Cas 2/6/07

BAY COUNTY DRAIN COMMISSIONER

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TDD (989) 895-4049
(HEARING IMPAIRED)

January 31, 2007

RECEIVED
FEB 05 2007

Mr. Vincent Parisi
FEMA Region 5
536 S Clark Road, 6th Floor
Chicago IL 60605

Dear Mr. Parisi:

Enclosed per your request please find copies of two letters sent to Dell Creek residents and our Design Standards for development within Bay County.

If you need any further information, please do not hesitate to contact my office.

Sincerely,

Joseph Rivet
Bay County Drain Commissioner

Enclosures

BAY COUNTY DRAIN COMMISSIONER

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(HEARING IMPAIRED)

January 26, 2006

RECEIVED
FEB 05 2007

Gerald Beach
1126 Salzburg Road
Auburn MI 48611

Dear Mr. Beach:

I am writing to update you on the project we are working on for the Dell Creek Drain District. As you may know, we have been attempting to move the project forward to insure we remain eligible for over $900,000 in federal grant money awarded to the project

At this time, we have agreements to purchase 21.2 acres of property North of US 10 between Garfield and 11 Mile Roads. We are in the process of completing the engineering for the project and have applied for the necessary Department of Environmental Quality (DEQ) Permits. You may have received a public notice seeking comment for our DEQ permits. This is part of the environmental process that is required. The Federal Emergency Management Agency (FEMA) has indicated they are comfortable with the work we have done in the last few months and that the funding is on track.

The plans currently call for the development of a 25.3 acre detention basin. It will be a low maintenance structure, approximately 5 feet deep. Once completed, the area will be allowed to grow to a natural condition. There will be small berms set around the facility and additional berms will be placed along the main branch of the Dell Creek Drain where there are low spots. The site will have a 65 acre feet of detention capacity and the drain will have an improved flow from approximately 100 feet per second to 200 cubic feet per second. Although we cannot protect against every possible flood, this work is designed to prevent flooding for a 100 year storm event.

We expect to complete the acquisition of the property in February. We hope to secure necessary environmental permits by March 1st and receive permission from FEMA to move forward shortly after that. We would then solicit bids for the project and develop a construction schedule.

This has been a difficult project to move forward. Although we have had some setbacks, we have remained focused so as to not lose the grant dollars we were awarded. We believe we have accomplished that and expect to complete the project within the year.

Thank you for your attention and please do not hesitate to contact me directly with any comments or questions

Sincerely,

Joseph Rivet
Bay County Drain Commissioner

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May 17, 2005

RECEIVED

As you may be aware, the Dell Creek area, and the Garfield Subdivision in particular, has long experienced flooding problems. Methods to solve these problems have proven difficult and progress toward a solution has stalled to the point of inaction.

I am writing today because I feel compelled to share with you some of the difficulties that we are encountering in our efforts to resolve the flooding issues affecting your property. We have reached a critical point. Progress is limited and a deadline that will have a significant and negative financial impact on the residents of the drainage district is fast approaching.

Although my predecessor made some progress, efforts quickly stalled and have remained inactive. I have attempted to restart the process since taking office in January, but have encountered a major setback.

The only identified fiscally prudent solution to the problem is to create a relatively large (50 acres) detention area just north of US 10 between Garfield and 11 Mile Roads. The area would essentially be a natural area, allowed to grow brush and grasses without maintenance. The proposal calls for no fences or pump stations, relying instead on a gradual elevation drop and installed underground structures.

The Federal Emergency Management Agency (FEMA) has awarded the county with a grant of nearly $1 million to complete the project. The grant was secured by Commissioner Rosebush and will cover 75% of the total cost.

However, we cannot identify necessary willing sellers of property to complete the project. Because the project has been dormant, we will lose the federal grant if progress is not made by the end of the summer.

At this point in the project we are left with three options:

- Do nothing, relinquish the grant, assess the residents of the district for the engineering

costs that have been incurred and have the continued risk of flooding.

- Pursue significantly higher cost permanent alternatives (millions of dollars) in which the entire cost will be born by the residents.

- Begin an expensive and confrontational condemnation proceeding and forcefully take property from landowners.

Although the Bay County Drain Office has the authority to proceed with any of these options, none are appealing.

The intent of this correspondence is to inform you of the situation and request your input. Although we can never "floodproof" any area, proceeding with the detention area project would relieve nearly all possibility of property damage. **I believe this is the best option for impacted residents, especially given the nearly $1 million dollars currently available to offset the cost**

Our office will continue to do what we can to resolve this matter. Thank you for your attention and please do not hesitate to contact me directly with any comments or questions.

Sincerely,

Joseph Rivet
Bay County Drain Commissioner

cc: Mr. Tom Paige, Township Supervisor
Mr. Vaughn Begick, 3rd District County Commissioner

Dell Creek Mail List

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932 W Wilder
Auburn MI 48611

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Harry & Hilda Wegener
932 W Wilder Road
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Clarence King
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Auburn MI 48611

Ruth Wegener
3863 S 9 Mile Road
Auburn MI 48611

Terry & Gail Wegener
3982 8 Mile Road
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Jimmy & Ann Wegener
3825 S 9 Mile Road
Auburn MI 48611

Gregory Bouza
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Auburn MI 48611

Edgar Wegener
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Jack & Dorothy Greenleaf
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James & Geraldine Schanck
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Thomas Osborne & Patricia Smith
4131 Garfield Road
Auburn MI 48611

Oscar Wegener
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Mary Ann Parks
4429 Garfiled Road
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Leonard & Maxine LeBeau
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4377 Garfield Road
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Alice Cliff
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Chris Schmidt
1068 N Uniorn Road
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Chester & Clara Wirsing
4208 Garfield Road
Auburn MI 48611

Terry & Peggy Wirsing
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Carl Rytlewski
4321 11 Mile Road
Auburn MI 48611

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Mark & Barbara Schick
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Phillip & Irene Rytlewski
1414 W North Union Road
Auburn MI 48611

Marion & Marie Rytlewski
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Auburn MI 48611

Gerald & Anna Wrzesinski
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Auburn MI 48611

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Mary Anna Killingbeck
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1068 W North Union Road
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John & May Miller
4966 11 Mile Road
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Robert Reder
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Auburn MI 48611

Steven & Jessica Reder
4714 Southfield Road
Auburn MI 4811

Casimer & Kristine Adamczyk
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Auburn MI 48611

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1365 W North Union
Auburn MI 48611

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1276 W Midland Road
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Albert & Rose Swincicki
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Ronald & Suzanne Tilley
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Roger & Rose Anderson
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George & Suzanne Anderson
1366 W Midland Road
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Dale Myers
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Auburn MI 48611

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Auburn Auto Care
4726 S Garfield
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Scott & Amy Peters
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Donald & Gladys Graham
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Francis & Rose Barber
5275 11 Mile
Auburn MI 48611

Lyle & Kristine Popp
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Mary Ellen Warmbier
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Scott & Pamela Martin
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5696 11 Mile Road
Freeland MI 48623

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James & Cynthia Parsons
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Jody Spencer
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Freeland MI 48623

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Thomas & Geraldine McCann
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Auburn MI 487611

Dennis & Cathy Kalinowski
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William & Amy Zimmerman
4801 Court Street
Auburn MI 48611

Randy Peters & Nicole Roberson
4811 Court Street
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Robert & Tammy Sue Reinke
1467 W Midland Road
Auburn MI 48611

Floyd & Barbara Cieslinski
4762 Court Street
Auburn MI 48611

Bart & Barbara Garrett
4764 Court Street
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Dale & Karyn McFarland
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Jeffrey & Ane Marner
4772 Court Street
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Richard & Linda Philipp
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James & Brandi Lykins
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Daniel & Lynn Polisano
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Thomas & Kelly Robson
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Greg & Bonnie Awad
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John & Dorothy Babich
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Gerald & Constance Keehn
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Auburn MI 48611

Shirley Wegener
4526 Franklin St
Auburn MI 48611

Michael & Bethany Horneber
4786 Franklin St
Auburn MI 48611

Thomas & Dawn Young
4792 Franklin St
Auburn MI 48611

Terry Reinhardt
4800 Franklin St
Auburn MI 48611

Reginald & Mary Mieske
4832 Franklin St
Auburn MI 48611

David & Susan Thompson
4842 Franklin St
Auburn MI 48611

Gary & Susan Roth
1060 Stanley Rd
Auburn MI 48611

Fred & Pamela Horneber
1080 Stanley Road
Auburn MI 48611

Gilbert & Barbara Bartz
4857 Monica St
Auburn MI 48611

Wayne & Janice Jones
4855 Monica St
Auburn MI 48611

Thomas & Kellie Battle
4843 Monica St
Auburn MI 48611

Mark & Darby Perkins
1085 Florence St
Auburn MI 48611

Thomas Eagle & Kathy Brink
4799 Monica Street
Auburn MI 48611

Daniel & Virgina Primeau
4806 Monica Street
Auburn MI 48611

Paul & Ellen Arnold
4812 Monica Street
Auburn MI 48611

Martin Whalen & Cherie Banks
4828 Monica St
Auburn MI 48611

John & Evelyn Schultz
4834 Monica St
Auburn MI 48611

Rick & Jennifer Wells
4846 Monica St
Auburn MI 48611

Clinton & Ellen Beane
4850 Monica Street
Auburn MI 48611

Gene & Loretta Buskirk
4868 Monica St
Auburn MI 48611

Ray & Christine Baker
4876 Monica St
Auburn MI 48611

Chester & Pauline Latocki
1090 Stanley Rd
Auburn MI 48611

Daniel Roth & Barbara Anderson
1256 W Midland Road
Auburn MI 48611

Mr. & Mrs. Frank Adamcik
4723 Meadow Ct
Auburn MI 48611

Hans & Michelle Buchenau
4713 Meadow Ct
Auburn MI 48611

Michael Gunther
4695 Meadow Ct
Auburn MI 48611

Edward & Sue Howard
4685 Meadow Ct
Auburn MI 48611

David & Karen Friebe
4677 Meadow Ct
Auburn MI 48611

Gertrude Kaczynski
4667 Meadow Ct
Auburn MI 48611

Robert & Christinge Quintel
4659 Meadow Ct
Auburn MI 48611

Donald & Stella Tomkinson
4647 Meadow Ct
Auburn MI 48611

Timothy & Helen Berg
4639 Meadow Ct
Auburn MI 48611

Florine Schutkowski
4631 Meadow Ct
Auburn MI 48611

Bobby & Donna Balwinski
4632 Meadow Ct
Auburn MI 48611

Thomas & Diane Demetris
4684 Meadow Ct
Auburn MI 48611

Robert & Beverly Hummerickhouse
4658 Meadow Ct
Auburn MI 48611

Michael & Donna Card
4668 Meadow Ct
Auburn MI 48611

Maureen Kukla
4678 Meadow Ct
Auburn MI 48611

David Vouaux
4694 Meadow Ct
Auburn MI 48611

Edward & Debra Piotrowski
4714 Meadow Ct
Auburn MI 48611

Robert Whitney
4722 Meadow Ct
Auburn MI 48611

Carolyn Hunt
4730 Meadow Ct
Auburn MI 48611

Robert & Margaret Reder
4509 11 Mile
Auburn MI 48611

Tim & Vicki Jezowski
4525 11 Mile
Auburn MI 48611

Luke Yoder
4545 11 Mile
Auburn Mi 48611

Eugene Finner
4583 11 Mile
Auburn MI 48611

Dorothy Zimmerman
4589 11 Mile
Auburn MI 48611

Gerald & Anna Wrzesinski
1450 W North Union
Auburn MI 48611

Edwin & Shirley Walter
1024 Eddie Drive
Auburn MI 48611

Rickey Terbush
128 Eddie Drive
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Donald & Darlene Pfannes
1032 Eddie Drive
Auburn MI 48611

Gregory Dietlien
1054 Eddie Drive
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Clarence Rytlewski
1064 Eddie Drive
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Robert & Emilee Nagy
1055 Eddie Drive
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James & Rhonda Klann
1043 Eddie Drive
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Gordon & Marjorie Marner
1033 Eddie Drive
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William & Vivian Graul
1074 Eddie Drive
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Jeffrey & Tamara Toth
1084 Eddie Drive
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Matthew & Lacosta Pumford
1088 Eddie Drive
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Ricky & Susan Walter
1096 Eddie Drive
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Sharon Kayden
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Calvin & Betty Walter
1114 Eddie Drive
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John & Holly Rinz
1113 Eddie Drive
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Lois & Yvette Berger
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1095 Eddie Drive
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Todd & Brenda Johnroe
1087 Eddie Drive
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Gary & Catherine Warmbier
1077 Eddie Dr
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Martin & Isabel Moon
1075 Eddie Dr
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