**MINUTES**

**WARRICK COUNTY DRAINAGE BOARD**

**&**

**DEPARTMENT OF STORM WATER**

**May 11, 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, Jason Baxter, Deputy Surveyor; Steve Sherwood, Director of Storm Water; Jennifer Curry, Recording Secretary.

Present in the audience: Joe Grassman, Kristine Breivogel, Bill Bivins, Jim Morley Jr, Scott Elpers

**PLEDGE OF ALLEGIANCE:**

President Johnson opened the meeting of May 11, 2020 with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

President Bob Johnson: First we have the approval of the April 27, 2020 minutes.

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

Commissioner Dan Saylor: I second that.

President Bob Johnson: All in favor 3-0

**SCOTT ELPERS- CUSTOM SIGNS- ST. VINCENT ORTHO HOSPITAL**

President Bob Johnson: First up is Scott Elpers Custom Signs for St. Vincent Ortho Hospital. Please state your name and who you are with.

Scott Elpers: Scott Elpers I am with Custom Sign representing the St. Vincent Ortho Hospital, basically they are wanting to add two signs, one monument along Epworth Road and one small direction along the corridor in just for directional purposes. Do you all have the packet that was sent in?

President Bob Johnson: I believe we do.

Scott Elpers: The two signs they are wanting to add on that layout are N01 and N02, N01 the one they are wanting to add is 7-foot 4 ½ inches by I think it is 12-foot overall height… yeah 13-foot 11-inches over all height.

President Bob Johnson: Jason or Steve have either of you reviewed these sights.

Steve Sherwood: I have not.

Jason Baxter: I did not, the 13-foot, is that what you said Scott?

Scott Elpers: Yes, the overall height of the monument is 13-foot 11-inches and the width of it is 7-foot 4 ½-inches.

Jason Baxter: Those aren’t the plans that I have here, I have 6-foot high and an 8-foot width and a 3x3.

Scott Elpers: She sent in an alternate sign plan, that is N01-A, the one that she would like for you to entertain approval for is the N01, N01 is the actual sign they are asking for.

Jason Baxter: Are they in the same location?

Scott Elpers: They are in the same location, yes.

Jason Baxter: Okay.

Scott Elpers: One is just much smaller, honestly. In my opinion the N01-A which is the alternate that they are asking for if you would not approve N01 is actually way too small, it will not be visible, I know that sign sounds large for that area, but it is very, very small.

Jason Baxter: If it is in the same location I don’t have an issue with it, the original request was out of the easement and we were good with it, with just a little bit larger I don’t have an issue with it. Do you?

Steve Sherwood: As long as they can work around it for the Legal Drain easement, my only question was the proposed roadway in the middle of the property that is not actually a road way at this time, it wont cause a sight distance issue.

President Bob Johnson: That was what I was worried about.

Steve Sherwood: Are you asking for a sign at that location, I cant quite tell.

Morrie Doll: N02?

Scott Elpers: Do you have the sight plan for N02? Or all three (3) signs?

Steve Sherwood: I only have

Scott Elpers: It’s a one page over.

Commissioner Dan Saylor: Second page.

Steve Sherwood: They are all along the Vann Road location, correct?

Scott Elpers: That is correct, yes.

Steve Sherwood: Nothing is being proposed at the secondary entrance which is not constructed yet.

Scott Elpers: That is correct.

Steve Sherwood: As long as N01 is back far enough that it wont cause a sight distance problem for people wanting to exist on west bound on Vann it shouldn’t be an issue. It appears from the sketch on N01 that is not going to be an issue.

President Bob Johnson: Mr. Saylor, any questions?

Commissioner Dan Saylor: No I don’t, as long as there isn’t a sight issue I am good with it.

President Bob Johnson: Okay, I entertain a motion.

Commissioner Dan Saylor: I make a motion to approve the sign locations for the St. Vincent Ortho Hospital project.

Commissioner Terry Phillippe: Second.

President Bob Johnson: All in favor 3-0

Scott Elpers: Thank you.

**KRISTINE BREIVOGEL- 5747 RIVER WALK CIRCLE NEWBURGH, IN 47630**

President Bob Johnson: Next we have Kristine Breivogel 5747 River Walk Circle in Newburgh.

Kristine Breivogel: Yes, I am looking to extend the back of my fence, it will also come into encroaching on the easement as well as put in a small shed, it’s one of those things that I have been wanting to do, but now it has become a necessity due to neighbor activity, more of a security issue now than just a nicety. I don’t need Sheriff’s knocking on my door at 8 o’clock in the morning saying that I am poisoning their animals, nor do I need them traced through the back of my yard behind the little fence that I have now after midnight trying to scope out what is in my yard. With there not being a ditch through there and not another subdivision behind me, I was hoping it was something I could do.

Jason Baxter: Steve, you have talked about this with the drainage?

Steve Sherwood: Yes, which easements are you wanting to encroach there is two sets, there is a 10-foot public utility and at the very western end there is a 10-foot drainage easement which you say there is no ditch, but is an approved drainage pattern.

Kristine Breivogel: I was wanting to go all the way back, I think it is right at 20-feet.

Steve Sherwood: I mean, none of the properties on the western side of the subdivision have encroachment in the drainage easement, they do encroach the utility easement at a couple locations, for most part everybody has got their rear fence along the easement line, and you are wanting to move back essentially 20-feet and not 10-feet? I cant recommend that she encroach the drainage easement. You have an illustration in your packet that shows the drainage flow highlighted and the drainage arrows in that 10-foot easement, it may not function per the approved ditch cross section, but it does take some drainage off the edge of the field and guides it to the next structure to the next lot south of hers.

Kristine Breivogel: The fence company, sorry to interrupt, the fence company I have been talking to he said if that is the case if it is considered a drainage ditch he is more than happy to raise the fence so that if there would be a natural flow it would continue.

Steve Sherwood: I mean, the way she said in her email if she could install a fence if it crossed the utility portion of the easement, my recommendation is I am not in favor of her crossing the drainage easement, we fight too many of these when we get back in there and try and correct drainage. The fact that nobody else has encroached the drainage easement on that side of the subdivision I hesitate to grant approval as such.

Commissioner Dan Saylor: Steve, in relationship with this picture here, where is that, is that..

Steve Sherwood: That one is that brown fence you are pointing to is a utility easement, but it is not next 10-feet into that drainage easement…

Commissioner Dan Saylor: So, this here is the drainage you can kind of tell…

Steve Sherwood: Yes, you can see the utility box there above grade in the background of the brown fence, that’s why I mention when I said there are a few fences that encroach the utility easement, but none of them encroach the drainage easement.

Kristine Breivogel: The ones to the right of my property, there is a few that have their fences marked down, but then that is where the soy beans start and I don’t have that behind my house, I don’t have the fields.

Commissioner Dan Saylor: So, she is down here more.

Steve Sherwood: Right.

Commissioner Dan Saylor: She is wanting to go beyond this guy?

Steve Sherwood: Yes, she wants to go all the way to her rear property line is what she is saying, here is the structure it drains to here, those two pins that are marked you go back one more page I think, yes there are these two pins there and it drains to that structure in the retention basin system for the development.

Commissioner Dan Saylor: So, my thoughts are is if this is allowed it creates issues with our drainage whether there is piping there or if we eventually have to run piping, and then what happens is your fence is there so we have water running down there then it erodes the poles, then we get calls 4-years later where we are getting them now where they say “hey, your drainage ditch is eroding our fence, we want you to fix our fence” you know, we had it over in Halston Manor and the fence is in the drainage easement that shouldn’t be there in the first place, but since it’s there we’ve allowed it now it is our responsibility to fix the fence so…

Kristine Breivogel: Well, and I am aware that it will be my responsibility regardless…

Commissioner Dan Saylor: I’m just saying that is one issue that we…

Kristine Breivogel: And I understand, you know I’ve had several people just tell me to just go ahead and do it, but I don’t want to just do it and then have problems down the way.

Commissioner Dan Saylor: Right, if there is a fence in the easement that isn’t supposed to be there then we do work we can take it out and put it back..

Kristine Breivogel: At my cost, yeah.

Steve Sherwood: There is a statement in the subdivision plat that says you’re not supposed to put any obstructions within the easements so..

Morrie Doll: Where is this?

Kristine Breivogel: River Walk, and that is interesting that you said that because I have, well I should’ve brought it, but I have a letter from the HOA stating that they have no problem with me extending the fence.

Commissioner Terry Phillippe: If we allow it, we are essentially breaking our own rules.

President Bob Johnson: Mr. Sherwood is there an acceptable amount of easement that we can allow for this to go back a little bit further?

Steve Sherwood: Drainage easement is a drainage easement, I would ask Council for an opinion.

Morrie Doll: Can you do it, yeah you could but you are creating a presistant, not only for the applicants neighbors, but maybe for other subdivisions. Is this an urban drain or is this a regular drain.

Steve Sherwood: It’s just a drainage easement platted in the subdivision with an approved drainage pattern.

Morrie Doll: So, it’s not a legal drain?

Steve Sherwood: No, it’s not legal in the sense of the County Surveyor’s office legal drain.

Morrie Doll: Well, it would really take an amendment to the subdivision plat.

Steve Sherwood: I believe the engineer who developed the plan is sitting in the audience. To her point, Ms. Breivogel, who is requesting it a lot of people go out and just fence them in, then when there are problems they are made to take them down if we are to correct the problem. Now, because she is forth coming and come before us I just telling the Board what the subdivision plat says and what policies we find when we go out and yeah, the guy says he will leave the fence up then it ends up causing a blockage at some point, more times than not. As you see in your package the ditch cross section, it does not exist as it was designed by Morley, it may never have been created as designed by Morley, but there is a drainage pattern shown on the drainage plan that was approved by this Board at some point in time. It was not you three members of this Board, but it was previous members of this Board at that time. This has a very shallow swale, but is nothing like a typical cross section would show.

Kristine Breivogel: Like I said, the guy that I was talking to that was going to put the fence in, he said he can raise the fence line, so there will be a nice size gap whatever you guys tell me. If you say 6-inches he will raise it 6-inches.

Steve Sherwood: A lot of people come in build a fence because it is for pet containment, you may not have a pet…

Kristine Breivogel: I don’t have a pet, and I am trying to keep the other pets off my yard, like I said I don’t want the Sheriff knocking on my door at 8 o’clock in the morning.

Steve Sherwood: Then they end up building a wire fence under them, which worsens the blockage, and it just escalates. I am just not in favor of it.

President Bob Johnson: Mr. Saylor do you have anything?

Commissioner Dan Saylor: I mean, I would say that we have to take Steve’s recommendation on this.

President Bob Johnson: I think we do, Ma’am I apologize, but I am going to have to take Mr. Sherwood’s advise here and I see if we can get a motion for it, but I don’t think it’s going to happen for you.

Commissioner Terry Phillippe: We appreciate you going about it in the right way, because most people do not.

Commissioner Dan Saylor: Is this your fences here?

Steve Sherwood: Right in front of those two orange…yeah right across from there.

Commissioner Dan Saylor: So, how far is your drainage easement go up there, Steve?

Steve Sherwood: It is roughly 20-feet to the subdivision property line from the back of her fence, the first 10-feet from the back of her fence is a public utility easement, and that precedence has been set, they fence to the utility easement, however no one has fenced to the drainage easement on that side of the subdivision, and I don’t think she just wants to extend her fence 10-feet she wants to expend it the full 20 if I understand her request.

Kristine Breivogel: If you tell me I can only do 10 then..

Steve Sherwood: If the Board was to allow her to extend it across the utility easement and she has a gate so the utilities can enter in and out which she has said in her previous emails.

Morrie Doll: We don’t have jurisdiction to the utility easement.

Steve Sherwood: No, we don’t.

Morrie Doll: This Board doesn’t have jurisdiction on the utility easement, just the drainage easement.

Steve Sherwood: All that I am reporting is there are fences along the utility easement on that line.

Morrie Doll: So, if a citizen wants to build into a utility easement they are doing it at their own risk. You wont have to give permission to that, we don’t have jurisdiction for that.

President Bob Johnson: We cant.

Steve Sherwood: Usually the fence companies will talk to the owner, there are easements that you have to sign a waiver and then we will put the fence.

Morrie Doll: There was some mention of a building, you want to put a yard building in?

Kristine Breivogel: I wouldn’t mind putting a small shed back there so I can take my lawn mower and stuff out of my garage so I can use the garage for what it is supposed to be, but I can understand that not..

Morrie Doll: If the fence is the problem then, a yard building is usually a bigger problem..

Kristine Breivogel: I figured a yard building would be more of an issue than the fence since, like I said the fence builder was going to raise it off the ground so it would not obstruct the flow.

Morrie Doll: It would be my advise the Board can neither approve or disapprove her building into the utility easement, if she choses to do so she does so at her own risk, we just have jurisdiction on the drainage.

Kristine Breivogel: I think some of the properties down on the other side of me, down the other way, their fence line doesn’t come all the way, but their property line doesn’t go all the way out like mine does because of the soy bean field there.

President Bob Johnson: How should I proceed, Councilor?

Morrie Doll: It would seem to me that as to the request to build into the utility easement, if it is the wish of the Board to deny, but the motion to deny would be in order or not to approve would be in order, as to the utility easement that is the applicants personal decision.

Kristine Breivogel: So, I would have to ask permission from them?

Morrie Doll: There isn’t a Warrick County Board that has jurisdiction over the utility easement, that is between you and public utilities.

Kristine Breivogel: Right, so I would call them.

Commissioner Dan Saylor: I think what the Councilor is saying is you just basically put it up at your own risk and then if the utilities come in they have a right to remove it.

Kristine Breivogel: No, I will contact somebody there, I will have them flag it or whatever I need to do.

Morrie Doll: They probably wont give you permission.

Kristine Breivogel: More than likely.

Morrie Doll: No, more than likely…they don’t want you building in their easements.

Steve Sherwood: There are many utilities that could be placed in a public utility easement

Morrie Doll: That’s right.

Steve Sherwood: Not just Vectren.

Morrie Doll: Not just existing utilities, it could be future utilities...

Kristine Breivogel: Well, because right now I don’t think there would be, like I said before it’s an empty field soy bean field, so right now I don’t feel like there is anything back there, but if for some reason the people that own that property would turn around and sell, yes I may run into an issue.

Morrie Doll: I has been my experience, that generally the public utilities will not give permission to build in the utility right away, that is not our problem, it is not our issue, we just need to resolve the pending matter…

President Bob Johnson: To the drainage

Morrie Doll: Yes, Sir.

President Bob Johnson: So, is there a motion here?

Commissioner Dan Saylor: I make a motion to take advice on our legal council and engineer to deny.

Commissioner Terry Phillippe: As much as I hate to be an obstacle to you, I have to second that motion, I second.

President Bob Johnson: I have a first and a second. All in favor 3-0. I’m sorry Ma’am, thank you for doing the right thing though.

Morrie Doll: Best of luck.

**THE ENCLAVE @ OAK GROVE- ACCUSURVEYING—BILL BIVINS**

President Bob Johnson: Next up we have The Enclave at Oak Grove, Mr. Bivins.

Bill Bivins: Bill Bivins, engineer, this subdivision was approved previously, the drainage plan though has changed, we are now running the water in pipes basically on the center line on the edge of the road into the retention basin, along the north side of the property where the presence is, we got 12-foot public utility easement which gives us room for the small drainage ditch and for berm for block and view to the house next door, this is now going to be a 55 and over development.

President Bob Johnson: Jason, do you have something on this?

Jason Baxter: Yeah, the plans have been looked over by Steve and I, I don’t have any issues with them now. Steve, do you have anything?

Steve Sherwood: If you recall when Mr. Bivins was here last before, there is a portion of this that will drain into the existing drainage ditch that is not on this property, he asked for a drainage easement on Warrick County property, this is the parcel that we had to buy for the Oak Grove Road Phase III project, and I think before we would convey that lot to someone if Warrick County would desire to get rid of it, we would have to create an easement on the parcel it really doesn’t have any effect on what he is asking for you before, but I think we just need to never forget that we have to create a drainage easement on the corner of that parcel if we ever convey it outside being owned by Warrick County.

Morrie Doll: So, it wouldn’t be a bad idea to put it on their easement even if it is under Warrick County.

Steve Sherwood: Yeah, I think it says on his plans to take for Warrick County to convey something in the future. He has two points, Bobby will address the streets where he is going to discharge a minor perimeter ditch into the road way, but these are private roadways at the north and south end of Enclave Court or whatever it is. As Jason stated we reviewed it multiple times, we think it is to where he has done everything we have generally asked him to do if you recall as Bill said, he had drainage approval previously I believe you added two more lots?

Bill Bivins: Yes

Steve Sherwood: He has changed retention basin and the drainage features to accommodate the changes so this is basically asking for approval of the revised previously approved plans. Bill, if I have said anything incorrectly please say so.

Bill Bivins: No, that is right.

Steve Sherwood: So, with that I think Jason and I are in favor of moving on with approval.

Commissioner Terry Phillippe: I make a motion to approve The Enclave at Oak Grove

Commissioner Dan Saylor: All in favor. 3-0

**JIM MORLEY JR- MORLEY & ASSOCIATES- WARRICK RESEARCH & INDUSTRIAL CENTER EAST**

President Bob Johnson: Mr. Morley, we have a couple of items here for you. First up you have the Warrick Research and Industrial Center.

Steve Sherwood: For the record this is Warrick Research & Industrial Center East, is that correct?

Jim Morley Jr: Yup. This very well could be the last Warrick Research & Industrial Center plat ever, so it would have been 9 but we decided to spice it up and call it East.

President Bob Johnson: Steve, do you have anything?

Steve Sherwood: Jason and I looked at it, it’s pretty cut and dry he shows a typical retention basin and appropriate numbers I think it is in order.

Jason Baxter: Yup, I am good with it.

Commissioner Dan Saylor: Where is that retention basin at there?

Steve Sherwood: It is on the Southeast corner of that particular development, if I sited it correctly this on Prospect Drive on the South side, it will be near the permanent calva sac that will be created once we remove Prospect Drive at or near our (?) building 6 or 7-feet south, the roadway going in is going to be a private road way.

Jim Morley Jr: Yes, this is subdivision, but it is a bunch of small commercial buildings and we talk private drive and it will share a common area for parking and turning trailers around and stuff.

Steve Sherwood: So, you will not see any street plans because it is going to be private, Bobby will just have a commercial driveway permit off of Prospect Drive and the drainage is before you for the rest of the development, which all drains to the retention basin on the southeast corner of said development.

Jim Morley Jr: The goal is to create a development that the people have smaller companies like us maybe like a small plumber shop or electrician that has two or three employees or a small start up business can either buy one of these smaller buildings or rent one of these building and by using a private drive in the middle we are able to put more buildings on a smaller area because a lot of shops like that will get a semi delivery once a month, but they still need to be able to turn a semi around and drop stuff off. By putting a private drive in the middle and some shared turn around space on either side of private drive it allows us to make it so one area can be used for four different businesses to turn a semi around, or if someone is pulling a 30-foot trailer with a pick-up truck or something like that, so we are sharing some of that common space to make it so we don’t have to make it as big of a lot for each one and so we are trying to make it so a person can get into a building for less money, or a lower rent/purchase price whatever you want to call it to keep their start up cost down or overhead cost down.

Commissioner Dan Saylor: So, Jim are these going to be like a condo style where they are all together and have a service door or an office in the front and storage in the back and then a big overhead door?

Jim Morley Jr: So, originally we looked at it in two different ways, originally we looked at it as one lot and there be 10 building or something on one lot, the downside of that was it forced Danny to build all 10 of them and goes out of his wallet for all of them and so then we changed it to be an individual subdivision lots so if you wanted to you could buy that lot, and we have a building envelope on there that says your building can be 60x100 or something like that and you can build it as big as that 60x100 or 60x60 or 30x40, but you would own that piece of ground so you could build whatever you wanted on there, but then in front of your building you would own kind of next to where your cars would park, then there was like 60-feet between the cars that’s kind of big common area to allow the trucks to come in and maneuver so not every building has to have the entire, it has to have the ability to turn semis around on. To the best of my knowledge it is the only thing like this around here, I think it’s a pretty good idea the goal is to make it so small businesses have some place to go, place to set up shop and keep overhead cost down.

Morrie Doll: There’s not a lot to do that.

Jim Morley Jr: Yeah, so if you are looking for a 60x100 building my understanding is that there isn’t a lot out there like that for you to rent or buy or to build a 60x100 foot building.

President Bob Johnson: I entertain a motion.

Commissioner Dan Saylor: I make a motion.

Commissioner Terry Phillippe: I second.

President Bob Johnson: All in favor. 3-0

**JIM MORLEY JR- MORLEY & ASSOCIATES- INDIANA MEMBERS CREDIT UNION-BELLMORE LANDING LOT 2 & 3**

President Bob Johnson: Next we have the Indiana Members Credit Union Bellmore Landing Lot 2&3, Jason?

Jason Baxter: Pretty much the same thing, it’s just using the Bellmore approved plan so we are good on that, is that how you look at it Steve?

Steve Sherwood: Yeah, this is part of the large approved commercial storm drain system, this is two lots already in Bellmore Landing which has an overall drainage comps retention basin that they will be tying into, so for lack of better terms it has already been approved accept this drainage.

Jason Baxter: Can you tell me what all the silt fencing is?

Jim Morley Jr: That is not for our project, so just so you all know these lots sit between 66 and Libbert, there is the Burger King and then there is Penn Station, there are two lots that actually sit between the Burger King and Penn Station and the Indiana Members Credit Union is actually buying both of those lots and put a credit union branch there. The silt fence you see, Newburgh sewer has a large sewer project going on where they are…

Steve Sherwood: Triple Crown forced pump station elimination..

Jim Morley Jr: On Bell Road next to Danny Uehbelor’s office there is what is called a Triple Crown lift station and that station currently pumps through a force main over what they call a Master Lift Station, which is over off of Vann Road, and what you see they’re going to actually lay a gravity line from the central tower, I’m sorry, the Triple Crown Lift Station all the way over to the Master Lift so they don’t have that pump system, so that long corridor of silt fence is the corridor the are working in.

Jason Baxter: I knew it was happening, I just didn’t expect the silt fence so early.

Steve Sherwood: It was permitted back in 2017 they’re just not getting to construction.

Morrie Doll: So, there is no deviation, Jim, from the approved drainage plans on Bellmore Landing Lots 2&3?

Jim Morley Jr: No.

Steve Sherwood: They are utilizing the existing drainage system connected to it, a small portion of the south end of the property runs into legal drain which is on the original approved plan.

Jim Morley Jr: Well, actually it goes into a small swale before the legal drain back to the lake then the lake into the legal drain.

Morrie Doll: So, my question is, is it really the motion that you don’t need the drainage plans?

Steve Sherwood: Well, they come back before us as these lots get developed and they develop an individual drainage plan, we just want to make sure it conforms to the overall approved system, or overall concept plan and they submit these case by case.

President Bob Johnson: So, we don’t need to do anything?

Steve Sherwood: I would just say for the record to approve the drainage plan for Bellmore Landing Section 1 Lots 2 & 3 that it conforms with the conceptual drainage plan for the entire subdivision previously approved.

Commissioner Terry Phillippe: Sole moved.

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0

Jim Morley Jr: Thank you all I appreciate it.

**CLAIMS**

President Bob Johnson: Mr. Sherwood

Steve Sherwood: I think claims yet…

President Bob Johnson: Oh, there’s claims?

Jason Baxter: Yeah, the Council let us have some money for a side by side, but it was sole moved to be granted, they gave us $11,000 and then we got another $1000 coming out of Motorized Vehicles to pick up the remaining balance. It was all approved by them, and so I am asking for approval from you guys.

President Bob Johnson: So, we need to motion to approve the side by side for the Surveyor Department?

Jason Baxter: That is correct.

President Bob Johnson: The old one are you trading it in or?

Jason Baxter: It is going to go to surplus.

Commissioner Terry Phillippe: I make a motion to approve the purchase of the side by side for the Surveyor’s Office.

Commissioner Dan Saylor: Is there a price with that Terry?

Jason Baxter: Yeah, it is $11,999, $11,000 was approved from Section Corner Perpetuation, the remaining is coming out of Motorized Equipment.

Steve Sherwood: For the record he did get a public state discount for the machine too.

Jason Baxter: Yeah, it was a government discount on the machine.

Commissioner Dan Saylor: So, Terry made the motion I will second.

President Bob Johnson: All in favor. 3-0 Any other business?

**STORM WATER DEPARTMENT**

President Bob Johnson: Mr. Sherwood

Steve Sherwood: Thank you Mr. President, I handed to you a package with MCF’s quote, if you would before we discuss the quote, look at the subsequent photographs that follow. One, first one you see is a photo of when we had to put in a storm drainage line from Lakeland Terrace South across Pollack Avenue through Powers Place Subdivision to the Ohio River, now Metzger’s construction won the contract that was bided out, this was before I returned as a Storm Water Director, you can see the piling that had to be placed underneath the footing and this brick wall and the they passed the pipe, Metzger’s contract says they were not liable for any settling in said wall, the second picture you can see, again this in the Pollack Avenue area again the piling and you can see the depths involved in going underneath the brick wall. If anyone has driven along Pollack Avenue there is a large brick wall basically along the right of way line that separated Pollack Avenue from the backyard of all those residents in Powers Place. If you would look at the third photograph you can see the manhole in the pavement Pollack Avenue and the underground goes perpendicular South to the river from that manhole underneath that fence. The subsequent photographs so the settlement of said brick wall on both sides of Pollack Avenue side and then the one with the board with it is the ladies back yard that calls me frequently wanting to know when we are going to restore this brick wall to its original condition. That leads to the quote from MCF, I have called around looking for people who could jack the wall back up, stabilize it, then restore the brick wall with tuck pointing and all the other mortar terms of brick companies they are familiar with, their price for doing this creating 10 piers and jacking the wall up permanently and then this will stabilize the wall before it fails we hope, the to tuck point the walls on both sides and get it back to looking like it should, the price is $15,840.00 and I just copied you the first page, but there are four subsequent pages with terms and condition that I did copy the Council on. I cant find anybody else locally to do this and the next one is in Owensboro.

Commissioner Dan Saylor: Steve, it says on the first page item D says excessive concrete is poured over or is poured over as additional charge of $125 per hour may be…I guess is that under..

Steve Sherwood: Right, and here is the subsequent language.

Commissioner Dan Saylor: So, in other words this could be more than the $15,840.00

Steve Sherwood: It could potentially could, but he thinks this will resolve the issue without doing any subsequent beneath ground exploration which will cost more yet to do at this point.

Commissioner Dan Saylor: How long has this been like this?

Steve Sherwood: It’s been continuing since I have been back, so 2014 every year it cracks a little more to the point where if we don’t do something very soon the wall may collapse.

Commissioner Terry Phillippe: The part that scared me was when they said “We hope”

Commissioner Dan Saylor: Commissioners, can I table this and send this to somebody that does it differently and get their opinion, I mean is it that critical that needs to be dealt with today?

Steve Sherwood: Not today, this is the first chance I have been able to do something.

Commissioner Dan Saylor: Can I just send this to them and just get their opinion if that product…

President Bob Johnson: Sure.

Commissioner Dan Saylor: I make a motion to table to our next meeting.

President Bob Johnson: I believe it is the 26th of May. Motion to table to the 26th

Commissioner Terry Phillippe: I second.

President Bob Johnson: All in favor 3-0

Steve Sherwood: Only other item I have Mr. President I believe Morrie is still working on the Storm Water fees we discussed at the last meeting?

Morrie Doll: Are you talking about the deposit authority?

Steve Sherwood: To collect Storm Water fees for our department, yes. I didn’t know if you had anything for the Board.

Morrie Doll: Not yet, it’s like what we just did with Chris Combs except I have to run it by the Auditor to have her allow us through her office to hold those.

Steve Sherwood: Last item, I would just ask Joe if he has anything to report to the Board.

Joe Grassman: Nope.

Steve Sherwood: No change in the Storm Water truck, still undergoing construction hopefully be ready for delivery in the next few weeks. That is all that I have thank you

**MOTION TO ADJOURN**

Commissioner Terry Phillippe: I make a motion to adjourn

Commissioner Dan Saylor: Second.

President Bob Johnson: All in favor 3-0