

**ALLEN COUNTY DRAINAGE BOARD MINUTES  
REGULAR HEARING**

June 28, 2007

9:00 a.m.

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

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**Call to Order:** The meeting of the Drainage Board was called to order by Chairman Linda Bloom.

**Approval of Minutes:** Motion by Roger Moll, seconded by Linda Bloom to approve the minutes of the June 14, 2007 meeting. Motion carried.

**Approval of Petitions:**

1. **Doc. #07-077, Bullerman Ditch located in St. Joseph Twp. Sec. 23.** Petitioner is New Hope Worship Center, Inc. (Rev. Michael Bauer). Petition for encroachment within the drainage easement for the construction of a detention basin and outfall pipe. Highway improvement with storm water quality control.

*ADF recommended approval subject to the receipt of the following items:*

1. *Certified copy of a design plan*
2. *Maintenance agreement for the basin*
3. *Legal description of the area to be encompass*
4. *Documentation that there isn't any fill being placed in the floodway*
5. *Delineation of the statutory limit on the encroachment into the Bullerman Drain*
6. *ACSO/Drainage Board not responsible for any restoration of the basin as the result of our routine maintenance to the ditch*
7. *The maintenance easement needs to be thirty-five feet minimum*

*Roger Moll made a motion to approve the petition subject to the conditions set out by the Surveyor. Linda Bloom seconded the motion. Motion carried.*

2. **Doc. #07-078, Koester Ditch located in St. Joseph Twp. Sec. 24.** Petitioner is Maysville Pointe Development Company LLC (Thomas English, Manager). Petition to modify the condition set forth in Petition 04-317 that the storm sewer system located in Maysville Pointe Shopping Center (The "Center") be converted to a regulated drain; to add a backflow preventer to the existing outfall pipe from The Center into the Koester Ditch, and; to clarify the manner that the Koester Ditch is to be maintained, including portions that may be wetlands.

*ADF review with the Board the original petition (04-317). The Board made a recommendation to withhold final approval until receipt of additional information and petition requesting Establishment of a Regulated Drain for the outlet pipe.*

*Scott Federoff from Federoff Law Firm 10445 Illinois Road  
Chad Salzbenner Bonar Group 1700 Magnavox Way*

*Mr. Federoff reviewed the project with the Board explaining that the property is now in the city. The ditch was cleaned about half of the way from Maysville South East, some may be in wetlands*

*ADF recommended approval with the following conditions: Clearing of the ditch from top of bank to top of bank throughout the site and to a limit on each side of up to 35-feet with a filter strips for erosion control during development and inspection of outfall pipe and fees being paid. Roger Moll made a motion to approve the petition to remove the requirement that detention area, drainage areas be removed from the regulated drain aspect, cleaning needs to be done per the conditions set out by the Surveyor. Linda Bloom seconded the motion. Motion carried.*

3. **Doc. #07-079, The McComb Tile located in Perry Twp. Sec. 21.** Certification of assessment for the Reconstruction of the Drain. Final remaining assessment - \$33,730.31.

*ADF recommended approval as submitted. Roger Moll made a motion to approve the certification of assessment as submitted. Linda Bloom seconded the motion. Motion carried.*

4. **Doc. #07-080, Pion Drain Reconstruction located in Perry Twp. Sec. 22.** Certificate of substantial completion – Contractor: Wisel Enterprises.

*ADF reviewed the project with the Board and recommended approval of the Certificate of completion. Roger Moll made a motion to approve the Certification. Linda Bloom seconded the motion. Motion carried.*

5. **Doc. #07-081, Bass Drain Reconstruction located in Aboite Twp. Sec. 34.** Certificate of substantial completion – Contractor: Everett Excavation.

*ADF reviewed the project with the Board and recommended approval of the Certificate of completion. Roger Moll made a motion to approve the Certification. Linda Bloom seconded the motion. Motion carried.*

6. **Doc. #07-046, Cloverleaf Development located in Perry Twp. Sec. 22.** Petitioner is D.A. Brown Engineering. Request for approval of their Stormwater Management Plan.

*ADF reviewed the project with the Board and recommended approval subject to receipt of required easements.*

*Jeff Davis 12527 Golden Harvest Dr. told the Board that easements should be coming.*

*Roger Moll made a motion to approve subject to receipt of any additional easements needed, seconded by Linda. Motion carried.*

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

*ADF recommended approval of certification of assessment. Roger Moll made a motion to approve, seconded by Linda. Motion carried.*

**Other Business:**

Discussion:

- Doc. #07-082, Lawrence Br. #3 Drain located in Wayne Twp. Sec. 5.** Petitioner Pine Tree Development. Petition to relocate the drain within their parcel as an Urban Drain with a 25-foot easement. The relocation will be a concrete lined/walled ditch. The relocated drain will have the following encroachment within its 25-foot easement: An asphalt drive with curb, asphalt parking lot, safety fences or guardrails. This project will also include cleaning and re-establishing the ditch grade for approximately 850 lf downstream of this project.

*ADF reviewed the project with the Board explaining that the Petitioner proposal is to reconstruct the drain on their site and move ahead to hearing on the Thomas Road issue of upgrading that to a box culvert. The development site is to be in perpetually responsible for on-site drain maintenance. Roger Moll made a motion to approve petition with the caveat that future assessments and maintenance or any reconstruction necessary in the Urban Drain portion be subject to the owner or future owners of that parcel, seconded by Linda. Motion carried*

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*Roger Moll asked if the downstream property owners have a similar assessment to install the box culvert. He was told that they could be responsible.*

*Meeting adjourned.*

**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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Roger Moll, Secretary

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Allan D. Frisinger, County Surveyor

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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.