

# ALLEN COUNTY DRAINAGE BOARD

## AGENDA

for Regular Meeting and/or Public Hearing at 9:30 am on: **9/14/2023**  
CitizensSquare-Suite 035, 200 E. Berry Street, Fort Wayne, IN 46802-2737

### Call to Order

### Approval of Minutes from August 24, 2023

#### DOC # 23-061 PUBLIC HEARING/Establish PM

Project: Joseph Harding Drain/New PM Subd Sec Township: MILAN Twp Sec: 30  
Drain Name: Joseph Harding Designer:  
Drain #: 09-30-920 Petitioner: ACSO  
Action: Public Hearing for the Petition for Establishment of Periodic Maintenance for Joseph Harding Drain.  
Recommendation:

#### DOC # 23-073 PUBLIC HEARING/Vacation

Project: CC Hayes Br.1/Vacation/Cedar Grove Subd Sec Township: LAFAYETTE Twp Sec: 21  
Drain Name: CC Hayes Br.1 Designer: DA Brown Engineering  
Drain #: 16-21-640 Petitioner: Cedar Grove Development LLC  
Action: Public Hearing for Partial Vacation of the CC Hayes Br.1 Drain for Cedar Grove.  
Recommendation:

#### DOC # 23-105 PUBLIC HEARING/Vacation

Project: Frank Fair Drain/Vacation/Broad Acres Subd Sec Township: EEL RIVER Twp Sec: 26  
Drain Name: Frank Fair Designer: DA Brown Engineering  
Drain #: 01-26-120 Petitioner: New Venture Development Corp/Jim Morlan  
Action: Public Hearing for Vacation of the Frank Fair Drain, approx. 2885 LF of tile line located west of the western right of way of Hand Road to the confluence with the Hand Drain.  
Recommendation:

#### DOC # 23-106 PUBLIC HEARING/Vacation

Project: Hand Drain/Vacation/Broad Acres Subd Sec Township: EEL RIVER Twp Sec: 26  
Drain Name: Hand Designer: DA Brown Engineering  
Drain #: 01-26-110 Petitioner: New Venture Development Corp/Jim Morlan  
Action: Public Hearing for partial Vacation of the Hand Drain, approx. 2310 LF of tile line from the east right of way of Hand Road to the confluence with the Geller Drain.  
Recommendation:

#### DOC # 23-131 ESTABLISHMENT of NEW DRAIN and Periodic Maintenance

Project: Whisper Creek Subd Sec Township: CEDAR CREEK Twp Sec: 18  
Drain Name: Whisper Creek Designer: Lougheed & Associates  
Drain #: 03-18-330 Petitioner: Schwartz Development LLC  
Action: Petition for Establishment of a New Regulated Drain and Periodic Maintenance Fund for Whisper Creek.  
Recommendation: ACSO recommends approval.

#### DOC # 23-132 ENCROACHMENT

Project: Whisper Creek Subd Sec Township: CEDAR CREEK Twp Sec: 18  
Drain Name: Whisper Creek Designer: Lougheed & Associates  
Drain #: 03-18-330 Petitioner: Schwartz Development LLC  
Action: Petition for Encroachment within the drainage easement of Whisper Creek Drain for new home construction including all appurtenant structures for Whisper Creek.  
Recommendation: ACSO recommends approval.

#### DOC # 23-133 ENCROACHMENT

Project: Whisper Creek Subd Sec Township: CEDAR CREEK Twp Sec: 18  
Drain Name: Beightle Nettlehorst Ditch Designer: Lougheed & Associates  
Drain #: 03-21-300 Petitioner: Schwartz Development LLC  
Action: Petition for Encroachment within the drainage easement of Beightle Nettlehorst Drain for new home construction including all appurtenant structures for Whisper Creek.  
Recommendation: ACSO recommends approval.

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**DOC # 23-134 ENCROACHMENT**

Project:  Subd Sec                      Township: CEDAR CREEK      Twp Sec: 18  
Drain Name: Sarah Beightle                      Designer: Lougheed & Associates  
Drain #: 03-18-300                      Petitioner: Schwartz Development LLC  
Action: Petition for Encroachment within the drainage easement of Sarah Beightle Drain for new home construction including all appurtenant structures for Whisper Creek.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-100 ESTABLISHMENT of NEW DRAIN and Periodic Maintenance**

Project:  Subd Sec Ranch/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Establishment of a New Regulated Drain and Periodic Maintenance Fund for the Ranch at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-101 ENCROACHMENT**

Project:  Subd Sec Ranch/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Fair Drain for new home construction including all appurtenant structures for the Ranch at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-187 ENCROACHMENT**

Project:  Subd Sec Ranch/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Geller                      Designer: DA Brown Engineering  
Drain #: 01-31-940                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Geller Drain for new home construction including all appurtenant structures for the Ranch at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-102 ESTABLISHMENT of NEW DRAIN and Periodic Maintenance**

Project:  Subd Sec Fields/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Establishment of a New Regulated Drain and Periodic Maintenance Fund for the Fields at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-103 ENCROACHMENT**

Project:  Subd Sec Fields/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Broad Acres Drain for new home construction including all appurtenant structures for the Fields at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-148 ESTABLISHMENT of NEW DRAIN and Periodic Maintenance**

Project:  Subd Sec Lakes/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Establishment of a New Regulated Drain and Periodic Maintenance Fund for the Lakes at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-149 ENCROACHMENT**

Project:  Subd Sec Lakes/1                      Township: EEL RIVER      Twp Sec: 26  
Drain Name: Broad Acres                      Designer: DA Brown Engineering  
Drain #: 01-26-140                      Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Broad Acres Drain for new home construction including all appurtenant structures for the Lakes at Broad Acres.

Recommendation: **ACSO recommends approval.**

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**DOC # 23-161 ESTABLISHMENT of NEW DRAIN and Periodic Maintenance**

Project: Broad Acres, Grasslands at Subd Sec Grasslands/1 Township: EEL RIVER Twp Sec: 26  
Drain Name: Broad Acres Designer: DA Brown Engineering  
Drain #: 01-26-140 Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Establishment of a New Regulated Drain and Periodic Maintenance Fund for the Grasslands at Broad Acres.

Recommendation: **ACSO recommends approval.**

**DOC # 23-162 ENCROACHMENT**

Project: Broad Acres, Grasslands at Subd Sec Grasslands/1 Township: EEL RIVER Twp Sec: 26  
Drain Name: Broad Acres Designer: DA Brown Engineering  
Drain #: 01-26-140 Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Broad Acres Drain for new home construction including all appurtenant structures for the Grasslands at Broad Acres.

Recommendation: **ACSO recommends approval.**

**DOC # 23-186 ENCROACHMENT**

Project: Broad Acres, Grasslands at Subd Sec Grasslands/1 Township: EEL RIVER Twp Sec: 26  
Drain Name: Fair Designer: DA Brown Engineering  
Drain #: 01-26-100 Petitioner: New Venture Development Corp/Jim Morlan  
Action: Petition for Encroachment within the drainage easement of Fair Drain for new home construction including all appurtenant structures for the Grasslands at Broad Acres. Also construction of 18" sanitary sewer under the drain, due to being less than 5' of cover it will be protected by concrete encasement to ACSO standards.

Recommendation: **ACSO recommends approval.**

**DOC # 23-185 ENCROACHMENT**

Project: Salomon Farms/Sanitary Sewer Subd Sec Township: EEL RIVER Twp Sec: 26  
Drain Name: Geller Designer: DA Brown Engineering  
Drain #: 01-31-940 Petitioner: Salomon Farms Holdings, LLC/David Salomon  
Action: Petition for Encroachment within the drainage easement of Geller Drain for installation of 15" sanitary sewer under the drain, due to being less than 5' of cover it will be protected by concrete encasement to ACSO standards

Recommendation: **ACSO recommends approval.**

**DOC # 23-174 ENCROACHMENT**

Project: Private residence/2611 Fair oak Dr Subd Sec Township: WAYNE Twp Sec: 28  
Drain Name: Boroff Designer: Hillside Pools  
Drain #: 12-28-200 Petitioner: Mike & Lisa Palmer  
Action: Petition for Encroachment within the drainage easement of Boroff Drain for construction of inground pool 35' from top of bank of regulated drain.

Recommendation: **ACSO recommends approval.**

**DOC # 23-175 ENCROACHMENT**

Project: Private residence/1295 Verdigris Pass Subd Sec Township: PERRY Twp Sec: 20  
Drain Name: Copper Creek Designer:  
Drain #: 02-20-220 Petitioner: Kateri & Joseph Smith  
Action: Petition for Encroachment within the drainage easement of Copper Creek Drain in Coves of Copper Creek for new privacy fence 3' into the west side yard 5' easement and small SE corner of back yard in Anson Dunten drain easement.

Recommendation: **ACSO recommends approval.**

**DOC # 23-176 ENCROACHMENT**

Project: City of Fort Wayne/Culvert Subd Sec Township: ADAMS Twp Sec: 32  
Drain Name: Virts Designer: Anne Marie Smrcek  
Drain #: 13-32-180 Petitioner: City of Fort Wayne  
Action: Petition for Encroachment within the drainage easement of Virts Drain for City of Fort Wayne to install a 7' x 4.5' Box Culvert Structure and riprap on Hessen Cassel Road.

Recommendation: **ACSO recommends approval.**

**DOC # 23-177 ENCROACHMENT**

Project: Private residence/18423 Tonkel Rd Subd Sec Township: PERRY Twp Sec: 1  
Drain Name: Paul Freeman Designer:  
Drain #: 03-15-150 Petitioner: Samuel Parker  
Action: Petition for Encroachment within the drainage easement of Paul Freeman Drain for new inground swimming pool 64' from TOB of drain.

Recommendation: **ACSO recommends approval.**

**DOC # 23-178 ENCROACHMENT**

Project: Private residence/10307 N. State Line Rd Subd Sec Township: MAUMEE Twp Sec: 2  
Drain Name: Mathias Foote Designer:  
Drain #: 10-02-100 Petitioner: Alvin Schmucker  
Action: Petition for Encroachment within the drainage easement of Mathias Foote Drain for 385' of new 10" drainage tile to outfall to roadside swale above the regulated drain.

Recommendation: **ACSO recommends approval.**

**DOC # 23-179 ENCROACHMENT**

Project: Private residence/2032 Brown Rd Subd Sec Township: LAKE Twp Sec: 33  
Drain Name: Maley Oser Designer:  
Drain #: 06-33-610 Petitioner: Jon Kurtz  
Action: Petition for Encroachment within the drainage easement of Maley Oser Drain for new construction of pole barn 67' from county tile to replace his building lost in wind storm.

Recommendation: **ACSO recommends approval.**

**DOC # 23-169 CERTIFICATION of ASSESSMENT**

Project: Verona Lakes Subd Sec 4 Township: ABOITE Twp Sec: 6  
Drain Name: Verona Lakes Designer: Sauer Consulting LLC  
Drain #: 11-06-150 Petitioner: Springmill Woods Development, LLC/James Lancia  
Action: Certification of Assessment for Periodic Maintenance of 33 lots at \$50/unit for Verona Lakes Sec IV for an annual collection of \$1650.00. Total assessment for all certified sections of Verona Lakes will be \$6150.00 with a 4 year high balance of \$24,600.00.

Recommendation: **ACSO recommends approval.**

**DOC # 23-170 CERTIFICATION of ASSESSMENT**

Project: Haven, The Subd Sec 3 Township: ABOITE Twp Sec: 1, 2  
Drain Name: Haven, The Designer: DA Brown Engineering  
Drain #: 11-01-130 Petitioner: North Eastern Development Corp./Jim Morlan  
Action: Certification of Assessment for Periodic Maintenance of 53 lots at \$50/unit for The Haven Sec III for an annual collection of \$2650.00. Total assessment for all certified sections of The Haven will be \$5750.00 with a 4 year high balance of \$23,000.00.

Recommendation: **ACSO recommends approval.**

**DOC # 23-184 ESTABLISHMENT OF PERIODIC MAINTENANCE**

Project: Mowrer Drain/New PM Subd Sec Township: Twp Sec:  
Drain Name: Mowrer Designer:  
Drain #: 08-24-068 Petitioner:  
Action: Petition for Establishment of Periodic Maintenance for Mowrer Drain. Motion to proceed and set public hearing date.

Recommendation: **ACSO recommends motion to proceed and set public hearing date for 10/26/23.**

**Other Business . . .**

**Public Comment . . .**

**The next Allen County Drainage Board Meeting is scheduled for September 28, 2023 at 9:30 am unless otherwise noted by the Board.**

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Allen County, should contact Allen County ADA and Title VI Coordinator Laura Maser, (260) 449-7555, [laura.maser@allencounty.us](mailto:laura.maser@allencounty.us), as soon as possible but no later than forty-eight (48) hours before the scheduled event. Individuals requiring special language services should, if possible, contact the Allen County Government ADA and Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed. The meeting is open to the public.