

**ALLEN COUNTY DRAINAGE BOARD AGENDA  
REGULAR HEARING  
PUBLIC HEARING  
HOUK BR. #3**

November 13, 2008

9:00 a.m.

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**Call to Order:** Chairwoman, Linda K. Bloom

**Approval of Minutes:** October 23<sup>rd</sup>, 2008 minutes

**Approval of Petitions:**

1. **Doc. # 08-095**, Signing the Findings of Fact and Order on Petition to Remove Obstruction Pursuant to I.C. 36-9-27, 4-1 through 25 for Westchester Glens.
2. **Doc. #08-174, Request from T.E., Inc** for approval of Stormwater Management Plan for Miltec Circuits located in Cedar Creek Twp. Sec. 28.
3. **Doc. #08-175, Request from Richard Stumpf & Associates** for approval of Stormwater Management Plan for Water Out located in Perry Twp. Sec. 19.
4. **Doc. #08-176, Short Ditch located in Maumee Twp. Sec. 22.** Petitioner Herber & Pauline Rekeweg. Petition for encroachment for the construction and installation of a 4-inch diameter PVCSDR 35 pipe into bank back-slope for surface and septic perimeter pipe outfall from a proposed septic absorption system.
5. **Doc. #08-177, Bercot Drain located in Washington Twp. Sec. 17.** Petitioner is Kevin Mullendore. Petition for encroachment for the construction of a 3,550 SF commercial building within 22.6' of the top of the bank.
6. **Doc. #08-178, Waters Drain located in Washington Twp. Sec. 17.** Petitioner is Coldwater Villages LLC. Petition for encroachment for the construction and installation of a 15-inch storm pipe and rip-rap pad to provide storm outlet for new detention basin.
7. **Doc. #08-179, Waters Drain located in Washington Twp. Sec. 17.** Petitioner is Coldwater Villages LLC. Petition to allow existing topsoil within 30 ft +/- of legal drain.
8. **Doc. #08-180, Goeglein Drain located in St. Joseph Twp. Sec 25.** Petitioner Executive Investments, LLC. Petition for encroachment for the construction and installation of a private drive, vegetated swale, and 36" culvert pipe.

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**Other Business**

As needed

Continuation of Public Hearing for the Houk Br. #3 Drain.  
Minutes from the October 9<sup>th</sup>, 2008 meeting

Linda opened the Public Hearing:

*(The following reflects a synopsis of action taken by the Drainage Board. Actual tape recordings of the proceedings are available upon request.)*

A. Doc. # 08-156 - Surveyor's Report

*Mr. Frisinger read the Surveyor's Report into the records.*

B. Comments and letters in Favor: 1 letter for from Gregory Bultemeier

C. Comments and letters in Opposition: Letter from Don & Norma Boenker stating that he didn't think he was in the water shed.

*Alfred Scheumann- address 15013 Prairie Park Dr. Hoagland, In.  
Mr. Scheumann explained to the Board that this project would not help him. He wants something done with the railroad track. He said that the culvert under the tracks holds the water back.*

*Edward Bultemeyer – address 2724 W 1200 N, Decatur, IN 46733  
He is in favor of the project but something needs to be done about the railroad.*

*Mr. Frisinger explained that the area is all floodway needing permitting agencies – DNR, IDEM before work can be done.*

*Mr. Moll asked them their opinion of increasing the maintenance to accumulate enough to pay for the routine maintenance and not doing anything at this time.*

*Mr. Scheumann told Mr. Moll that reconstruction would cost him twenty thousand dollars.*

*Lowell Scheumann – address 15415 Minnich Rd, Hoagland, IN  
Mr. Scheumann asked if the railroad have any responsibility for the restriction of the water going underneath the railroad tracks and why would the county assess the farmers for the responsibility of the railroad for making the culvert the size it should be?*

*Mr. Frisinger explained that it is still the watershed responsibility for payment and replacement of the culvert.*

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*Mr. Frisinger recommended either continuing the hearing to a later date or act on the maintenance assessments at this time.*

*Roger Moll made a motion to continue the meeting to November 13<sup>th</sup>, 2008, Drainage Board Hearing. Motion seconded by Bill Brown. Motion carried. The Surveyor's Office will take another look at the downstream outfall.*

D. Close Hearing:

E. Board Finding and Order:

Allen County does not discriminate because of disability in the admission to, treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereafter, and Allen County's ADA Policy, are available from the ADA Coordinator. Requests for assistance or suggestions on how the County can better meet the needs of those persons with disabilities may be submitted to the ADA Coordinator at: Human Resources Department, Room 208, 1 East Main Street, Fort Wayne, Indiana 46802, or by telephone at 260-449-7217, TDD 260-44-7881.