

**ALLEN COUNTY DRAINAGE BOARD MINUTES  
REGULAR HEARING  
PUBLIC HEARING  
DUNFEE DRAIN  
JOHN S. CRABB**

June 25, 2009

9:00 a.m.

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

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*The Allen County Drainage Board convened on Thursday June 25<sup>th</sup>, 2009. Following introductory remarks Mr. Brown asked for approval of the April 9<sup>th</sup>, April 23<sup>rd</sup>, May 19<sup>th</sup>, and May 28<sup>th</sup> minutes. Mr. Peters moved for approval of the minutes as they were prepared, second by Mr. Brown. Motion carried.*

*The Board moved to the public hearing.*

*Ms Bloom joins meeting 9:05am.*

**Approval of Petitions:**

1. **Doc. #09-059, Re-Certification of Assessments for the Hunter Urban Drain located in Perry Twp.** Changes to be made: correction of the number of properties included in the assessment. Original assessment did not include all of the affected properties.

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

2. **Doc. #09-058, Request from properties owners to establish Periodic Maintenance on the Lake Drain located in Milan Twp.**

*Mr. & Mrs. Paul Korte address 18931 Ward Rd, Woodburn, IN.*

*Mr. Korte read a letter to the board explaining the drain problems.*

*Following comments and general discussion by the Board, Mr. Frisinger recommended allowing the request to establish to proceed. Mr. Brown made a motion to proceed to hearing, seconded by Mr. Peters. Motion carried.*

3. **Doc. #09-063, Request from properties owners for reconstruction and the establishment of Periodic Maintenance on the Wappes Br. #1 Drain located in Eel River.**

*Mr. Frisinger read a letter from Mr. Vollen.*

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*Following comments and general discussion by the Board, Mr. Frisinger recommended allowing the request to proceed to public hearing. Mr. Brown made a motion to proceed to hearing, seconded by Mr. Peters. Motion carried.*

4. **Doc. #09-060, Stratford Forest, Section II Drain located in Lake Twp. Sec. 36.** Request from Equity Land Corp. for the Establishment of a new Regulated Drain.

*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, seconded by Mr. Brown. Motion carried.*

5. **Doc. #09-061, Stratford Forest Sec. II and the Linnemeier-Lunz Drains located in Lake Twp. Sec. 36.** Petition from Equity Land Corp for the encroachment within the drain's easement for the construction and installation of homes, streets, and underground utilities for lots 135-157 Stratford Forest, Section II.

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

6. **Doc. #09-067,** Request from Sauer Land Surveying for approval of their Stormwater Management Plan for Stratford Forest Section. II.

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

7. **Doc. #09-057, Metcalf Br. Drain located in Cedar Creek Section 2.** Petitioners are Roger and Diana Lantz. Petition for the construction and installation of a private drive way across the ditch and a 4-inch perimeter drain pipe for a private septic system.

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

8. **Doc. #09-062, Kistler Drain located in Perry Twp. Sec. 1.** Petitioner is Ariail Smith. Petition for encroachment for the construction and installation of a 4-inch perimeter drain pipe for a private septic system.

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

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9. **Doc. #09-056, Martin #2, Belot, and Roy Delagrangre Drains located in Perry Twp.** Petitioner City of Fort Wayne. Petition for encroachment for the construction and installation of a sanitary sewer main – Upper Ely Run Interceptor Phase 2.

*Following comments and general discussion by the Board, Mr. Frisinger recommended deferral at this time. Mr. Peters made a motion to defer, seconded by Mr. Brown. Motion carried, petition deferred.*

10. **Doc. #09-064,** Request from Foresight Consulting for approval of their Stormwater Management Plan for County Line Church of God.

*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, seconded by Mr. Brown. Motion carried.*

11. **Doc. #09-065,** Request from SCO Engineering for approval of their Stormwater Management Plan for Ascension Lutheran Church.

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

12. **Doc. #09-068,** Request from Doug. McComb for approval of the Stormwater Management Plan for the Allen County Board of Health – Storage Building.

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

13. **Doc. #09-071,** Request from Dickmeyer & Associates for approval of their Stormwater Management Plan for Grabill Professional Village.

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

14. **Doc. #09-072,** Request from Sauer Land Surveying for approval of their Stormwater Management Plan for Asphalt Drum Mixers.

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

**Other Business:**

Flatrock Creek Drain: Set a date for a public hearing and approval of assessments allocation.

*Mr. Frisinger explained to the Board that Mr. & Mrs. Sorg – property owners on the affected parcel for the proposed reconstruction of the Flatrock Drain. He reviewed the project and presented preliminary plans for the ditch relocation. He recommended not going to hearing until receipt of comments from IDEM, DNR and the Corp. The Board will decide assessments for the work. Time span 60 days to a year.*

*Mr. Brown made a motion to go ahead with the paper work to fast track the permitting as expeditiously as possible, seconded by Mr. Brown. Motion carried.*

*Mr. Brown motion to adjourn regular hearing 10:18.*

**Public Hearings:**

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

1. **Dunfee Drain located in Washington Twp.**

*Mr. Brown opens Public Hearing asks for the Surveyor's Report*

A. **Doc.#09-069** - Surveyor's Report

*Mr. Frisinger reads the Surveyor's Report into the records.*

B. Comments and letters in Favor: No Letters

*Sandra Young address 1320 West Wallen, Fort Wayne  
They are in favor. She wanted to know if they could hook into the drain.  
She was told that she would have to work thru the city for a private tap.*

C. Comments and letters in Opposition: No Letters

*No one present in opposition.*

D. Close Hearing:

*Ms Bloom closes the hearing.*

E. Board Finding and Order:

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*Mr. Frisinger recommended approval of reconstruction of the Dunfee Drain with no cost to the watershed. Mr. Brown made a motion to approve, seconded by Mr. Peters.*

*Mr. Peters asked about the two proposals. Are they looking at one or two proposals?*

*Mr. Frisinger explained that there are two separate proposals. One financed by Auto Zone's Part Store and the second one financed by the City of Fort Wayne.*

*Ms Bloom asked for the vote. Motion carried.*

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

**2. John S. Crabb Drain located in Lafayette Twp. Sec. 18.**

*Ms Bloom opens Public Hearing asks for the Surveyor's Report.*

**A. Doc#09-070 - Surveyor's Report**

*Mr. Frisinger read the Surveyor's Report into the records. He corrected the error of projected estimate. Bids were opened on May 24<sup>th</sup>, 2009 and the winning bid is from Wisel Excavating at \$92,452.*

*Mr. Peters had a couple of questions for Mr. Frisinger. He asked about the discrepancy between the ninety thousand dollars engineering estimate and the one hundred and thirty thousand dollars.*

*Mr. Frisinger explained that there had been an addition error on the original estimate. It should have been closer to \$130,000.*

*Mr. Peters asked if Pfister Properties, Auto Truck Group and the Highway are responsible for the cost, how does Little River, Rebecca Knight, and Carroll Young fit into the over all situation.*

*Mr. Frisinger explained that these are drains that the property owners in the watershed are already paying assessments on.*

**B. Comments and letters in Favor: No Letters**

*No comments in favor.*

**C. Comments and letters in Opposition: Letter from Lewis Wolfe**

*Mr. Wolfe address 13330 Aboite Rd.*

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*Mr. Frisinger read Mr. Wolfe's read into the records and responded to the question asked in the letter.*

*Mr. Frisinger told Mr. Wolfe that the tile should run fifteen feet from his property line.*

*Mr. Peters asked if anyone has talked with Pfister or Auto Truck and are they in agreement.*

*Mr. Frisinger explained that his office has been in communication with them and that the reconstruction was part of a board action when they originally developed. The Highway also knows about it.*

*No other comments.*

D. Close Hearing:

*Ms Bloom closes hearing.*

E. Board Finding and Order:

*Mr. Frisinger recommended approval of reconstruction and acceptance of bid for \$92,452. Mr. Peters made a motion to accept reconstruction of the John S. Crabb Drain with the split between the Highway Department, Pfister Properties and Mobile Equipment seconded by Mr. Brown. Motion carried.*

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.