

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

September 13, 2007

9:00 a.m.

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

Call to Order: Chairwoman, Linda K. Bloom

Approval of Minutes: August 23rd, 2007 minutes

Linda asked for approval of the August 23rd, 2007 minutes. Roger Moll made a motion approve minutes as submitted, seconded by Bill Brown. Motion carried.

The Board moved to item 8 at this time – see below.

Approval of Petitions:

1. **Doc. #07-108.** Request for approval of Stormwater Management Plan for Classic Heights by Tazian & Associates.

ADF recommended approval as submitted. Bill Brown made a motion to approve petition, seconded by Roger Moll. Motion carried.

2. **Doc. #07-115, Tucker-Geller Drain located in Eel River Twp. Sec. 36.** Petitioner is Northwest Allen County Schools. Petition for encroachment within the drainage easement for the construction and installation of driveway improvements, sidewalk, storm sewer, and detention basin dam. Bethel Road widening project.

ADF recommended approval of petition as submitted. Roger Moll made a motion to approve petition, seconded by Bill Brown. Motion carried.

3. **Doc. #07-117, Hunter Urban Drain located in Perry Twp. Sec. 17.** Request for approval of the certification of assessment for the reconstruction of the drain. Total assessment amount is \$\$28,658.02.

ADF recommended approval of the assessment. Roger Moll made a motion to approve assessment as submitted, seconded by Bill Brown. Motion carried.

4. **Doc. #07-118, Willow Creek Br. #8 Drain located in Eel River Twp. Sec. 1.** Petitioner is Terry Wagner. Petition for encroachment 35-ft. within the drainage easement for the construction and installation of a private septic system and a 4-inch perimeter drain pipe. Also a request to approve their stormwater management plan. Construction of a private septic system.

ADF explained to the Board that a portion of this septic system is within the drainage easement. He was concerned that the ditch is sixteen feet deep in this area erosion could become a problem. "Do we want to continue on with the encroachment attitude into the statutory easement or do we want to back it off and start to say?" Interrupted by Linda.

Cathy Doseck told the Board that they do have another site; she didn't know why they chose this one.

Linda asked for the petition to be deferred.

Cathy Doseck said that she would work with the Petitioner and their engineer regarding the issues.

Roger made a motion to defer subject to Cathy communicating the Board's concerns about the easement, seconded by Bill. Motion carried.

5. **Doc. #07-119**, Request for approval of Stormwater Management Plan for Dave Rodocker parcels on Kell Road by Hans C. Hofer.

ADF recommended deferral at this time. The project may be subject to the Minor Plat Statues. He will sit down with the engineer or owner and go over the requirements. Roger made a motion to defer, seconded by Bill. Motion carried.

6. **Doc. #07-120, Litzenberg Drain located in Maumee Twp. Sec. 14.** Petitioner is Richard Philabaum from INDOT. Petition for encroachment for the construction and installation of two twin prestressed concrete T-Bean Bridges on integral end bents spanning the ditch. A crossing will be needed for the new roadway construction on U.S. 24 into the Ohio Line.

See item 7 below:

7. **Doc. #07-121, Marsh Ditch located in Maumee Twp. Sec. 15.** Petitioner is Richard Philabaum from INDOT. Petition for encroachment for the construction and installation of two twin prestressed concrete T-Bean Bridges on integral end bents spanning the ditch. A crossing will be needed for the new roadway construction on U.S. 24 into the Ohio Line.

ADF recommended the approval of Doc. #07-120 and #07-121 as submitted. Roger Moll made a motion to approve, seconded by Bill Brown. Motion carried.

8. **Doc. #07-122, Ravenswood Sec. II Drain located in Perry Twp. Sec. 29.** Petition for the Establishment of a New Regulated Drain. Motion to proceed.

ADF recommended approval as submitted. Bill Brown made a motion to approve petition, seconded by Roger Moll. Motion carried.

9. **Doc. #07-123, Ravenswood Sec. II Drain located in Perry Twp. Sec. 29.** Petitioner is Jim Morlan. Petition for encroachment for all water mains and structures located within the recorded plat.

ADF recommended approval as submitted. Bill Brown made a motion to approve petition, seconded by Roger Moll. Motion carried.

10. **Doc. #07-124**, Request for approval of Stormwater Management Plan for Ravenswood Sec. II from D. A. Brown.

ADF recommended approval subject to receipt of offsite information on the Roy Delagrange Drain. Roger Moll made a motion to approve petition subject to submission of the balance of the requirements of the County Surveyor's Office, seconded by Bill Brown. Motion carried.

11. **Doc. #07-125, Quail Creek Sec. I Drain located in Perry Twp. Sec. 29.** Petitioner is Jim Morlan. Petition for encroachment for the construction and installation of all mains and structures located within the recorded plat of Quail Creek Sec. II.

ADF recommended approval as submitted. Bill Brown made a motion to approve petition, seconded by Roger Moll. Motion carried.

12. **Doc. #07-126**, Request for approval of Stormwater Management Plan for Quail Creek Sec. II from D. A. Brown.

ADF recommended approval as submitted. Roger Moll made a motion to approve petition, seconded by Bill Brown. Motion carried.

Other Business:

Discussion:

NISPCO to relocate pipe line for the reconstruction of the J. Schneider Drain – Harrison Field project.

ADF reviewed the project with the Board telling them that NISPCO has decided that they had to move the pipe line located in the J. Schneider Drain and will be doing it in the near future.

Foxwood Assessment:

Orrin Session Address 10808 LaCabreah Lane, Fort Wayne, IN 46845

ADF explained that the portion of the drain that does not flow into the Tierman Drain could be lower from \$50.00 per unit to \$25.00 per unit.

He will bring the re-certification showing the new assessment for the units not flowing into the Tierman Drain to the next Drainage Board Meeting.

Flutter Rd Offsite:

Ric Zehr Address 10808 LaCahreah Lane, Fort Wayne, IN. 46845

Jim Morlan Address 10808 LaCahreah Lane, Fort Wayne, IN. 46845

Messrs. Zehr and Morlan asked the Board to consider a temporary outfall for their new housing development (River Hollow) located on Flutter Rd.

The Highway will be improving Flutter Road in 2009 and at that time the Allen County Highway Department will install a new drainage tile for the area that will take care of the offsite drainage for the new development and the surrounding area. They have received drainage easements from the affected property owners. Using the proposed temporary drainage outfall will be cost effective for them.

ADF was concerned regarding setting a precedent, where minor plat applicants request a temporary outfall do to work being scheduled sometime in the future. He also expressed concerns regarding what would happen if the Highway should decide against this project for some reason. How would the County go back on the Developer for this drain reconstruction work? It would then fall on the shoulders of the surrounding property owners to pay for the work that the Developer should had done when developing the land. He requested that when the Highway constructs the new drain, that it should be made into a County Regulated Drain, since it flows into the Tierman Regulated Drain.

Board Decision:

The Board would accept a limited exception to their policy and approve a stormwater management plan using a temporary outfall for the River Hollow Development with the understanding that the Developers will have to present a bond for reconstruction of the drain, if the Highway does not improve the drainage within three years.

ADF will draft an approval based on today's discussion to be presented with the Stormwater Management Plan Approval request.

Doc. #07-127 Durnell Drain located in Aboite Twp. Sec. 12. City's Drainage Projects:

Inverness Lakes:

ADF: This is a proposed reconstruction of a fail system. The City would like to spend money to reconstruct those portions of the line. If they are going to do that, it would be nice if they would upgrade it to a thirty-inch pipe. They (ACSO)

would give them the criteria for reconstruction along with the pipe, grade, size, replacement of property lines, property corners during construction, inspection, etc. He would recommend approval based on that.

Larry asked the Board asked if they would like to offer pay the different between the city's proposal and the upgraded thirty-inch pipe.

The Board agreed to the suggestion.

Larry told the Board that he only just found out about the project, they (City of Fort Wayne) weren't coming for Drainage Board Consent, because their view is that they are answering complaints in Aboite Twp., and they don't need to have Drainage Board Approval.

Roger made a motion that they will pay from the Inverness Lakes Drain Account the different up to \$10,000 for the pipe upgrade, seconded by Bill. Motion carried.

Inverness Hills

ADF explained to the Board that the City of Fort Wayne wants to install an enclosed storm sewer through the new retaining wall on the Durnell Drain. He explained that this would weaken and shorten the life span of the wall. They have another option that would not require going through the retaining wall. Roger made a motion to deny the petition, that the city should reconstruct and improve the outlet to allow for access through it, seconded by Bill. Motion carried.

Meeting adjourned.

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.