**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**MARCH 11, 2019**

Regular Session

Old Historic Courthouse

107 W. Locust St. Suite 303

Boonville, In 47601

812-897-6170

The Warrick County Drainage Board and Department of Storm Water met in regular session with Bob Johnson, President; Dan Saylor, Vice President; Terry Phillippe, Secretary; Phillip H. Baxter, Surveyor; Steve Sherwood, Director of Storm Water; Morrie Doll, Attorney; and Jennifer Curry, Recording Secretary.

Present in the audience was Glenn Kroeger, Kevin Hetrick, Michael Carter, Joel Sisco, Roger Kroeger, Glenn Merritt, Joe Grassman

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of March 25,2019 with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

President Bob Johnson: Approval of minutes for March 11, 2019, do I have a motion?

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

Commission Dan Saylor: I second that motion.

President Bob Johnson: All in favor 3-0

**JORDAN AIGNER- LEXINGTON SUBDIVISION: BASIN APPROVAL (tabled from 3/11/19**

President Bob Johnson: First up we have Jordan Aigner tabled from 3/11. Please state your name.

Michael Carter: Yes, Michael Carter with First Federal Savings Bank dealing with Lexington Subdivision, I’m just here to represent us in that matter I didn’t know from 3/11 given everyone time to review the material that Jordan provided.

Jason Baxter: It was the amended drainage retention pond for Lexington Subdivision, Steve and I looked at the calculations and they all fell within, the numbers were correct for what’s in there and what was approved. We found that the amendment was good for the numbers.

Steve Sherwood: Just to clarify, the proposed amendment we never could find a record as those stated last meeting if they were ever acted on. So, here so we have drainage study for the village of Lexington submitted by Donald Gries with Easley Engineering with a revised date of January 27, 2011 and as Jason just stated the numbers fell within compliance of meeting the minimum number sited in the original drainage study for Lexington that was filed and approved on or after December 6, 2005. So, the amended basin does comply we would recommend the approval of the amended basin for that portion of Lexington per this study.

Morrie Doll: As submitted in 2011.

Steve Sherwood: As submitted in January 27, 2011.

President Bob Johnson: Anything else to add? Do I have a motion to approve?

Commissioner Dan Saylor: I make a motion

Commissioner Terry Phillippe: I’ll second.

President Bob Johnson: All in favor? 3-0

**WESTFALL RV STORAGE**

President Bob Johnson: Next up we have Westfall RV Storage, drainage approval.

Glenn Merritt: Glenn Merritt, Cash Wagner and Associates, I am the engineer on the project I’d be happy to answer any questions that anyone has.

Phil Baxter: This is a proposed RV storage on Vann Road just West of Prospect Drive.

Steve Sherwood: West of Prospect and adjacent to East of Raggle’s property I believe, Raggle’s incorporated, and I don’t know if the board has seen this if you could pass it down Morrie, the two discharge points are down the slope which will enter the lake at this end, but it is adjacent to our proposed Ubelhor future prospect lot. That water will be directed into that pond or lake of that facility. Glenn is that pretty much correct?

Glenn Merritt: Yes.

Glenn Merritt: That lake was designed for that site.

Steve Sherwood: Its in the Warrick Research Industrial Park whatever appropriate section that it exists in, it fronts Vann Road, I believe there is two more vacant lots to the East of that before you get to Bart Mulzer lot and buildings. This was filed about a year ago, it just never was brought before the board and acted on I believe your clients are wanted to proceed?

Glenn Merritt: Yeah they are getting ready to start construction, I think Aigner, we build the model for Aigner so I think Aigner is doing the site work.

Steve Sherwood: Model being elevation so they can do the GPS controlled turf work?

Glenn Merritt: Yes.

Phil Baxter: I recommend approval.

Commissioner Dan Saylor: Everyone is good with it?

Commissioner Terry Phillippe: I have no issues with it.

Steve Sherwood: The drainage structures I went over those with Phil, 7 of the 9 are right at the 90% but they meet our criteria of maximum capacity they do not exceed that so it falls within the guidelines.

Commissioner Dan Saylor: I make the motion to approve the drainage plan for Westfall RV Storage.

Commissioner Terry Phillippe: I will second that motion.

President Bob Johnson: All in favor 3-0

Glenn Merritt: Thank you very much.

**KEVIN HETRICK P.E. CLARK-DIETZ, INC. PARCEL 6, BELL ROAD PROJECT**

President Bob Johnson: Next we have Kevin Hetrick, Clark-Dietz Inc. Parcel 6 Bell Road project.

Kevin Hetrick: Hello, I can provide a little summary, Mr. Kroeger wanted to speak.

Commissioner Dan Saylor: Can you state your name on the record, please for the record?

Kevin Hetrick: Kevin Hetrick with Clark- Dietz, we are Warrick County through the Highway Departments of Engineers development project from Highpoint Drive to Telephone Road this is expanding out 2 lanes of ditches to 3 lanes with pass by facilities and storm sewers. Project started in 2016 its going to bid later this year, basically just waiting for construction to start in 2020. As we’re progressing through that project, about a mile basically from Oak Grove coming down to the South end of the project is all coming downhill it’s a pretty large drainage area as I mentioned, a lot more pavement, going to ditches to storm sewers for a variety of reasons we proposed to tension basin the NE corner of Vann and Bell, done a little study on that last summer submitted that to the county and that was accepted and pretty much moved forward that direction since then, but we’re at the point of the project now where we’re in the right a way and recently completed the appraisal for Mr. Kroeger’s property and a buyer reached out to him CMK is the name of the buyer that’s for this parcel, he had then stated he had indicated that he wanted to come to this meeting to speak and I notified the Drainage Board of that and we put that on the agenda on the account of that so, that a pretty quick overview of Bell Road Project in general, I didn’t know if you had questions for me prior to allowing the property owner to speak?

President Bob Johnson: We’ll let him speak and we might call you back.

Glenn Kroeger: Do you want to do the other stuff first of? Like the claims and…

President Bob Johnson: No, just come one up. Please state your name.

Glenn Kroeger: My name is Glenn Kroeger and I’m here to represent my mother, Trisha Wilder she lives at 8455 Kingston, but the property that is in question is the 3188 Bell Road property. Its been in the family since the late 40’s, our family is for the project as a originally proposed by Clark-Dietz, we were selected on 1/25/16 as a consultant for the Bell Road right a way service project, the letter dated 9/25/2017 stated “the proposed project will require an additional 2.7 acres of additional permanent of right a way for the improvements of this project, approximately .7 acres of temporary right a way will be required for the drainage improvements, no businesses, residential properties will be relocated”. Before I get to that part let me pass this out, on the 14th we had a pretty good 3 inch rain that Marlin Weisheit met me, I called him and saw that its flooded, Marlin met me and we went over I showed him some of the flooded areas from the 3 inch rain and I got the pages numbered and I wrote little captions. The first page the first picture is in the new Pebble Creek Subdivision and that’s at the intersection of Montgomery and Pebble Creek water comes down Montgomery Lane from the higher road and just runs on down. The bottom photo is the home of Brittany and Joel Sisco at 3607 Cora Ct, and its in the new John Elper’s development of the other side of Bell Road, on page 2 its another angle of their home, and then on the bottom of the second page is my mom’s property at the south end of Bell, well its running on Vann Road there towards Bell Road, that’s that caption. On page 3 is the ditch that runs from Carmona Drive out of Springston Subdivision and it runs down and runs into that ditch, creek, whatever I don’t know what the name is, but there’s a pump up station right there. All these pictures were at 8 o’clock in the morning.

Commissioner Dan Saylor: Glenn, is this road right there to the left is that Vann?

Glenn Kroeger: Yes that is Vann Road.

Morrie Doll: Looking East.

Commissioner Dan Saylor: So there’s a retention pond on the other side of this right? There is a retention basin East of this and North?

Glenn Kroeger: North East, yeah its on the Kingston property, but that wasn’t feeding into it at that time, its strictly coming from Maple Lane down out of Springston Subdivision.

Commission Dan Saylor: So, that water is heading West?

Glenn Kroeger: Yes, okay then on page 4 the first property (photo) is from the intersection of Vann and Bell Road and that’s the sewer there and its looking North and that’s my grandparents barn and farmhouse up there and you see for about the first 10-12 feet of the photo heading North is because the water looks deeper and that’s because its coming off of Vann Road and wrapping around, ok. The next picture on the far right side, Mr. Weisheit took that sitting at the pump up station there off of Vann Road and that’s that little ditch, creek, whatever you want to call it that goes from there and winds by the Spring Haven Subdivision and comes in front of, I don’t know how you say the engineering company says it, but I’m going to say it comes out and winds back around and it comes under the concrete underpass or walkway of the Acapulco Mexican Restaurant, that’s where it feeds into. That’s probably I’m guessing it’s 3/8th of a mile long, but once the water is down there are trees falling all in it, I mean its clogged up so its restricting the flow of water. On page 5 just the first picture is another of the Carmona Drive and then the photo to the right is from the intersection of Bell and Vann looking South, that old Gateway church that’s that, then the page 6 is another angle of that how I could get it printed off. Page 7 is just another angle of Vann Road water running towards Bell Road and then page 8 is just another angle it doesn’t have the sewer pipe in there its Bell Road running North and like I said you can read the captions but I just wanted everybody to see what the water looked like after that 3 inch rain we had.

Steve Sherwood: I have a question, so when you say John Elper’s subdivision that’s Spring Creek…but you call it Pebble Creek…

Glenn Kroger: Pebble Creek is on the other side.

Steve Sherwood: On top correct, the one with the house in it is Spring Creek?

Glenn Kroeger: Yes, well, no the house is in Spring Haven Subdivision.

Steve Sherwood: Spring Creek Subdivision.

Glenn Kroeger: Spring Creek…oh ok I’m sorry.

Steve Sherwood: That’s not under county maintenance, its still owned by John Elper’s .

Glenn Kroeger: Okay.

Commissioner Dan Saylor: How does that, I just have a question about this, how does that happen in an approved drainage plan? Is there a mistake there?

Steve Sherwood: The inlets are still covered by Koi Matts to prevent soil erosion, so we think they’re silted up and the water doesn’t drain in.

Glenn Kroeger: But, the lake was overflowing though, the wet retention pond.

Steve Sherwood: You show the roadside ditch at Vann and the ditch going around the other side with Ciholas correct?

Glenn Kroeger: Yes correct.

Commissioner Dan Saylor: Glenn, did you confirm, or were you able to confirm the amount of rainfall in this area by any type of measuring device? Because I know we can get 6 inches…

Glenn Kroeger: No, all I can go by is that the paper said it was 2.94 and the channel 25 guy said it was 2.74, Ron Rhodes said that.

Commissioner Dan Saylor: I was just curious.

Glenn Kroeger: As far as that area I don’t know..

Commissioner Dan Saylor: I didn’t know if your mom had a rain gage or something.

Glenn Kroeger: I live over toward Dayville so I don’t know, I mean, the ground was wet. Everyone knows the grounds been saturated so that was part of it.

Steve Sherwood: Pebble Creek is not under county maintenance, its still being developed.

Glenn Kroeger: Well, anyway, on 3/14/19 we had the rain and I met with Mr. Weisheit and he took the pictures of everything and he emailed them to Bobby and Steve I think since that is his district, I had to go to Evansville I had a follow up doctors appointment from surgery I had 6 weeks ago, and I came back about 1:30 it was after the last rain shower that hit, I don’t have any photos of this so I mean, but the intersection down there with that first picture Montgomery and Pebble, I have a 2003 Ford Focus wagon and I wouldn’t drive through it, it had at least 6 inches of rain down there, and the big thing that got me is over at Ciholas property probably a 1/3 of that grassy area was filled with water. Now, I didn’t stay on long enough where you could say the next day it was off, but you couldn’t see where the grass on it about a third of that grass area did have water on it and the water was still up by Joel and Brittany Sisco’s house. Also, the spillway, which Steve you were getting to earlier, spillway from Kingston Manor was running over and going into that small creek near where the pump-up station is. The large ditch from Carmona Drive was still running full, and the wet retention pond from Springston Subdivision its overflow tank was flowing into that ditch too, the cemetery is up on top and all that’s real high up there and that water comes down their wet retention pond was overflowing too, then I drove along the large wet retention pond on the SW corner of the Indian Valley Development that’s going up where all the apartments are just North of Walmart auto center, it was breached on the West side it wasn’t, it was 12 foot wide or whatever but it did breach, but that tree line that runs along there was running over the bank, and also the fields down there on Warrick Trails or whatever you call it down there, where the Deaconess Rehabilitation Center is going that had a large body of water on the East side of it then across the road was a large body of water in that field. On 3/18/19 back when Indian Valley Complex they’re making, there’s four wooden steaks they’re still there, they marked them where you can see where the breach was, and also on 3/18 in the Pebble Creek Subdivision where they put some straw bales in where the intersection was where it rutted out on the Southside of the driveways it made gullies and they put some straw bales in and they also re-strawed around the whole complex there, somebody did I don’t know who did it. So, back in July, I’ll get back to my moms property, back in July 2018 we were informed of the need for potentially a 2 acre dry retention pond, there was several emails between Bobby Howard, Rob Irison(?) Clark-Dietz and myself regarding the need for the dry retention pond my brother Roger Kroeger also went up and personally talked to Bobby Howard at the Highway department, after the conversations and emails we weren’t getting anywhere so we agreed to have a meeting at the family farm on August 20th, to discuss the dry retention pond, those attending were Rob Irison (?), Kevin Hetrick of Clark-Dietz, Bobby Howard, Steve Sherwood from county Highway department, John Piscolish(?) of David Matthews, my mother, brother, and myself and Dan Saylor was there for part of the meeting he was in between meetings. As far as I know, no minutes were taken, we made several suggestions that were basically dismissed seemed like the only option they wanted to talk about was the two plus acres dry retention pond. Bobby and all our emails with Roger to he said we would like to try and solve this, and our big concern that we brought up in that meeting was for the 2 plus acre dry retention pond county is going to have ongoing maintenance, they’re going to have to mow it and he said he could probably do it every 2-3 weeks, which is a lot of time for a 3 acre thing down there, and there’s going to be a lot of liability issues for the county and its going to be an eyesore. I guess what’s got us most upset as a family is that, we haven’t been told to this day by anybody and I’m going to blame this mainly on Clark Dietz that there were two other options with their study, I guess I’d like to know does anyone else know there were two other options?

President Bob Johnson: I know of one, but I don’t know details.

Glenn Kroeger: I’ve got them here I’m going to pass them out, so anyway..

Commissioner Dan Saylor: Glenn, I mean, I’ve heard there was another option but it was costly, but that’s what I heard like pipe or something.

President Bob Johnson: That’s what I heard.

Glenn Kroeger: Ok, currently there is four properties South of Vann Road and North of Highport Drive, you’ve got the Pebble Creek development is all one, Spring Creek and Indian Valley. Got over 60 acres there and they have spent, purchased those properties they spent almost $2 Million dollars and no idea what their infrastructure cost of them developing, between the four of them they have about $2 Million dollars, 3 of the 4 have wet retention ponds on one each, the Ciholas properties doesn’t have any they have a berm around their building, and when that rain hit the other day the berm the little, I’m going to call it dry retention basin they had was full on the West side of the building. Okay, the other thing that has us a little upset is that this is the second time within 8 years a county agency has came across mother’s property, the first time was the Town of Chandler for the Pebble Creek subdivision to get their high pressure sewer line in they tunneled under the Vann/ Bell intersection, went up mothers property where they only had to handle two property owners instead of 9 property owners if they stayed on the West side of the property was, Debi Bennett was involved with getting the grant money for Chandler on that. Okay, now I guess the other thing, for the subdivisions if a flooding issue continue the owners are going to have trouble selling their property or their lots, and this proposed retention basin is designed for once in a 100 year flood from what we’ve been told. It wouldn’t help with any of the 3, 4, 5 inch rains that recurred throughout the year, and I guess the other question I want to ask, Steve since Bobby isn’t here, is this the first time on a road project private properties that enquired to do it?

Steve Sherwood: First time we are entertaining a retention basin on a federal aid road project, yes.

Glenn Kroeger: OK, if this dry retention basin is allowed to stand as being proposed, its going to cost our family a lot of money, pushing six figures, between now and later down the road because the cost of the land. If the grounds went from 1990 $10,000 and acre now its $30,000 or a little better, and we weren’t going to sell anymore ground till my mother passes away so my brother, sister and I can step up basis on the property, so it would greatly reduce any income taxes. If they take it, mother has just shy of 16 acres now, they’re farming about 13 but if you take 3 acres away from it you knock it down to 13 acres, I’m just rounding numbers off, its going to be less valuable to a developer to develop it in the future. Also, its going to cost the county money in the long run because they’re going to have ongoing maintenance for mowing it, liability, and like I said eye sore problems. The dry retention ponds are basically an eye sore wherever they’re at examples of that are down in Ohio Township is across from Castle High School, and the two on the Bell Road on the south side of 66, the one in front of O’Rileys auto parts and German American Bank both dry retention ponds, they grow up, look like crap, we’re trying to make that end look better. I’ve got more information but I’m not going to give it to you at this time, I guess you’re wondering what were proposing is these options: the first one somehow that ditch/creek needs to be cleaned out, and then instead of the dry retention pond you know with all the ongoing maintenance issues and liability and eye sore I want to use if you look at page 8, hopefully you can read it, bottom line if you do the one that would help to us would help it look better is the highest price, they’re saying it would cost roughly $380,000 or more, ok, since this is a federally funded project if you round that number up to $400,000, just to make an easy, its an 80/20 project so the county portion would be $80,000, okay, if you we keep them 3 acres down the road a developer will put 10 houses on that 3 acres and it would bring in $20,000 a year in property taxes, about $2,000 a home and that would be year over year. Now granted that’s not going to happen for a few years, but you’d have an income coming in and wouldn’t have the ongoing maintenance and everything else. The other thing is last Thursday my mom did receive her initial package from CNK Real Estate Services and it was for more than what the county share would be of that $80,000 because its over 3 acres they’re wanting, the basin is growing from initially it was supposed to be 2 acres now its up to 2.874 so I want to thank you for listening to me and give some consideration to it instead of having all the costs, I know it can be, and another thing is if you put in the duel trump line sewers instead of the one, what they are wanting to do is force all the water from the West side which is the high side of the road over to ours because mother has available ground. If you put in the dual lines, you’ll be able to handle the everyday 3-5 inch rains that’ll be out of sight, you’ll have that dry retention pond and it’d help solve water problems down the road.

Commissioner Dan Saylor: So, Glenn help me understand these duel lines, where would these duel lines go and where would the water go?

Glenn Kroeger: One would go down the West side, and the other would go down the East side of the road.

Morrie Doll: Of Bell?

Commissioner Dan Saylor: Bell Road

Glenn Kroeger: Bell Road, yes Sir.

Commissioner Dan Saylor: So it sends out water South to Acapulco, into the ditch on the Walmart side?

Glenn Kroeger: Well, it would send it both ways. What they’re wanting to do now is send it all to Bell and then it would go down to Acapulco, if you do it the duel trump line one will go down past Pebble Creek Subdivision and also the Indian Valley properties going up and it would head toward Walmart on that side of the wall.

(voice in audience: inaudible)

President Bob Johnson: Please come up, we’re recording.

\***Glenn Kroeger and Kevin Hetrick are at the podium**\*

Kevin Hetrick: Basically the duel trump line, the issue coming down from Bell Road or from Oak Grove is pretty steep, its pretty small pipe that carries a lot of water really fast. Then you get to Vann and everything platos significantly you also got the ditch coming in that goes through their property, basically a combination of those two things all that water coming down the hill really fast and going to the flat storm sewers in the additional drainage coming in off site, they should’ve made it a 4 inch pipe increased by two 48 inch by 76 inch of elliptical pipes which then would be taking from essentially South of Vann down to the ditch that goes underneath Walmart Drive, so there’s a lot of pipe, big pipes, a lot of back fill, I guess also the first reason you always consider a tension to take that ditch that goes underneath Walmart Drive and take it from being a couple roadside ditches all of a sudden its 2-48 inch by 76 inch pipes its just causes issues down stream. Typically, the point of it is to eliminate downstream drainage issues which is kind of the initial end of this which is providing this detention in the first place then from there put a smaller storm sewer, you also have Newburgh, Chandler both have force mains that go across Vann which I think we’ll be able to avoid with the smaller storm sewer with the 48 x 76 inch duel trump lines we can plow right through those force mains both of those easements and those costs are hypothetical at the time so those costs weren’t included in the initial cost estimate. We did have cost included for right of way which is a little more than the initial offer we made for the appraisal we made the actual cost of the right of way doesn’t change the math would be the initial cost that was submitted last summer.

Commissioner Dan Saylor: Let me ask you a question, on the parcel land that is on the South East corner of Bell and Vann that I think, did it recently sell?

Glenn Kroeger: No it did not.

Commissioner Dan Saylor: It didn’t sell, does anybody know what size that parcel is? Is it about an acre?

Glenn Kroeger: A little over an acre, according to the assessor thing, I mean I’ve been getting all these numbers off the warrickcounty.gov.

Commissioner Dan Saylor: So, and again, is that area not big enough for a retention?

Kevin Hetrick: Well, that area at this point so obviously goes from seat to flat has already happened basically just North of Vann and the sanitary trump lines are sanitary force mains are across Vann, basically take the tension and put it South of Vann instead of North of Vann you have offset, the first stretch of those of the storm sewers and still cause the utility issues of going on Vann and the storm sewers.

Commissioner Dan Saylor: So, with the retention we’re wanting slow the water getting down to the big ditch that runs in front of Walmart or behind Walmart? There’s some drainage behind Walmart right?

Kevin Hetrick: This would be in front of Walmart.

Morrie Doll: On 66.

Glenn Kroeger: It goes down along the highway…

Commissioner Dan Saylor: Right, the ditch that you’ve (Jason) cleaned?

Phil Baxter: Edwards Ditch

Steve Sherwood: It would meet at the box culvert just North of adjacent to Acapulco that takes the water from the East side of Bell to the West side.

Kevin Hetrick: The culvert in the two large storm water systems have kind of outleted in the Lexington location have gone to the culvert....

Steve Sherwood: Right there in front of Walmart is essentially where the legal drain begins, its not a legal drain North of there, is that correct Phil?

Phil Baxter: Yes.

Kevin Hetrick: I guess, property…(inaudible)..the most difficult…(inaudible) the way we have in contempt we are able to reach market value offer, obviously with the appraisal had been done and counter offers from the property owner with things they think have not been covered in the appraisal so, that’s something we have going to the last 6 months is towards having intention to pay market value for the land so I do think between downstream drainage the two cross of Vann Road…(inaudible)…going up the hill we need to find dirt somewhere, a lot of things pointed towards detention, I cant speak to every project that has been done previously but certainly the mile coming down from Oak Grove pretty steep then hitting a flat stretch at the bottom kind of created a lot larger of a storm sewer system then we end up seeing on a project similar to this so, at that point we need to start kicking around what our other options were and that’s kind of where we are at now.

Commissioner Dan Saylor: I’m going to give my opinion, my thing is that I don’t, number one, I don’t want to created another maintenance thing for the county, with maintenance and what we have now, and now while Bobby has agreed to maintenance this thing every 2-3 weeks I just see issues. I’ve been in office two years, and it seems like this is one of the major issues that we deal with is drainage and maintenance of roadways and these retention basins a lot of them are wet but, I see a future development in this corridor very popular and very desirable place to be and so now were going to have a dry basin, I’ll tell you right now we’re going to have people wanting it to be a lake or move it or do this, do that and its going to be the counties end. Not too long ago, we just had a fatality of a little girl in a basin, fortunately it wasn’t ours, but if there is another way this can be done, and I understand we have to be responsible with tax payers dollars I really believe that. I’ve not seen and maybe I haven’t paid attention, but I have not seen the other options or the cost comparisons and so, I guess that’s just my opinion.

President Bob Johnson: I agree with you, today is the first day that, I knew there was an option out there because I got a phone call last week from Clark Dietz, but I knew there was an option but the only option I was told about was another $400,000 from what we were proposing. I personally think there has got to be a better way to do this, and I don’t think that as Dan stated I don’t want the responsibility, more added, I cant imagine having a child get hurt in one of these ponds and we say its going to be dry but the way it rains around here nowadays I don’t know what’s going on but, I can see a child down playing around and get hurt. In the summertime if it is dry its not going to be dry, its going to be moist and its going to be a mosquito haven, then you’re going to have weeds Jason or whoever is in his potion is going to have to take care of it. My honest opinion on this is there’s got to be a better way, I don’t want to spend anymore tax payer dollars just like Dan, however, I also can respect this family and the family that’s been on the property for years and year and I don’t want to take that away from them.

Commissioner Dan Saylor: And that’s the reason why, to piggyback off of Bob’s point, that’s the reason I asked about that lot, while its probably not big enough maybe can we catch something there can we look at buying that piece of property there and maybe do one pipe, and again I’m not an engineer I don’t understand that kind…

Kevin Hetrick: I think with, as far as the environmental process, initially doing this study last summer its basically to move forward, changing the design, but moving forward for the environmental document so this point that’s all move forward with the change, change the location to a different spot would set the project back pretty far as far as getting approvals and things of that nature. (inaudible)….changing the design for the storm sewers would pretty much have to set the clock over getting the utilities to do work plans and they got their request probably about 6 weeks ago or so, with assumption on what the storm sewers would look like.

President Bob Johnson: This is a pretty big project isn’t it?

Kevin Hetrick: Yeah

President Bob Johnson: And its not due to start until 2020?

Kevin Hetrick: Correct.

President Bob Johnson: How far back is this going to set you?

Kevin Hetrick: Uhm, well so INDOT has it on October, have to submit final tracings 14 weeks in advance at that, uhm...

President Bob Johnson: Is it going to stop the whole project, or can you not start and work on…

Kevin Hetrick: Well they’ll expect the full project, I mean they aren’t too light with exceptions as they call it, utility plan will typically give 120 days for major projects which at this point we’ll have to redesign storm sewers to send out a plan request.

President Bob Johnson: I think this issue here is something that we need to take a hard look at and do some discussion, do you not agree?

Commissioner Dan Saylor: I agree.

Commissioner Terry Phillippe: My only additional comment is that with Mr. Kroeger I think with everything he presented here today was correct then he’s provided, if it does cost more, he’s provided for a return on that investment via the future property tax dollars, so that’s my only additional comment.

President Bob Johnson: So, on this particular issue here I suggest we table it for more discussion?

Morrie Doll: Commissioner, this is a project that is being let through I assume is the Highway Department with the share funding through state and federal dollars, local and federal dollars, I don’t know if you want to make the decision or not. Perhaps, the Drainage Board would recommend that the highway department investigates all options for this trade before making a final decision to approve one particular form that would include dry basins. It seems to me that it aught to be funnel through the highway department when you do this, so I don’t think we have jurisdiction at this point in time, but I recommend that the will of the Drainage Board be communicated amongst Steve and yourselves, but in your official capacity have the Highway Department explore all the other options, if that is the wish of this board.

Commissioner Dan Saylor: I like that, so do we need to motion for that?

Morrie Doll: Yes.

Commissioner Dan Saylor: I make a motion as stated by Council.

Commissioner Terry Phillippe: I second that motion.

President Bob Johnson: All in favor 3-0

President Bob Johnson: Thank you Kevin.

**CLAIMS:**

President Bob Johnson: No claims?

Jennifer Curry: No

(voice in audience)

**\*Bell Road Project (continued)\***

President Bob Johnson: Please state your name.

Joel Sisco: Joel Sisco, my concern is that ditch needs to be cleaned out because the retention basin, when I left work at 6 o’clock that morning the water was probably about knee deep in that street, and if I let my truck park in the street it would’ve had water up to the bottom of it.

Commission Dan Saylor: This street right here?

Joel Sisco: Yeah.

Commissioner Dan Saylor: And is that because that what did you call it Steve?

Steve Sherwood: The drainage inlets are covered with a straw or Koi matte, coconut fibers that keep silt from going in some of that is obstructing some of the flow.

Joel Sisco: I don’t believe that was enough to cause the issues I was having.

Steve Sherwood: Well, the ditch he is referring to is privately owned, its not a legal drain from basically the box culvert from Acapulco back up stream to Vann Road, we’ve talked about this before when Ciholas was developed the CORE of Engineers will not allow us to put a bucket or move any dirt in that drain you can only cut the trees off flush, again its not a legal drain, its not a drain in an easement.

Morrie Doll: You’re not talking about the drain adjacent to Bell?

Steve Sherwood: No, I’m talking about the one that’s runs along cross country from Ciholas around Spring Creek comes in at the pump station he referred to at Vann and then goes along the Vann ditch then comes along two twin large CMPs into the Eastbrooke Subdivision and those two retention basins going up into Old Hickory, there is another retention basin at Eastbrooke, across from the pump station.

Phil Baxter: That was brought up at that time.

Steve Sherwood: Right across from pump station there’s another basin but the main ditch goes East and North.

Phil Baxter: The problem, the CORE of Engineers control it.

Steve Sherwood: But as I stated earlier, Mr. Sisco, John Elpers still responsible for the subdivision and the drainage in that subdivision, it has not been turned over yet for the county for maintenance.

Joel Sisco: So, is he responsible for cleaning that ditch?

Steve Sherwood: At this point what he owns..

Joel Sisco: That’s my question is who do I have to raise this problem to, to get something done?

Morrie Doll: The developer of the subdivision is your first party of responsibility, that person would have to comply with the regulations of the Unites States Army Core of Engineers, that is sometimes a very difficult..

Steve Sherwood: He boarders some of the ditch he’s talking about that goes cross country around Spring Creek and along Ciholas…

Morrie Doll: It could be a problem..

Glenn Kroeger: When they put their driveway in to get back to their building how is that…

Steve Sherwood: The CORE approved their box culvert in that ditch.

Glenn Kroeger: Just so they could get back there?

Steve Sherwood: And the CORE said what he could and could not do to the ditch, and I believe he cut down all the trees at that time along the ditch they probably grown back.

Glenn Kroeger: There’s only a few, and also where they drain by him, I’ve drove by it several times because Mr. Weisheit took a picture its only about that tall…

Steve Sherwood: There’s probably a bunch of it that’s silted in between Ciholas and Vann Road.

Glenn Kroeger: No I’m talking about the drainage…

Joel Sisco: The only reason it flooded because the retention pond went above its level

Steve Sherwood: It very well could be not releasing because drains into the same ditch we’re talking about. Once, one fills up the other will fill up and it wont release.

Glenn Kroeger: If there’s going to be a dry retention pond I think that’s where it needs to be is right in the front of Bell Road back through the ditch because that got filled up that afternoon.

Commissioner Dan Saylor: And that would be just North of the Acapulco auxiliary parking lot.

Glenn Kroger: Yes, just North of that parking lot.

Steve Sherwood: There’s a large field in front of Ciholas building between Bell Road and the ditch.

President Bob Johnson: Anything else, Sir?

Joel Sisco: Nope, that was it.

President Bob Johnson: Thank you.

Morrie Doll: So you will talk to the land developer?

Joel Sisco: I’ve already been working with him but I just came out here what actually needs to be done, because he hasn’t been able to get me, I don’t know if he’s giving me all the answers that he should’ve given me. Thank you.

**OTHER BUSINESS**:

President Bob Johnson: Anything else? Steve.

**STORMWATER DEPARTMENT**

Steve Sherwood: Yes, thank you Mr. President. No report to the board, I received 6 applicants for Chris’s replacement a lot of worthy applicants I’ve talked to the board members individually we had selected one person and that person has accepted that position they will start on April 8th and work with Chris for the better part of 2 months before she retires. Once this person has begun I will enter the name into the record. As promised last meeting a Tanglewood update, Bobby and I met with Lockmuhler Group last week to go over the draft and the working documents and the field information they will present a time here to meet with Commissioner Dan Saylor and Bobby and I again to finalize that report before they present it to the Drainage Board some time in April. While we had that discussion reported there’s a tree down at the corner of Tanglewood Ditch about 50-100 feet before it enters the East part of the Tanglewood subdivision I have a report that I sent to Ms. Miller that lives at Allen Lane who owns the property, I’m seeking permission to get in there to remove the tree and root that partially obstructs some of the drainage ditch.

Morrie Doll: Tanglewood is a regulated drain?

Steve Sherwood: It is a legal drain.

Morrie Doll: And we don’t know whether she could remove it or not or?

Steve Sherwood: I just went and sent it at this point.

Morrie Doll: We just kind of skipped that option and went to the point of asking for temporary right to enter and remove?

Steve Sherwood: Since this was found and brought up, its kind of…

Commissioner Dan Saylor: Its cutting the flow a little bit, stopping the flow.

Steve Sherwood: As reported on the last meeting I would contact the Englebrecht basin owners, Jason was kind enough to find me the owners information of a gentleman who appeared here a couple years ago, his name is on top of the document, you all have been sent this in two different emails because it was so large with all the data and information, I’ve asked him to appear at the next meeting on April 8th to talk about why they have elevated the elevation of that basin 3 feet.

Morrie Doll: You’re calling him the owner, he doesn’t actually own the basin?

Steve Sherwood: He is part of the owners because of the association because he lives there and boarders it.

President Bob Johnson: Just the people who boarder it right?

Steve Sherwood: Yes, I have asked him and he designated representatives to attend that meeting.

Commissioner Dan Saylor: So, Steve, who would remove this tree?

Steve Sherwood: I am proposing Stormwater would get in there and remove it. That’s all that I have, any questions for me?

President Bob Johnson: Nope. Mr. Grassman, anything?

Joe Grassman: I don’t have anything.

**MOTION TO ADJOURN:**

President Bob Johnson: Ill entertain another motion

Commissioner Terry Phillippe: I’ll make a motion to adjourn.

Commissioner Dan Saylor: I’ll second that motion

President Bob Johnson: All in favor 4-0