**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**September 14, 2020**

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; Jennifer Curry, Recording Secretary.

Present in the audience: Richard (Mary) Dennis, Aaron Grapher, Kevin Daugherty, Glen Meritt, Bobby Howard, Jeremy Elrod, Sherri Hill, Stephen Noelle, Leo Miller, Joe Grassman

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of September 14, 2020 with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

President Bob Johnson: First up we have the approval of minutes from the August 24, 2020.

Commissioner Terry Phillippe: I have read over the minutes and I will make a motion to approve them.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

**SHERRI HILL-SIGNARAMA-ST. VINCENT ORTHOPEDIC HOSPITAL ON EPWORTH**

President Bob Johnson: First up we have Sherri Hill from Signarama St. Vincent Orthopedic Hospital on Epworth. Come on up please and state your name for the record.

Sherri Hill: Sherri Hill

President Bob Johnson: We are looking for sign approval.

Phil Baxter: Yes, they are wanting to place a sign with the Orthopedic Hospital there on Epworth Road, and it’s going to be 48-feet off of top-of-bank, we are good with the distance.

President Bob Johnson: Is there any objections to anything? Mr. Sherwood, are you familiar with this?

Steve Sherwood: No I am not, but if Phil has no objections to this placement.

President Bob Johnson: Any questions, Commissioners?

Commissioner Dan Saylor: Phil, you’re good with it?

Phil Baxter: We’re good with it.

Morrie Doll: Should we get a Hold Harmless, do you think we need a Hold Harmless?

Phil Baxter: I don’t think it’s necessary, but if you think it is then it’s fine with me.

Steve Sherwood: Is it in the legal drain?

Morrie Doll: It’s in the 75-foot right of way.

Phil Baxter: That was reduced to 50-foot.

Morrie Doll: Okay, and this is 48-feet? Probably not then.

President Bob Johnson: Do I have a motion?

Commissioner Dan Saylor: I make a motion to approve the St. Vincent Orthopedic Hospital on Epworth Road monument sign approval

Commissioner Terry Phillippe: I will second the motion.

President Bob Johnson: All in favor 3-0

Sherri Hill: Thank you

Phil Baxter: Thank you Sherri, have a great day.

**MARTIN FARM SUBDIVISION-2496 NEW HARMONY ROAD-STEPHEN NOELLE**

President Bob Johnson: Next we have Martin Farm Subdivision 2496 New Harmony Road, state your name please.

Stephen Noelle: Stephen Noelle.

President Bob Johnson: Request to exempt from drainage plans for Martin Farm Subdivision proposed two lot subdivision, one is to be a single residence. Anything here Mr. Baxter?

Phil Baxter: No, we are good with it. It is over 2.5-acres.

President Bob Johnson: Any questions?

Commissioner Terry Phillippe: I make a motion to approve the exemption for Martin Farm Subdivision.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor. 3-0. There you go Sir.

Stephen Noelle: Thank you

**JERAMY ELROD-MORLEY-3455 HIDDEN TRAIL CT, BOONVILLE, IN**

President Bob Johnson: Next we have Jeramy Elrod with Morley & Associates for 3455 Hidden Trail Ct.

Jeramy Elrod: Hi, guys. Jeramy Elrod, Project Engineer. So, on Hidden Trail Court we are looking to vacate an existing 15-foot drainage easement that was on the plat, but I think it was a little inadvertent, and so we are just looking to get rid of that. The owner of the lot, you can see there is a building kind of north of the easement, they are looking to construct another building over the property line which would encroach on the drainage easement, but a lot of that ground has not been disturbed so because of the topography of the ground it makes more sense for the building to be more south in the drawing, and that drainage easement doesn’t house any drainage facilities and so that is why we are asking for vacation of it.

Commissioner Dan Saylor: Where is that water going now, Jeramy, in relationship to the existing building? It’s going down into the lake there?

Jeramy Elrod: Yeah, my understanding is the lot just kind of falls off the back of Hidden Trail Court, it is actually, I don’t know if it is gravel or chip and seal, I mean its….

Phil Baxter: Chip and seal

Jeramy Elrod: Yeah, it kind of drains as is itself, I have some street views on kind of were that property line hits on the road, but there is not a road side swale that goes through there or anything and he owns both sides of the line.

Steve Sherwood: The easement is not currently serving any type of drainage as I understand is that correct?

Jeramy Elrod: Correct.

Commissioner Dan Saylor: So, it’s just kind of sheet falling somewhere?

Jeramy Elrod: Yeah, it is my understanding is all sheet flows west into that existing lake that is right there.

Commissioner Dan Saylor: Okay.

President Bob Johnson: Are there any remonstrators against this project, or against the vacate request to vacate.

\**Audience member*\*-We cant hear.

President Bob Johnson: Are there any remonstrators here that have any issues with the vacation of this?

Commissioner Terry Phillippe: Jeramy or Bobby, is this related to the shared driveway in any way shape or form is it? It’s not is it, it’s a different address.

Jeramy Elrod: Not aware of it, no.

Commissioner Terry Phillippe: Just happens to be off of Hidden Trail? Okay.

President Bob Johnson: Any issues?

Steve Sherwood: No, as long as it’s not serving any kind of existing drainage is what our opinion was when we were asked to look into it.

Commissioner Dan Saylor: I make a motion to approve the vacate the platted 15-foot drainage easement for Hidden Trail Court Subdivision.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0.

**JEREMY ELROD-MORLEY- 10644 LINCOLN AVE, NEWBURGH IN-EVANSVILLE CHRISTIAN SCHOOL**

President Bob Johnson: Jeramy, you’re up again for Lincoln Avenue.

Jeramy Elrod: So, this is for the new and proposed the Elementary School for Evansville Christian School on Lincoln Avenue, the black box is the lot in question, that is where the new school is going, we are here because the corners northwest and southwest corners of the building fall on existing drainage easements, and I think those are in pink on there, we are simply just rerouting those storm pipes. A new plat has been filed, it is in APC’s office to grant the new drainage easements to relocate the storm pipes that are there. We are here just asking for the vacations of the two portions of the 12-foot drainage easement shown on pink on that drawing, the petition has been filed with the Auditor, so once assuming we get Drainage Board approval it will show on the Commissioner’s meeting on the 28th for the official petition to be approved for vacation of the drainage easement.

Steve Sherwood: If I understand the proposal correctly, you are changing the location of the existing storm drain system and these vacations, and your new dedication is to effect that?

Jeramy Elrod: Can you say that one more time, just so I understand.

Steve Sherwood: You are vacating the existing drainage easements because you are going to reroute the existing drainage system?

Jeramy Elrod: Correct, a portion yes.

Steve Sherwood: So, you are basically going to reroute it, but to do that you have to vacate the old easement’s because it will conflict with your building, the ECS is going to build a High School at this location.

Jeramy Elrod: Yes, the proposed building will encroach on the existing…

Steve Sherwood: Then you will dedicate new drainage easements to facilitate the new drainage system as it is relocated?

Jeramy Elrod: Yes.

Steve Sherwood: This is all going to be a private property system, but they have to come through the Drainage Board for these matters as I understand it.

Jeramy Elrod: Yes, correct.

Morrie Doll: So, what you are asking for is legal authority to vacate, but you are not asking for the approval of the proposed new ones?

Jeramy Elrod: No, we used to come before the Board and just ask for a release of the drainage easement, we have been directed now that we need to follow a petition for vacation of an easement, so that is just part of that process we still have to come to you and ask for permission to vacate the easements and like I said in two weeks it will go to Commissioners where the petition will be heard.

Morrie Doll: Then after that you will present engineering to show the new replacement structures.

Jeramy Elrod: Yes, so PCI SKANSKA is the Civil Site Engineer, my understanding is that they have already been in front of Drainage Board once, Steve has that approval been given or it just under review?

Steve Sherwood: They had an approval not too long ago for the drainage system for the High School, my conversation with SKANSKA is that they are going to come back in to Amend that due to additional appropriations that have now come up since that approval.

Jeramy Elrod: Yes, and either way they cant get their building permit until the plat is recorded and plat approval will require, well on the plat we have the new drainage easements which is filed with APC in Molly’s office now.

Steve Sherwood: This is just a step you have to follow to get there. Is there anybody in the audience concerning this situation?

President Bob Johnson: No? I entertain a motion

Commissioner Terry Phillippe: I make a motion to allow the vacation of the easement for Evansville Christian School.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor. 3-0

Jeramy Elrod: Thank you, you all have a good one.

**WILLIAMS LANDING-POLLACK AVE-GLEN MERRITT-CASH WAGNER & ASSOCIATES.**

President Bob Johnson: Next up we have Williams Landing at Pollack Avenue with Glen Meritt with Cash Wagner & Associates drainage approval

Glen Meritt: Glen Meritt with Cash Wagner, Williams Landing is a 42-lot single family residential subdivision, it is located a little west of the 90 degree bend in Pollack Avenue when you turn off 662 right before you go into the Town of Newburgh. We are basically requesting drainage approval, all of our water is flowing in a northwest direction towards River Walk Subdivision that was developed by Jagoe 15-20 years ago, they installed a 36-inch trunk line that runs along their east property line that was designed to capture all of our water, so we are basically designing our detention basin to meet the ordinance of the 50 year and then our primary spillway from the detention basin discharges to that 36-inch pipe, it’s a pipe connection to that existing 36-inch pipe and like I said, it was accounted for in the original calculations, I looked through the files. Some of it was prepared by Morley, and some of it was prepared by Brad Mills, but I believe everything is in order and I will answer any questions anybody has.

\**Audience member speaks-can not dictate*\*

President Bob Johnson: Please come on up and state your name.

Leo Miller: I am Leo Miller, I live on 5911 N. Pollack and my property is right adjacent to where you are building here, right now I don’t have a drainage problem, do you know if they are going to build this ground up or anything or any higher than what it is?

Glen Meritt: There is going to be some cuts and some fills, we have a swale that is going to be installed along our north property line, and our water is going to be directed, the majority of it goes back to the basin, this lot on the very corner is draining out to the existing road side ditch but that is the only water that will run off of that site towards you.

Leo Miller: So, you are going to put a drainage ditch and set it this way?

Glen Meritt: Yes, except for this lot, but it will have a swale on it to capture it and run it to the ditch before it comes to your property.

Leo Miller: Okay, well thank you very much that is all I had.

President Bob Johnson: Anybody else?

Richard Dennis: I’m Richard Dennis, I am with the Antique Steam & Gas Engine Club, Rob, our neighbor over there that is to the west, this is on the doc mark place, is that what I understand that this is going to let water run down to his pit or where is that all going?

\**Other Audience Members speaking to Richard Dennis*\*

Richard Dennis: Oh, they are not on that one, okay.

President Bob Johnson: Okay, do you have anything Mr. Sherwood.

Steve Sherwood: I believe Phil has some comments.

Phil Baxter: We are concerned about the slope on the swales, we asked you have .5 before, and the big majority of it is at .51%- .52% we asked for concrete ribbons in the ditches, I am real concerned about it.

Glen Meritt: Bobby suggested it that the ordinance is going to change, but the ordinance was not in place yet is why the developer did not want to go with concrete ribbons in all those swales because it is a significant expense.

Phil Baxter: Not many people can dig a .51%-.57% whatever, and I am afraid we are going to have low spots, high spots, you can put a couple inches of grass in there too.

Glen Meritt: I understand, sure.

Commissioner Dan Saylor: That is what we have been dealing with all these other subdivisions.

Glen Meritt: The main one that I assume you are concerned about I steeped up the one to a .6% in the middle that is capturing the majority of the water, I mean the road side ditch out on Pollack that is kind of regrading of a road side ditch and we are limited on what we can do with the elevations of the road, I mean I can talk to Chris about it. I am not going to commit to doing them all at this point.

Phil Baxter: That is the only problem I have with it, I’d like to see more slope.

Commissioner Dan Saylor: Glen, I am going to give you my opinion, you know we are dealing with this on a daily basis of these drainage, we are getting complaints and complaints and complaints, and the .5%-.6% is just not enough…and when these people get in there and it’s their responsibility to maintain, they don’t maintain it, it gets out of hand, they call the County expecting us to do it, it puts us in a bad spot because we are not supposed to do it. Then flow starts to get hampered and we are legally bound to do it, we deal with it everyday and I just...

Steve Sherwood: The good thing about the concrete channel it keeps the utilities from putting their boxes in the flow line of the swales, but these aren’t combination public utility and drainage easements so we don’t have any leverage to where they place their utilities within the easement, but ironically it works out a lot of them like to put them in the middle of the easement which ends up being the middle of the flow line of the swale that they drain to.

Glen Meritt: I will make a comment on the whole easement description, the only reason it is a 10-foot drainage and public utility is because we have to have a 6-foot public utility on every lot with APC, I mean there is no, Vectren is not going in there, that needs to change quite frankly. We struggle with that on every plat we turn in the minimum easement width is 6-foot and this minimum public utility on every lot because every utility now wants an exclusive easement. They want a Chandler Water Line easement, or a restricted public utility easement, and there is this long ago statement in the ordinance that says you have to have a public utility which is throwing it to the WOWs, Meratech and every other person that goes out there. That easement, all we want it for is the swale, but in order to satisfy APC we have to put it as a public utility because we don’t have any room on any other portion of the lot because that has already been taken by these other restricted utility easements that nobody wants the telecommunications or cable to go in them. So, from our stand point we struggle with that.

Steve Sherwood: We’ve talked about making changes such as what Glen is describing, Vanderburgh has tried to do the center easement to be a drainage easement then when utilities on either side to keep them out of the flow line of the swale or the ditch per say, but then they have gone back and changed how they do it too because they are giving up too much of their yard or lot to easements or the developer before it even becomes owned by an individual. I don’t know if Bobby had any other comments, but we have struggled with this as well. I think Bobby put a note on what is going to come before you for the Certificate of Compliance that if these ditches cant be made to the grade that they are designed to, or constructed to what they are designed to then they have to end up being concrete line swales below 1%.

Glen Meritt: Because there is so much, I mean, there is 489 on the north property line, 433 along Pollack, and then there is a couple shorter runs, about 300, I cant sit here today and say that the developer is going to commit to that because, we are talking I think roughly $15 of liner foot for that…

Steve Sherwood: There is almost 3,500-lineal feet of drainage swales all together, roughly about 2,500-feet of the 3,500-feet are .63% or less or about 72% of the subdivision.

Morrie Doll: You could table this for one session, and ask that you confirm with the Developer or bring him with you to the next meeting.

Glen Meritt: I hesitate to do that, I guess what happens, how much swale, I mean, what percentage, because the ordinance right now is below .5%, correct?

Steve Sherwood: Ordinance is at .50%, half-percent and that is about to change.

Glen Meritt: I understand, but that is my dilemma is right now that is where its at and that is what they are used to and now I’m being told…

Steve Sherwood: It comes in at .50% on the first go around and then a large percent comes in at .51% and .52%, it just seems like it is being designed to just barley get around the minimum.

Glen Meritt: It is, I’m not going to sit here and tell you that it’s not, there’s just not a lot of grade to work with out here.

Steve Sherwood: It’s a very flat sized…

Glen Meritt: I’m not trying to cut corners necessarily, but yeah, I did come back and raise them slightly from what they were originally. If you are going to say, like I said there are three main ones that I am looking at here that 489-feet, 433-feet, and 302-feet, which is the majority of the swales that are at a .51%-.52%. I would rather say that is what we are going to do to get an approval, and if the Developer says no that is not what he wants to do, then come back next month to argue the point, I mean, I don’t want to leave here without an approval basically, if we are this close, I don’t want to slow the plat down, I don’t want to slow road approval down later. If I commit to that, and he throws a fit and come back I would rather do it that way.

Phil Baxter: That’s like 1,200-feet in that area?

Glen Meritt: Uhm, about 5-9 it is a little over year, there is a long one in the middle and that is 571-feet and it’s at a .6%, granite it is flat, but I don’t feel, I mean it has 388-feet, almost 3.4-5-foot of fall in the 571-foot.

Morrie Doll: I think Steve calculations are that 2,503-lineal feet are less than 0.63% fall, that is not very much fall.

Glen Meritt: Are you sure that’s based on the new layout Steve?

Steve Sherwood: Yes, the Amended drawings that were brought before us, a little over 1,300-feet from .51%-.52% a little under 1,200-feet between .55%-.63%.

Morrie Doll: And the total lineal feet of the project is 3,471-feet.

Glen Meritt: I mean, one thing, the three that I ran through, like say those are the ones that are right around .51%, let’s say 571-feet is the one at .6% and then there is another 100-footer up on that northeast property on that side, that is 93-feet of .63%. Some of the other ones that are .5% are right along the road side ditch, which that road side ditch we shot and that’s basically up and down just like what you are talking about and actually put a slope on it.

Steve Sherwood: We talked about the road side ditch on Pollack at the percent that you had, and your comment was to already pre-size the driveway pipe, but because of the shallow slope it will almost need to be installed ahead of the development or before the sale of the lot. The issue with that is which corner do you put them in, because you don’t know if it is going to be a left hand driveway or right hand driveway.

Commissioner Dan Saylor: Who is the developer?

Glen Meritt: Chris Combs.

Commissioner Dan Saylor: Steve, what is the specs of line or concrete liner? Is that typically 4-inches? 3-inches?

Steve Sherwood: Most of the time they design them at 6-inches thick with reinforcement, we currently ask for them to be concave and have a valley to them instead of a flat ribbon so the water draws to the center instead of running from one edge to another.

Commissioner Dan Saylor: How wide?

Steve Sherwood: Typically about either 12-18-inches thick, most of them are 18-inches width.

Bobby Howard: The changes to the subdivision control ordinance where it is talking about the concrete being I believe 16x8-inches with a concave.

Commissioner Dan Saylor: 16-inches wide and 8-inches thick?

Bobby Howard: Yes.

Commissioner Dan Saylor: Because, we are finding that they are breaking up.

Bobby Howard: Yeah, that keeps steal from having to be used in them..

Commissioner Dan Saylor: So, that is without reinforcement.

Bobby Howard: Yes. I don’t know how soon Molly is going to put that together with the APC, but those are back in her court as of today.

Morrie Doll: It will probably be done within the month, I mean she will take it to APC next month.

Bobby Howard: Yeah, she was trying to get somebody to deal with what the process will be, I think she was going to call you, I don’t know if she did.

Morrie Doll: Yeah, I haven’t seen that one yet.

Commissioner Dan Saylor: Glen, what did you, you said that cost runs about $15 per lineal foot?

Glen Meritt: I believe that is what we put in…

Bobby Howard: That is the normal cost of side walk there, we would probably just use that….

Glen Meritt: The one thing that I will bring up, I mean that whole concave top I have heard developers and contractors complain that adds quite a bit of an expense to go down through there and reshape that top. That is the only difference from what Bobby said from the Vanderburgh County and City of Evansville Ordinance, it is an 8x16 concrete ribbon, but it is flat on top. I understand the concave shape helps keep it in the middle, every once in a while if there is a big flow in one in Evansville it will erode on the sides if you get large amounts of flow to go down it, it will cut the edges quite a bit. Just depends on how much water you got going down to it, that is a couple of the other swales that are the flatter slopes, said they aren’t catching a whole lot of water, I mean, the larger length swales that are catching back yards and I get it, construction is not perfect there are going to be pockets here and there and we deal with it all the time, everybody is calling and complaining about it. Whenever there is any water standing, like I said I would like to commit to anything that is .52% or less, but getting up to the .6-.63% I don’t feel, like I said if the ordinance is .5% and I feel like we are over that, then I don’t feel like we should be held to that new standard because it is not in effect yet.

Morrie Doll: Well, if it 0.52% that is 1,314-lineal feet of swale that will have to have a concrete ribbon, the question gets to be is it going to be required to be concaved or not, right now the ordinance require the concrete to be concaved if it is in Warrick County?

Bobby Howard: Right now, the ordinance is mute on that, we as an office…

Morrie Doll: But you intend to make it concave?

Bobby Howard: We require it to be concave or, well I guess Storm Water and Drainage Board do, when we do our reviews.

Morrie Doll: Okay, so it depends on what the Board wants to do, you can consider tabling the whole thing for one meeting and lets pin down what people are willing or unwilling to do. Or, you can decide you are going to do 1,314-lineal feet out of 2,503-lineal feet that is 0.63% or less which is a lot, but whatever you do if you are going to require concrete ribbon I think we have to give instructions on whether it is going to be concaved or not if it is approved. Then we need to fix the ordinance, what is the new ordinance going to be Bobby.

Bobby Howard: Anything less than 1% will have concrete line bottom.

Morrie Doll: Okay, so that is a pretty big change.

Commissioner Dan Saylor: The reason we looking is because we are having so many problems, that what we are dealing with on almost a daily basis, and it’s just not working.

President Bob Johnson: And it’s not fair for the people who buy the homes.

Phil Baxter: I can live with the 1,200-1,300-lineal feet.

Morrie Doll: 1,300-1,400?

Phil Baxter: Whatever it is.

Morrie Doll: The way to describe that, Phil would be to say any swale that is 0.52% or less fall would have to have the concrete bottom, do you want it to be concaved?

Phil Baxter: Well, that would be up to the Board, I’d like to have concaved, but that is up to the Board.

Morrie Doll: You’d rathers?

Phil Baxter: Yes, of course. If we could get something worked out now, it’s easier to go months of whatever it’s going to take to..

Morrie Doll: I understand.

Glen Meritt: I will say the last go around when we had a ribbon it was approved as concave, Keith’s Ridge was a Chris Combs development as well and it was approved as a concave.

Morrie Doll: Everybody has to admit, we’ve been inundated with torrential rains, and I don’t know if we are going to get another one on Thursday or not, but we are having 100 year storms, 50 year storms all the time, water is just eating us alive.

Glen Meritt: Yeah, I mean you said, if they are flat like that and they are pushing a mower or riding lawn mower through it when it’s wet, then there is a low point and then they call and complain to you guys that it’s your problem.

Morrie Doll: So, it’s up the Board if you want to compromise, or whether you want to hold and bring it to the next meeting, or you don’t want to do anything, and by that you approve it as it is submitted.

Steve Sherwood: I think what Glen is explaining he has a time table for street plans and platting that follow after this.

Glen Meritt: Yes, the Erosion Control Plan is approved, I’m not sure when the crops are going to get out, but I mean as soon as the crops get out we are ready to go. Water plan has been approved, the only thing we don’t have is sanitary approval, we are waiting on it after today.

Commissioner Dan Saylor: Who is that?

Glen Meritt: Town of Newburgh.

Morrie Doll: Why don’t you show the Board members where the 1,314-feet specifically are on this drawing.

Steve Sherwood: Anything you see a .52% or a .51% you can just go ahead and circle them, there is 17 or 18 swales.

Morrie Doll: So, they are all towards the eastern end?

Glen Meritt: Well, this one runs, but that is where you’re getting into…you have 400-something foot there, 300-something foot there, and it’s the same slopes there.

Morrie Doll: Yeah, that would not be ribbonded, if it is .52% or less, the question would be for the Board would be whether you would accept it if it was ribboned at .52% or less, which is approximately 1,314-lineal feet. Or, table it to the next meeting, or approve it as submitted, or any combination or modification of the above. The way you would define it is by the elevation, or by the fall, if the swale has a fall of .52% or less it has to be ribboned according to County specifications 8x16 and concave is what your experts are recommended to you, but it is your call as the Board.

President Bob Jonson: What do you think Mr. Saylor?

Commissioner Dan Saylor: Steve knows, Bobby knows, we are getting hammered every day and if I sit here and approve something that I am getting hammered every day on then shame on me, so…

Morrie Doll: Well, according to the recommendation that Bobby is going to make as to what the percent of fall will be that will require ribbon in the future with the ordinance change in process, all of this will require concrete ribbon bottom. There is a .08% I saw that…

Glen Meritt: There is a 2.3%, some on the west property line are a little steep.

Steve Sherwood: About 800-lineal feet will not qualify.

Commissioner Dan Saylor: I’m okay with moving forward for it, but also..

Morrie Doll: On partial?

Commissioner Dan Saylor: On the .52%

Morrie Doll: 1,314-lineal feet.

Commissioner Dan Saylor: So, Glen you don’t think they would agree to do it on the .52% or less on the lineal feet that is concaved?

Glen Meritt: I mean, you are saying on the ones we are talking about here, this 1,300-foot? I just don’t know, I know, I mean bottom line on the developer’s side is they don’t want to spend anymore money than they have to.

Commissioner Dan Saylor: Sure, I get it, but then how many homes are in here? 42? Then we start getting calls you know…

Glen Meritt: I know, I get it, I deal with it. Pretty much any one I turn in, that is the biggest complaint I get from everyone in Vanderburgh it’s I get calls everyday from people with the same thing you are getting.

Commissioner Dan Saylor: We always talked about, you know, we have security here for Commissioner’s meeting we need security here for Drainage Board, I mean…

Glen Meritt: It gets pretty testy, that’s why I just, like I said I don’t want to delay it, I don’t think he is going to be extremely happy to do it, I think he will understand why it has to be done and that is why I said I want to do it to get it approved that way…

Commissioner Dan Saylor: If it functions better it will be a better development, and I know it adds cost, I’ve built a spec house, I am not a developer but I get it, it all adds to the bottom line.

Commissioner Terry Phillippe: We do it, do it right, we’ll get less calls, you’ll get less calls

Commissioner Dan Saylor: If I am buying this lot and I know it’s done right then I know it’s going to cost me a few hundred dollars more you know?

Morrie Doll: You are saying it is $15 per lineal feet to put the ribbon in?

Glen Meritt: It’s pretty close to that, yeah.

Morrie Doll: What is the frontage of these lots? How many feet are we talking about across each lot?

Glen Meritt: Across each lot, I looked at some of them towards the east property line, again I don’t have the plat in front of me, but I think they are 70s-90s and some of them are a little bit bigger just because of the room that we put them in.

Morrie Doll: So, 70-foot lot of putting ribbon in is going to cost $105?

Glen Meritt: Across that lot.

Morrie Doll: Approximately? So that is what we are talking about per lot, and we cant send a crew out to do this out for $105.

Commissioner Dan Saylor: Then they get fences put up, and it’s, you know, I’m not telling you anything you don’t know Glen.

Steve Sherwood: Concrete bottom helps distinguish there is swale there, then they tend not to fence it.

Commissioner Dan Saylor: Not to put post fences, and yeah…I would be willing to approve it if they did the ribbon lining and the concave ribbon lining, and I would be willing to go with it tonight, if not I will have to table it, Glen to see what you guys could come up with…

Morrie Doll: So, you are making a motion to approve 1,314-lineal feet of it as concrete ribbon 8x16 concave…now, I thought Bobby said if it is 8x16 it is not reinforced?

Bobby Howard: It is not reinforced.

Commissioner Dan Saylor: They made it thicker, but not to reinforce

Morrie Doll: And that would be installed, and we are expecting 1,314-lineal feet and that would be installed where the swale grade is less than 0.52%.

Steve Sherwood: Equal to or less than.

Morrie Doll: Equal to or less than.

Glen Meritt: One comment, Steve made earlier that 400-something foot along Pollack, I mean there are going to be 30-35-foot culverts at each one of those lots except for 41, so I don’t know if they will end up putting the ribbon in and cutting it out? We’re going to have to figure that one out, so you just started saying that linear footage again and I mean, in the end.

Morrie Doll: You are saying less, culverts?

Glen Meritt: It could be less, because there are going to be culverts when those driveways get put in.

Steve Sherwood: You understand Bobby and I’s concern with the ditch along Pollack is if you let people put in their own driveway pipe, they will probably not going to get it to the grade it needs to be at and they can use different types of pipe, plastic, corrugated plastic, corrugated metal, reinforced concrete pipe, but it all leads to variations when you are laying a concrete or rather a drainage swale that shallow slope. We don’t want these driveways to hold water up every so often.

Morrie Doll: What is the price, how big of culvert are you thinking these driveways will be sized?

Glen Meritt: They’ve been sized, the majority of them are 12-inches

Morrie Doll: What are you proposing the standard be? Is it?.

Glen Meritt: I did not specify, I just put a driveway culvert, 12-inch…

Morrie Doll: What does Bobby want it?

Commissioner Dan Saylor: Bobby, I thought they wanted 14-inch?

Glen Meritt: They don’t make 14-inch.

Bobby Howard: 12-inch is the minimum for driveways, we don’t usually do anything less than 15-inch.

Morrie Doll: What material?

Bobby Howard: I mean, technically we go out HGPE or CMP

Morrie Doll: Here is my question, I am trying to get to what is the cost per lineal foot of the culvert as compared to the ribbon?

Bobby Howard: The culvert is cheaper.

Morrie Doll: So, why wouldn’t the motion then say, 1,314-lineal feet, less than any culverts that are installed by the developer? It is cheaper putting the culvert in, but that way you know the right elevation. Yes?

Glen Meritt: I think my 20-inch cost is either $20-$25 per lineal foot, from my base memory..

Morrie Doll: Well that’s a lot bigger.

Glen Meritt: 12, I’m sorry 12-inch pipe.

Morrie Doll: Well, it sounds to me that everybody here is trying to figure out a solution to this problem, and I agree it’s stupid to pour concrete and then rip it out to put a culvert in, so there ought to be an offset on the lineal foot measurement in the motion.

Steve Sherwood: That is the same argument we face in sidewalks all he way, that’s why we don’t put a side walk in across the entire lot, because they will end up tearing up 20-feet for a driveway.

Morrie Doll: I understand, but we don’t have that question here.

\**Bobby Howard speaking away from mic-can not dictate*\*

Morrie Doll: You mean, just lay it right over the ribbon? That’s out of my field.

Glen Meritt: I don’t really want them to use corrugated metal though either, I don’t ever use that and you use that and that messes with my calcs.

\**Bobby Howard speaking away from mic-can not dictate*\*

Commissioner Dan Saylor: The corrugated metal, what is the life expectancy on that pipe?

Glen Meritt: I have honestly never specked out a metal pipe, I honestly have no idea I know that they fail. I don’t care for it and like you said you cant, it’s about half, the in value for concrete is .013 and I think it’s .028 or .021? I was thinking higher than that, but it is significantly less on what it will carry.

President Bob Johnson: Commissioner Saylor, are you going to make a motion?

Commissioner Dan Saylor; I don’t want to make a motion if you don’t think it’s going to fly.

Glen Meritt: Well, it’s going to have to, if that is that is the only way on getting approval then that is what I want to do. When he started saying 1,300-foot I started thinking well, someone goes out to measure it in the end and there is six (6) houses build along Pollack and there is culverts in place of 100-foot…

Morrie Doll: There is not going to be ribbon right?

Glen Meritt: There’s not a ribbon there, and I don’t want someone to come back and say that we are supposed to put in 1,300-foot and now it is 1,200 and I’m like….

Morrie Doll: There needs to be an off-setting credit on any culverts that are in the swale where ribbon would’ve been.

Glen Meritt: I think that’s the way it has to be, we are going to have to put the ribbon in because nobody is going to know where those houses driveways are going to go and we cant go put a culvert in now and then come in there and say they want a driveway on the other side and move the culvert or whatever, that is just going to have to be put in as concrete and saw cut out and drop a pipe in. That is what is going to have to be done.

Commissioner Dan Saylor: So, Councilor how should that motion be?

Morrie Doll: Drainage plat would be approved, subject to a modification or condition that approximately 1,314-lineal feet of ribboned swale 8x16 with concave top would be installed in the areas where the grade is equal to or less than 0.52% and an offsetting credit can be given in the lineal foot to the extent that a culvert is installed in the swale where otherwise a ribbon would’ve been.

Commissioner Dan Saylor: I make that motion based on our Legal Council, and how he stated that.

Commissioner Terry Phillippe: I will second the motion.

President Bob Johnson: All in favor 3-0

Glen Meritt: Thanks Guys.

**CLAIMS**

President Bob Johnson: Next up we have our claims, $104.81.

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

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0

**OTHER BUSINESS**

Morrie Doll: I don’t know what the other audience is for, but there is a lot of people here.

President Bob Johnson: I figured they were for Mr. Sherwood.

Steve Sherwood: They might be here for Drainage Board, I do not know.

President Bob Johnson: (speaking to audience) Why are you all here? Can somebody step forward and explain?

Aaron Grapher: I am Aaron Grapher, with Antique Steam & Gas Engine Club, and we were told that Rob Hornbrook is wanting to put in a dry dam down stream from our property, we are scared that they will back up water onto our property during our shows that we have. We had two inch rain here in June during our show, and our ditch is about this deep and it filled it up that quick. We are a little bit concerned about a dry dam put down stream from us and back up water on us.

President Bob Johnson: Are any of you familiar with this?

Commissioner Terry Phillippe: Is that to the north, south, east, west? Where is it?

Aaron Grapher: It’s off of New Harmony Road, on the north side.

Commissioner Terry Phillippe: I know where you guys are..

Aaron Grapher: To the west of us.

Commissioner Terry Phillippe: To the west, is that that fella up there that has the big pole barn and the little thing going?

Aaron Grapher: Yeah. That’s what we were told is that he was wanting to put in a drive in

Morrie Doll: Commissioner, what road are we talking about?

Commissioner Dan Saylor: New Harmony.

Aaron Grapher: So, we’re just concerned about it.

President Bob Johnson: Well, it’s not on our agenda and I haven’t heard of anything.

Commissioner Terry Phillippe: I haven’t either.

Commissioner Dan Saylor: I haven’t heard it.

Aaron Grapher: Okay.

Commissioner Dan Saylor: It’s in Terry’s District right?

Morrie Doll: Could he give us a name, address, and phone number if we can reach out to him if we get an inquiry?

Aaron Grapher: We had a letter sent, but…

Morrie Doll: Phil, you know who they are and how to reach them?

Phil Baxter: I would say to check with Soil Water & Conservation Office, they are on 8th Street, they may know something about it that wouldn’t come in front of this Board at all. We wouldn’t have any knowledge of it.

Morrie Doll: The ditch is not a drain?

Richard Dennis: My name is Richard Dennis, and I with the Steam Gas & Engine Club, but Rob is a friend of ours and he couldn’t make it today, and all the water goes into his big stripper pit, there is another ditch or something he said going off, he was just concerned if they put the subdivision in or sub-divide it all the dirt and silt and everything is going to go in his lake and ruin it.

Commissioner Terry Phillippe: Was the concern the two big parcels that for sale if they develop those then?

Richard Dennis: There’s another ditch I don’t know if it would go around and go to the Big E down there, or that watershed, so he was concerned about that.

Commissioner Terry Phillippe: Gotcha, are those two parcels sold?

President Bob Johnson: Not yet.

Kevin Daugherty: They are in the meeting this evening? With Planning Commission and we were…

Morrie Doll: Those parcels will be on the agenda for the APC?

Kevin Daugherty: I think so.

Morrie Doll: That could be without a drainage approval, that doesn’t sound quite right. Did you get a letter, may we see it?

Steve Sherwood: Re-zoning?

Morrie Doll: Preliminary plat, not a rezone but a plat, but that is what you need to worry about I mean, that is the design, where does the water go, where does the street go…those kinds of things. It is set for tonight, so something has happened, somebody owns it and somebody is developing it.

President Bob Johnson: That would be our 6 o’clock meeting.

Morrie Doll: The gentleman, the applicant just left, he was here, and I think we approved no drainage.

Kevin Daugherty: Was that the second one you did?

Morrie Doll: Steve Noelle, I don’t know him but I recall the name, he was here and we talked about it being large lots, 2.5 lots or bigger.

Phil Baxter: Yes, they are only making one building lot on it.

Morrie Doll: Black something drive…I cant read this. Blackburn Drive is his address, but this in on New Harmony Road, Martin Farm Minor.

Commissioner Terry Phillippe: All over 2.5 acres.

Phil Baxter: Well above 2.5 acres.

Morrie Doll: Let me return that to you, Sir. Well, I think, the horse is out of the barn, we just need to proceed to the APC this evening and address the questions there if we can, I encourage if we can, I encourage you to be here again at 6 o’clock with your concerns.

Richard Dennis: Our President will be here this evening, he had to work so I got nominated, we appreciate it.

Commissioner Dan Saylor: Thank you guys.

Morrie Doll: See you this evening.

Richard Dennis: Sorry if I interrupted you…

Morrie Doll: No, no no…

Commissioner Dan Saylor: No, you’re fine.

President Bob Johnson: Mr. Sherwood

**STORM WATER DEPARTMENT**

Steve Sherwood: Thank you Mr. President, first item I have is we are going to open bids for the Lake Ridge Crossing Drainage Structure Replacement Project, we solicited five (5) bids, we’ve received four (4) back in a timely matter and now I will turn it over to Council.

Morrie Doll: I have been handed four (4) sealed bids, first one I am about to open is from JBI Construction Inc. for the Lake Ridge Crossing Subdivision, all of these are properly dated and timed marked for receipt. JBI’s bid is a flat fee bid, it is itemized but it totals $52,875.00. Second one is from Metzger Construction Company Inc. again, time stamped and dated appropriately, this one is a lump sum bid that is not itemized and it is in the amount of $42,714.00. Third one is Deig Brothers time stamped and dates appropriately….

Steve Sherwood: While he is opening it, these will all be lump sum bids, these four (4) contractors were at the pre-bid, the pre-bid was not mandatory, the only one not submitting a bid and not at the pre-bid was Aigner Construction.

Morrie Doll: The Deig Brother’s bid has certain exclusions, so the lump sum bid is at $51,850.00. The last bid is from Ragel Inc. dated and timed correctly, and it consists of an entire contractors bid package of the state of Indiana formats and, I am going to look at this correctly, it appears the total amount of this bid is $22,500.00 on it’s face that is the statement of the amount sum of the bid is $22,500.00. Those will be all the bids I had been provided, they have been returned to Steve to keep in the project file.

Steve Sherwood: If the Board is so willing, I suggest we reward it to the low bidder based upon Council and my review that it is in order and does meet the required contract specifications.

Morrie Doll: I just don’t understand how it was so different, it wasn’t just an insignificant amount, it was about 50% of the highest bid.

Commissioner Dan Saylor: Were they at the pre-bid Steve, Ragel?

Steve Sherwood: Yes.

Morrie Doll: I think you, I recommend you take it under advisement for one meeting unless Steve has a time constraint…

Steve Sherwood: We do have a time constraints, the owner is quite anxious. Dan is familiar with the location, the street gets underwater as well as the gentleman’s driveway.

Morrie Doll: I would just feel more comfortable if we had a report from Steve back, and he has investigated and talked to the bidder, ect and feels the bid is accurate.

Steve Sherwood: I can do all that within the next day if the Board wants to approve it subject to…

Morrie Doll: Subject to Steve’s confidence that the company that bid is a valid bid and the work can be performed for the amount that is contained in the bid by Ragel.

Commissioner Dan Saylor: I feel comfortable with Steve doing it as long as if there is an issue Steve can consult Legal Council to make sure we are not in violation or anything like that.

Morrie Doll: Bobby?

Bobby Howard: Real quick question, if there is a problem with this bid we have to wait and come back in two weeks?

Morrie Doll: Well, unless the motion by the Commissioner is alternate, but Steve is allowed to investigate if he is comfortable then this bid is in fact doable for that price if the contractor ahs tall the abilities, skill and equipment to perform the work, so we don’t get half a project, he may in fact select that per the motion of the Board. However, if Steve is not comfortable and that is not all correct then he is authorized to select the next lowest bid.

Commissioner Dan Saylor: Which would be Metzger Construction.

Morrie Doll: That could be a motion if the Board might make.

Steve Sherwood: I would prefer that If the Board would approve.

Commissioner Terry Phillippe: I make the motion.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor. 3-0

-*Lake Ridge Crossing Drainage Improvement Project-Bids-*

*\*JBI Construction Inc.---------------------$52,875.00*

*\*Metzger Construction Company Inc.------------$42,714.00*

*\*Deig Brothers --------------$51,850.00*

*\*Ragel Inc.-----------$22,500.00---Approved 3-0\**

Steve Sherwood: Thank you, next item I have for the Board, the pipe lining for the property at 2144 & 2166 Lake Ridge Crossing Subdivision I believe that is Water’s Edge Drive, Lake’s Edge Drive, sorry, they have been on site and cleaned and prepped the pipe I will be notified within the next week or two that they will be on site to line the pipe, so I am awaiting that notification. Item number 3 (three) Hornet Hills Drainage Improvement Project that we authorized at the last meeting the contractor has completed the bulk of the work, I have before you another package labeled “COPY” I propose a change order #1 for the amount of $735.00 that will construct this drainage chute that you see in the picture behind it.

Morrie Doll: That has not been built yet?

Steve Sherwood: It has been build, I had authorized them to proceed subject to the Board’s approval of change order.

Morrie Doll: It is an essential improvement that will cut down on erosion in the drain way.

Steve Sherwood: Yes, that is what we determined at the time, and I didn’t get this until today and I was hoping to get it sooner.

Morrie Doll: And you are recommending it?

Steve Sherwood: Correct

Commissioner Dan Saylor: So, Steve is this finished then? Is that rip-rap?

Steve Sherwood: Yes, and the change order is just for the concrete you see in the picture, and the reason I did that is because it eroded away underneath the sidewalk underneath the foreground under the yellow ribbon prior to and we decided it would be better to direct the water down to the base of the pipe instead of let it undermined the sidewalk again. It was cheaper than trying to construct an inlet in the street that you see on the other side of the sidewalk because that is an 88 ramp that gets the sidewalk to the street.

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

Commissioner Terry Phillippe: I will second.

President Bob Johnson: All in favor 3-0

Steve Sherwood: Thank you, I will try and get those in before they happen, but for the amount of money and time involved it was prudent to get them done.

Morrie Doll: They were on site.

Steve Sherwood: The next item is on the same copy that you have is an estimate for resurfacing in the street if you would look on the areal behind you, the red line between the two red hash marks, this amount of $10,890.10 is to resurface that portion of the roadway with this project. Now, I have had the change to talk to Terry and Phil concerning this, this work has not been done yet and Bobby is going to pay the rest of the asphalt street, most of the subdivision is concrete street, but the area to the north would take care of paving the rest of that, that will be done by the Highway Department for about $11,000.00 and this was a way that I could get Storm Water to share some of the paving cost, associated with that project as part of the Drainage Project. If the Board would ascertain a motion to approve change order #2 for that set amount of $10,890.10 I think Bobby would appreciate if I could do that part.

Morrie Doll: Storm Water has done work in that area of the street correct?

Steve Sherwood: Yes.

Morrie Doll: And we tore it up.

Commissioner Terry Phillippe: If we fix it now, we wont be back for how long?

Steve Sherwood: You and I discussed at least 10 years, if not longer.

Commissioner Terry Phillippe: I make a motion to approve.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Steve Sherwood: Thank you. Item #4, the Old Hickory Estates Drainage Improvement Project, there is three of them, I just sent out the bid specs last Friday evening late afternoon, there will be a pre-bid on September 23rd and the bids will be before you on September 28th at the meeting. I just want to let you know that is out there, last but not least, Joe do you have anything for the Board?

Joe Grassman: No, Sir I don’t.

Steve Sherwood: That is all I have unless the Board has any questions or comments.

**MOTION TO ADJOURN**

Commissioner Terry Phillippe: Motion to adjourn

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0