

**ALLEN COUNTY DRAINAGE BOARD MINUTES**  
**SPECIAL HEARING**  
**BECKETT'S RUN AND**  
**THE KRUSE DRAIN**

January 12, 2007

11:15 a.m.

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PRESENT: DB: BILL BROWN, NELSON PETERS, LINDA BLOOM, ALLAN FRISINGER; ACSO: LARRY WEBER; CO. ATTY: CATHY SERRANO;  
DB SEC: SHARMAN BULTEMEIER; SEE SIGN-IN SHEET FOR OTHERS PRESENT

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**Call to Order:** Chairperson Linda Bloom

Linda reconvened the Drainage Board Hearing and asked for new information only.

Joanie Loch address 8115 Beckett's Ridge Lane presented new photos to the Board showing 06/13/04 flooding. She told the Board that this is a regular occurrence for them.

Bill Shininger ACSO: It was a 2 ½ inch rain fall. Two inches fell within thirty minutes.

Linda: This has nothing to do with the new project, this is an existing problem.

Joanie Loch told her yes, that they didn't want this fixed, it's not harming anything and it's not damaging anything.

ADF explained to Linda that this is the detention area for the existing subdivision.

Donna Bialik address 8127 Beckett's Ridge Lane (lot 30). She explained that the water was on the other side of the elm tree shown in the pictures and also on the other side of the spruce trees. This happens two to tree times a year.

Joanie: The Bridge will act as a dam. She presented a statement from Mr. Kendall under his letterhead.

ADF: As clarification, he had gone out with the crew this morning and took shoots to clarify the elevations that were at contest yesterday. He found that within a few tenths of a foot minimally what Mr. Dickmeyer has stipulated on his plans. Additionally they shot various areas around properties to ensure where the lowest levels were. Those also confirmed the shots that Mr. Dickmeyer has given us relative to the lowest opening on lot 30. His shot was within one hundredth of a foot of the shot that was given by Mr. Dickmeyer. . .

With the design proposal that is in place today, and lowering the low point in the road to 786.2 how does that affect our flow characteristics for the maximum flow suggested across that section if the pipes or the bridge structure is installed as proposed 8' 1" x 12' 8" two multi plates structures with a low point on the curve of at 86.2. We did find that that passes somewhere around 1200 CFS. . .

Linda asked, "The concerns of neighbors in neighborhoods where they are receiving water for what ever reason in their – rain falls on their property additional development they have the fear and have gather all information for us. What happens if their concerns are legit to them they are very legit? My question is when a developer, when a contractor, when the people build these projects (a lot of drainage issues) what happens these developers finish, he's gone and all these problems are created for these neighbors that they didn't have? I could go through a list of maybe ten right of the top of my head where they're back before Drainage Board (out on Covington Road we got one subdivision flooding the next one). A lot of maintenance reconstruction, it is going to cost a lot of money to correct this. How do we hold and whom do we hold responsible for this?"

ADF: "When you have new development green field development and the proposals are put forth for stormwater controls, they are for that development and are set aside to give a discharge rate that is what we normally use is .018 CFS/acre. The receiving stream has a lot to do with what that is going to be. If they develop their site, put their storm sewers in; create the detention facilities, stormwater management facilities. Do all their site grading and walk away when it's done. In subsequent time a lot properties get changed when the height of a structure is changed from proposed elevations by virgule of building higher, building lower, not adhering to flood protection grades, regrading swales, utilities installations, there are a lot of things that affect minimum types of applications. When a developers builds that product

and sells it and walks away, they have built that product, changes that are done subsequent time by other people necessary don't reflect what the developer did for that they didn't complete what they were suppose to do but what people did in subsequent time. That's not to say that there weren't problems before." . . .

Bill Shining ACSO: Explained to the Board, what would happen with a four inch rainfall on a frozen surface. 1500 CFS flow rate at the proposed bridge section. Bridge Structure elevation is 786.2 ovetop – less then a foot from going into the lowest house.

More discussion followed between the Board and members of the audience (copy of discussion available on CD if requested.

. . .

Nelson Peters made a motion to close the public hearing, seconded by Bill Brown. Motion voted on and passed. Meeting closed.

Linda Bloom made the following motion for the approval of proposed 8'-1" x 12'-8" Multi Plate Bridge Structure. Lower the overflow area to 785.8, broaden cross sectional area to improve flow at low point in the street. The ACSO will work with the City of Fort Wayne. Improve entrance "throat" to the bridge and exit area 100 +/- LF each way to control the flow to the ACSO's Standards. Contribute \$25,000 to the Kruse Drain Maintenance Fund and set aside \$75,000 for earth removal.

Bill Brown asked if under these criteria on a 4-inch rain, frozen soil, the pipes are clear water comes one foot below the floor of the lowest house.

ADF told him yes.

Bill Brown under those conditions, he seconds the motion.

Nelson Peters wanted assurances that the developer would remove the earth.

ADF said that that money would be a cash bond or a bank check to the Surveyor's Office to be used to hire a contractor if the work is not completed.

Larry Weber told the Board that we don't need to remove the dirt we can place it on Mr. Delagrang's ground.

Bill Brown asked if they wanted a written document from Chestnut and was told yes.

Mr. Peters asked their attorney if she was comfortable that this motion will accomplish what they are after in the terms of removing that dirt.

Cathy Serrano told them that as part of the motion you add that an agreement must be drafted and submitted to the County Surveyor where the developer signs off saying that they are committed to do that. If you have that written agreement in place, then the motion and the order from the Board will refer to that agreement.

Linda amended the motion that the developer will have this in writing and submitted to the Allen County Surveyor to be added to the bond, the paper work be added to the money in escrow . Bill Brown amended his second as read for the written statement from the developer. Motion voted on and passed.

**ALLEN COUNTY DRAINAGE BOARD**

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Linda K. Bloom, Chairperson

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Wm. E. Brown, Vice-Chairperson

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Nelson Peters, Secretary

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Allan D. Frisinger, County Surveyor

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Date

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Date