

**ALLEN COUNTY DRAINAGE BOARD  
REGULAR HEARING**

**January 27, 2011**

**9:00 A.M.**

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Present: DB: Linda K. Bloom, Therese M. Brown, F. Nelson Peters, Allan D. Frisinger; ACSO: Larry Weber, Dawn Rose; Board of Health: Kathy Doseck; Drainage Board Attorney: Cathy Serrano; Acting DB Secretary: Susan Elser. See sign-in sheet for others present.

**Call to Order:** Chairperson, Linda K. Bloom

**Approval of Minutes:** January 13, 2011

*Mrs. Brown moved to approve the Minutes of January 13, 2011. Mr. Peters seconded the motion. Motion carried.*

**Approval of Petitions:**

- 1. Doc #11-005, Hockemyer Drain (#09-28-900) located in Milan Township, Sec. 33.**  
Petitioner – Phyllis Hockemeyer. Petition requesting an encroachment for a 12 inch HDPE pond out-fall to facilitate the construction of the US 24 Borrow Pond.

*Mr. Frisinger recommends approval of the petition subject to all comments being adhered to. Mrs. Brown moved to approve the petition (Doc. #11-005) requesting encroachment. Mr. Peters seconded the motion. Motion carried.*

- 2. Doc #11-006, Paul Freeman Drain (#03-15-150) located in Perry Township, Sec 1.**  
Petitioner – Quality Crafted Homes. Petition to construct a residential septic system with perimeter tile outlet into the Paul Freeman Drain. Mr. Frisinger said engineering plans for the overall site development for this metes and bounds project have been reviewed. Although not a subdivision, the project will be called Fawn Creek Estates. If it were a subdivision, it would have had to go through the Plan Commission plan approval process.

*Mr. Frisinger recommended approval.*

*Mr. Peters moved to approve the petition (Doc. #11-006) for construction of a residential septic system. Mrs. Brown seconded the motion. Motion carried.*

- 3. Doc #11-007, Sumner Drain (#07-14-700) located in Washington Township, Sec 14.**  
Petitioner – Dan Dickey/JD Venture. Petition requesting encroachment of an office building, concrete pavement, an 8" storm drain and A/C Units.

Mr. Frisinger stated that the existing, 1-story, masonry commercial building was built nearly 20 years ago, but that a formal request for encroachment into the Sumner Drain was never submitted, leaving the building placement at odds with statutory requirements. According to Mr. Frisinger, the petitioners have provided adequate area for servicing on paved services, although if maintenance work is required the watershed would not be responsible for any damages incurred. Mr. Frisinger said that the approval of this encroachment offers the opportunity for this building to legally exist at this location.

*Mr. Frisinger recommends approval.*

*Mr. Peters moved to approve the petition (Doc. #11-007) as submitted. Mrs. Brown seconded the motion. Motion carried.*

### **PUBLIC HEARINGS**

*Nelson Peters moved to close the regular Drainage Board meeting. Mrs. Brown seconded the motion. Motion carried.*

**1. Vacation of a portion of the Maplewood Park Regulated Drain (#08-28-075).  
Doc. #10-105. Petitioner – City of Fort Wayne**

Mr. Frisinger read the Surveyor's Report (Doc. #10-105) into the record. He showed the Board a map indicating where the various parts of this project would take place within the Maplewood Park and Maplewood Gardens subdivision. Mr. Frisinger stated that this project was a true benefit to the property owners and that although they do pay a stormwater assessment, there will be no cost to the property owners for the construction. The City of Fort Wayne will pay for the cost in total.

To that end, Mr. Frisinger recommended approving the Vacation for the Maplewood Park Regulated Drain as submitted.

There were no letters or presentations in favor of the petition. There were no letters or presentations in opposition to the petition.

*Mrs. Brown moved to close the public hearing. Mr. Peters seconded the motion. Motion carried.*

*Ms. Bloom called for a Board Finding. Mrs. Brown moved to approve Vacation Petition (Doc. #10-105) for the Maplewood Park Drain (#08-28-075) as requested by the City of Fort Wayne. Mr. Peters seconded the motion. Motion carried.*

*Mr. Peters moved to reconvene the regular Drainage Board Meeting. Mrs. Brown seconded the motion. Motion carried.*

### **OTHER BUSINESS:**

**1. Doc #10-156, Diebold Road Improvements**

Mr. Frisinger read a letter from Allen County Highway Director, Bill Hartman, regarding Diebold Road improvements. The ACHD is seeking approval for the previously submitted Diebold Road Improvement Construction, Petition Doc.# 10-156. On August 12, 2010, the ACHD submitted a petition (Doc. #10-199) for the establishment of the regulated drain named the Martin #1 Branch #2. A motion to proceed was approved by the Drainage Board.

Delay of the hearing for the drain establishment and reconstruction has caused some problems with contract schedules, construction schedules and development commitments.

Mr. Frisinger feels that the decision to approve Doc. 10-156 will not hamper any future plans and all aspects of the project can be satisfactorily addressed. Ms. Bloom asked if a hearing would be held in the future and Mr. Frisinger said yes.

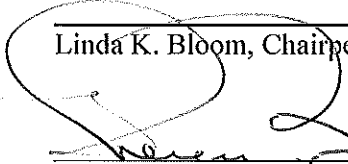
Mr. Peters moved to approve Doc.#10-156. Mrs. Brown seconded the motion. Motion carried.

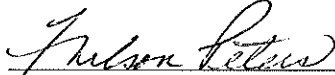
Ms. Bloom asked if there were any questions or comments from people in the gallery. There were none.

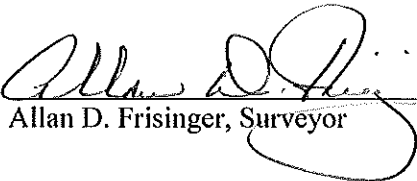
Meeting was adjourned.

**ALLEN COUNTY DRAINAGE BOARD**

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Linda K. Bloom, Chairperson

  
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Therese M. Brown, Vice-Chairperson

  
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F. Nelson Peters, Secretary

  
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Allan D. Frisinger, Surveyor

02/10/11  
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.