

Curtice & Branches Intercounty Drain
Intercounty Drain Drainage Board Meeting Minutes
Tuesday, October 18, 2022

The Drainage Board for the Curtice & Branches Intercounty Drain met at the office of the Midland County Drain Commissioner, 220 W. Ellsworth St., Midland, Michigan at 10:00 a.m. on Tuesday, October 18, 2022.

Present: Joe Brezvai, MDARD, Chairman
Joe Sova, Midland County Drain Commissioner
Terry Walters, Gladwin County Drain Commissioner

Also Present: Lucy Zeestraten, Gladwin County Deputy Drain Commissioner
Norma Stuart, Midland County Deputy Drain Commissioner
Nick Czerwinski – Spicer Group
Christian Valesano – Spicer Group
Jim Davis, MDOT
Tonya Lewandowski, ECT (via Teams)

Chairman Brezvai called the meeting to order at 10:00 a.m. and made introductions.

Joe Sova made a motion to elect Midland County to serve as secretary, seconded by Terry Walters.
Motion carried unanimously by roll call vote.

Walters moved to approve the agenda. Sova seconded the motion.
Motion carried unanimously by roll call vote

Sova made a motion to accept and file the minutes from September 27, 2022. Walters seconded the motion.
Motion carried unanimously by roll call vote.

Chairman Brezvai called on Tonya Lewandowski to go over the Professional Services Agreement (PSA) for the NRCS contract. 15 miles of drain, ROW being 132 feet, brings the total area to 240 acres of wetland delineation and also threatened & endangered (T&E) desktop review.

Task 1: The T & E desktop review to determine habitat residing in the 240 acres and what impact the project will have on them and what to do to protect those species. This task does not include any additional work that may be required. Nick Czerwinski asked what would be done so the contractor does not disturb those areas, if there are any (specifically bat trees), and would a field review be needed. Lewandowski said that she does not think a field review will be needed. The cost of this task is \$7,540.00 (Time & materials not to exceed cost)

Task 2: Wetlands & Water Resources delineation. ECT Crews and support staff will be sent out, and all boundaries of wetlands will be identified & measured. Will work with Spicer and how to mark. GPS will be used to mark wetlands, soil samples and vegetation will be collected. Other tributaries or water bodies will be identified. Ordinary water mark & bank height & width. Will provide Wetland delineation report. Photos & log, vegetation assessment. Will include GIS mapping documentation. Summary of the jurisdictional wetland and any potential impact areas

will be provided to the Board. ECT will work with NRCS to make sure that all requirements are met. The cost of this task is \$29,225.00 (Time & materials not to exceed cost)

Lewandowski stated that it could take about two weeks to collect the data out in the field and another week to assemble the reports. If ECT can get 4-6 staff members in the field, they may be able to complete the field work in a week. It has to fall inside of the NRCS growing season which is usually the last week of October 30th. Growing season is considered over when the temperature drops to 28° for 3 days/nights in a row. She has asked NRCS to give ECT to the second week in November to complete the field work. As of today, there has not been a denial of that request. It is all dependent of the weather.

Nick Czerwinski asked about not being able to get the field work done this year, does that push us into spring, which is when NRCS could perform these tasks at no extra cost. NRCS still has to do a cultural review. Lewandowski said that Dwayne (NRCS) would be available the last week of October for his field review. She also stated that Barb from NRCS said that if it could not be done this fall, that she would put it on her schedule for next spring, but that Barb is only one person to get the study done and it would take time.

Sova asked Lewandowski what the drop dead date for the field study to be done. Lewandowski stated that the reply from NRCS said they see no problem at this time extending the deadline past October 30.

Chairman Brezvai asked Lewandowski about the possibility that if the review is not completed this fall, would the NRCS use the work ECT did and continue on or would we have to start all over. Lewandowski does not feel we would have to start over, but she will confirm and send an email. She will talk with Barb at NRCS regarding this issue, should it happen.

Lewandowski stated that she has no problem putting language in the PSA stating that if it cannot be completed in this grow season that a revisit in March to see if NRCS will be able to complete the review.

Chairman Brezvai asked Lewandowski the grow season for our area. Lewandowski stated the typical grow season for the Gladwin/Midland area is typically April 13 – October 30.

Chairman Brezvai asked Czerwinski if this process is going to hold up the schedule. Czerwinski stated that it should not affect the schedule in regards to the wetland, since we are working in the existing spoil piles, but the bat trees could push it off a little, but does not think it changes the proposed scope of the work.

Chairman Brezvai asked Lewandowski when they plan to do the field review. Lewandowski expects to do the field review the week of October 30. This date is because of staff issues and Dwayne not being available until then. She hopes to have enough staff to complete the review in one week.

Czerwinski stated that to drum up interest in bidding the date for substantial completion should be pushed to fall 2024 instead of 2023.

Sova moved to accept the PSA with the caveat that if ECT cannot complete the T&E and Wetlands delineation this fall, that we will revisit the PSA in spring 2023. Walters seconded the motion. Motion carried unanimously by roll call vote.

Sova moved to authorize the Chairman to sign the PSA. Walters seconded the motion. Motion carried unanimously by roll call vote.

Czerwinski gave an update on items for the project that are still outstanding. The easement review for Midland County is complete. Gladwin County should be done in the next few weeks. Mikulin is still deciding on a crossing or using stepping stones. Perkins has decided to go with a Rockford crossing.

Christian Valesano they did a field review of branch No. 4 and now they will look to see if those newer culverts can be used in other places. The EGLE preapproval required for Gladwin County will be submitted after the Wetland review is done by ECT.

Czerwinski said that when plans are at 80% he will send them out to the Road Commissions and utility companies for their comments. He feels we are about two months out until final plans and specs are ready.

Sova asked to have existing easements to be brought to updated parcels and have recorded. Chairman Brezvai said it can be done and will add that to the next meeting agenda.

Chairman Brezvai presented the financial report. Current balance is (\$165,288.01). Sova made a motion to accept and file the Treasurers report, seconded by Walters.

Motion carried unanimously by roll call vote.

Chairman Gregg presented Spicer invoice #217094 in the amount of \$12,839.50 along with an invoice from Fahey Schultz #6677 in the amount of \$38.00. Walters made a motion to pay the invoices, seconded by Sova.

Motion carried unanimously by roll call vote.

Drain Orders were circulated for signatures.

Sova presented a ROW permit from Consumers to bore a gas line 10' below drain bottom at Robinson Industries at 6441 N. M18. Walters made a motion to have Sova review and approve and sign the permit, seconded by Sova.

Motion carried unanimously by roll call vote.

There was no public comment

Czerwinski thinks the Day of Review of Drainage District Boundaries can be done after the holidays.

Date of next meeting was set for January 17, 2023 at the Midland County Drain Commission.

Walters made a motion to adjourn, seconded by Sova. Meeting adjourned at 11:13 a.m.

Respectfully submitted,



Joseph J. Sova
Midland County Drain Commissioner