



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE  
AND RURAL DEVELOPMENT

GARY MCDOWELL  
DIRECTOR

## Notice of Drainage Board Meeting For Determination of Necessity

### DUNCAN LAKE INTERCOUNTY DRAIN (Barry, Allegan and Kent Counties)

**DATE:** September 22, 2022  
**TIME:** 6:00 p.m.  
**LOCATION:** Caledonia High School Fine Arts Auditorium  
9050 Kraft Ave. SE, Caledonia, Michigan

The Duncan Lake Intercounty Drain Drainage Board will meet at the above date, time and location to hear all interested persons, receive evidence and determine whether the maintenance and improvement, as set forth in the petition dated April 12, 2021, is necessary for the public health, convenience, or welfare pursuant to Chapter 8 of Public Act 40 of 1956, as amended.

Proceedings conducted at this public meeting will be subject to the provisions of the Michigan Open Meetings Act. Written comments may be submitted prior to the meeting, or additional information may be obtained from the following offices:

**Jim Dull**  
Barry County Drain  
Commissioner  
220 W. State St.  
Hastings, Michigan  
269-945-1385

**Denise Medemar**  
Allegan County Drain  
Commissioner  
113 Chestnut St.  
Allegan, Michigan  
269-673-0440

**Ken Yonker**  
Kent County Drain  
Commissioner  
775 Ball Ave. NE  
Grand Rapids, Michigan  
616-632-7910

Persons with disabilities needing accommodations for effective participation in the meeting should contact the Drain Commissioner of their County at the number listed above or through the Michigan Relay Center at 7-1-1 (TDD) at least 24 hours in advance of the meeting to request mobility, visual, hearing or other assistance.

Anyone aggrieved by the decision of the Intercounty Drain Drainage Board may seek judicial review pursuant to MCL 280.122a.

Dated: August 8, 2022

Brady Harrington, Deputy  
For Gary McDowell, Director  
Michigan Department of Agriculture and  
Rural Development

## **History and procedure**

The Barry County Drain Commissioner received a petition from Thornapple Township on April 12, 2021 requesting the maintaining and improving the Duncan Lake Intercounty Drain to address drainage issues at Duncan Lake, and in Thornapple Township in Barry County; Leighton Township in Allegan County and Caledonia Township and Gaines Township in Kent County.

The Drainage Board met on December 7, 2021 and determined that the petition was sufficient and the requested improvement was practical. The Drainage Board retained Land & Resource Engineers 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 decide 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 and conducive to 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 regarding necessity. 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.

AGENDA

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

**DUNCAN LAKE INTERCOUNTY DRAIN**

(Barry, Allegan and Kent Counties)

**Caledonia High School Fine Arts Auditorium**

**9050 Kraft Ave. SE, Caledonia, Michigan**

**6:00 p.m., September 22, 2022**

1. Call to order
2. Introduction of Drainage Board Members and engineer
  - Brady Harrington, Chairperson, Michigan Department of Agriculture
  - Jim Dull, Barry County Drain Commissioner
  - Denise Medemar, Allegan County Drain Commissioner
  - Joe Bush, Special Commissioner for Ken Yonker, Kent County Drain Commissioner
  - 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 – Engineer
7. Public comment and questions (**please complete a speaker card**)
  - 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 determining which cities, villages, and townships, if any, should receive an at large assessment for benefit to public health.
11. Motion to retain financial consultant(s) and authorize interim borrowing
12. Closing comments and administrative procedures
13. Adjourn