

## AGENDA

# Meeting to Determine Necessity of Petition for Proposed Maintenance and Improvements

### **VAN CASS INTERCOUNTY DRAIN**

(Van Buren and Cass Counties)

<https://us02web.zoom.us/j/89490118487>  
**312-626-6799; meeting ID: 894 9011 8487**  
**9:00 a.m., December 21, 2020**

1. Call to order
2. Introduction of Drainage Board Members and engineer
  - Brady Harrington, Chairperson, Michigan Department of Agriculture
  - Joe Parman, Van Buren County Drain Commissioner
  - Bruce Campbell, Cass County Drain Commissioner
  - Dan Fredricks, Land & Resource Engineers
3. Motion to elect Secretary
4. Approval of the agenda and meeting minutes
5. Reading of petition, explanation of procedures and voting rules - Chair
6. Presentation of preliminary engineering – Dan Fredricks
7. Public comment and questions
  - Please state name and relation to drain
  - Limit comments to 5 minutes until everyone has their first opportunity to speak
  - Be specific/describe problems or desired changes
8. Board member comments
9. Motion regarding necessity of the drain for the good of the public health, convenience, or welfare
10. Motion regarding revising drainage district boundaries
11. Motion to retain financial consultant(s) and authorize interim borrowing
12. Closing comments and administrative procedures
13. Adjourn

## **History and procedure**

The Van Buren County Drain Commissioner received a petition from 69 freeholders on May 28, 2019 requesting maintaining and improving of the Van Cass Intercounty Drain to address drainage issues in Marcellus Township in Cass County and Porter Township in Van Buren County.

The Drainage Board met on August 23, 2019 and determined that the petition was sufficient and the requested improvement was practical. The Drainage Board retained to provide preliminary engineering alternatives and cost estimates.

Today's meeting is to make a public presentation of the preliminary engineering study and engineer's recommendations and cost estimates and to receive additional public testimony. The Board will make a decision based on the engineering study and testimony received at this hearing and earlier in the process, from the petitioners, landowners and local officials as to whether or not it is necessary for the good of the public health, convenience, or welfare to proceed with some level of construction project to provide the relief requested.

The decisions today will be made by a majority vote of this Board. The Chairperson does not vote except in the event of a tie (abstentions are not allowed)

Again, it should be made clear that the Board will be deciding if there should be a project to address the relief requested in the petition and whether the project is necessary for the good of the public health, convenience, or welfare.

If the Board makes the determination that there is no need for any level of project, and there is no appeal, the petition process comes to an end and the costs of the procedure to date will be apportioned among the drainage district counties. These costs will be apportioned according to the benefits that would have accrued to the counties if the project had been completed.

If this Board finds a project Necessary at the end of today's proceedings and there is no appeal within the designated 10 days, this Board in conjunction with the recommendations of the engineer and testimony received from the hearing process, will decide on scope and breadth of the project to be constructed.

You have the right to appeal the decision of the Board whether the Board decides yes or no. Your appeal is to the Circuit Court of the county in which you reside, within 10 days of today's hearing. The scope or design of the project is not subject to appeal.