

**ALLEN COUNTY DRAINAGE BOARD AGENDA
REGULAR HEARING**

April 10, 2008

9:00 a.m.

Call to Order: Vice-Chairperson Bill Brown called the meeting to order and asked for approval of minutes.

Approval of Minutes: March 27th, 2008 Minutes
Roger Moll made a motion to approve minutes as submitted, seconded by Bill Brown. Motion voted on and carried. Linda absent for vote.

Approval of Petitions:

Recorder malfunction – minutes were not recorded. Minutes will only include recommendation by the Surveyor, motion, second, and pass or failed.

1. **Doc. #08-044, Huguenard Industrial Park located in Washington Twp. Sec. 16.** Petitioner is Herb Haggard. Petition for encroachment for storm sewer connections into the regulated drain.

ADF recommended approval subject to final approval through the Surveyor's Office. He will withhold his signature. Roger Moll made a motion to approve subject to the Surveyor's Office having final approval, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

2. **Doc. #08-045, Baldwin Drain located in Adams Twp. Sec. 6.** Petitioner is Monarch Equity, LLC. Petition for encroachment for the reconstruction of a driveway, additional parking and stormwater detention basin with a 12-in. HDPE outfall.

*Todd Bauer – ForeSight Consultant 3810 New Vision Dr.
Mr. Bauer spoke in favor of the petition.*

ADF recommended approval as submitted. Roger Moll made a motion to approve as submitted, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

3. **Doc. #08-046, Maysville Landing Drain located in St. Joseph Twp. Sec. 25.** Petitioner is LaRonda Shrewsbury. Petition for establishment of a new regulated drain. Motion to proceed.

ADF recommended conditional approval: The storm sewer lines need to be relocated to the center of the 30-ft easement (15' easement on both sides from center of the drain). Roger Moll made a motion for a conditional approval: Approval subject to drain being installed in center of easement, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

4. **Doc. #08-047, Maysville Landing Drain located in St. Joseph Twp. Sec. 25.** Petitioner is LaRonda Shrewsbury. Petition for encroachment within the drainage easement for the development of Maysville Landing Apartment per site plan sheet C2.1 dated 1-17-2008.

ADF recommended conditional approval: Basin outfall line needs to be adjusted northwest of centerline of easement. Roger Moll made a motion for conditional approval, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

5. **Doc. #08-048, Mayville Landing located in St. Joseph Twp. Sec. 25.** Request from ForeSight Consulting, LLC for approval of their Stormwater Management Plan.

Todd Bauer and Chris Hinkle from ForeSight Consulting – 3810 New Vision Dr.

ADF asked Messrs Bauer and Hinkle to provide a maintenance contract from the City of New Haven for maintenance on the Landen Road's Drain. They need to add to their Stormwater Management Plan permission to split the watershed from the Geoglien Drain to the Hamilton Black Drain and reimbursement to American Electric Power in the amount of \$16,654.39 in accordance with the Reimbursement Agreement.

Mr. Hinkle asked the Board to add the splitting of the watershed to their Stormwater Management Plan.

ADF recommended approval subject to the above mention conditions being met.

Roger Moll made a motion to approve subject to the Surveyor's recommendation, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

6. **Doc. #08-049**, Request from Eugene and Laura Johnson for a motion to proceed on their petition to remove obstruction in mutual drain or natural surface water course.

ADF read that petition for the records: That there exists an obstruction of a mutual drain or natural surface water course as follows: Over the past several years, the owner(s) of the land to the north and east on which the natural drain is located have developed the land so that free flow performance of the drain is now obstructed. That there is a need to remove the obstruction because: The storm runoffs which use to flow freely and quickly across our land now stands ankle deep on our land for days and weeks. The swamp created by the obstruction has caused our shrubs and trees to die. The Petitioner requests the County Surveyor to investigate whether or not the obstruction exists, and pursuant to Indiana Code report to the Allen County Drainage Board. ADF asked the Board to approve the motion to proceed.

Roger Moll made a motion to approve a motion to proceed, seconded by Bill Brown. Motion voted on and carried. Linda Bloom absent for vote.

7. **Doc. #08-050, Marsh Drain located in Maumee Twp. Sec. 19.** Petitioner is INDOT. Petition for alterations to the existing contour of the drain are requested. Manipulation to the ditch will include re-grading of the side slopes to create a two-stage channel on one side and a 3:1 slope on the other. Also request to plant trees within the established 75 foot drainage easement.

See Below:

8. **Doc. #08-051, Schoaff Drain located in Milan Twp. Sec. 26.** Petitioner is INDOT. Petition for alterations to the existing contour of the drain are requested. Manipulation to the ditch will include re-grading of the side slopes to create a two-stage channel on one side and a 3:1 slope on the other. Also a request to plant trees within the 75 foot drainage easement.

Briana Bosse and Brianna Winsett from American Structur point – 7260 Shadeland Station, Indianapolis, IN.

Ms Bosse and Ms Winsett explained the project to the Board explaining that they are required by IDEM and Army Corp of Engineer. They also told the Board that they would only be planting trees on the Schoaff Drain and not the Marsh Drain.

ADF told them that there was no guarantee that the trees would not be removed in the future during ditch maintenance.

Kimberley Parker INDOT -100 N Senate Ave, Indianapolis, IN.

Ms Parker told the Board that they are responsible for the trees until they are release by the Federal Government at which time it would be noted that this ditch is a mitigated stream.

ADF recommended approval with him withholding his signature until receipt of proof of actual ownership from INDOT.

Roger Moll made a motion to approve subject to receipt of letter showing proof of ownership, seconded by Bill Brown. Motion voted on and carried. Linda Bloom joined the meeting and voted.

9. **Doc. #08-052, Trier Drain located in Adams Twp. Sec. 11.** Petitioner is Brent Stewart. Petition for encroachment within the drainage easement for the construction of a 72' X 72' commercial building with paved parking. Petition supersedes Doc. #08-008.

Ken Nord – CE&M, Inc - 116 West Rudisill Blvd. Fort Wayne

Brent Stewart – 8804 Crossbank Dr.

Loren Stewart – 9412 Chippewa Gap, New Haven

Terry McDonald – 815 Lincoln Hwy City of New Haven

Terry Werling – City of New Haven

Mr. McDonald spoke in favor of this project and asked the Board to approve the petition.

ADF told the Board that the Stewarts need to provide a blanket easement for the Drainage Board providing full access to the ditch. Also they need to understand that the building could be damage during maintenance and the property owner will be responsible for any damage to their building.

Bill Brown made a motion to approve with a blanket easement for specific full Drainage Board access to the Drain. Linda added that the project is not a good one that the Board was bending rules to make it work. Roger Moll added that there was no effort on the part of the owner to change their building design to work within the restriction of the lot.

Roger Moll seconded the motion. Motion voted on and carried.

Terry Werling complimented the Drainage Board for the favorable action.

10. **Doc. #08-053, Jonathan's Landing, Section VII Drain located in Aboite Twp. Sec. 7.** Petitioner is Robert Wacker (JL Seven, LLC). Petition for establishment of a new regulated drain. Motion to proceed.

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

11. **Doc. #08-054, Jonathan's Landing, Section VII Drain located in Aboite Twp. Sec. 7.** Petitioner is Robert Wacker (JL Seven, LLC). Petition to allow building encroachments on the Urban Drain Easements to the limits of the easements established on the Jonathan's Landing Section VII, Plat. For the development of Jonathan's Landing Section VII.

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

12. **Doc. #08-055,** Request from Sauer Land Surveying, Inc. for approval of their Stormwater Management Plan

ADF recommended approval subject to receipt of offsite easement. Bill Brown made a motion to approve subject to receipt of offsite easement, seconded by Roger Moll. Motion carried.

13. **Doc. #08-042**, Certification of assessment of Periodic Maintenance for Buckner's Crossing, Section 1. Assessment set at \$25.00 per unit.

ADF asked the Board to withdraw this petition for consideration at this time. Petition was withdrawn.

14. **Doc. #08-043**, Certification of assessment of Periodic Maintenance for Morgan Creek, Section 5. Assessment set at \$25.00 per unit.

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

Other Business:

As needed.

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.