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# ALLEN COUNTY DRAINAGE BOARD

MINUTES for Regular Hearing at 9:15 am on: **7/28/2011**

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

## Call to Order by Therese Brown

## Approval of Minutes from 7/14/11

**Minutes motioned by:** Mr. Peters motioned to approve the minutes from 7/14/11. Mrs. Brown seconded the motion.  
Motion carried.

## Approval of Petitions:

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### A. ENCROACHMENT

**Doc #:** **11-080**

**Located in:** PERRY TOWNSHIP, SECTION 13

**Drain Name:** Beightle-Nettlehorst

**Drain #:** 03-21-300

**Project:**

**Subd:**

**Subd Sec:**

**Petitioner:** Deoski LLC/Gloria Ostrowski

**MOTION:** **APPROVED SUBJECT TO**

Petition for encroachment within drainage easement of Beightle-Nettlehorst Drain for a 4 ft tile to build driveway on Tonkel Rd.

**Motioned by:** Mr. Frisinger recommended approval subject to installing a double 48" culvert at profile elevation that won't raise the backwater beyond the 0.14' State mandate or to install a single 48" culvert if a recorded agreement is secured from the upstream land-

**Discussion:** owner allowing increased backwater due to the culvert and driveway installation. Mrs. Brown made motion to approve subject to installation of double 48" culvert or installation of 48" culvert with recorded agreement with upstream landowner.  
Mr. Peters seconded the motion. Motion carried.

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### B. ESTABLISHMENT of NEW DRAIN/Set Hearing Date

**Doc #:** **11-052**

**Located in:** JEDAR CREEK TOWNSHIP, SECTION 18

**Drain Name:** Beightle-Nettlehorst Schlatter Br

**Drain #:** 03-18-310

**Project:**

**Subd:**

**Subd Sec:**

**Petitioner:** Erv Miller

**MOTION:** **Hearing date set for 10/13/11**

Petition for Establishment of a New Regulated Drain & Periodic Maintenance Fund for Beightle-Nettlehorst Schlatter Branch Drain/Set Hearing Date

**Motioned by:** Mr. Frisinger recommended setting hearing date for October 13, 2011. Mrs. Brown motioned to set hearing date for October 13, 2011. Mr. Peters seconded the motion. Motion carried.

**Discussion:**

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### C. Stormwater Management Plan Approval

Doc #: **11-078**

Located in: LAKE TOWNSHIP, SECTION 36

Drain Name:  
Drain #:  
Project:  
Subd: Stratford Forest  
Subd Sec: IV  
Petitioner: Equity Land Corp.  
MOTION: APPROVED

Requesting approval of Stormwater Management Plan for Stratford Forest Sec IV.

**Motioned by:** Mr. Frisinger recommended approval of Stormwater Management Plan. Mr. Peters motioned to approve Stormwater Management Plan for Stratford Forest Sec IV. Mrs. Brown seconded the motion. Motion carried.

**Discussion:**

Doc #: **11-079**

Located in: PERRY TOWNSHIP, SECTION 29

Drain Name:  
Drain #:  
Project:  
Subd: Shearwater  
Subd Sec: III  
Petitioner: CH Development  
MOTION: APPROVED

Requesting approval of Stormwater Management Plan for Shearwater Sec III.

**Motioned by:** Mr. Frisinger recommended approval of Stormwater Management Plan. Mr. Peters motioned to approve Stormwater Management Plan for Shearwater Sec III. Mrs. Brown seconded the motion. Motion carried.

**Discussion:**

**D. PUBLIC HEARING/Vacation**

Doc #: **11-063**

Located in: PLEASANT TOWNSHIP, SECTION 6

Drain Name: Wellbaum  
Drain #: 16-01-970  
Project:  
Subd:  
Subd Sec:  
Petitioner: Fort Wayne Airport Authority  
MOTION: APPROVED

Certification to vacate the upper reach of the Wellbaum Drain Tile on Airport Authority property. (Follow Public Hearing Procedure)

**Motioned by:** Mr. Frisinger read Surveyor's Report and recommended approval of certification to vacate the upper reach of the Wellbaum Drain Tile on Airport Authority. (No written or public testimony provided)

**Discussion:** Mrs. Brown motioned to approve vacation of the upper reach of Wellbaum Drain Tile. Mr. Peters seconded the motion. Motion carried.

**E. PUBLIC HEARING/Establishment of New Drain**

Doc #: 11-013

Located in: Perry TOWNSHIP, SECTION 36

Drain Name: Martin #1 Br #2  
Drain #: 02-36-220  
Project: Northpark Professional Office  
Subd:  
Subd Sec:  
Petitioner: Gohar A. Salam  
MOTION: **APPROVED OPTION 2**

Petition for Establishment of a New Regulated Drain & Periodic Maintenance Fund for Northpark Professional Office. Board to establish easement width and payment of damages to Bank of Indiana. (Follow Public Hearing Procedure)

**Motioned by:** Mr. Frisinger read Surveyor's Report. Mrs. Brown motioned to approve option 2 & \$16,000 damages. Mr. Peters seconded the motion. Motion carried. Periodic Maintenance was not established.

**Discussion:** Mr. Puff spoke in favor of the establishment of new regulated drain and stated he had property appraised for \$170,000 per acre. Mr. Federoff and Mr. McComb spoke in favor of project but questioned the damages \$67,000. Mr. McComb offered option 2 that reduced easement area from .5 to .16 acres. Mr. Hess represented Bank of Indiana and requested a continuance stating he was just assigned this case on July 27 and had no authority to negotiate and needed more time.

**F. Discussion . . .**

Doc #:   
Drain Name: Geller  
Drain #: 01-31-940  
Project:  
Subd:  
Subd Sec:  
Petitioner:  
MOTION:

Located in: TOWNSHIP, SECTION

**Motioned by:**

**Discussion:** Discussed impact of allowing discharge from proposed Huntertown sewage treatment facility and possible amendment of current assessments.

**G. Other Business . . .**

Doc #:   
Drain Name:  
Drain #:  
Project:  
Subd:  
Subd Sec:  
Petitioner:  
MOTION: **APPROVED NEW 9:30AM MEETING TIME**

Located in: TOWNSHIP, SECTION

**Motioned by:** Mr. Peters motioned to move Drainage Board meetings from 9am to 9:30am. Mrs. Brown seconded the motion. Motion carried.

**Discussion:**

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Meeting was adjourned at 11:45 a.m

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, County Surveyor

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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.