

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

March 22, 2007

9:00 a.m.

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

Call to Order: Chairwoman, Linda K. Bloom

Approval of Petitions:

1. **Doc. #07-033, The Paul Freeman Drain located in Cedar Creek Twp. Sec. 6.** Petitioner is Norma Jean Yoder. Petition for encroachment for the construction and installation of a 4-inch perimeter drain tile. Private Septic System.

ADF reviewed the project with the Board explaining to them that they do not have a fixed position for their septic system, there are some easements on the site that are dedicated today for stormwater and outfall systems that haven't been addressed as to how they are going to deal with this on one site. He wasn't ready to make any recommendation for approval.

Cathy Doseck from the Board of Health. The original design was turned down. They are trying to come in with a new location unfortunately that new location goes across what appears to be the location of the easements. They need to investigate to find out (a) If the soil is even suitable for the septic and (b) if those easements can be vacated or not. . .

Roger Moll asked ADF that if we are having minor plats discussions going on, then what discussions are going on for the process of having minor or small community waste treatment, not package treatment plans but innovated wetlands or others kinds of things so that at some point should sewer ever be present you have way less energy in connecting four, five or six parcels in the neighborhood and they would all have combine interest in having a registered site that would have to be inspected and they would pay some type of structure to make sure that it was operational and in good condition. Is that a part of this discussion?

ADF said yes.

Roger Moll: It will impact how we deal with drainage, how we utilize property because you can find a good site that will take care of that on a parcel and then you can add an extra lot or two because you have a wasted treatment issue addressed. It would be good for the developers and good for the community; it would be good for the water system and water tables. . .

ADF: At our last meeting we went over the element of how do you establish a good over all plan, that says, "Should this have sewer availability in the future, how do we access each one of those site?" Easements that are set aside at the front end that says there it is or that has to be a platted road that allows for that to have access by utilities. The cluster systems and the element of using innovated type of sewer treatment facilities is a conversation we are trying to have with the Board of Health. . .

ADF recommended deferral to until we get a resolution with the Board of Health on the easements and with our department along with the Flood Protection Grades

Bill Brown asked ADF what was needed for returning to the Board for approval.

ADF told him Flood Protection Level, Flood Protection Grade, how they are going to have transference of water from one side to the other.

Roger Moll made a motion to defer until such time as the developer resubmits with the recommendations brought forward in this meeting by the surveyor. Motion seconded by Bill voted on and passed. Petition deferred. Bill asked to be copied on letter to petitioner. ADF asked the Board to jump to Item 3.

2. **Doc. #07-034, Honeysuckle Sec. I drain located in Cedar Creek Twp. Sec. 11.** Petitioner is Chris Stauffer. Petition for encroachment for the construction and installation of structures and driveways. For the development of Honeysuckle Sec. I.

ADF recommended approval as submitted. Bill made a motion to approve, second by Roger. Motion voted on and passed.

3. **Doc. #07-035, Honeysuckle Drain Sec. I Drain located in Cedar Creek Twp. Sec. 11.** Petition for the establishment of a new regulated drain. Motion to proceed.

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

4. **Doc. #07-036, Villas of Boulder Ridge Subdivision located in Jefferson Twp. Sec. 6.** Petitioner Wendell and Betty Hall are requesting encroachment for the construction of a 12' and 13' sunroom within the swale's drainage easement.

ADF recommended approval of petition. Bill made a motion to approve, second by Roger. Motion voted on and passed.

5. *Linda asked for approval of the March 8th. Minutes. Bill made a motion to approve as submitted. Motion seconded by Roger voted on and passed.*

Other Business:

ADF: Reviewed with the Board that Mr. Poorman on the Wells Tile has filled his site by about four feet. His adjacent property owner reported that his land has standing water and asked what he should do. He was told that he needed to file a petition to Remove an Obstruction. If he is going to file, we should have a reconstruction hearing on that drain tile. . .

ADF: Villas of Oak Crossing corner of Tonkle and DuPont Roads. The Stormwater Management plan for out there has been approved - Main issue now is because hydraulically we think that all the pipes, overflow channels and everything is going to work. They have a pond area that is right on DuPont Road that is going to have commercial facilities bunting up to that area. The pond itself as constructed poses a safety hazard. He had drafted a letter in November to Mr. Haggerman. He read a portion of the letter into the records. "As stated in my department's latest response to you engineer, there is a need to install something akin to a fence type apparatus, this storm water facility as designed and built is inherently dangerous for the consumers who will be using this facility, both pedestrian and vehicular wise. Accepted standards throughout Allen County, Indiana and the United States stipulate several types of measures be taken to insure safety. Locally many developers have taken these measures to include safety ledges, flattening of side slopes, marine safety stations and fences." He did not think that the developer is inclined to do any of the above.

Bill Brown asked ADF if the issued was that it was too steep.

ADF: You have a pond that was built with probably one to one side slopes from the top of bank down to a pool of water that is approximately ten to twelve feet deep. It drops about ten feet to a pool of water to about a ten foot pool of water.

. . .

ADF: If someone walks over the side, a little kid, somebody, if you fall in you are done. You can not crawl out. In residential areas, we see gentler slope.

Linda asked, "Why didn't they do that?"

ADF: This was an engineering decision by their engineer. He sent the letter to Mr. Haggerman, he spoke with Mark yesterday, copied his attorney and the engineer and until yesterday nobody responded. The reason He bought it forward today. While we look at approval, they would like to have a release on the Walgreen site. He was concerned that even though he had drafted the letter telling them that it is inherently dangerous; if something happens we would be on the string.

Attorney Cathy Sorreano agreed.

Roger Moll said, "So say you deny the petition and it slows up the Walgreen Development, their option is to petition this group, right?"

ADF responded that he was sure that there would be phone calls.

Larry told the Board that Walgreen is ready to open.

Roger Moll responded, "They can come before the Board, then they can tell us why it is that they are choosing to impose that hazardous water resource management as opposed to some lesser system."

Larry responded, "That Mr. Haggerman is going to response that he doesn't think that it is hazardous."

Linda said that she would be happy to call Mr. Haggerman.

Roger asked who would be responsible for the long term maintenance of the fence.

ADF told him that that would become the responsibly of the association of the commercial site.

A general discussion followed.

. . .

Linda asked, "What do we do on this?" "Someone got to call him, do you want to call him or "

ADF interrupted and told her that he had already spoke with him (Mr. Haggerman) and he was waiting for a response. As soon as he gets something, he will pass it on to the Board; he didn't know what else to do.

Meeting adjourned.

ALLEN COUNTY DRAINAGE BOARD

Linda K. Bloom, Chairperson

Wm. E. Brown, Vice-Chairperson

Roger Moll, Secretary

Allan D. Frisinger, County Surveyor

Date

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