
ALLEN COUNTY DRAINAGE BOARD

MINUTES for Regular Hearing at 9:30 am

9/22/2011

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

Call to Order by Linda K. Bloom

Approval of Minutes from 9/8/11

Minutes motioned by: Mr. Peters motioned to approve the minutes from 9/8/11. Mrs. Brown seconded the motion. Motion carried.

Approval of Petitions:

A. SEPTIC SYSTEM

Doc 11-092 Located in: SPRINGFIELD TOWNSHIP, SECTION 34
Drain Name: Wertz Subdivision:
Drain #: 10-06-110 Project:
Petitioner: Benjamin Graber Engineer: Duane Embury

Petition for encroachment within the drainage easement of the Wertz Drain for a perimeter drain tile for a private septic system on Rupert Rd.

MOTION: APPROVED SUBJECT TO

Mr. Frisinger recommended approval subject to the installation of a culvert (15" CSP or 12" RCP or HDPE), offsite easements and inspection by ACSO. Mrs. Brown motioned for approval. Mr. Peters seconded the motion. Motion carried.

Doc 11-095 Located in: MONROE TOWNSHIP, SECTION 19
Drain Name: Baxter Subdivision:
Drain #: 20-19-200 Project:
Petitioner: Robert and Kathy Enterline Engineer: Civil Engineering Services

Petition for encroachment within the drainage easement of the Baxter Drain for a perimeter drain tile for a private septic system at 13919 SR 101.

MOTION: APPROVED SUBJECT TO

Mr. Frisinger recommended approval subject to inclusion of buildings, a survey and an inspection. Mrs. Brown motioned for approval. Mr. Peters seconded the motion. Motion carried.

Doc 11-096 Located in: MONROE TOWNSHIP, SECTION 4
Drain Name: Sorgen Subdivision:
Drain #: 15-34-750 Project:
Petitioner: Thomas Schultz Engineer: Civil Engineering Services

Petition for encroachment within the drainage easement of the Sorgen Drain for the perimeter drain tile for a private septic system at 9510 Morgan Rd.

MOTION: APPROVED SUBJECT TO

Mr. Frisinger recommended approval subject to installing a riprap erosion control device on the outfall and an inspection by BOH and ACSO. Mr. Peters motioned for approval. Mrs. Brown seconded the motion. Motion carried.

Doc 11-101 Located in: SPRINGFIELD TOWNSHIP, SECTION 25
Drain Name: Killian Subdivision:
Drain #: 10-05-110 Project:
Petitioner: Richard Raber Engineer: Servant Design

Petition for encroachment within the drainage easement of the Killian Drain for the perimeter drain tile for a private septic system at 22225 Antwerp Road.

MOTION: APPROVED SUBJECT TO

Mr. Frisinger recommended approval subject to installing a riprap erosion control device on the outfall and an inspection by BOH and ACSO. Mr. Peters motioned for approval. Mrs. Brown seconded the motion. Motion carried.

B. Designate a Private Drain as a Legal Drain/Motion to Proceed

Doc 11-098 Located in: PERRY TOWNSHIP, SECTION 26
Drain Name: Janus Subdivision: Hawthorne Park Estates
Drain #: 02-25-200 Project:
Petitioner: Union Chapel Development Engineer:

Petition to designate a mutual or private drain as a legal drain. Requesting Motion to Proceed.

MOTION: APPROVED TO PROCEED

Mr. Frisinger recommended approval to proceed to hearing to designate a mutual or private drain as a legal drain. Mr. Peters motioned to approve. Mrs. Brown seconded the motion. Motion carried.

C. ESTABLISHMENT of NEW DRAIN/Motion to Proceed

Doc 11-099 Located in: ABOITE TOWNSHIP, SECTION 5
Drain Name: Hamilton Meadows Subdivision: Hamilton Meadows 6

Drain #: 11-05-160

Petitioner: Anthony Riencke

Project:

Engineer: Illinois Development

Petition for establishment of new regulated drain & periodic maintenance fund for Hamilton Meadows, Sec VI.
Requesting motion to proceed.

MOTION: APPROVED TO PROCEED

Mr. Frisinger recommended approval to proceed. Mrs. Brown motioned to approve motion to proceed to establish a new regulated drain and periodic maintenance fund for Hamilton Meadows, Sec VI. Mr. Peters seconded the motion. Motion carried.

D. ENCROACHMENT

Doc 10-027

Drain Name: Krumlauf

Drain #: 01-01-720

Petitioner: Mike Schlemmer

Located in: PERRY TOWNSHIP, SECTION 6

Subdivision:

Project: LaOtto Industrial Park

Engineer: Dickmeyer & Associates

Petition for encroachment within the drainage easement for the installation of a discharge outfall pipe for the development of LaOtto Industrial Park in Dekalb County which was deferred from last meeting on 9/8/11.

MOTION: APPROVED SUBJECT TO

Mr. Frisinger recommended approval subject to approving and then recording a long term maintenance agreement that would run in perpetuity toward the pipe itself that would be tied in title to that real estate so that at no time in the future, Allen County nor property owners become liable for the maintenance of that pipe. Also need an exhibit (survey document) illustrating the location of the easements on the property that are affected. Alex @ Dickmeyer & Associates and Jody Schlemmer spoke to confirm that they had emailed the needed documents to ACSO. Mrs. Brown motioned for approval of encroachment subject to receiving the aforementioned recorded documents. Mr. Peters seconded the motion. Motion carried.

Doc 11-093

Drain Name: Hamilton Meadows

Drain #: 11-05-160

Petitioner: Anthony Riencke

Located in: ABOITE TOWNSHIP, SECTION 5

Subdivision: Hamilton Meadows 6

Project:

Engineer: Illinois Development

Petition for encroachment within the drainage easement of Hamilton Meadows, Sec VI.

MOTION: APPROVED

Mr. Frisinger recommended approval of encroachment. Mr. Peters made a motion to approve encroachment within drainage easement of Hamilton Meadows, Sec VI. Mrs. Brown seconded the motion. Motion carried.

Doc 11-100

Drain Name: Grice #2

Drain #: 08-24-800

Petitioner: Central Church

Located in: ST. JOSEPH TOWNSHIP, SECTION 24

Subdivision:

Project:

Engineer: Donovan Engineering

Petition for encroachment within the drainage easement of Grice #2 Drain to expand the parking area at Central Church.

MOTION: APPROVED

Mr. Frisinger recommended approval as long as they understand that any damage that is incurred on the improved surface within the statutory right-of-way is their responsibility and the ultimate failure of the side banks of that drain that would cause damage to the parking lot also becomes the responsibility of the petitioners. Mr. Peters motioned for approval of petition for encroachment drainage easement to expand the parking area at Central Church. Mrs. Brown seconded the motion. Motion carried.

E. Stormwater Management Plan Approval

Doc 11-097

Drain Name:

Drain #:

Petitioner: NPT Development

Located in: PERRY TOWNSHIP, SECTION 24

Subdivision: Hawthorne Park Estates 1

Project:

Engineer: Sauer Consulting LLC

Requesting approval of the Stormwater Management Plan for Hawthorne Park Estates, Sec I.

MOTION: APPROVED WITH VARIANCE CONDITIONS

Mr. Frisinger explained the three variances Mr. Zehr (NPT Development) was asking for in their SWMP on Hawthorne Park Estates. 1.) The pond within 50' of right-of-way. They are requesting a variance to install a guardrail. 2.) Install a 3' deep safety ledge rather than the 18' which is the technical standard for Allen County and the City of Fort Wayne. 3.) Requesting a modification for the overflow standard by using submerged culverts. Mr. Zehr of NPT Development Corp. spoke to the Drainage Board regarding the variances he was requesting. (Mr. Zehr) We are building one of the high end subdivisions ever developed, ranging from half million to million dollar homes. And, I make that comment because it's the last place that I want to see any problems created of any kind. This is our premiere selling subdivision. So, storm drainage problem, the engineer had a discussion with Al's office, if there's a potential for blockage, and flooding and getting water in houses, we don't want it. The understanding that I had in conjunction with that particular item is one of the things we always fight when water goes from pond to pond to pond which is what Al has pointed out they're all the same elevation. When they flow from this pond to this one, under a creek, under a road, there is debris that comes along, so you have to have clearance for that debris to get between the top of the water and the bottom of the road. And what the engineer has attempted to do is avoid the confusion with the debris accumulation by putting the pass through pipes way down under water where the floating debris cannot be a problem. I let Rick speak for himself. Is that pretty much what we discussed....and we discussed at length...you live on a lake, oh, it accumulates debris. Now what do we do with it? 24 hours a day person watching it so it doesn't plug? Rick's idea was stick it way down underground where any floating debris can't get to it. It will always have to stay open unless it's a scuba diver going down...Second item which is of much more severe significance to me is I think we're running into our 20 some thousand lot in Allen County. I have never built a safety ledge like is being discussed here. I've taken quite a bit of time to analyze and understand the ramifications of having 3' of water from table top of depth as you come down and then here's your safety ledge. That safety ledge is as wide as from here to the end of the table...you can drive a car around that safety ledge. Everyone is instructed that this is a lake, this is not a swimming pool. So children, no. Because it is not a swimming pool. The thing that happens when you reduce this safety ledge that I've discussed down to 18" of

water, the child walks up to the edge and he looks in and you know what - it's about a 18" deep as his little blue wading pool that you fill with the rubber hose. And, by the way there were more children lost, drown in rubber hose filled above ground swimming pools then there were in-ground pools last year. To the best of my knowledge, in these 20,000 lots we have never lost a child or an individual related to the safety ledge. We had a woman and a child that went out on the ice beyond the ledge and fell through. We have had cars that have plowed through but our safety ledge has never been a problem. So my point, and now getting into terminology that obviously I've been asking the insurance company and legal counsel...now what am I doing when I have 18" of water and a little person can walk up and he can see it looks like a little wading pool and he goes down in that, and he waddles around, perfectly safe but he doesn't know where it is that it drops off to 20 some feet deep. The term that has been given to me is attractive nuisance, that you have created. So, then I call the insurance company. The insurance companies, by and large, do not like to insure community associations. Community associations are the life blood of our subdivisions in Allen County because without them, we wouldn't get any approval. There's no one to maintain the open space, the street lights, the snow plowing. If the associations lose their liability coverage because of an attractive nuisance relating to their rate and then there happens to be a tragedy, the community association is gone. So I asked the agent, how does this work? Let's assume tomorrow morning the board decides I have to be 18" deep and have what we consider an attractive nuisance which you all are forcing us to do. What happens to my insurance? Well, he said, 'nothing'. Well, that's interesting. Then what happens when we have a death? He said, well then they start to take notice. Then they start to keep track. What if we have two deaths, three deaths? And low and behold, those deaths are all connected to an 18" ledge not the old 36" ledge? He said you start to get into trouble. And it will probably take (her guess) 3, 4, 5 years before the wheels grind and they begin to recognize the additional liability created by virtue of the shallow safety ledge at which point they will deny your liability coverage. At which point your community association is gone. But, there is another tragedy and its related to this little shallow ledge. So the one I feel strongest about is the safety ledge, the safety of the children since we've never lost a child or an adult as it relates to a safety ledge. In addition to which pole camps (?) are telling me that the federal government is closing in on them tighter and tighter with the chemicals they can use to control the algae and weed growth in our lakes. And they're being cut back down so the amount of chemical they can use is being barely enough to control the weeds. OK. The problem is - have you ever been on a golf course - the algae growth that you see on a golf course is always along the perimeter where the water is shallow. You know why the algae growth is there instead of in the pond? That particular type of algae and I can't rattle these names off, it's the hardest one to kill. The algae that grows in the shallow water is the one they have the most difficulty with because of the controls that are being put on the people that take care of the pond. And now I have a combination with an 18" ledge there's a probability of it being unsightly behind a million dollar house because of the algae growth. Algae growth adds to the problem of a child falling into it. And this whole combination of things, to me just stacks up like a house of cards- it's a disaster. (Mr. Peters) Mr. Zehr, does it cost the developer more or less to build deeper or shallower? We're talking 3' vs 18". (Mr. Zehr) It cost us more. We have more volume of dirt excavation. (Mr. Peters) Which is the answer I would have expected. So to me, unless I'm missing something, it seems to me that Mr. Zehr has judiciously weighed what's going on here and has presented a design in favor of greater safety than less safety. And I'm not sure how we go about, in these cases, I don't know whether you waive a particular or you do something different than what the ordinance may call for. (Mr. Frisinger) That's why you're hearing this today. (Mr. Peters) It seems to make a lot of sense, uh, what he's saying. (Mr. Frisinger) Uh-huh. (Mr. Zehr) Can I go to one further point? In addition to the history and performance we have had there are jurisdictions where this requirement is.....(?) And by and large...(Mr. Peters) The current requirement...(Mr. Zehr) Yeah. By and large those do not exist in the backyards of subdivisions. They're out behind Walmart. They're out behind some shopping center. They typically will have some fence around them. As we have traveled the state and we hear every legislative session someone introduces a piece of legislation to put a fence around every pond in the State of Indiana. Can you image what that's gonna look like behind all these houses? (Mr. Peters) Well I wouldn't be particularly happy. (Mr. Zehr) This is my point, and their rationale is safety. And other people are doing it 18" deep but not behind houses where there are children in a subdivision. It's typically commercial development that is fenced in. Consequently we don't have the loss of life potential. (Mr. Peters) Right. (Mr. Frisinger) Mr. Zehr is exactly correct with regard to the fencing in of commercial areas. Those are very attractive instances. The certain ones behind Walmart on Dupont and SR 3 going out off of Maysville Road...you can just imagine...I was a teenager once...I swam in those ponds and that's exactly the case that's made...that those attractive nuisances are something that everyone worries about...in truth, the Walmarts of the world don't have to have a pond. That could all be dirt and wouldn't have water there. But because that level that the water is at ground surface they have an additional maintenance entity. Like, you know, mow, keeping it looking like a commercial establishment but....(?) most of us don't like to have....(?) right, or they have an earth balance issue they're looking at that allows them to take that earth from the pond, build their sight up, not have to do any hauling and effectively manage the economics of the sight so....(Mr. Peters) Well, how do we get to where we need to get to without jeopardizing the entire integrity of the ordinance. (Mr. Frisinger) Well, that's why it's before you today. I think there are opportunities for you to make a decision that will allow for Mr. Zehr to move forward with his development...I think what he's saying is he's willing to accept liability if you're willing to give them a variance to the ordinance at this point. (Mr. Peters) And liability ultimately gets transferred to the neighborhood association...(Mr. Zehr) Right and this buys into a whole new topic that some time in a work session would be worth discussing community associations. We manage 22 of them. And, they are becoming more and more of a nightmare even though they continue to be critical to all of our existence. Of all of the associations that we manage we carry at least one million dollars in liability and its being recommended as we do more and more lakes, which this particular project has, that liability be upped by another million or two because their premium is(?) that great. In addition to which the budgets aren't as tight when you get into the higher price range homes as when you're in the starter homes. You put money in the association to pay the premium to bump the limits of their insurance. We don't have anyone who carries less than a million. Short of that any kind of major problem with an association and it gets sued, it's worthless. If there's too much money there, you mismanaged it. If its short you mismanaged it. Its' supposed to have just enough to live on. So the insurance becomes critical. (Mr. Peters) Right. (Mr. Frisinger) When you say you manage 22 of them Joe, is there a....are those one's you still haven't turned over or you do that for them? (Mr. Zehr) No, no no, these are people that can't do for themselves. Don't know if, Jim, you know of how many of these are subdivisions that we have had nothing to do with...we didn't start them, we didn't develop them. (Mr. Frisinger) So it's part of your business. (Mr. Zehr) It has become such a nightmare to the people who live there, neighbor against neighbor, raising dues, that they have called on a professional management organization with our years of experience and knock on wood, of those 22 associations because of our legal counsel having specialize in this arena don't bet against us. We haven't been wrong yet. Now that doesn't mean we won't be but we have so much history behind us that relates to covenants, covenant enforcement, all this rigmarole, dues increase...when we make a recommendation we can stand behind it. So were picking up more plus the fact that past people who have managed the associations have gone belly-up and have stuck the association with debts and all kinds of complications. (Ms. Bloom) ...these subdivisions are getting so much more involved in their associations too. I've seen my own personally, go from like, I think the first year I was there we had seven participants at the yearly meeting and at the last one, we had all but two villas represented. They want to make sure that everything is covered, for sure. (Mr. Zehr) That is absolutely superb. We're faced with, in some cases, with lesser expensive homes, where we don't get a quorum. (Ms. Bloom) Boy, not ours. And mine is lesser expensive, I mean I'm not into the...(Mr. Zehr) Our life is so much easier if we can get a huge turnout and interest. One other point-Every session of the legislature there's a bill introduced, and I guarantee it will happen again, where with a vote like 75% of the membership you can abolish an association. No can you imagine how disastrous that would be. (Mr. Frisinger) And, the point with that is you hold common areas as, you know, the association in title. So you abolish the association, who gets that title? Even today if taxes aren't paid you'll find it at a sheriffs sale or a tax sale. (Mr. Peters) It doesn't get split evenly amongst the residents? (Mr. Frisinger) No. There's so many things that go along with that. We actually had a guy come in our office, it happens all the time, but he wanted to go in and take all of the trees out and go down a 10 feet area and says well, they don't own it, I own it. He had a great point. I mean, you do, go ahead, I don't care, it's not my trees. I'm sure it would be negotiated acquisition...profit...(Mr. Zehr) Ergo there goes the value of your neighborhood. The covenants are not enforced and excuse the reference but a Sears, 8x10 metal shed sitting in the back yard where it begins to rust through. No one enforces the covenants to take care of the property and the value starts to drop and that's your future difficulties that inner city is facing. I'm sorry. I don't know how we got off on that. (Mr. Frisinger) No, no, that was good discussion. I think the point was the pond issue, the balance pipe and the overflow. (Ms. Bloom)

Do we take it one at a time? (Mr. Frisinger) It's up to the Board. (Mr. Peters) I don't personally have an issue with any of the three of them in granting a waiver, or variance or whatever it is we need to do. Well, I wonder too, in having said that, and I know you worked through this stormwater ordinance and all that very closely. With some of what we learned in discussions like this does that cause us to go back and maybe relook some of the things we originally did? (Mr. Frisinger) I think not at this time. You know, you'd probably have someone come in and make as good a point as Joe has made on the other side. It's not the wrong thing to have someone who has investing into a development and comes in and says, look...if Joe came in and said I want to have a six foot drop off right at the end, I'd say no, that's not a good thing. (Mr. Weber) From a liability point for the County...I was wondering and I'm not sure what you thought 'cause I can see as less liability to the County. There's three examples of (?) by different communities. Is there a better safe guard for the County if we say instead of using Allen County standards we use the city of Indianapolis, which is a recognized one. No the difference in that one is...(?) it just says the first nine feet you are at 4 to 1 slope. And your design right now is 3 to 1 which would actually make the perimeter of your pond like 2.25 feet different. (Mr. Zehr) Well, I would take issue with that because I think that the ledge is more important than whether the slope come out 3 drop 1 or come out 4 drop 1 its more important when water gets 3 feet deep all you do is just stand up and its waist deep. (Mr. Weber) All I'm saying is that theirs doesn't say that you can't have a safety ledge of 3 feet. It says the minimum slope for the first 9 feet is 4 to 1 and after that point you can go, you can do whatever you want to. (Mr. Zehr) You will see the day when there is state legislation that will control the specifications of these ...(?) basins because it comes up every year in the legislature. Unfortunately, and I would support that, unfortunately the legislation that has surfaced historically has been so radical like fences for instance that there's nothing that we can support and get a unified agreement to get state legislation in reference to these ponds. They're the savior of your stormwater plug. (Mr. Frisinger) Sure. When you look across the state of Indiana you can imagine how many differing looks there are from being on a development at Hawthorne and then go down to Carmel or ...what's the reservoir down there? It's a whole different animal. So, how do you look at that or you take an existing pond and build a subdivision around it...(?) I think it's good for us to have this conversation at the board level. There's an understanding and commonality and a recognition on liability that Larry brought up and issues of safety, I think you can make that....I know Cathy's been listening intently, with her legal ear on so if there's anything ...(Cathy Serrano) Really, the board doesn't incur any more liability if they went with the Marion standard or any less liability if they went with the Marion standard. Where you might get into trouble is after several lawsuits, after there is empirical evidence that would support what Mr. Zehr is saying about the attractive nuisance you start getting into those areas where insurance companies are denying insurability and that sort of thing. At that point, if the board didn't act to perhaps amend or change the policy there might be an argument that there is a negligence liability because they are ignoring empirical evidence. At this point that evidence isn't there. You have a standard put in place that is not an arbitrary standard because you're willing to listen to evidence that would allow you to make a variance or waiver so you're not getting into any more or less liability by doing this. (Mr. Peters) But it sounds to me that we're not faced with a liability in this case anyway if Mr. Zehr and subsequent to him, the residents are going to incur that liability. (Mr. Frisinger) Right. Now the minutes will show, the record will show that we weighed this all out and that I weighed the data that was presented and like Cathy was saying, empirical data in the future might go that route and say well, the (?) commission is wrong it may go the other way too and say 3 feet is wrong. (Mr. Peters) Right. Right. (Mr. Zehr) Can I give you one other illustration here? There is not one (?) or one criteria that fits all situations. (Mr. Frisinger) That's exactly right. (Mr. Zehr) If this safety ledge that I'm talking about is 3 feet deep if that water, in a hundred year storm got nine feet deep because it's a little bitty basin down in a deep hole when the water just builds up, up, up, it's a whole different story. In our particular story, I think we have seven and a half acres of water and so we have so much water surface that in a hundred year storm water only comes up what, 16 inches....Larry? (Mr. Weber) I think 15 inches. (Mr. Zehr) Only comes up fifteen inches. Something like that. Because we have so much water surface and I'm suggesting that the hundred year storm bringing the water up 15 inches vs. bringing it up 6-8 feet is a huge difference. Not one rule applies to each one of these situations.

Mr. Peters made a motion that we approve docket 11-097 with the respective variances, the fifty-foot right-of-way and installation of 3-foot deep safety ledge and the overflows. Mrs. Brown seconded the motion. Motion carried.

F. Reconstruction & Periodic Maint/Set Hearing Date

Doc	11-046	Located in:	JEFFERSON TOWNSHIP, SECTION 8
Drain Name:	Bandelier #3	Subdivision:	
Drain #:	09-34-900	Project:	SDI La Farga
Petitioner:	Miller Land Surveying	Engineer:	Miller Land Surveying

Reconstruction & Establishment of Periodic Maintenance Fund on the Bandelier #3 Drain. Requesting Hearing Date be set.

MOTION: Hearing date set for (Target date 12/8/11)

Mr. Frisinger explained some of the issues that are involved with reconstruction and periodic maintenance fund.

Mr. Nelson Peters motioned for approval for ACSO to set hearing date. Mrs. Brown seconded the motion. Motion carried. (Target date 12/8/11)

G. Certificate of Substantial Completion

Doc	11-094	Located in:	TOWNSHIP, SECTION
Drain Name:	Flat Rock	Subdivision:	
Drain #:	15-28-510	Project:	Flat Rock Drain Realignment
Petitioner:	ACSO/Ironclad Excavating	Engineer:	

Request approval of "Flat Rock Drain Substantial Completion" with final payment of \$59,029.65

MOTION: APPROVED

Mr. Frisinger recommended approval of final payment to Ironclad. Mrs. Brown motioned for approval of final payment on Flat Rock project to Ironclad. Mr. Peters seconded the motion. Motion carried.

H. Stormwater Management Plan Approval

Doc	11-102	Located in:	ABOITE TOWNSHIP, SECTION 8
Drain Name:		Subdivision:	Hamilton Meadows 6
Drain #:	11-05-160	Project:	
Petitioner:	Illinois Development	Engineer:	D.A. Brown Engineering

Requesting Stormwater Management Plan approval for Hamilton Meadows, Sec VI.

MOTION: APPROVED

Mr. Frisinger recommended approval. Mrs. Brown made a motion to approve the Stormwater Management Plan for Hamilton Meadows, Sec VI. Mr. Peters seconded the motion. Motion carried.

H. Discussion

Doc 06-273

Drain Name: Other

Drain #:

Petitioner: Grey Oaks Development

Located in: ABOITE TOWNSHIP, SECTION 17

Subdivision: Grey Oaks Sec II

Project:

Engineer: Sauer Land Surveying

Requesting Stormwater Management Plan approval for revised Grey Oaks Sec II.

MOTION: APPROVED

Originally approved in 2006. The plan is being resubmitted with new revisions and a new engineer. Mr. Frisinger recommended approval of revised SWMP. Mrs. Brown moved to approve submission of revised SWMP, subject to ACSO approval. Mr. Peters seconded the motion. Motion carried.

H. Discussion

Doc 11-052

Drain Name: B-N Schlatter Br

Drain #: 03-18-310

Petitioner: Erv Miller

Located in: CEDAR CREEK TOWNSHIP, SECTION 18

Subdivision:

Project:

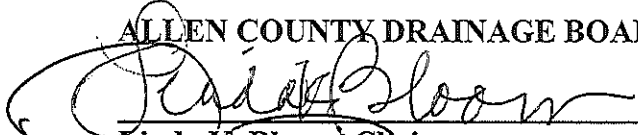
Engineer:

MOTION:


Discussion on Schlatter Drain assessment letters to be sent out to watershed. Decision needs to be made as to whether the letter sent out mentions ACHD being assessed (which would lower the property owners assessed amount) or without mention of the ACHD which means the watershed would be assessed the entire amount. Letters will be mailed without reference to ACHD being assessed.

Meeting was adjourned at 11:00

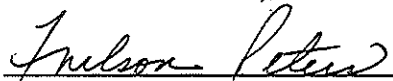
ALLEN COUNTY DRAINAGE BOARD



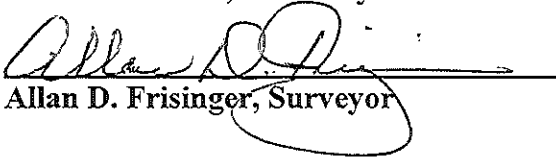
Linda K. Bloom, Chairperson



Therese M. Brown, Vice-Chairperson



F. Nelson Peters, Secretary



Allan D. Frisinger, Surveyor

10/27/11

Date