

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

September 10, 2009

9:00 a.m.

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

The Allen County Drainage Board convened on Thursday September 10th, 2009, following introductory remarks Ms Bloom asked for approval of the August 27th, 2009 minutes. Mr. Brown moved for approval of the minutes as they were prepared, second by Ms Bloom. Motion carried. Mr. Peters not present for vote.

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. #09-095, Beal Taylor Drain located in Aboite Twp. Sec. 5.** Petitioner – Anthony Reincke, Granite Ridge Builders. Petition for encroachment within the drainage easement for the construction and installation of subsurface drain and rip-rap pad into the ditch. To provide compensatory storage for development of Hamilton Meadows, Sec. IA. (Building permits occupancy permit requirements)

Following comments and general discussion by the Board, Mr. Frisinger recommended approval as submitted. Mr. Brown made a motion to approve petition as submitted, second by Ms Bloom. Motion carried. Mr. Peters was not present for the vote.

2. **Doc. #09-096, Bohnke Drain located in Madison Twp. Sec. 13.** Petitioner – David & Jennifer Sprague. Petition for encroachment within the drainage easement for the construction and installation of a 4" PVC SDR 21 pipe out-fall into ditch from a septic absorption system perimeter pipe and place a 6" PVC SDR 21 pipe out-fall into ditch for a basement drain. Installation of private septic system.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval and he will with hold his signature for a final review by the ACSO for possible flood hazards. Mr. Brown made a motion to approve petition subject to review by surveyor to make sure it is out of the floodplain or floodway right after the meeting so that it will get confirmed today, second by Ms Bloom. Motion carried. Mr. Peters was not present for the vote.

3. **Doc. #09-097, Mowrer Drain located in St. Joseph Twp. Sec. 14.** Petitioner – Shawn Richhart, RT Property Management, LLC. Petition for encroachment within the drainage easement for the construction and installation of a wood gazebo.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval as submitted. Mr. Brown made a motion to approve petition as submitted, second by Ms Bloom. Motion carried. Mr. Peters was not present for the vote.

4. **Doc. #09-098.** Request from Engineering Resources, Inc. for approval of their Stormwater Management Plan for Diversified Tool & Machines located at 2701 West Wallen Road, Washington Twp. Sec. 9.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval of petition upon receipt of the \$250.00 connection fee. Mr. Brown made a motion to approve, second by Ms Bloom. Motion carried with Mr. Peters abstaining from the vote.

Other Business:

(The following reflects a synopsis of discussions items by the Board.)

- A. Scott Lougheed, Thomas Gallmeyer, Keith Robinson regarding the Eggeman Road Obstruction project, request for an additional fourteen days before letting of the contract.

Mr. Frisinger read a letter from Mr. Gallmeyer into the records. (Copy attached). A general discussion followed between the Board, Surveyor and Messrs. Lougheed, Gallmeyer and Robinson on possible other solutions to the obstruction. They are requesting the consideration of creating a new regulated drain to remove the water instead of the Board ordered removal of the obstruction at their cost.

Mr. Keith Robinson (3808 Eggeman Road) told the board that if the board decides to construct a regulated drain along Eggeman Road outfalling into the J.B. Spatz Drain that Mr. Robert Robinson would agree to a right-of-way along his property Mr. Williams would agree to give up some of his land for the drain. Mr. Keith Robinson said that he and Mr. Williams would agree to pay to have the additional tile installed.

Final decision by the Board: Mr. Brown made a motion to give the two week delay in awarding the contract, second by Mr. Peters with the hopes that a couple of things happen. That Mr. Gallmeyer and Mr. Lougheed can get with the Surveyor perhaps to bring some people from the west to the table and with the idea perhaps of looking at regulated drain petition approach. Motion carried.

Mr. Lynn Witt representing The Town of Grabill (address 13403 Second St. Grabill, In.)

Mr. Witt asked for the status of the Witmer Ditch cleaning.

Mr. Frisinger explained to him that they do have cross sections and grading details set forward on a plan for the Witmer Ditch. The cost of the work that needs to be done has been severely under estimated. The cost may be triple

what we thought they were going to be. We have encroachment, floodway and floodplain issues. The current estimate for work on that particular segment is \$110,000, which is two and half time the amount presently in the fund. We are looking at alternative methods of working in channel without using mechanize equipment.

Mr. Witt would like to have it done in phases, if the money is not there for the complete project.

(Part of discussion lost in changing of tape)

Mr. Frisinger if the alternative solutions are viable, we will put out a bid spec using them. He will keep the Town of Grabill informed.

Mr. Witt's telephone number: 705-4607.

Mr. Brown asked Mr. Frisinger if he had a chance to look at having a public utility for drain maintenance.

Mr. Frisinger explained that he had left his information on his desk, he would bring it to the next meeting.

Mr. Peters read a letter from Ken Fuelling regarding the vacation of the Scar Tile. Mr. Frisinger explained that he would schedule a public hearing for the vacation. There are three elements for vacation and this drain does not meet any of those requirements. He will send them a letter. Will try to schedule a hearing within the next couple of months.

Amstutz Road: Mr. Frisinger presented his plans for Amstutz Road. He will schedule a hearing

Meeting adjourned.