

# ALLEN COUNTY DRAINAGE BOARD

MINUTES for Regular Hearing at 9:00 am on: **3/24/2011**

**Present:** DB: Linda K. Bloom, Therese Brown, Nelson Peters, Allan Frisinger (non voting member), Cathy Serrano/Atty;  
ACSO: Dawn Rose. See sign-in sheet for others present

## Call to Order by Chairperson, Linda K. Bloom

## Approval of Minutes from 3/10/11

**Minutes motioned by:** Mrs. Brown moved to approve the minutes of 3/10/11. Mr. Peters seconded the motion.  
Motion carried.

## Approval of Petitions:

### A. ESTABLISHMENT of PM Fund/Reschedule Hearing

**Doc #:** 09-058

**Located in:** Milan TOWNSHIP, SECTION 1

**Drain Name:** Lake

**Drain #:** 09-01-900

**Project:**

**Subd:**

**Subd Sec:**

**Petitioner:** Paul Korte

**Respondent:**

**MOTION:** Hearing date rescheduled for August 11, 2011

**Motioned by:** Mr. Frisinger recommended rescheduling hearing date for August 11, 2011. Mrs. Brown moved to approve date. Mr. Peters seconded the motion. Motion carried.

**Discussion:**

Hearing date was scheduled for 6/23/11 but because of moving to the new building between now and then it would be best to reschedule the Hearing a little further out.

**Doc #:** 10-065

**Located in:** MARION TOWNSHIP, SECTION 5

**Drain Name:** Ehrman

**Drain #:** 18-05-820

**Project:**

**Subd:**

**Subd Sec:**

**Petitioner:** Jim Wolfe

**Respondent:**

**MOTION:** Hearing date rescheduled for August 11, 2011

**Motioned by:** Mr. Frisinger recommended rescheduling hearing date for August 11, 2011. Mrs. Brown moved to approve date. Mr. Peters seconded the motion. Motion carried.

**Discussion:**

Hearing date was scheduled for 6/23/11 but because of moving to the new building between now and then it would be best to reschedule the Hearing a little further out.

**Doc #:** 11-012

**Located in:** PERRY TOWNSHIP, SECTION 17

**Drain Name:** Classic Heights

**Drain #:** 02-17-240

**Project:**

**Subd:** Classic Heights

**Subd Sec:**

**Petitioner:** Melissa Veldman

**Respondent:**

**MOTION:** Hearing date rescheduled for August 11, 2011

**Motioned by:** Mr. Frisinger recommended rescheduling hearing date for August 11, 2011. Mrs. Brown moved to approve date. Mr. Peters seconded the motion. Motion carried.

**Discussion:**

Hearing date was scheduled for 6/23/11 but because of moving to the new building between now and then it would be best to reschedule the Hearing a little further out.

### B. Stormwater Management Plan Approval

Doc #: 11-026

Located in: MAUMEE TOWNSHIP, SECTION 21

Drain Name:  
Drain #:  
Project:  
Subd: Homestead Place  
Subd Sec:  
Petitioner: Mayor Richard Hoepfner  
Respondent:  
MOTION: NO ACTION

Continued from last meeting for the request of Stormwater Management Plan Approval for Homestead Place in Woodburn.

Motioned by:

Discussion: No one from Homestead Place appeared. It was put on the agenda to allow time to discuss what might be needed to move forward with plans. See "Other Business" section of attached Notes for more on this.

C. PUBLIC HEARINGS/Obstruction

Doc #: 10-158

Located in: Madison TOWNSHIP, SECTION 19

Drain Name: Mutual Drain  
Drain #:  
Project:  
Subd:  
Subd Sec:  
Petitioner: Charles Emenhiser/15010 Roxie Lane, Hoagland  
Respondent: East Allen County Schools  
MOTION: Obstruction Exists

Petition to Remove Obstruction in Mutual Drain. (Follow Obstruction Hearing Procedure)

Motioned by: Mr. Peters made motion to authorize petitioner to make temporary connection to the existing catch basin. Must make permanent line connection to the Houk Drain in the fall of 2011. Paid by petitioner. Mrs. Brown seconded the motion.

Discussion: See attached Hearing Notes for more information.

Doc #: 11-001

Located in: Adams TOWNSHIP, SECTION 10

Drain Name: Mutual Drain  
Drain #:  
Project: Main's Flowers  
Subd:  
Subd Sec:  
Petitioner: Joseph Main/7300 US Highway 30 E  
Respondent: Jeffrey S. Main/7022 US Highway 30 E  
MOTION: Obstruction Exists

Petition to Remove Obstruction in Mutual Drain. (Follow Obstruction Hearing Procedure)

Motioned by: Mr. Peters motioned to approve subject to (see below), Mrs Brown seconded the motion. Motion carried.

Discussion: Respondent has 20 days from receipt of notice (until April 22, 2011) to contest findings or remove obstruction. Otherwise, ACSO will remove obstruction & costs will be assessed to P/O of record, Jeffrey Main. See attached Hearing Notes for more info.

Doc #: 11-003

Located in: Cedar Creek TOWNSHIP, SECTION 33

Drain Name: Mutual Drain  
Drain #:  
Project:  
Subd:  
Subd Sec:  
Petitioner: Bill Hartman/ACHD  
Respondent: Richard McNiece/Patricia McNiece/11515 St. Joe Road  
MOTION: Ostruction Exists

Petition to Remove Obstruction in Mutual Drain. (Follow Obstruction Hearing Procedure)

Motioned by: Mrs. Brown made motion to approve. Mr. Peters seconded motion. Motion carried.

Discussion: Motion to have respondent remove concrete wall to allow flow and some sort of entrance on the pipe that will control erosion. ACSO will check gradient for overflow channel. See attached Hearing Notes for more information.

**D. Other Business . . .**

Doc #:

Located in: PLEASANT TOWNSHIP, SECTION 13

**Drain Name:** Snyder #3  
**Drain #:** 17-13-720  
**Project:**  
**Subd:**  
**Subd Sec:**  
**Petitioner:** Ellis McFadden  
**Respondent:**

Request to have periodic maintenance put on the Snyder #3 Drain. Motion to proceed.

**MOTION:** *Approved to Proceed*

**Motioned by:** *Mr. Frisinger recommended it proceed to hearing & present assessment proposals at the 4/28/11 meeting. Mrs. Brown motioned to hear the assessment proposals at the 4/28/11 meeting. Mr. Peters seconded it. Motion carried.*

**Discussion:** *Ellis McFadden & Tim Baker appeared to discuss it. Ellis explained he has been waiting for a hearing for purpose of establishing periodic maintenance since 2007. He was told a hearing would take place before planting season. At the least it needs cleaned.*

**Meeting was adjourned at 11:50 a.m**

ALLEN COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
Linda K. Bloom, Chairperson

  
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Therese M. Brown, Vice-Chairperson

  
\_\_\_\_\_  
F. Nelson Peters, Secretary

  
\_\_\_\_\_  
Allan D. Frisinger, County Surveyor

April 14, 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.

Regular Hearing Closed

Public Hearing on Obstruction is Opened

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)

Doc 10-158

Surveyor's Report read by Mr. Frisinger.

In Favor: Mr. Charles T. Emenhiser 15010 Roxie Ln

*Explained that he has owned his property since 1975 and has not had an issue until a couple years ago. Has asked EACS to dig in several locations on their property to find blockage. They found none.*

In opposition: Scott Burns – Baker Daniels 111 E Wayne St.

Doug Roemer EACS 1322 Green Rd.

John Miller EACS 1322 Green Rd.

John Barkley EACS 1322 Green Rd.

*Explained that they have helped try to solve this issue by accommodating Mr. Emenhiser's request but cannot continue to incur the expense.*

Board Findings of Fact and Order Discussed and Completed.

*Mr. Peters made motion to authorize petitioner to remove the obstruction by temporary connection to the existing catch basin with a permanent main line connection to the Houk Drain in the fall of 2011 to be paid for by the petitioner.*

*Mrs. Brown seconded the motion. Motion carried.*

Obstruction Hearing Closed

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Public Hearing on Obstruction is Opened

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)

Doc 11-001

Surveyor's Report read by Mr. Frisinger.

In Favor: Russell Main 15524 Lincoln Hwy E.

Lou Burlage 5800 CR 60

Confirmed Surveyor's report regarding blockage.

In opposition: No One

Board Findings of Fact and Order Discussed and Completed.

**Drainage Board Meeting                      Obstruction Hearings                      March 24, 2011**

*Motion to give respondent 20 days (from receipt of notice) to contest the findings of the Board or remove obstruction. If not completed by April 22, 2011 the ACSO will initiate removal with all costs to be assessed to the property owner of record, Jeffrey Main.*

*Mrs. Brown made motion to approve. Mr. Peters seconded the motion. Motion carried.*

Obstruction Hearing Closed

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**Public Hearing on Obstruction is Opened**

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)

**Doc 11-003**

Surveyor's Report read by Mr. Frisinger.

In Favor: Bill Hartman ACHD

In Opposition: Mr. Richard McNiece 11515 St. Joe Road

No one else in opposition.

Board Findings of Fact and Order Discussed and Completed.

*Motion to have respondent remove concrete wall to allow flow and some sort of entrance on the pipe that will control erosion from the 36" to the 10" pipe. ACSO will check gradient detail for overflow channel. Mrs. Brown made motion. Mr. Peters seconded motion. Motion carried.*

Obstruction Hearing Closed

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**Regular Hearing is Opened**

**Other Business**

*Mr. Frisinger read into record a document he drafted that explained that the only plat approved for Homestead Place was Sec 1 of Homestead Acres, Lot 1-19 with the specific standards set by Allen Co. There are provisions to the primary approval that say subject to standards of 15 years ago. More discussion.*

*The Surveyor's Office still has no submittal from the City of Woodburn.*

*Mr. Frisinger passed out transcribed minutes from the City of Woodburn's City Council Meeting in March. Mr. Peters will call the Mayor but otherwise the Surveyor's Office has nothing to move forward on.*

*Meeting Adjourned.*