know if it requires a plat because it is a lot, not subdivided, its in the town of Elberfeld not within the county so we are reviewing this as a curtesy to them. Legal Council is not here to advise, but I would say if it is in the record with the drainage plans and if you have some type of restriction or covidence that runs with the land it should be stated in there as well because IDM will want to know who has maintenance requirements, I did state that in the stormwater pollution prevention plan as well for that particular item.

President Bob Johnson: So, what do we need to do here today Steve?

Steve Sherwood: I think just formally just to approve it at this point with the plans and calculations that were submitted to the Surveyor’s Office and they are in order and meet our minimum requirement.

Jason Baxter: That is the way I understand it.

President Bob Johnson: You’re good with it?

Commissioner Dan Saylor: Yeah.

President Bob Johnson: Mr. Baxter?

Jason Baxter: Yes, sir.

Commissioner Dan Saylor: You’re good with it too Steve?

Steve Sherwood: Yes.

President Bob Johnson: Okay, I consider a motion.

Commissioner Dan Saylor: I make a motion to approve the drainage design, plans, and calculations as stated.

Commissioner Terry Phillippe: I second the motion.

President Bob Johnson: All in favor. 3-0

Joe Russow: Thank you everyone, as a reference to everyone we are going the Elberfeld Town Board on the 20th for final approval of the rezoning for that site there within the town limits and then that should be all the approvals in order and be looking to get started on that.

Steve Sherwood: I think this is the 3rd Dollar General in Warrick County in the last year and a half or so?

Joe Russow: It’s been the second one I’ve worked on within the last year.

Steve Sherwood: One in Lynnville about a year and a half ago and one currently under construction on Sharon and 66 and this will be the third one.

Jason Baxter: I believe there will be another one coming up across from the Legion.

Steve Sherwood: And they have all had their own on site detention basins.

President Bob Johnson: Thank you very much.

**EPLEY ACRES-LINCOLN AVENUE, NEWBURGH, IN 47630**

President Bob Johnson: Next up we have Epley Acres, Lincoln Avenue Newburgh.

Scott Buedel: Hi, Scott Buedel with Cash Wagner and Associates, we’re going through the process to replat this property it was platted back in the 70’s as a four (4) lot subdivision with the road way that headed South off of Lincoln, the road way was never constructed and everybody is ready to move this property down the line, so to facilitate a future sale of the property we’re basically combining those, taking those four (4) lots and some excess property and replatting it into two lots, one that is already built on and then the remainder property so what we are hoping to do is sell that off as a vacant piece of property maybe for a developer to come in and do something with that property down the road. From the standpoint right now we are asking for no drainage improvements and if it was to come back before you as a new development of course drainage and so forth will be taken care of at that time.

Steve Sherwood: For those of you that aren’t familiar with the location it fronts Lincoln Avenue on the South side of Lincoln just several hundred feet just west of Lynn Road, would that be accurate?

Scott Buedel: Yes.

Steve Sherwood: The bulk of the property that you are replatting and not developing at this time, what is the size of that acreage roughly?

Scott Buedel: The overall property?

Steve Sherwood: The largest of the two tracks.

Scott Buedel: Its about 7-acres.

Steve Sherwood: It’s large, but the point is until someone decides what they want to build there at a future date they will come back for drainage at that time, I think that is what you are asking for as of right now is no improvements for this?

Scott Buedel: Correct.

President Bob Johnson: What is the zoning, Scott?

Scott Buedel: It’s all zoned?

President Bob Johnson: So, are you going to APC tonight?

Scott Buedel: Yes, and then the only other thing that is coming up since there was a plotted road way through the middle of the property and multiple public utility easements that were in that original plat that we are basically replatting and getting rid of we are going to vacation process to get those taken care of so we can come back, we’ll go to County Commissioners for no road improvements, but also an approval of the vacation that we have requested today. Just trying to create a clean slate for somebody else to come in and buy the property.

President Bob Johnson: So, do we need a motion for this now?

Steve Sherwood: Basically, for no drainage is required at this time for this development.

Commissioner Terry Phillippe: I make that motion.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor. 3-0

Scott Buedel: Thank you.

**BETH & DAN KATZ- 5322 N. PARK DRIVE, NEWBURGH, IN 47630**

President Bob Johnson: Beth and Dan Katz, 5322 N. Park Drive Newburgh.

Dan Katz: Hi there, Dan Katz and my wife is teaching now and cant be here I am representing her and the family, just wanted to see about our request for the rip-rap replacement and excavation along our creek behind our house, just wanted to get an update on that.

President Bob Johnson: Mr. Sherwood.

Steve Sherwood: As instructed by the Board previous meeting I am to do a report to the Board you have a copy of that in front of you in that packet, if you would you can basically just review the first page, top page of that approximate labor and material about 3-days worth of time is what the crew supervisor and I estimated, and then you have the associated cost so all total looking at around, estimated engineer cost is $6,650 to rip-rap the ditch as requested from Mr. Katz and his wife. We can fit it into our schedule once we get several other projects out of the way that have already been scheduled previous to this, but we would still like to get it done this Fall. Some of the documents attached to the package you have are shown to you a meeting or two ago regarding this.

President Bob Johnson: Commissioner Saylor do you want to handle this? It’s in your area.

Commissioner Dan Saylor: Steve, are you looking to do this in house?

Steve Sherwood: Yes, we have to rent a larger machine because we don’t have enough reach with our current one. We met with the Katz’s on site with the crew supervisor, they would remove the fences and any other obstructions that would be in our way and they would accommodate that and then reconstruct the fence at their leisure, I would have to get permission to cross the corner of his neighbors yard which we have been on his property before for similar requests.

President Bob Johnson: I believe Mrs. Katz is already out getting estimates for a new fence anyways.

Commissioner Dan Saylor: Would you like a copy of the minutes?

Dan Katz: Can we table that?

Commissioner Dan Saylor: No, that was approved, by her.

Dan Katz: I’m going to have to hold my own meeting on that privately.

Commissioner Dan Saylor: Yeah, I appreciate Steve working up cost analysis for this, and it sounds like if we don’t do it then we will be getting into bigger issues.

Steve Sherwood: I will have to forward a temporary right of entry agreement which Mr. Katz is familiar with and so is his neighbor, I just have to get that out in the mail and get that back once we secure those I can schedule the work once we get to that point in the schedule.

President Bob Johnson: Is this the end of the line for this particular ditch?

Steve Sherwood: No, it’s just another segment in the center of it between Brook Hollow and Jeffries Lane. Its about a 1,300-foot segment of ditch, this is probably this fourth lot we have worked on in that segment, we have a Newburgh sewer line that has been uncovered during the years of erosion and flow line of the channel and then its created a pool effect up stream of the Katz which we have been working with the Town of Newburgh to resolve.

President Bob Johnson: Okay, do I have a motion?

Commissioner Dan Saylor: I make a motion to move forward with the Stormwater project for 5322 N. Park Drive.

Commissioner Terry Phillippe: I will second that motion.

President Bob Johnson: All in favor 3-0

Dan Katz: Thank you very much, I appreciate it.

President Bob Johnson: Good luck to you.

**TANGLEWOOD- LOCHMUELLER GROUP**

President Bob Johnson: Tanglewood, Lochmueller Group.

Nick Will: Nick Will, Lochmueller Group. I provided a handout, I apologize I didn’t get it to you sooner, but it just is summarizing the drainage board meeting back on June 10th that I presented the Tanglewood Drainage Ditch Study on Fuquay Road, since that meeting we had three comments and questions related to the project from the public that I have attached to this document here as well, and also there was 11 attendees that signed in anyways outside of the Board itself, so come here before you today to I guess maybe summarize what was discussed on the 10th as well as to see if the Board would like to move forward with the proposed project and the alternative that was selected as part of the study. I’m not sure what everybody remembers at that meeting I didn’t bring everything along with me.

Steve Sherwood: The comments on the last page that Mr. Will has provided for you is basically copies of the comments that he received after the meeting that may have come in writing either in a letter or email.

Nick Will: Correct:

Steve Sherwood: Those are the responses that will be forwarded to these people after the conclusion of this meeting. One of the items was the comment would the main ditch be extended as a legal drain? I believe and speaking with Morrie, if we choose to pursue that we would have to follow State Statue to extend that we would have to begin at the Tanglewood Subdivision line where it ends currently as a legal drain and extend it Eastward to Fuquay Road is what our discussion has been. There was a question about could the Northern extension you see there in blue on the map which is a secondary, or a lateral to the main tributary, could that become a legal drain, our answer was it is already covered as a drainage easement by the platting of those subdivision lots along Fuquay Road, and would probably not qualify as an extension of a legal drain because the main channel goes East of Fuquay Road. Nick, were there any other comments on that 4th page that I did not touch upon? I believe one of them was East of Fuquay Road concerning the lake that is off the areal, there are no drainage easements going to that watershed East of Fuquay Road because those lots are not subdivided they are just plotted, or rather meets and bounds parcels that were created, there is no formal drainage easement running through there that contains a contributing offsite watershed.

Nick Will: Yes, the property owner had sent pictures of flooding thought their back yard, essentially its happened over the last year, year and a half. They were wondering the accuracy of the lake and the outlet that is for the lake, after the discussions with Steve was discussed that its not on county property necessarily, working on that as part of this project it wasn’t taken into consideration.

Steve Sherwood: The third and final comment was basically if we were to build a trunk line illustrated in red on the East side of Fuquay Road would the ditch be reconstructed so it wouldn’t have so much trouble maintaining it, and yes the answer is yes we would reconstruct that into a mobile type of swale to collect roadside water and create multiple inlets to get it into the underground system you see proposed there in red if we were to proceed with the project.

Nick Will: The idea of the red line is to be pushed out further from the existing roadside ditch because there is a sanitary sewer trunk line that runs along there that we try to avoid or dissipate the project to minimize cost. There would still be a roadside ditch swale in between the proposed structure and the existing Fuquay Road. It wouldn’t necessarily effect the outcome of the study, but we can get to comments and we can address that and sent back out to those property owners.

Steve Sherwood: So, at this point we ask Mr. Will to come forth before the Board to present the final conclusions and findings and then ask the Board if you wish to endorse either alternate or take some time at this point before you do endorse, but if you were to endorse and alternate then we will seek permission from the Board to get an engineering proposal from Lochmueller Group to proceed how much it will cost to proceed with a design implement that chose an alternate. Have I missed anything else?

Nick Will: No.

Steve Sherwood: I think that summarized everything.

Nick Will: Covers it yeah.

Commissioner Dan Saylor: Nick, have you talked to the people that have a property on Fuquay road that you would be moving that ditch back away from the conflict of the sewer line, or do you have a general consensus of getting permission from them or have any issues?

Nick Will: I believe at least one of them were at attendance at the meeting or a representative of them were and they seemed to favor the project assuming that they’re house was sitting back far enough off the road.

Commissioner Dan Saylor: They do set back a good ways.

Nick Will: Besides that I have not had any, we haven’t went door to door contact with the property owners yet, but that would be included in the next phase because the right of way easement acquisition would be required from those property owners.

President Bob Johnson: Mr. Will, is Phase-2 included in the cost from Phase-1?

Nick Will: It is currently not, I apologize for that, it is not in there yet it is something we would like to take a closer look and review the locations to see the amount of rip-rap work that would be required, we’d propose as part of that to get the Tanglewood Ditch to be a legal drain to that area as well.

Steve Sherwood: There may be some permitting requirements for Phase-2, with either the DNR and/or the Army Corp of Engineers.

Nick Will: Correct. Again, with the Phase-1 and Phase-2 idea we could get Phase-1 started quicker most likely quicker than Phase-2, with Phase-2 the drainage improvements are important but they aren’t necessarily creating the flooding issues that are happening on Fuquay Road currently but they are improvements that we recommend being part of the project so that the idea is to get Phase-1 which is the more, it feels like a more immediate concern with flooding along Fuquay and along Pleasant Ridge Drive as well with these driveways flooding in recent events. With the recommendation as part of the report to do which we call Alternative-1 which was to split the flow there at the Fuquay/Pleasant Ridge Drive intersection still allowing flow to go under Fuquay and into that existing channel, but essentially splitting that floor map and carrying it along Fuquay within contained storm sewer system underground and out letting it into Tanglewood Ditch, directly into Tanglewood Ditch instead of unnamed tributary this other line is on paper that goes in between, behind the houses and through the subdivision.

Steve Sherwood: It would be fair to say either Alternate 1 or 2 the structures are sited are basically the largest we can put in there with the anticipated utility concerns?

Nick Will: Yes, utility and then just cover concerns in general

Steve Sherwood: We just still have to get over the sanitary sewer line which I think was one of the factors involved too.

Nick Will: Correct, and with both alternates, we were constructing this structure along Fuquay as well as replacing the existing 48-inch corrugated metal pipe that crosses Fuquay at the upstream end of Tanglewood Ditch currently as well as there is an existing 60-inch corrugated metal pipe in the woods out there.

Steve Sherwood: Mr. Hartz’s property crossing in the middle where the little red short segment is.

Nick Will: It included replacing that as well.

Commissioner Dan Saylor: In Alternative-2?

Nick Will: In Alternative 1.

Commissioner Dan Saylor: In Alternative-1, yes.

President Bob Johnson: Mr. Sherwood, if we would decide to move forward and continuing with this either Alternative, where would this money come from?

Steve Sherwood: We have it in our (Coffers) to fund Alternative-1 probably as soon as next year if we were to move with Alternative-2 we would probably have to delay that another season to accumulate enough funds, or direct some other projects that are in the current planning stages to occur at a later date. I believe we have enough money in our overage, in our current accounts that we can fund Alternative 1 if we were to proceed.

President Bob Johnson: Without hindering any other projects?

Steve Sherwood: Correct.

President Bob Johnson: What would you like to do Commissioner Saylor? I realize we have a huge problem down there with water.

Commissioner Dan Saylor: So, Alternative-1 you are splitting the flow and running that South of the East side of Fuquay right?

Nick Will: Correct.

Commissioner Dan Saylor: In Alternative-1 it includes replacing the structure under Fuquay, you are upsizing that pipe correct?

Nick Will: The structure at Fuquay and Pleasant Ridge would be replaced but its with a similar size, we’re basically taking that existing size and saying it needs to be twice as big as it is, but there isn’t enough room under Fuquay for that structure to fit under Fuquay Road as well as the existing ditch that’s downstream of it isn’t adequate, isn’t big enough to handle the flow so that is what we are doing is splitting that flow there so we would be replacing the structure under Fuquay as well as placing the approximate 500-foot along Fuquay Road with that similar size structure of that 60-inch by 38-inch which is 5x3-foot tall.

Steve Sherwood: Basically, Alternate-2 removes the structure at the Northern end that goes under Fuquay and Mt. Pleasant Drive and forces all the water down the East side unless its an extreme overflow condition where it would come over the road as you witnessed, but those ditches there would still function as drainage ditches under a normal rain event.

Commissioner Dan Saylor: So, the only real difference between 1 and 2 is one is using a box culvert and the other is using a concrete pipe? Is that correct?

Nick Will: Essentially, and then we would be not replacing the structure at Pleasant Ridge that crosses the road with the box culvert, just because the box culvert would be adequately sized to handle the flow, but the box culvert has inherit cost increase.

Commissioner Dan Saylor: But, you are replacing the structure. You are proposing two different types of structures in between one and two. You are doing the same thing just two different structures?

Nick Will: Right.

Commissioner Dan Saylor: What is the life span of the pipe that you would be, is it concrete pipe is that galvanized or anything?

Nick Will: We can look at alternatives, but we would propose a concrete pipe.

Steve Sherwood: Yes, we are looking at a concrete pipe or a concrete box culvert at a minimum of 50 year life cycle. Would it be fair to answer the question raised by Commissioner Saylor that basically the pipe size in the Alternate #2 is approximately 2-3 times larger in square footage and area the box culvert verses the elliptical concrete pipe?

Nick Will: Correct, and that is how we end up with a similar sized structure in Alternative #1 that crossed Fuquay as well as running parallel to Fuquay because the box culvert ends up being influx.

Steve Sherwood: Still, if we have a certain size storm event like I don’t know, if we were to get a 4/5-inch rain in a 30 minute segment like you witnessed, neither alternative would take the water 100% without some type of overflow.

Nick Will: Yeah, its hard to analyze that because that starts to show other things that factors into that the amount of water that is coming towards the road at that point but yes in general it is possible it could still top during the 1000 year storm or something like that where these are sized for at least the 100 year event.

Commissioner Dan Saylor: Let me ask you this question, Nick, what happens if we do this project no matter which, not saying whichever one we use Alternative #1 or #2, and lets say the project is done for a couple months and we get a 100 year storm and we have all that massive amount of water coming through there? We did a project just not down the road from that that had a massive amount of water come through there maybe had a tree that blocked that structure and anyways it basically destroyed the road and the structure and it all had to be redone. What if that happens? Is that, in other words, and again I’m not saying that berm around that pipe being fresh wouldn’t protect it because I think it was but I think the second time we went in there and did it we went and did probably an overkill because we didn’t want it to happen for the third time. I guess my question is to you, how do you try to protect that from happening in a situation like this? Do you design something to protect it? Like with rip-rap up there, is it a single layer, or do you concrete some of that area to protect that new…because what I don’t want to see is we do this project, spend a half a million dollars then we get a 75 year rain then its all gone. Do you guarantee it?

Nick Will: No guarantees, but at the upstream end of these alternatives we would be proposing a head and wing wall which will help funnel that water into the structure as well, and then yes we would be putting rip rap at the upstream end with the limits of that head and wing wall, then potentially out side of that we need to get a little more surveyed to make sure that upstream area picked up well.

Commissioner Dan Saylor: You’re taking that, and again I don’t want to be critical of our guys that’s not what this is about, but maybe we didn’t take the necessary protections because its disturbed dirt now, then going in and filling it with rock and dirt and that kind of thing. If you have a 75 year or even a 50 year rain that is coming in there it could all be gone, that’s what happened down there. So, you guys would give me assurance that you would protect that disturbed area with however you guys engineer it.

Nick Will: Right, it would be protecting the existing slopes immediately upstream of the culvert as well as immediately down the stream of the culvert as well as immediately down the stream, we will replace rip-rap down the stream as well to help minimize the chance of erosion occurring, yes.

Steve Sherwood: All that would bare out when he is able to design this, we would check for that to make sure. These are substantially larger in thickness and weight structures then what blew out with the corrugated metal pipe arch on Fuquay Road that you are referring to, that was just an 8-gauge or a 10-gauge corrugated metal pipe, the box culvert the 8x3-feet is around 10/12-inch wall thickness and the quoted RCPA of 60x38-feet is about a 5 ½ or 6-inch wall thickness and very heavy pipe.

Commissioner Dan Saylor: True. That would be my only thing is that if we did do it to make sure it is done right to fit standards as reportable and not have to worry too much about it.

Nick Will: Sure, I understand the concern.

Steve Sherwood: As Mr. Johnson eluted to you, you do not have to make a decision today we can bring this back once the Board has a chance to think about it or act on it today as you prefer.

Nick Will: With Alternative #1 and #2 again, it will end in the same result, but essentially we’re just proposing Alternative #1 due to the cost, either alternatives there if you chose one and move forward.

Commissioner Dan Saylor: Steve, do you feel comfortable with Alternative #1 with being sufficient to getting the job done?

Steve Sherwood: I believe that will handle just about every storm event except the unforeseeable when you have that 3-4-inch rain in a 30 minute time period, we don’t have anything in the county structure wise that handles that you know, not including bridges obviously but just drainage structures in general.

President Bob Johnson: Well, do you want to sleep on it, think about it.

Steve Sherwood: We can bring it back up the next meeting or future meeting.

President Bob Johnson: Mr. Will if that is the case you wouldn’t necessarily have to come back up we know how to get ahold of you, or Steve does if any questions arise.

Nick Will: Yeah whatever we need to do.

President Bob Johnson: What do you want to do?

Commissioner Dan Saylor: I don’t mind setting this on the agenda and making this is the route we want to go.

President Bob Johnson: Make sure we have all our ducks in a row.

Commissioner Terry Phillippe: I think my only question is, and I think Dan eluted to this with his question a while ago, just connecting with the neighbors and the folks that it does effect, what else is the process to educate them that this is going on?

Nick Will: I think we can have another meeting, like the Drainage Board, I think we can also do a face to face type meeting theirs only 3 or 4 property owners down through there we can probably meet with Steve likely just set up meetings to meet with them on site.

Commissioner Terry Phillippe: Any time you have a meeting its hard to get a lot people there by the people witnessed by your sign in sheet here, is there any type of mail that can be sent?

Nick Will: Yes, we actually did send out letters to all those property owners before we had the meeting on the 10th.

Commissioner Dan Saylor: With all the people that you talked to around there you feel like they are aware of all this?

Nick Will: Yeah pretty much, it mainly effects the one on Pleasant Ridge Drive there mostly, as long as they’re communicating with those folks.

President Bob Johnson: Let’s table this and bring it up next meeting, give you some time to think about it and come up with any questions. Mr. Sherwood make sure we have all our ducks in a row before we proceed or not, are you okay with that?

Nick Will: Yup.

President Bob Johnson: So, make a motion to table.

Steve Sherwood: Next meeting will be August 26th.

Commissioner Dan Saylor: I make a motion to table to the August 26th meeting date.

Commissioner Terry Phillippe: I will second.

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

Steve Sherwood: Nick, if you would please forward those three people you received letters and emails from the final comments so they have the responses for the record.

Nick Will: Okay, I will do that.

Commissioner Dan Saylor: Thanks Nick.

**CLAIMS:**

President Bob Johnson: Claims?

Jennifer Curry: Two.

Commissioner Dan Saylor: I make a motion to pay the claims.

Commissioner Terry Phillippe: I will second that motion.

President Bob Johnson: All in favor? 3-0

**OTHER BUSINESS**

President Bob Johnson: Any other business?

Jason Baxter: I don’t have anything.

President Bob Johnson: Steve?

**STORM WATER DEPARTMENT**

Steve Sherwood: Thank you Mr. President, under Stormwater for the record Barbi had to leave at 3 o’clock I introduced the Board to her prior to the meeting in case she had to leave, she had a prior commitment. Next item I have is the Old Hickory Estates Drainage Improvement Project, we have put out for bid six contractors there will be a pre-bid meeting this Thursday (August 15th) in the morning at the site it is basically at 3400 and 3422 Old Hickory Drive we are going to upgrade the existing drainage structures as requested, bids will be due Friday, August 23rd at 4 o’clock P.M. and bids will be opened the following Storm Water Board meeting Monday, August 26th. Second, I have for you an update on the Robert’s Ridge Project Drainage Improvement Project that was won by the low bid of O’Risky is underway, essentially all drainage structures are put in they’re working on the pavement removal and replacement of the pavements I’d say they are approximately 40% complete at this point in time as of today. Third item I have for you, is the Clark-Dietz Draft Report for the Seaton Place, Field Stone, Hillside Terrace, and Triple Crown Estates Subdivision Drainage Restoration Project. The study has been preformed and I had received it Friday August 9th. I will be emailing you all a copy of this for your review, it is just a study that shows what drainage problems have been occurring. We hired Clark-Dietz a few years ago, this is the third and final project they worked on in that order. Basically, a summary of the problems and potential fixes how to address them, there is no design in this, but it is just a summary how we are going to address these problems and proceed, you will be hearing more about that in the future.

Steve Sherwood: Next item I have for you, if you would take one of those and pass them down for me please, this is a drainage ditch that exists from Bunker Hill Court and runs behind Monticello Drive in between Monticello and Williamsburg Drive in Colonial Hills Subdivision. As you see indicated there in red, there is a 40-foot wide drainage easement 20-foot on either of the bordering parcels, we’ve had multiple requests as of late, to do something about the standing water in this ditch. Prior to my appointment as the Storm Water Director and the previous Storm Water Director has made an attempt to ditch this, we’ve not been able to secure everyone’s permission. You will see in that package the highlighted easements and the complaints that have recently filed and some of my responses to those involved. It’s about a quarter mile, maybe less than a quarter mile ditch and we have about 5-foot drop, I think in order to make this a little more palatable for the residents I was going to propose to the Board that we look at the creation of the shallow concrete line drainage swale instead of trying to hold grade with Earth and grass which has been the current problem. Due to lack of maintenance, we’re not able to hold a grade, residents are supposed to maintain this as pointed out in the subdivision plat, but rarely we’ve got some property owners that do a good job at maintaining their drainage ditch and others that do not. If the Board would like me to, I can send all these residents another attempt, a letter stating we would at putting a concrete line ditch in and see if I can get 100% participation, if I can achieve that I would like to move forward with a design. I wanted to bring it up to the Boards attention first because this would be a, I don’t have a cost for you for it, but an investment of what it would cost to do this, but it would be a large drainage project to go in there and construct the shallow concrete line swale to get this water to drain from one end to the other.

Commissioner Dan Saylor: Steve, those concrete swales is that like a 3-foot, 4-foot?

Steve Sherwood: Probably around a 4-5-foot swale shallow and if you look at…

Commissioner Dan Saylor: Put the bottom in the ditch..

Steve Sherwood: Put the bottom of the ditch basically, I thought maybe a 2-3 foot, but I did not think that would be substantial enough I’m probably thinking 4-5 feet. On the reference of about 6-inches thick reinforced..

Commissioner Terry Phillippe: How long again?

President Bob Johnson: 6-inches.

Steve Sherwood: About 1,200-feet, under a quarter mile. It will be “L” shaped and follow the property lines you see there in the areal subdivision plats attached.

Commissioner Dan Saylor: You said about 4-feet wide?

Steve Sherwood: Yes. Of course it’d be some grading, receding, possibly sodding the effected areas, but you are probably looking at $50-$60 a foot just to get some type of a paved bottom I would roughly estimate without putting anything further to it based on experience. We might have a few companies that might be interested in bidding that if we want to proceed.

President Bob Johnson: About 90-yards of concrete.

Steve Sherwood: That’s a lot of work, but I can try and get everybody’s participation at this point it is just a stamp until all the effected property owners, and if I can get them to agree we can proceed in that direction that would be another attempt to get everybody on board. Obviously, we don’t want to spend any money on engineering or design until we get assurances that everybody will allow us to do this.

President Bob Johnson: Steve, I am sorry and I apologize, but what makes us responsible for this?

Steve Sherwood: It is a drainage way through a platted subdivision and we continue to get complaints that water is not moving.

President Bob Johnson: Understood.

Steve Sherwood: I has been looked at before for us to go out and ditch it from one end to the other, but again, without ditching it all the way through we cant make that happen. We cant assure that water will not stand, it just moved the problem from one lot to the other unless I can drain it from point A to point B.

Commissioner Dan Saylor: How would you, is there easements on both sides of that ditch to where you’d use your…

Steve Sherwood: There is platted 40-feet there is 20-feet on each lot, or total of 40-feet. Of course there are other utilities in there that’s the other issue that I think..

Commissioner Dan Saylor: Underneath the ditch? The bottom of the ditch?

Steve Sherwood: They cross and some of them run with, I have not done a utility locate, but it is a platted drainage and utility easement. I have observed other utility post within the easement but none in the flow line channel per say and the utility boxes and such. Just another avenue to try and get this situation resolved.

President Bob Johnson: I understand Steve, I really do. What I fail to understand is I got a dedication certificate here that you highlighted that simply states that all property owners are responsible for maintaining that easement, but yet some don’t, so you get complaints from other neighbors and this just happens continuously.

Steve Sherwood: This happens throughout the county every week we deal with stuff like this….

President Bob Johnson: And yet, I cant even get a drainage ditch cleaned up in my neighborhood.

Steve Sherwood: I understand.

President Bob Johnson: And that is a legal drain.

Steve Sherwood: Again, we don’t have to take any action I just want to bring it to the Board’s attention.

Commissioner Terry Phillippe: Steve it looks like there’s about 28 houses that actually touch that area?

Steve Sherwood: We can attempt to grade it again as an Earthen channel too if you would like me to send notices in that effect, obviously that would be cheaper.

President Bob Johnson: I’m not complaining about your request or recommended engineering practice on how to get the water to flow through there. What I am…

Steve Sherwood: Just the fact that they should be maintaining it.

President Bob Johnson: They should maintain it, I maintain my own, I’m sure Dan maintains his own. Not everybody will do that I am sure, however why should the tax payers have to pay for people not maintaining their property?

Steve Sherwood: It’s just gotten to the point now it just holds pockets of water and I cant regrade it without permissions…

President Bob Johnson: What other recourse do we have?

Steve Sherwood: I can send them all notices to regrade their portion of their yard.

President Bob Johnson: This is a Morrie question.

Steve Sherwood: Yes, we have done that before in a few different subdivisions request for people to maintain their rear yard ditches in conjunction to retention basins, if you recall we did that in Summer Pointe 4 years ago.

President Bob Johnson: If it becomes a nuisance, then we take action through that avenue.

Commissioner Dan Saylor: That is a Morrie question on that one.

Commissioner Terry Phillippe: Steve, are the complaints mainly from the people who are touching the area?

Steve Sherwood: Yes, two of them I believe are included in the report, I’ve had two in the last 3 weeks on the same issue.

President Bob Johnson: So, lets take this under advisement. Was this an official something where we need to make a motion to table it to discuss it in the future?

Steve Sherwood: I think your comment to take it under advisement or consensus.

President Bob Johnson: Yeah, I think we should do that until we have council here.

Steve Sherwood: No action at this time.

Commissioner Dan Saylor: So no action, Steve can bring it up again I believe Commissioner Johnson would like to have maybe some legal opinion. Steve, I think we just recommend you bring it up next meeting, how is that?

Steve Sherwood: And I will send the copy to Morrie for his opinion.

Commissioner Dan Saylor: Okay, how about we return these to Steve so we don’t have to have him re-print them all.

President Bob Johnson: Yeah.

Steve Sherwood: Thank you. The next item I have, I brought this up in previous meeting recently about some erosion control issues at a few lots in Woodfield, if you would pass this down to each Board member please, you can see on the front cover letter I sent a letter to CAC Development dated July 26, 2019, with them I gave them 14-days to correct all the issues cited. It was quite a thick package that I sent, this is just a few exerts from it, if you go to the tagged page 4 where the yellow tag is, my response to the gentleman in question is most of the items cited by our erosion control inspector hadn’t been addressed but the main part residing from the complaint generated the neighbor about the ditch being silted in, the ditch was not excavated, but he said the ditch will be excavated and sodding the ditch will not happen until late October. To me, I already gave him the deadline that’s come and gone last Friday (August 9th) and that is essentially the response I am getting and nothing will be done until late October. It has been cited by the rules of our Storm Water MS-4 Ordinances, not sure where the Board wants to go forward at this point with pursuing the continued violation and fees on the ordinance or…

President Bob Johnson: That’s another one of those I would feel more comfortable if I had Legal Council here to make a good decision on how we should proceed.

Steve Sherwood: I can send a copy to our attorney and let him address this at a future meeting.

President Bob Johnson: That will be fine.

Steve Sherwood: Last item I have, is a similar situation on the Bell Road Apartments the site has been in non-compliance since the middle of last year. I am going to send him a report and start the process similar to what you had just been handed by CAC Development I will send similar notices to the owner of the Bell Road Apartments to find out and give him so many days to come into compliance and then I will have a similar report for you at a future meeting. Again, I would like to notify you that I will be pursuing that site for non-compliance. That is all that I have.

President Bob Johnson: Anything else? Anybody out in the audience? I will take another motion.

**MOTION TO ADJOURN:**

Commissioner Terry Phillippe : I make a motion to adjourn.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor. 3-0