

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

June 14, 2007

9:00 a.m.

PRESENT: DB: LINDA BLOOM, WM. E. BROWN, ROGER MOLL, ALLAN FRISINGER; ACSO: LARRY WEBER; BOH: CATHY DOSECK; DB ATTY:
CATHY SORRENANO; DB SEC. SHARMAN BULTEMEIER; SEE SIGN-IN SHEET FOR OTHERS PRESENT.

Call to Order: Chairwoman, Linda K. Bloom

Approval of Minutes: Approval of May 24th Minutes

Roger made a motion to approve minutes as submitted, seconded by Bill. Motion voted on and passed. Linda was absent for vote.

Approval of Petitions:

1. **Doc. #07-075 - Chestnut Hills Drain located in Aboite Twp.** Certification of assessment for the Reconstruction of drain. Total initial assessment - \$49,170.87. Total changed after posting of agenda.

ADF requested to move to the end of the agenda. Board agreed.

2. **Doc. #07-076 - Quail Creek Section I Drain located in Perry Twp.** Certification of Periodic Maintenance Assessment. Assessment set at \$25.00 per unit. Total 48 units.

ADF recommended approval of assessments: Roger made a motion for approval, seconded by Bill. Motion voted on and passed.

3. **Doc. #07-058 – Morgan Creek Sec. V located in Washington Twp. Sec. 32.** Petitioner is Joseph Zehr. Petition is for the Establishment of a Regulated Drain. Motion to proceed.

ADF recommended approval of motion to proceed. Roger made a motion for approval, seconded by Bill. Motion voted on and passed.

4. **Doc. #07-059 – Morgan Creek Sec. V.** Petition for encroachment within the drainage easement for the construction and installation of homes, streets and underground utilities for Lots 167 through 198.

ADF recommended approval of encroachment contingent upon final approval by the Surveyor's Office. Roger made a motion for approval subject to approval by the Surveyor's Office, seconded by Bill. Motion voted on and passed.

5. **Doc. #07-060 Morgan Creek Section V.** Request from D.A. Brown for approval of their Stormwater Management Plan.

ADF recommended approval of their plan contingent of final approval by the Surveyor's Office. Roger made a motion for approval subject to approval by the Surveyor's Office, seconded by Bill. Motion voted on and passed.

6. **Doc. #07-071 – Huguenard Industrial Drain located in Washington Twp. Sec. 16.** Petitioner is John H. Stephens. Petition for encroachment within the drainage easement for the construction and installation of an 8-inch H.D.P.E. smooth wall pipe which drains downspouts to be connected to existing curb inlet per plan. To connect downspout drain into regulated drain and regional detention system.

ADF recommended approval subject to the following conditions being met: Owner's signature on petition, core drilling of the inlet and inspection of the installation. Roger made a motion to approve petition subject to the Owner signing the petition and the core drilling of the inlet and inspection of the installation, seconded by Bill. Motion voted on and passed.

Linda joined the meeting at 9:20 a.m.

7. **Doc. #07-072 – John Nail #1 Drain located in Jefferson Twp. Sec. 32.** Petitioners are Thomas & Marilyn Koeneman. Petition for encroachment within the drainage easement for the planting of a windbreak and for the replacement of the existing regulated tile with an appropriate length of "solid non-perforated double wall" corrugated drain tile, to prevent tree root intrusion.

ADF recommended approval subject to inspection of installation, plan illustrating the location and how he proposes to reconstruct. Roger made a motion to approve subject to inspection of installation, a plan illustrating the location and reconstruction's plan." It should be noted that this will not prevent replacement of that pipe should this drain ever be reconstructed." Motion was seconded by Bill, voted on and passed.

8. **Doc. #07-073 – John Gressley Drain located in Madison Twp. Sec. 27.** Petitioner is Roger A. Zelt. Petition for encroachment within the easement for the construction and installation of a 4-inch perimeter drain tile. Private septic system.

Richard Slayback from Civil Engineering Services – 8121 Union Chapel Rd.

Mr. Slayback asked to amend petition to include the request for the Stormwater Management Plan.

ADF recommended approval subject to core drilling of the inlet, inspection of the installation during construction and that the downspouts are not to be connected to the perimeter pipe. Bill made a motion to approve petition. Roger amended the motion to include core drilling of the inlet, inspection, and not to include any surface water. Bill amended his original motion, seconded by Roger. Motion voted on and passed.

9. **Doc. #07-074 – Mason Drain located in Lafayette Twp. Sec. 14.** Petitioner is Martin Bloomfield. Petition for encroachment within the drainage easement for the construction and installation of a 4-inch perimeter drain tile. Private septic system.

ADF recommended approval as submitted. Roger made a motion to approve petition for encroachment, seconded by Bill. Motion voted on and passed. ADF added that inspection would be required.

10. **Doc. 07-056 – Joe Dennis #2 Br. #1 Drain located in Lafayette Twp. Sec. 9.** Petitioner is Brian Hopkins. Petition to encroach thirty-five feet within the drainage easement for the construction and installation of a four-inch perimeter drain tile and private driveway. Also requesting on a separate petition reconstruction and relocation of the drain. Deferred from the May 11th 2007 meeting.

ADF recommended approval with the following conditions: Mr. Hopkins to pay all cost, will crush the existing tile, the new drain to be constructed to Urban Drain status with required inspections, and responsible for the replacement of all existing taps while doing the construction. Roger made a motion to approve subject to the Surveyor's requirements as stated, seconded by Bill. Motion voted on and passed.

11. **Doc. #7-057 – Joe Dennis #2 Br. #1 Drain located in Lafayette Twp. Sec. 9.** Petition for reconstruction and Periodic Maintenance. Motion to proceed.

ADF recommended approval for the motion to proceed. Bill made a motion to approve, seconded by Roger. Motion voted on and passed.

Doc. #07-075 - Chestnut Hills Drain located in Aboite Twp. Certification of assessment for the Reconstruction of the Chestnut Hills drain. Total initial assessment - \$49,170.87. Total changed after posting of agenda.

ADF reviewed the Chestnut Hills reconstruction project with the Board:

Final contracted construction amount \$84,558.04

Assessable Amounts based on Board Action	(\$49,170.87)
Developer's assessment paid in advance	<u>(\$15,079.21)</u>
Future Payments per Board's action	\$20,307.96

ADF question to the Board was how do we collect assessments from "future" commercial developers. . .

Final resolution from the Board:

The Board instructed the Surveyor to pay the remaining \$20,307.96 as follows:

Apply the Accrued Interest from the Chestnut Hills' Reconstruction Fund	- \$ <u>4,727.57</u>
And the remaining amount from the Chestnut Hills' Maintenance Fund	- <u>\$15,580.39</u>

There will be an acreage assessment on future in recordable form for the reconstruction improvements on that drain to be reimbursed to the Chestnut Hills' Drainage Maintenance Fund.

This will put everybody on notice that any parcel affiliated by this deed will have an acreage assessment for the reconstruction improvement on that drain to be reimbursed to the Chestnut Hills Maintenance Fund.

Roger made a motion that the Board direct the Surveyor's Office to proceed with the proposal to resolve this issue in an appropriate way, seconded by Bill. Motion voted on and passed.

ADF will bring it back to the next meeting.

Other Business:

July 12, 2007 meeting canceled

If a special meeting is needed we will call for one.

Al gave a short report on the Joint Drainage Board hearing on the Little River Drain.

ALLEN COUNTY DRAINAGE BOARD

Linda K. Bloom, Chairperson

Wm. E. Brown, Vice-Chairperson

Roger Moll, Secretary

Allan D. Frisinger, County Surveyor

Date

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.