

Rifle River Outlet Drain

Hearing to Add County to District

Ogemaw County Fairgrounds

December 9th, 2021

6:00 PM

Drainage Board

- ❑ Michael R. Gregg – Michigan Department of Agriculture and Rural Development (MDARD)

- ❑ Larry Davis – Arenac County Drain Commissioner

- ❑ Terry Walters – Gladwin County Drain Commissioner
 - ❑ Acting as Special Commissioner for Ogemaw County
 - ❑ Ogemaw County Drain Commissioner Michael R. DeMatio owns land in proposed district therefore he cannot serve on board

Meeting Agenda

- I. Introduction
- II. Purpose of Meeting
- III. Engineering Presentation
- IV. Public Testimony
- V. Drainage Board Vote
- VI. Next Steps
- VII. Adjournment

Consultants

- ❑ Engineering – Spicer Group, Inc.
 - ❑ Ronald B. Hansen, P.E., P.S.

- ❑ Attorney – Fahey Schultz Burzych Rhodes PLC
 - ❑ Stacy L. Hissong

Purpose of Meeting

- ❑ To hear public testimony regarding the addition of a county to the Rifle River Outlet Drain drainage district according to Michigan Drain Code Section 197(3).
- ❑ Previously, a Drainage Board Meeting was held on August 30th, 2021. The Drainage Board did not reach a decision as to the addition of land in Ogemaw County to the Rifle River Outlet Drain Drainage District at the time. This was to ensure all property owners within the current and proposed drainage district received notice of the meeting.

Michigan Drain Code of 1956

□ Sec. 197(3)

- Drain commissioner determines that drainage district should be revised and sends notice to Director of MDARD
- Director of MDARD calls a meeting of the drainage board, which includes the drain commissioners of involved counties
- Notice is given to persons owning land and all counties, cities, townships, and villages within proposed revised district
- Drainage board hears testimony from the public regarding the proposed revised drainage district
- Drainage board determines if addition of county is necessary

Michigan Drain Code of 1956

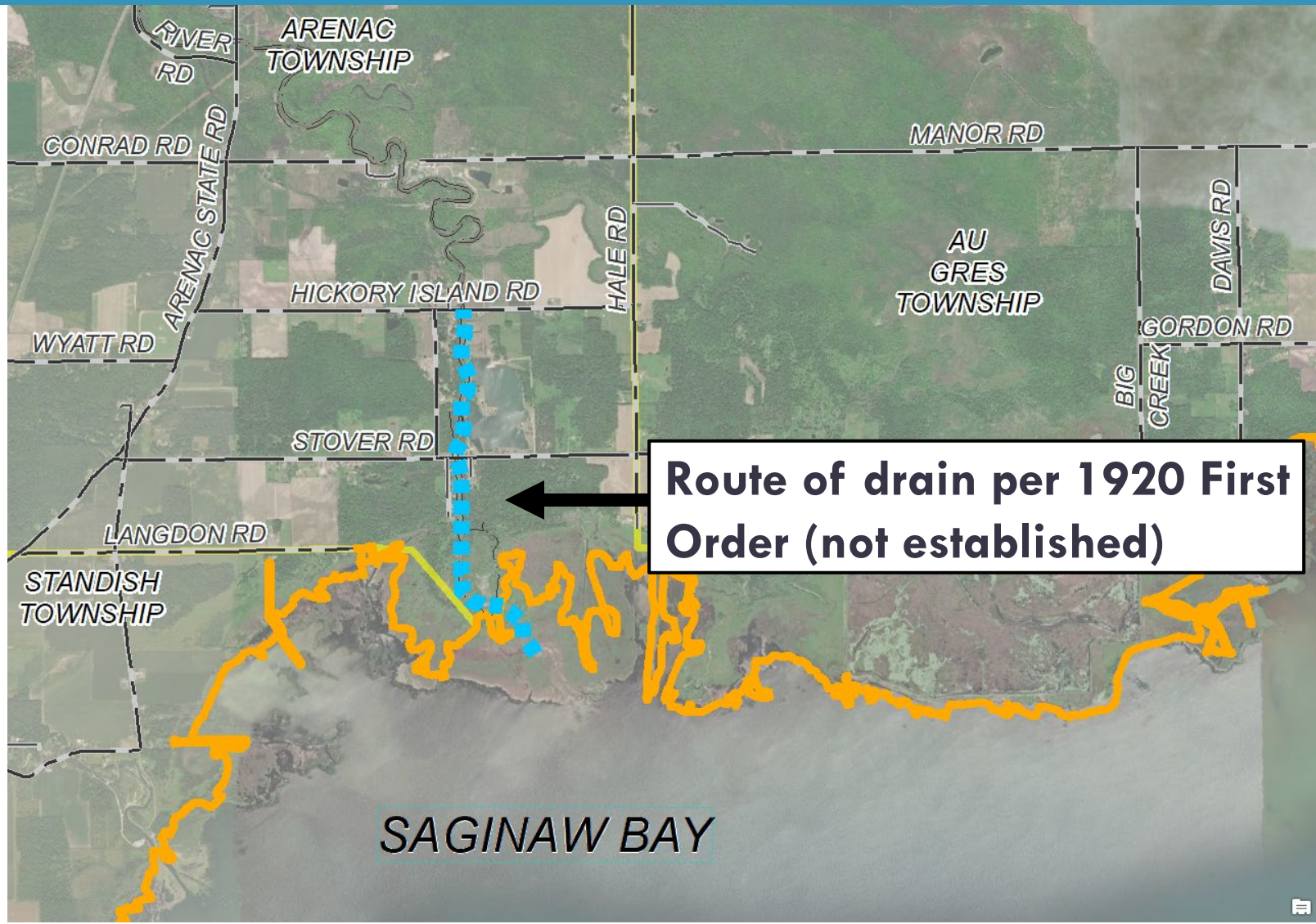
- ❑ Sec. 197(3)
 - ❑ If deemed necessary – drainage district is delineated, revised drainage board is designated, and apportionments between counties are set
 - ❑ Drainage district boundaries can be confirmed/revised during a Day of Review in each county
 - ❑ Persons owning land in revised drainage district may attend day of review and provide evidence relative to the district boundaries

Drain History

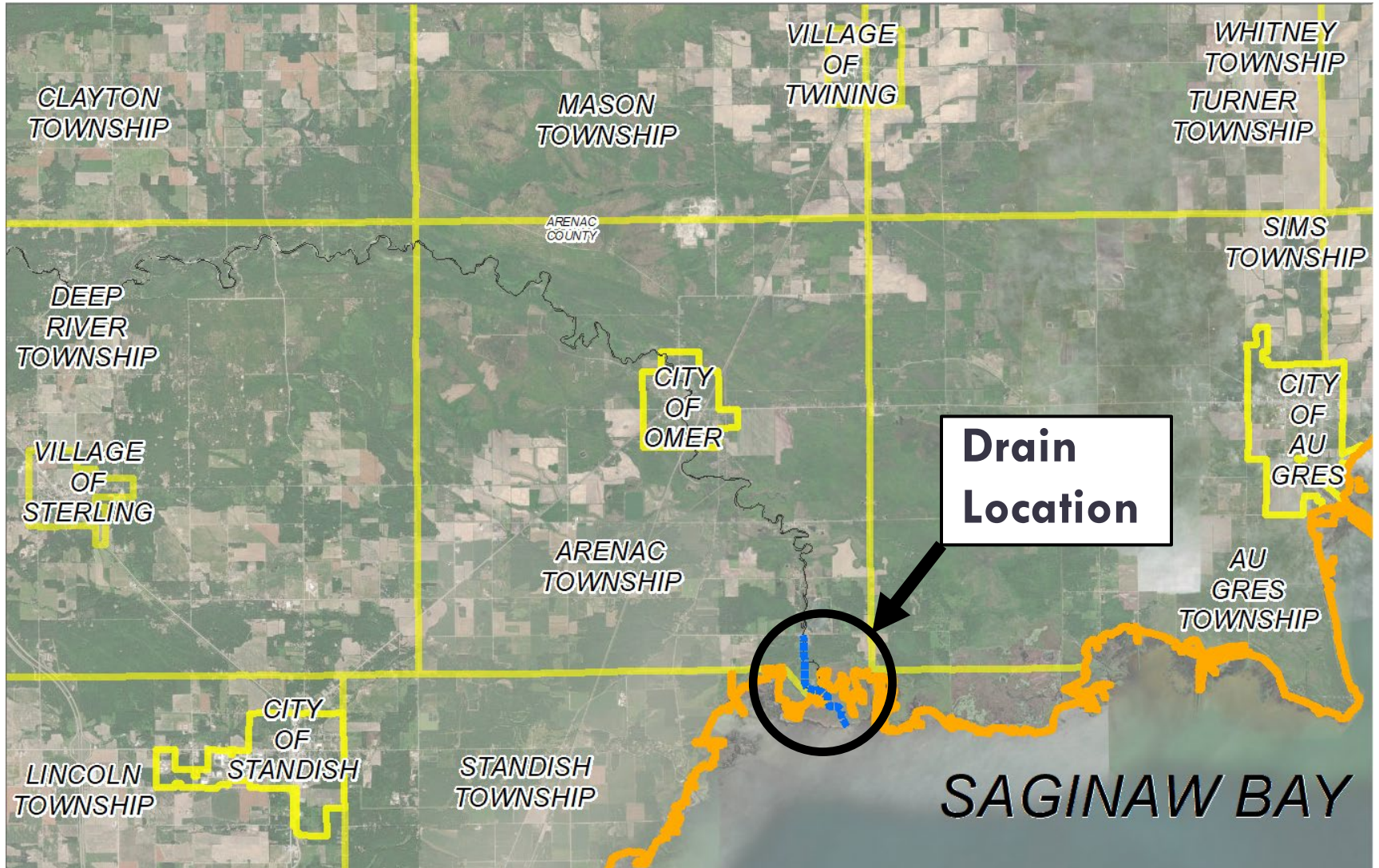
- ❑ 1920 proceedings initiated for Rifle River Intercounty Drain between Ogemaw and Arenac Counties
 - ❑ Proceedings were never completed

- ❑ Separate proceedings established the “Rifle River Outlet Drain” in Arenac County in 1950
 - ❑ Drain route shown on map
 - ❑ Approx. 1.5 miles long
 - ❑ 1950’s assessment district area: 116 sq. miles
 - ❑ Includes only Arenac County

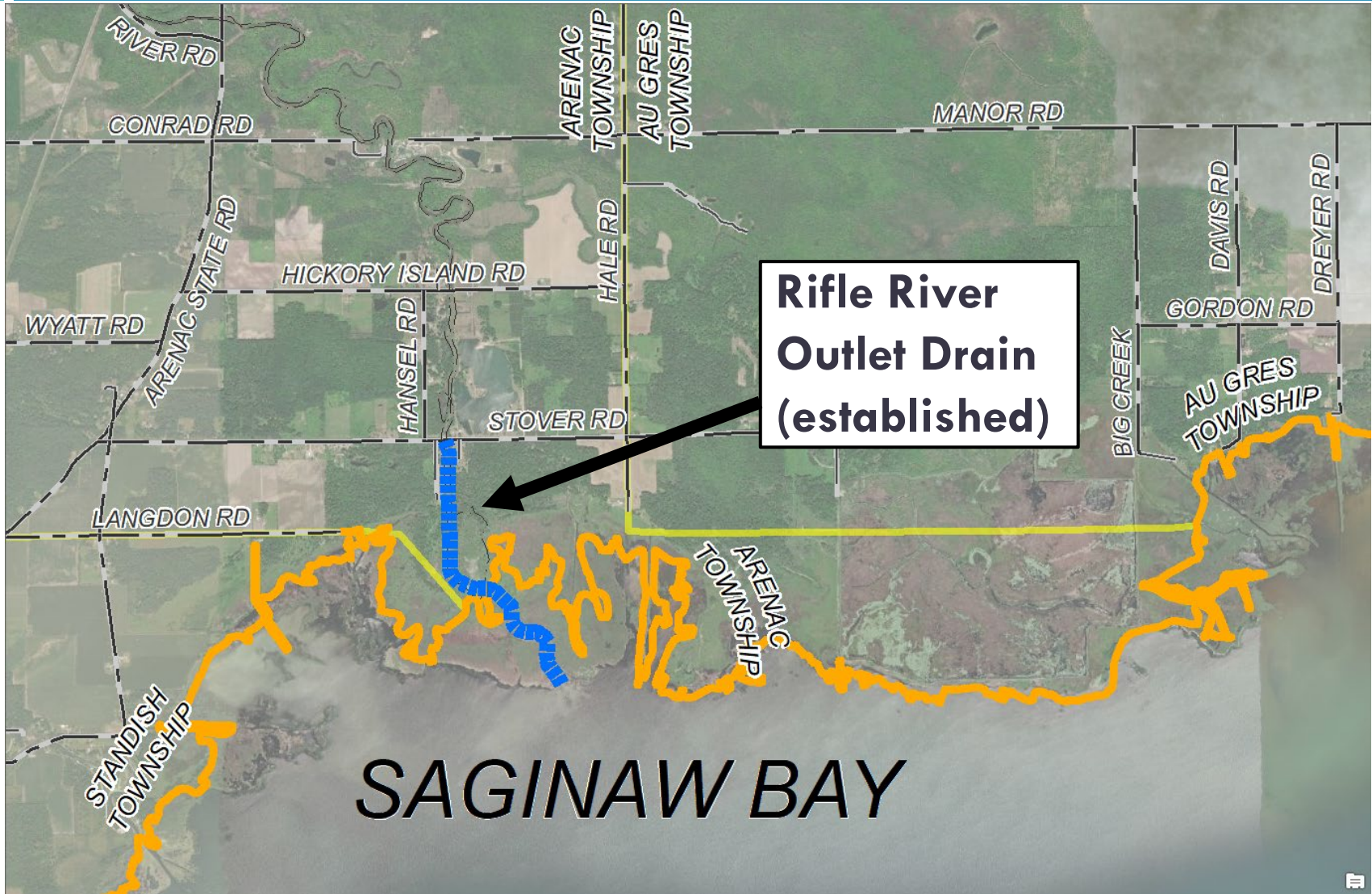
Drain History (1920 proceedings)



Drain History (1950 proceeding)



Drain History (1950 proceeding)

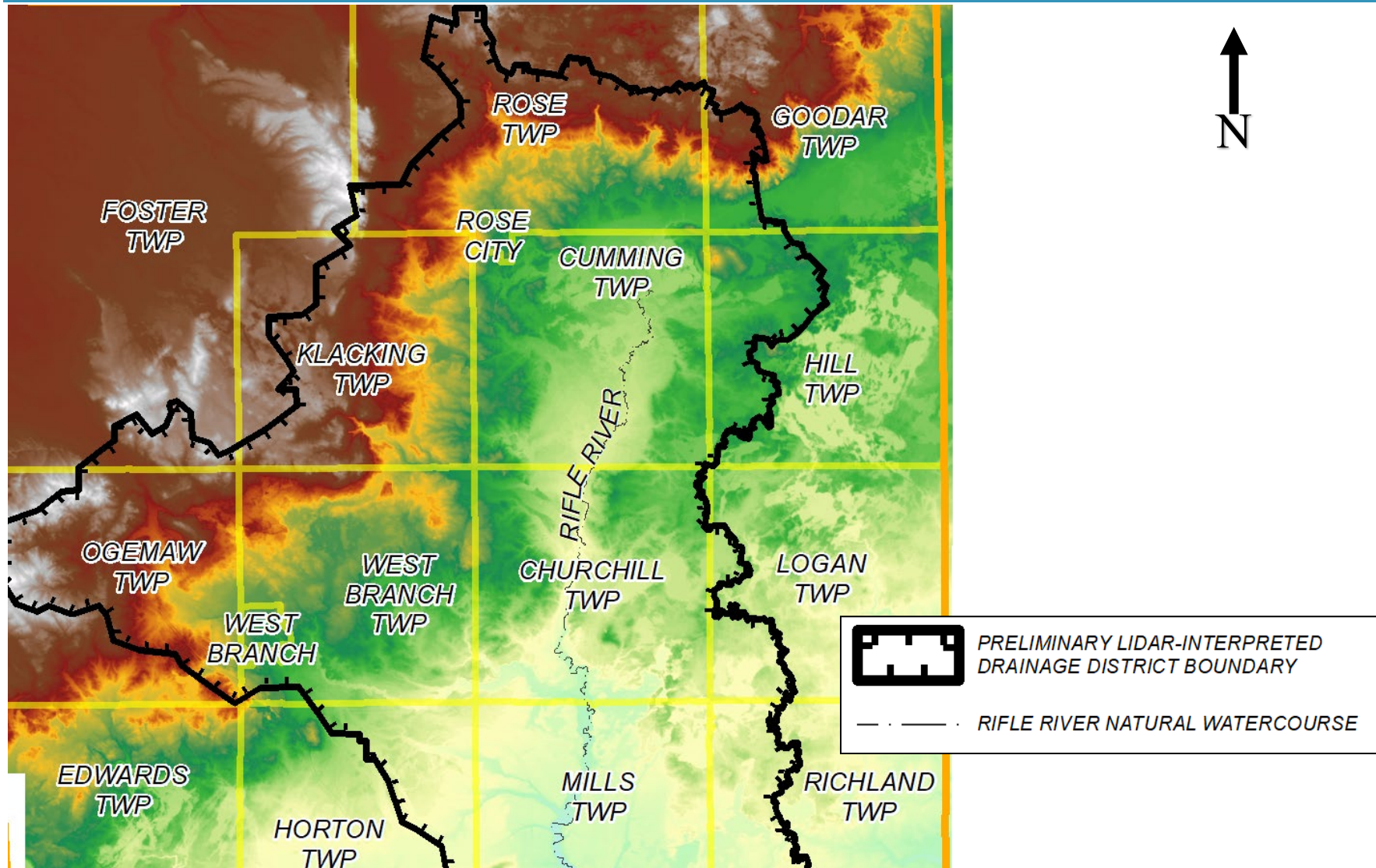


Drainage District

- ❑ What is a drainage district?
 - ❑ Lands that contribute stormwater to the drain
 - ❑ The drainage district serves as the assessment district

- ❑ How is a drainage district determined?
 - ❑ Identify lands that contribute water to the drain
 - ❑ Directly or indirectly connected to drain
 - ❑ Based on surface water flow
 - ❑ Review LiDAR elevation data
 - ❑ Review existing maps and aerial photos
 - ❑ Field review

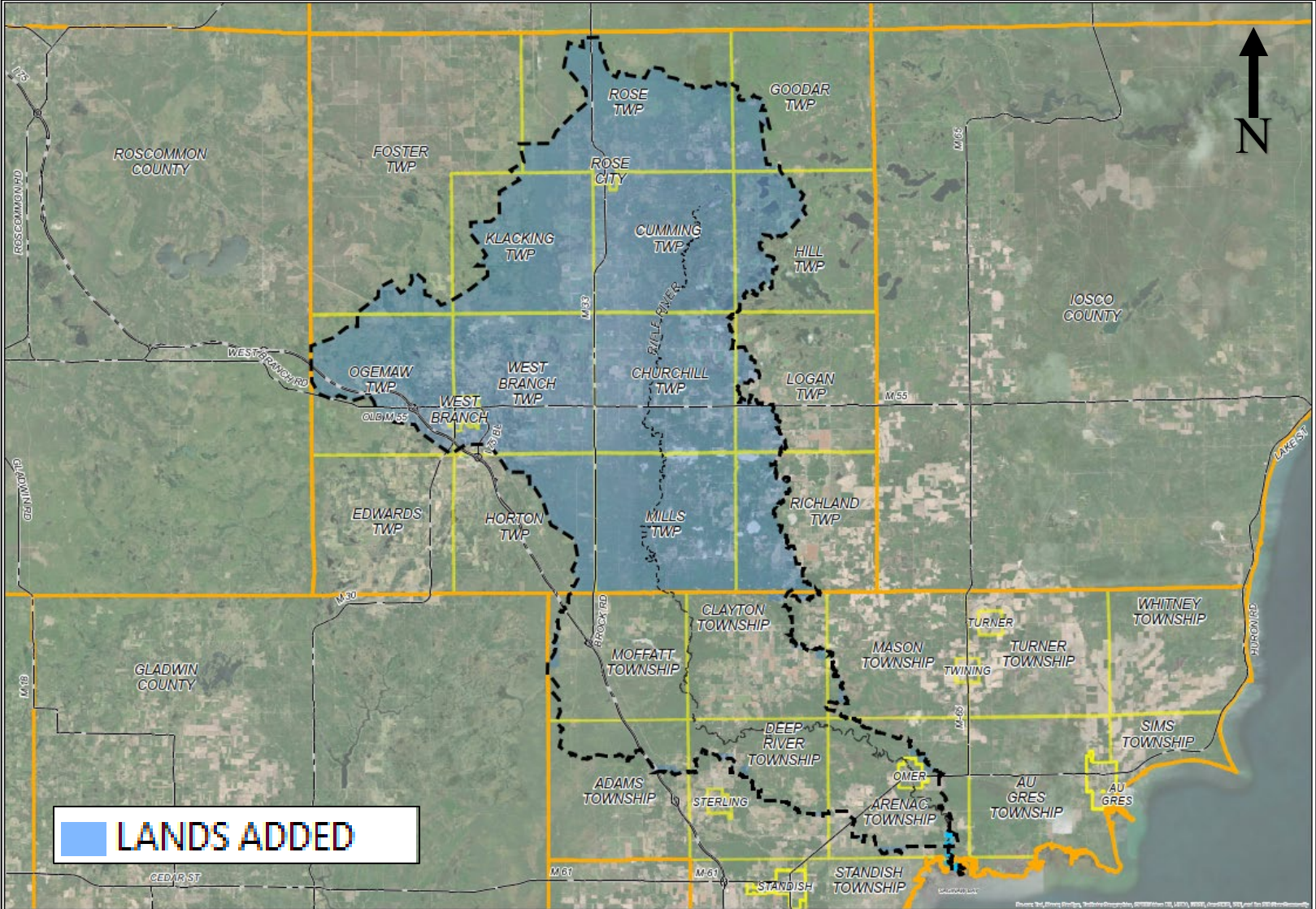
Drainage District (LiDAR Example)



Drainage District

- ❑ Current Rifle River Outlet Drain drainage district established in 1950
 - ❑ Developed based on historical drainage patterns
 - ❑ Original assessment district included only Arenac County
- ❑ Rifle River Outlet Drain recommended drainage district includes:
 - ❑ Lands that currently utilize the Rifle River Outlet Drain, but were not previously in the drainage district
 - ❑ Approx. 276 sq. miles added to district

Drainage District



Drainage District

- ❑ Rifle River Outlet Drain recommended drainage district includes:
 - ❑ Arenac County (108 sq. miles)
 - ❑ Adams Township
 - ❑ Arenac Township
 - ❑ Clayton Township
 - ❑ Deep River Township
 - ❑ Mason Township
 - ❑ Moffatt Township
 - ❑ City of Omer

Drainage District

- ❑ Rifle River Outlet Drain recommended drainage district includes:
 - ❑ Ogemaw County (approx. 276 sq. miles)
 - ❑ Churchill Township
 - ❑ Cumming Township
 - ❑ Foster Township
 - ❑ Goodar Township
 - ❑ Hill Township
 - ❑ Horton Township
 - ❑ Klacking Township
 - ❑ Mills Township
 - ❑ Logan Township
 - ❑ Ogemaw Township
 - ❑ Richland Township
 - ❑ Rose Township
 - ❑ West Branch Township
 - ❑ City of Rose City
 - ❑ City of West Branch

Drain Maintenance

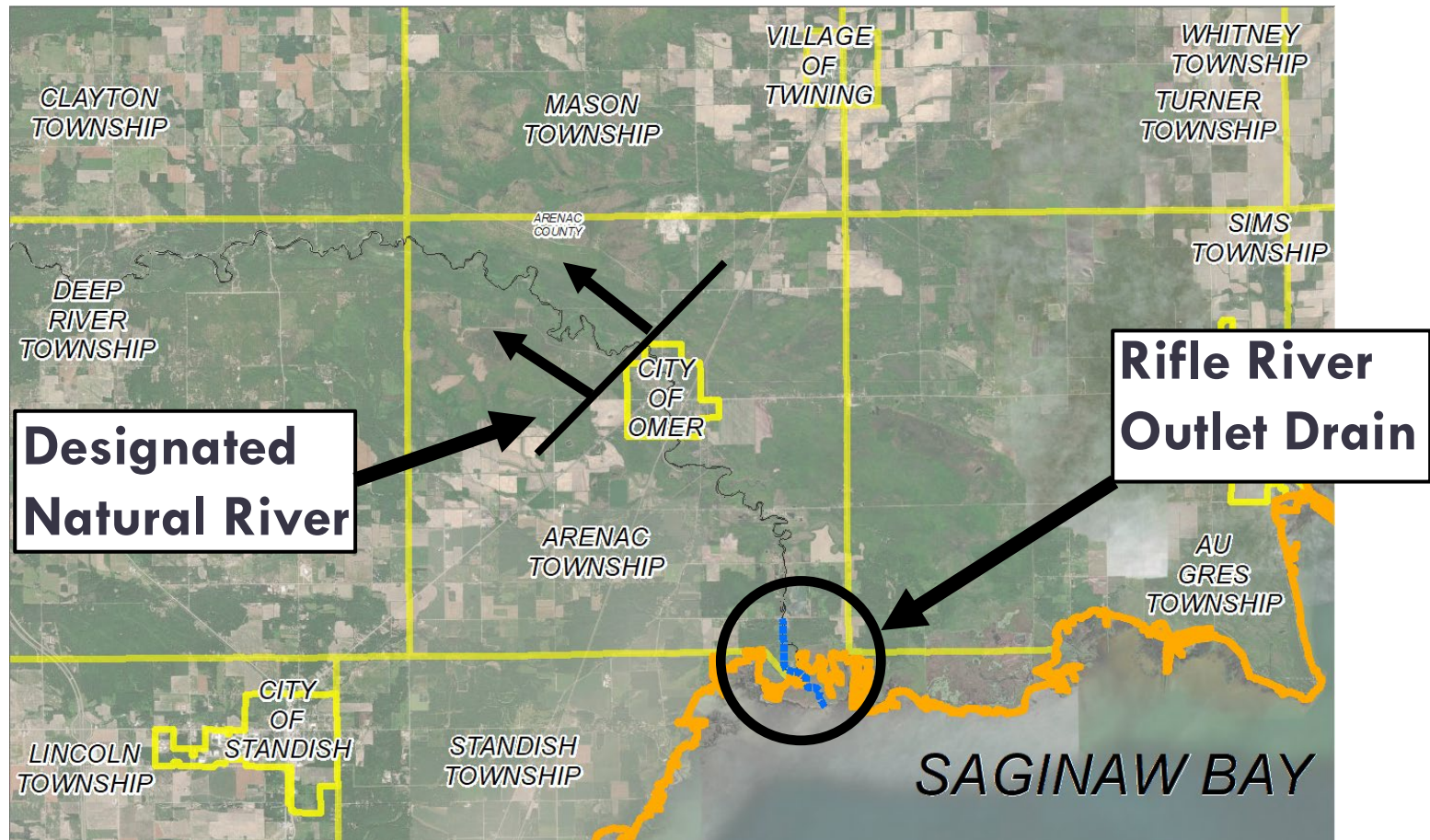
- ❑ Annual limitation for maintenance - \$10,000*
 - ❑ Same limitation whether lands are added or not

- ❑ Only way to exceed limitation is to have a resolution to exceed maintenance limit, petition or emergency
 - ❑ Currently there is NOT a petition, resolution or emergency

*Maintenance amount is for construction only, does not include professional services fees

Established Drain Route

- Without petition the established drain route cannot be extended or changed



Tentative Drainage District Breakdown

- ❑ If Ogemaw county is added, the drainage district may include the following:
 - ❑ Arenac County
 - ❑ Approx. 5,800 parcels
 - ❑ Six (6) townships
 - ❑ One (1) city
 - ❑ Ogemaw County
 - ❑ Approx. 18,800 parcels
 - ❑ Thirteen (13) townships
 - ❑ Two (2) cities
 - ❑ MDOT
 - ❑ Railroads
- ❑ Project cost shared amongst all entities listed above

Tentative Apportionment Between Counties

- ❑ Apportionment between counties *MAY* be determined based on the following:
 - ❑ Acreage
 - ❑ Land Use
 - ❑ Proximity to established drain
 - ❑ Length of use
 - ❑ Others

Public Testimony

- ❑ Correspondence received prior to meeting
- ❑ *Please fill out a comment card.*
- ❑ The speaking order will be on a first come, first served basis
- ❑ State your full name and address. Spell your last name for the court reporter
- ❑ Limit comments to 3 minutes

Next Steps (if Ogemaw NOT added)

- ❑ Remains County Drain
- ❑ Only Arenac County parcels are assessed
- ❑ Drainage district boundary is updated to include individual parcels
- ❑ Apportionments will be set
- ❑ Public hearings for district boundary and apportionments will be held

Next Steps (if Ogemaw IS added)

- ❑ Becomes Intercounty Drain
- ❑ Tentative percentages between Counties are set
- ❑ Drainage district boundary is updated to include individual parcels
- ❑ Apportionments in each County will be set
- ❑ Public hearings in each County for district boundary and apportionments will be held