

**ALLEN COUNTY DRAINAGE BOARD AGENDA
REGULAR HEARING**

July 9, 2009

9:00 a.m.

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

The Allen County Drainage Board convened on Thursday July 9th, 2009. Following introductory remarks Ms Bloom asked for approval of the June 25th, minutes. Mr. Peters moved for approval of the minutes as they were prepared, second by Mr. Brown. Motion carried.

Approval of Petitions:

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

1. **Doc. #09-056, Martin #2, Belot, and Roy Delagrang Drains located in Perry Twp.** Request from the City of Fort Wayne for encroachment for the construction and installation of a sanitary sewer main. Deferred from June 25th, 2009.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval subject to receipt of adequate easement area that has been acquired by the city and inspection of the pipe as it is being installed within our easement. Mr. Peters made a motion to approve with the following stipulations that calls for the inspection during installation and that the Surveyor's Office receive adequate easement, second by Mr. Brown. Motion carried.

2. **Doc. #09-073, Bullerman Drain located in St. Joseph Twp. Sec. 26.** Petitioners are Erik & Dawn Gallaway. Petition for encroachment for the construction and installation of parking lot pavement, landscaping, detention basin, wood fence, compensation earthwork to balance fill for detention basin with the excavated material, and installation of a discharge pipe and structure to drain the detention basin. Development of a multi-family senior residential project.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval of petition as submitted. Mr. Peters made a motion to approve petition as submitted, second by Mr. Brown. Motion carried.

3. **Doc. #09-074, Geller Ditch and Shoaff-Dawson Drain located in Eel River Twp.** Petitioner Tom Gongwer (Town of Huntertown-property owned by Allen County) Petition for encroachment within the drainage easement for the construction and installation of a 12-inch diameter water main installed by directional drilling method to be owned and maintained by the "Town of Huntertown." To provide water main service from new water facilities to serve Huntertown.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval subject to inspection during the installation and pay the fees for encroachment. Mr. Brown made a motion to approve petition based on Surveyor's recommendations, second by Mr. Peters. Motion carried.

4. **Doc. #09-075, Houk Drain located in Madison Twp. Sec. 19.** Petitioner – Herman L. Guenin. Petition for encroachment within the drainage easement for an existing building. Building is in the process of being sold.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval subject to receipt of a recent full 865 survey. He also noted that the building was within 5 feet from the top of the bank and the building is located in a floodway. The Owner and the purchaser need to be aware of the liability relative to the encroachment attitude. Mr. Peters made a motion to approve petition subject to receipt of the appropriate documentation, second by Mr. Brown. Motion carried.

Other Business:

Contract for reconstruction of the John S. Crabb Drain. Contract total \$92,452.00
Signature only.

Contract signed by the Board

Update on the obstruction on Eggeman Road.

Mr. Frisinger read into the records letter from Scott Lougheed regarding his attempt to come up with a plan that would satisfy all affected property's owners.

Following comments and general discussion by the Board, the Board directed Mr. Frisinger to proceed with the original plans if there is not an adequate response from the property owners by July 13th, 2009.

Mr. Frisinger explained to the Board that the Beckman Drain would be proceeding to Public Hearing on the August 13th, 2009 meeting. This work is being performed by the city at no cost to the affected property owners.

Mr. Peters asked about Amstutz?

Mr. Frisinger told him that they had all the field work done; they are working on plans and will be going to hearing.

Meeting 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.