

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING
VACATION OF THE
BECKET Br. #1 DRAIN**

July 24, 2008

9:00 a.m.

PRESENT: DB: LINDA K. BLOOM, WM E. BROWN, ROGER MOLL, ALLAN D. FRISINGER; DB ATTY: CATHY SERRANO; BOH: KATHY DOSECK;

ACSO: LARRY WEBER; DB SEC: SHARMAN BULTEMEIER; SEE SIGN-IN SHEET FOR OTHER PRESENT

The Allen County Drainage Board convened on Thursday July 24th, 2008. Following introductory remarks Mr. Brown asked for approval of the July 10th, 2008 minutes. Mr. Moll moved for approval of the minutes as they were prepared, second by Mr. Brown. Motion carried. Linda Bloom not present for vote.

Approval of Petitions:

(The following reflects a synopsis of action taken by the Allen County Drainage Board. Actual tape recordings of the proceedings are available upon request.)

1. **Doc. #08-091**, Certification of the Coves of Carroll Creek Periodic Maintenance. Assessment set at \$25.00 per unit. Total \$825.00

Following comments and general discussion by the Board Mr. Frisinger recommended approval. Mr. Brown made a motion to approve, seconded by Mr. Moll. Motion carried.

2. **Doc. #08-102**, Re-Certification of Assessments for Chestnut Hills Reconstruction. PIN numbers did not match property addresses.

Following comments and general discussion by the Board Mr. Frisinger recommended approval. Mr. Brown made a motion to approve, seconded by Mr. Moll. Motion Carried.

3. **Doc. #08-099, Frene Drain located in Jefferson Twp. Sec. 23.** Petitioner is Richard Woebeking. Petition for encroachment for the construction and installation of a 4-inch perimeter drain pipe. Private Septic System.

Mr. Frisinger told the Board that they are waiting on a signed easement. He recommended approval subject to requirements of the Surveyor's Office. Mr. Brown made a motion to approve, seconded by Mr. Moll. Motion carried.

4. **Doc. #08-101**, Request from Donovan Engineering, Inc. for approval of their Stormwater Management Plan for Heritage at Fort Wayne located in St. Joseph Twp. Sec. 9.

Following comments and general discussion by the Board and Greg Roberts, Mr. Frisinger recommended subject to the Surveyor's Office recommendation. Mr. Brown made a motion to approve, seconded by Mr. Moll. Motion carried.

5. **Doc. #08-103**, Notice to Proceed to Underground Contractors, Inc. for contracted work on the Lima-Shoaff Drain – Contract Amount: \$211,979.63.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval. Mr. Brown made a motion to approve the contract, seconded by Mr. Moll. Motion carried.

Other Business as needed.

Termination of Agreement to Construct and Maintain a Storm Water Detention System.

Following comments and general discussion by the Board Mr. Frisinger recommended approval. Mr. Moll made a motion to approve the termination of agreement, seconded by Mr. Brown. Motion carried.

General Hearing adjourned.

**Public Hearing for the Vacation
Of The Becket Br. #1 Drain.**

Present: Tom Niezer, Esq. from Barrett & McNagny 215 East Berry Street
Greg Roberts from Donovan Engineering, Inc. 3521 Lake Avenue

Mr. Niezer and Mr. Roberts present to Mr. Frisinger a signed copy of the Grant of Drainage Easement and Agreement to Maintain. Mr. Niezer reviewed the project explaining that this project will not harm the surrounding property owners, but should help existing problems.

- A. Doc. #08-092 Surveyor's Report:

Mr. Frisinger read the Surveyor's Report for the records.

- B. Comments or Letters in Favor:

Mr. Frisinger read a letter from Robert D. Morris of Who Needs Gas, LLC into the records.

- C. Comments or Letters in Opposition:

No Letters in opposition.

- D. Board Finding and Order.

Following comments and general discussion by the Board, Mr. Moll motioned to approve the vacation, seconded by Mr. Brown. Motion carried. Linda Bloom did not vote.

Mr. Harris representing IPFW asked if their portion of the drain could also be included in the vacation. He was told that the property owners affected a vacation would have to be notified. Mr. Frisinger suggested that he contact his office.

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.