

**Minutes of the Meeting
of the Clark County Drainage Board
Clark County, Indiana**

October 21, 2025

The Clark County Drainage Board met in Regular Session on October 21, 2025 in the First Floor Meeting Chamber #103 of the Clark County Government Center, 300 Corporate Drive, Jeffersonville, Indiana at 5:07 pm. Present at the meeting were President Jack Coffman, Vice-President Rob Lewellen, Member Alan Conner, Ex-officio non-voting member Clark County Surveyor David Ruckman, Attorney Ron Culler, and Coordinator Talaina Taff.

In the first order of business, Mr. Lewellen moved to **Amend the Agenda** to include the results of the Executive Session held October 21, 2025 at 4:00pm. Mr. Conner seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, Mr. Lewellen moved to approve the **Minutes** of the following meetings as submitted:

September 16, 2025 – Regular meeting

September 23, 2025 – Public Hearing

September 24, 2025 – Joint MS4 meeting

October 9, 2025 – Technical Standards meeting

Mr. Conner seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board addressed the amended item added to the agenda. After discussion, Mr. Conner moved to accept the **Findings of Fact from the Executive Session held October 21, 2025** at 4:00pm related to the Public Hearing held September 23, 2025 regarding the King and Conrad issue. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0. Document was mailed via USPS to King and to Conrad on October 27, 2025. Findings of fact document is attached.

In the next order of business, Mr. Conner moved to approve the contract for **Drainage Review of Russell & Russell Warehouse Expansion at North American HVAC Building – 8703 Commerce Park Drive, Sellersburg** by Copperwaite Design Group, Inc. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board reviewed Drainage Plans for **Russell & Russell Warehouse Expansion at North American HVAC Building – 8703 Commerce Park Drive, Sellersburg**. Mr. Kevin Taff with Blankenbeker & Associates and Primavera & Associates gave an oral and written report on behalf of Mr. Jason Copperwaite who reviewed the plans. After discussion and in accordance with the recommendation letter provided by Primavera & Associates, Mr. Conner moved to approve plans subject to compliance with Requirements after Approval #2, 5, and 6, noting that # 1, 3, and 4 were waived. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0. Recommendation letter is attached.

In the next order of business, the Board addressed the **Drainage Issue** from **Betsy Jones – 4119 Greenleaf Road, Sellersburg**. Ms. Jones was present at the meeting and voiced her concerns to the Board. After discussion, Mr. Conner moved to request Mr. Harold Hart with Hart's Surveying & Engineering to review plans again for Light Up Toys/Studios with regard to Ms. Jones' testimony. The Board is requesting written correspondence from Mr. Hart. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board addressed **Yellow Bridge Creek, LLC – Parcel #10-10-20-300-113.000-032**. Mr. Michael Guthrie – 2019 Cedar Creek Drive, Henryville was present at the meeting and presented to the Board. After discussion, it was determined that the disturbed area is less than one acre. Mr. Culler stated that the IDEM Construction General Permit does not address construction where land disturbing activities is less than one acre, and therefore, given the most recent legislation in the state of Indiana, the Drainage Board has no authority to require drainage plans. As such, Mr. Conner moved that drainage plans are not required for this site. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board revisited the September 16, 2025 approval requirements of the drainage plans for **7-Eleven Store #42746 – Blue Lick Road & Crone Road, Memphis**. Mr. Jason Copperwaite, with Primavera & Associates, reviewed the plans and recommended (via email) that in the recommendation letter, Requirements after Approval #1, 3 and 4 be waived.

Requirements after Approval #3 and 4 were waived at the September 16, 2025 meeting.

In accordance with current discussion, Mr. Conner moved to also waive Requirements after Approval #1, noting that all else – meeting Requirements #2, 5, and 6 and paying the \$2550 review fee remains the same. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0. Recommendation letter is attached.

In the next order of business, the Board followed up on the Drainage Issue from **Sarah Depew – 902 Main Street, Memphis**. Mr. Coffman read a memo from County Engineer, Brian Dixon, stating that the Highway Department has corrected the issue. No further action from the Board.

In the next order of business, Mr. Conner moved to accept the **Site Inspection Proposals** from both **Primavera & Associates** and **OHM Advisors**. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board discussed the **Request for Qualifications from Engineers to do Drainage Plan Review**. Mr. Culler will send a request for qualifications to engineers and have responses sent directly to Ms. Taff via email or USPS mail.

In the next order of business, Mr. Culler stated that the letter to **Tina Deuser – 5527 Limestone Creek Drive, Charlestown** and **Sheri Thompson – Roof Lynx – 9207 Hwy 62, Charlestown** have been sent. A copy was provided to Ms. Taff to keep on file.

In the next order of business, the Board noted that **Revisions to the Stormwater Technical Standards Manual Meeting** was changed from October 14, 2025 to October 9, 2025.

In the next order of business, Mr. Lewellen moved to table the **Stormwater Technical Standards Guideline: Chapters 1 - 5 Amendment** until the next regularly scheduled meeting so that Mr. Kevin Taff can get the information to Mr. Culler as to the tables that are to be replaced. Mr. Conner seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Mr. Conner moved to accept contracts with **OHM Advisors** (maximum expenditure \$36,500) and **Baker Tilly** (maximum expenditure \$18,500) to provide a **Rate Study** to the Board. These two contracts supersede the previous rate study contract with OHM Advisors (maximum expenditure \$55,000). Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In addition to the previous order of business, the Board discussed the scope of work under the rate study contracts, noting that the Board is seeking a minimum program to meet the MS4 requirements. With that, Mr. Lewellen moved that **President Mr. Coffman and Attorney Mr. Culler meet with representatives from OHM Advisors and Baker Tilly to clarify budgeting details and scope of work to be provided for the rate study.** Mr. Conner seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board determined that the scope of the **current general OHM Advisors contract is sufficient to include inspections for IDEM complaints.**

In the next order of business, the Board reviewed the **Approved 2026 Budget.** Mr. Conner moved to submit the Drainage Board budget as approved by the County Council into the record as follows:

1000 General Account (Funded by Council)

11107 Personal Services, 11176 PERF, 11171 FICA/Medicare = \$0 (To hire an MS4 Coordinator)

30051 Contract Services = \$20,000

20060 Supplies = \$1,000

30017 Training = \$200

40014 Equipment = \$400

2700 Non-Reverting Account (Funded by Drainage Review Fees)

30051 Contract Services = \$60,000

20045 Materials = \$3,000

Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, the Board discussed the **Drainage Review Fee Schedule.** After discussion, the Board decided to revisit the fee schedule at the March 2026 meeting. There was continued discussion around the Board contracting outside firms to review drainage plans and owners/developers paying the fee at the meeting in which the site was seeking approval. Mr. Conner moved to **change the procedure such that payment for drainage plan review is collected at time of application.** Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, Ms. Taff presented the **Drainage Board Financial Report.** Mr. Conner moved to approve the report as submitted. Mr. Lewellen seconded the motion. Motion passed unanimously 3 – 0.

In the next order of business, Mr. Lewellen moved to approve the **Invoices and Claims** as submitted. Mr. Conner seconded the motion. Motion passed unanimously 3 – 0. The claims were as follows:

Paul Primavera & Associates - \$1120.00 – 7-Eleven Drainage Review

Paul Primavera & Associates - \$780.00 – Founders Point Elementary School Drainage Review

OHM Advisors - \$1292.06 – Stormwater Support

Rob Lewellen - \$250.00 – 5 Drainage Board meetings

Alan Conner - \$350.00 – 5 Drainage Board meetings and 1 Drainage inspection

Talaina Taff - \$2080.00 – October contract

There being no further business before the Board, on motion made, seconded, and passed, the meeting was adjourned at 6:56 pm.

**Clark County Drainage Board
Clark County, Indiana**



Jack Coffman, President



Rob Lewellen, Vice-President



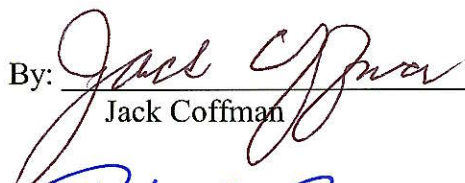
Alan Conner, Member

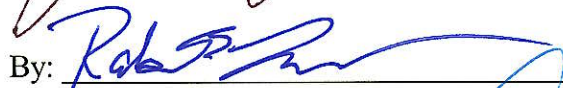
Based upon the testimony and evidence presented at the hearing before the Clark County Drainage Board (the "Board"), held on September 23, 2025, at 5:00 PM, in the matter of the obstruction of a natural surface watercourse, alleged in a petition by Eric Roger King ("King"), wherein Ronald Conrad and Brenda Conrad ("Conrads") were the respondents, the Board finds as follows:

1. A natural surface watercourse crosses the land of King and enters onto and crosses the land of Conrads (the "Natural Surface Watercourse").
2. In accordance with IC 36-9-27.4-14, the Board finds that a minor obstruction of the Natural Surface Watercourse may exist and may have been due to activities of Conrads in the Natural Surface Watercourse but that it was not the intent of Conrads to obstruct the natural flow of water in Natural Surface Watercourse.
3. Conrads made reasonable accommodations to relieve the minor obstruction of the Natural Surface Watercourse.
4. King may have contributed to the minor obstruction of the Natural Surface Watercourse.
5. King's activities may have increased the natural water flow within the Natural Surface Watercourse.
6. While the removal of the minor obstruction of the Natural Surface Watercourse may promote better drainage of King's land, the total removal of the minor obstruction of the Natural Surface Watercourse, would cause unreasonable damage to Conrads' land.
7. The Board does not order the removal of the minor obstruction to the Natural Surface Watercourse, by King, Conrads, or the County Surveyor.

Dated: 10-21-25, 2025.

Clark County Drainage Board

By: 
Jack Coffman

By: 
Rob Lewellen

By: 
Alan Conner



PRIMAVERA & ASSOCIATES

ENGINEERING & LAND SURVEYING

October 21, 2025

Jason M. Copperwaite,
PE, PS, FAA-UAS
President

David A. Sanders,
PE
Vice President

Travis Andres,
PE
Principal Geotechnical
Engineer

William McDonough,
EIT
Sr. Project Manager

J. Michael Rich,
PE, CPESC
Sr. Project Manager

L. Matthew Blake,
PWS
Director of
Ecological Services

Erik Merten
Sr. Project Coordinator

Daniel Hartman,
PE
Project Manager

Chase Blakeman,
FAA-UAS
Project Manager

Paul Primavera,
PE, PS
President Emeritus

Clark County Drainage Board
300 Corporate Drive, Suite 206
Jeffersonville, IN 47130
Attn: Talaina Taff

Re: North American HVAC
Stone Creek Commerce Center
Sellersburg, IN

Dear Talaina,

I have reviewed the above project for compliance with the Drainage Ordinance (D.O.) adopted by the Clark County Commissioners as Ordinance No. 40-2024 on December 19, 2024. I have the following comments and additional requirements post approval by the Drainage Board (unless waived by the Drainage Board - I recommend waiving requirements #1,3, & 4):

Comments:

1. Based upon the revised plans and stormwater management report emailed to me, the plans meet or exceed the intent of the Drainage Ordinance by draining into the existing detention basin, and I hereby recommend approval.

Requirements after approval (unless waived by the Drainage Board):

1. Drainage easements shall be provided for "all stormwater systems, including detention or retention basins, conveyance systems, structures and appurtenances, located outside of the right-of-way" (D.O. Section 3 (d) – page 7 & D.O. Section 5 (d) – page 13).
2. The stormwater pollution prevention plan (SWPPP) must be reviewed and approved by the Drainage Board's designee, the Clark County Soil and Water Conservation District (CCSWCD), who is an approved reviewer by IDEM. (D.O. Section 4 (a) – page 9). Once approved by CCSWCD, the appropriate permit shall be obtained from IDEM and the Owner shall implement a self-monitoring program. (D.O. Section 4 (d) – page 11).
3. Owner shall provide an irrevocable letter of credit or a bond equal to 125% of the total cost as estimated by a professional engineer or surveyor of all stormwater management measures for the entire project with a minimum amount of \$5,000. (D.O. Section 6 (g) – Page 19-20).
4. Once the drainage infrastructure is complete, the Owner shall provide as-built plans certified by the engineer or surveyor of record (D.O. Section 6 (i) – page 21).
5. Complete and record a Stormwater Management BMPs Maintenance Agreement per Appendix B1 (D.O. Appendix B1).
6. Provide final sealed and signed drawings and drainage report to the Clark County Drainage Board in electronic and hard copy.

Sincerely,

Jason M. Copperwaite, P.E., P.S., FAA-UAS

JMC/ms



PRIMAVERA & ASSOCIATES

ENGINEERING & LAND SURVEYING

Jason M. Copperwaite,
PE, PS, FAA-UAS
President

David A. Sanders,
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Vice President

Travis Andres,
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Erik Merten
Sr. Project Coordinator

Daniel Hartman,
PE
Project Manager

Chase Blakeman,
FAA-UAS
Project Manager

Paul Primavera,
PE, PS
President Emeritus

September 16, 2025

Clark County Drainage Board
300 Corporate Drive, Suite 206
Jeffersonville, IN 47130
Attn: Talaina Taff

Re: 7/11 Store
Blue Lick & Crone Road
Memphis, IN

Dear Talaina,

I have reviewed the above project for compliance with the Drainage Ordinance (D.O.) adopted by the Clark County Commissioners as Ordinance No. 40-2024 on December 19, 2024. I have the following comments and additional requirements post approval by the Drainage Board (unless waived by the Drainage Board):

Comments:

1. Based upon the revised plans and stormwater management report emailed to me, the plans meet or exceed the intent of the Drainage Ordinance, and I hereby recommend approval.

Requirements after approval (unless waived by the Drainage Board):

1. Drainage easements shall be provided for "all stormwater systems, including detention or retention basins, conveyance systems, structures and appurtenances, located outside of the right-of-way" (D.O. Section 3 (d) – page 7 & D.O. Section 5 (d) – page 13).
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3. Owner shall provide an irrevocable letter of credit or a bond equal to 125% of the total cost as estimated by a professional engineer or surveyor of all stormwater management measures for the entire project with a minimum amount of \$5,000. (D.O. Section 6 (g) – Page 19-20).
4. Once the drainage infrastructure is complete, the Owner shall provide as-built plans certified by the engineer or surveyor of record (D.O. Section 6 (i) – page 21).
5. Complete and record a Stormwater Management BMPs Maintenance Agreement per Appendix B1 (D.O. Appendix B1).
6. Provide final sealed and signed drawings and drainage report to the Clark County Drainage Board in hard copy.

Sincerely,

Jason M. Copperwaite, P.E., P.S., FAA-UAS

JMC/ms