

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

August 27, 2009

9:00 a.m.

PRESENT: DB: LINDA K. BLOOM, WM E. BROWN, NELSON PETERS, ALLAN D. FRISINGER; ACSO: LARRY WEBER; DB ATTY: CATHY SERRANO;
DB SEC: SHARMAN BULTEMEIER; SEE SIGN-IN SHEET FOR OTHERS PRESENT

The Allen County Drainage Board convened on Thursday August 27th, 2009. Following introductory remarks Ms Bloom asked for approval of the August 13th, 2009 minutes. Mr. Brown moved for approval of the minutes as they were prepared, second by Mr. Peters. Motion carried.

Approval of Petitions:

(The following reflects a synopsis of action taken by the Allen County Drainage Board during the Hearing. Actual tape recording of the proceedings is available upon request.)

1. **Doc. #09-092, Braun Drain located in Washington Twp. Sec. 15.** Petitioner – City of Fort Wayne. Petition for encroachment for the construction and installation of a 66 ft long 5'x9' RCP box culvert at Cross Creek Blvd. and a 92 ft. long 5'x8' RCP box culvert at Ludwig Rd. These will replace a 88 ft long 4'x6' twin pipe arch culvert at Cross Creek Blvd. and a 108 ft long 5'x6' CMP culvert at Ludwig Rd.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval of petition subject to the final grading details through the Surveyor's Office. Mr. Brown made a motion to approve petition, second by Mr. Peters. Motion carried.

2. **Doc. #09-094, Parkview North/Norarrow Dr. located in Perry Twp. Sec. 26 and 35.** Request from American Structure Point for approval of their Stormwater Management Plan.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval of petition. Mr. Brown made a motion to approve, second by Mr. Peters. Motion carried. (Added after the meeting: Inspection of the pipes during installation.)

Other Business:

The Board had a general discussion regarding Durnell Drain – Lincoln Industrial Park basin.

Mr. Frisinger explained to the Board that there is a flooding problem involving the detention basin in Lincoln Industrial Park. No maintenance agreement on the basin.

Braun Drain Reconstruction.

Need for a public hearing to lower the downstream and who gets assess for the work. The drain needs to be lower to coincide with the work being done by the city.

Relocation of the Huguenard Drain at the corner of Highway 3 and Till Road.

IDEM wants us to mitigate or recreate another 350 foot stretch of stream somewhere else. Mr. Frisinger said that he asked for the statutory consideration of law that allows them to tell us that we have to mitigate, because the cost becomes exorbitant and we will drop the contract and give it back to INDOT. Section 10 of the contract allows us if for any reason by any other governmental agency we can't perform the activities stipulated in the contract we can step away after thirty days.

Scar Tile – Last year the Board made a decision to go to hearing establish a maintenance fund that would collect for 8 years. This fund would collect 75 percent of the total construction cost. The property owners now want to vacate the drain.

Mr. Frisinger will draft a report illustrating his findings.

Lakes of Willow Creek – Drainage Board allowed encroachments of residential properties up against the Willow Creek Drain. Now there is erosion of the banks, trees and shrubs in the ditch. The developer was not held responsible for future maintenance work. Will need to go to public hearing.

Letter from the town of Huntertown regarding the separation of the road from the curved. They want us to do something about it. Huntertown thinks it is the fault of the drain, but the Mr. Frisinger thinks it is due to compaction of the road. He is going to tell him that it is not the Drainage Board responsibility.

Mr. Brown expressed his concerns regarding future cost to the property owners for drains reconstruction expense. That maybe property owners should be notified that there may be future increase in their drainage tax.

Mr. Frisinger said that the Drainage Board could establish a county wide stormwater utility.

Following a general conversation regarding the establishment of a county wide stormwater utility, Mr. Brown asked the surveyor to review what it would take to establish a countywide utility and continue the discussion at the next meeting.

Ms Bloom asked for the status on the following:

Rickie Lane – Mr. Frisinger told her that he didn't think they had received a re-submittal for the vacation, but he would get with Kim in the Planning Department after the meeting.

Amstutz Road – Mr. Frisinger told her that there would be a hearing in October.

Grabill – Mr. Frisinger there will need to be a hearing to decide how the assessments will be divided among the property owners.

Eggeman Road – Mr. Frisinger told her that they had contacted the contractor telling him to go ahead.

Mr. Hartman said that the Highway Department would take care of the pipe under the road.

Mr. Frisinger said that if the Highway does that, he could reduce his cost by an estimate of \$3500.00.

Following some general conversation, meeting was adjourned.

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.