

**ALLEN COUNTY DRAINAGE BOARD MINUTES
REGULAR HEARING**

January 28, 2010

9:00 a.m.

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

LARRY WEBER; DB. SEC: SHARMAN BULTEMEIER; SEE SIGN-IN SHEET FOR OTHERS PRESENT

The Allen County Drainage Board convened on Thursday January 28th, 2010, following introductory remarks, Ms Bloom asked for approval of the December 10th, 2009 minutes. Mr. Brown moved for approval of the minutes as they were prepared, second by Ms Bloom. Motion carried.

Election of Officers: Linda Bloom made the following nomination:

Bill Brown	Chairperson
Linda Bloom	Vice-Chairperson
Nelson Peters	Secretary

Bill Brown seconds the nomination. 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). Minutes do not reflex the order the petitions were heard in.

1. **Doc. #09-140.** Request from Civil Engineering Services for approval of the Stormwater Management Plan for Harlan Church of Christ located in Springfield Twp. Sec. 32.

Mr. Frisinger made the following recommendations:

- 1) *Upgrade pipe to 12" minimum. Cost of upgrade from 6" to 12". Cost of pipe upgrade to be covered by the Allen County Highway Department. Church responsible for the labor cost for the installation of the pipe.*
- 2) *Crossing at Roberts Road to be upgraded, ACHD responsible for the cost of upgrade.*
- 3) *Crossing pipe to be installed south of Mayhurst Drive at Cemetery to handle overland flow to be pay for by the ACHD.*
- 4) *Additional grading that needs to be done too that does not affect the Church.*
- 5) *Drainage Maintenance Easement over the mutual drain.*

Rick Slayback – Civil Engineering Services

Mr. Slayback asked if the structures (3 inlets) could also be included with the cost of the pipe.

Mr. Frisinger did not see a problem with including the three structures with the cost of the pipe.

Ms Bloom asked if this should become a regulated drain.

Mr. Frisinger explained that they could make it a regulated drain at this time across the Church or have them petition and have a hearing. He agreed that it

would be a good idea to make it a regulated drain. He told Ms Bloom it she wanted to go ahead a make a motion for this approval with the Church submitting a petition for the Regulated Drain status with a thirty foot easement. Ms Bloom made a motion to approve the Stormwater Management Plan for Harlan Church of Christ subject to the Surveyor's condition, seconded by Mr. Brown. Motion carried.

2. **Doc. #09-143, Waterson #2 Drain located in Eel River Twp. Sec. 21.** Petitioner – Tim Arens. Petition for encroachment for the construction of two separate carports attached to existing 26' x 40' detached garage at rear of property. Carport on west side of garage will be 40' x 12'. Carport on south side of garage will be 12' x 24'.

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

3. **Doc. #10-003, Roth Drain located in Milan Twp. Sec. 8.** Petition – Janine Knapp. Petition for encroachment for the construction of a concrete slab 25' x 100' to hold mulch. The walls to be concrete blocks that are removable.

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

4. **Doc. #10-004, George Dannenfelser Drain located in Adams Twp. Sec. 12.** Petitioner – City of New Haven Parks Department. Petition to reroute the tile downstream of the St. James Lutheran Church's connection, around the proposed detention basin and reconnect to the existing tile, encroachment within the drainage easement for the construction and installation of storm sewer, storm structures(s), water service, pavement. (The tile is proposed to be abandoned east of the church's connection.) Jury Pool renovations.

Mr. Frisinger explained that there are question regarding the location of the tile, how it is functioning, portion of the tile is underneath existing houses, inadequate flows.

Derek Frederickson and Scott Karst – Engineering Resources
Messrs. Frederickson and Karst reviewed their investigation results. They have two plans: One to vacate the drain or to relocate the drain. Their request is to work with the Drainage Board (?) our plans while we continue to work out how to handle the county drain.

Following comments and general discussion by the Board, Mr. Frisinger recommended deferral. Ms Bloom made a motion to defer petition for two weeks, seconded by Mr. Brown. Motion carried.

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5. **Doc. #10-005, Hoffman-Lepper Drain located in Madison Twp. Sec. 16.**
Petitioner – Lynn A. Franke. Petition for the installation of a 4-inch perimeter drain tile. Private septic system.

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

6. **Doc. #10-006.** Request from Rick Slayback for approval of the Stormwater Management Plan for Brindle Products Storage Bldg.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval with the following condition: Building elevation to be raised to match the existing buildings. Ms Bloom made a motion to approve petition, seconded by Mr. Brown. Motion carried.

7. **Doc. #10-007, Shoaff-Dawson Drain located in Eel River Twp. Sec. 27.**
Petitioner – Town of Hometown. Petition for the installation of a 10-inch RCP stormwater pipe. Proposed drain line is decant water from the filter backwash.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval subject to receipt of permit from IDEM. Ms Bloom made a motion to approve subject to Surveyor's approval, seconded by Mr. Brown. Motion carried.

8. **Doc. #10-008, Shoaff-Dawson Drain located in Eel River Twp. Sec. 27.**
Petitioner – Town of Hometown. Petition for encroachment for on-site septic system with elevated sand mound. On-site disposal of domestic wastewater from proposed water treatment plant building.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval subject to his final approval. Ms Bloom asked if the Surveyor would review this project with the Board at the next meeting. Mr. Frisinger told her that he would bring it back for review at the next meeting. Ms. Bloom made a motion to approve with the Surveyor's approval, seconded by Mr. Brown. Motion carried.

9. **Doc. #09-115,** Petition for the Establishment of a new Regulated Drain. Motion to proceed.

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

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10. **Doc. #10-009.** Request from DLS&L Construction for a variance for the detention requirements for the proposed 12,000 s.f. structure to be located on existing gravel parking area.

Mr. Frisinger asked Mr. Slayback for an easement. Mr. Slayback said that he has an easement, but have not recorded it. Following comments and general discussion by the Board, Mr. Frisinger recommended approval of variance. No vote was needed.

11. **Doc. #09-132.** Request from Williams Creek for approval of the Stormwater Management Plan for Parkview North Campus Expansion.

Following comments and general discussion by the Board, Mr. Frisinger recommended approval as submitted.

Mr. Weber asked to ad a comment. This is a request for a stormwater plan for their detention basin on the north side. There are two issues: 1. It is condition on finishing the Family Park's pond and building the mound which they can't build the mound until they move the power poles and they can't move the power poles until they build Diebold Road. 2. When we built this storm management plan we rerouted an open ditch. We ran it through a series of ponds, ran it through a pipe system completely moved the regulated drain over to an easement. By title, there is still a regulated drain there that no longer exists. We have never moved it. We can have a hearing moving the ditch from here to their new system. For a hearing we would have to notify two people, Parkview and AEP. AEP said that they did not want to have a hearing, they would just sign-off. We have been waiting for over two years. He did not want sometime in the future asking why there is a hundred and fifty foot easement through Parkview Hospital that nobody ever vacated.

Mr. Frisinger said he would draft a letter from the Board to Parkview and AEP saying at this juncture we are going to move ahead with a hearing since there been no positive reaction in writing.

Mr. Frisinger asked the Board if they wanted to approve this petition with the caveat that he will notify them of the requirement to relocate the drain.

Ms Bloom did not know if they should. Ms Bloom made a motion to defer Doc. #09-132, seconded by Mr. Brown. Motion carried.

12. **Doc. #10-011.** List of Drains on Collection for 2010.

*Information only, no vote required.
Lynn Witt Town of Grabill*

Mr. Witt asked when the work would commence on the Witmer Ditch. His understanding was that it would be started sometime between February 10th and the 15th.

Mr. Weber replied that they are planning to bid it at that time.

Other Business:

Revisions to the Assessment roll for the Smith AML Drain - joint Whitley County, Allen County Drain. Document Number 10-012 assigned after meeting.

Mr. Frisinger recommended approval of certification. He is going to contact Whitley County regarding work that needs to be done in Allen County. If he does not receive positive respond that they are going to work down here, he may have the assessment allocated to our funds. Ms Bloom made a motion to approve, seconded by Mr. Brown. Motion carried.

Mr. Witt – Town of Grabill

He explained that he was under the impression that (?) for the Dentist Office. Mr. Frisinger explained to Mr. Witt that they made a petition to the Board for Stormwater Management Plan Approval, which was approved. Their proposal was to route the water around their site. Mr. Witt if someone would talk to the Planning Department because they are withholding Occupancy to the site and was told yes.

Meeting adjourned.

ALLEN COUNTY DRAINAGE BOARD

Wm. E. Brown, Chairperson

Linda K. Bloom, Vice-Chairperson

Nelson Peters, Secretary

Allan D. Frisinger, Surveyor

Date

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.