



# BERRIEN COUNTY HEALTH DEPARTMENT

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## BERRIEN COUNTY SEWAGE APPEALS BOARD

### 10/15/21 Proposed Minutes

**Present:** Peg Kohring (Berrien County Board of Health), Matt Derby (on behalf of Berrien County Corporate Counsel), Ezra Scott (Berrien County Commissioner), Nick Margaritis (Manager of Environmental Health, BCHD), Brian Chambers (EH, BCHD), Brian Murphy (EH Supervisor), Steve Meyers (Meyers Excavating), James (Jim) Gawel (on owners behalf), Justin Sorenson (Via Zoom- speaking after meeting regarding Patti Kobe Appeal).

**10:28** Meeting called to order by Peg Kohring

**Approval of Agenda:** Ezra Scott made a motion to approve the agenda, a second was made by Matt Derby, motion passed and approved.

**Approval of 9/1/2021 Minutes:** Ezra Scott made a motion to approve the minutes, Peg Kohring seconds, motion passed and approved.

**Introductions:** Peg Kohring (Berrien County Board of Health), Nick Margaritis (Manager of Environmental Health, BCHD), Brian Chambers (EH, BCHD), Brian Murphy (EH Supervisor), Ezra Scott (Berrien County Commissioner), Matt Derby (on behalf of Berrien County Corporate Counsel), Steve Meyers (Meyers Excavating), James (Jim) Gawel (on owners behalf), Justin Sorenson (Via Zoom- Engineer speaking after meeting regarding Patti Kobe Appeal).

**Owner/Installer Presentation:** Brumfield Angus Farms LLC, c/o Mr. James Gawel, 5959 W. Kaiser Rd., 80 acres, Tax ID# 11-07-0013-0013-01-2, Chikaming Twp., Section #13

Meyers: Mound system, we dug 6-8 test holes all clay down to 14' except for one with sand but that was too far away from proposed building site. We also found 6" field tile within about 50' from where the drain bed would go. The mound is going to be about 650' away from where the proposed building is

and we will pump from there. We will have 700 square foot drain bed, roughly 600 yards of sand, finished height of 6 ft., 7:1 slopes. Drain bed 10 x 70. 1000 gall on septic tank and a 500-gallon dosing tank with 2" pipe, pressure pump and high water alarm. Home will be 2-bedroom house with no garbage grinder in kitchen.

**Berrien County Health Department Presentation:**

Chambers: Three separate site visits were made. The first one on August 25, 2021, myself (Brian Chambers) and Brandon Reith (formerly with the Berrien County Health Department) visited the site. The first boring was made approximately 59' south and 1' east of the southwest corner of the new "resident" barn, revealing the following: top soil loam to 6", followed by loamy sand to 3' with orange/grey mottles present at 6", followed by sandy clay loam to 4', followed by clay to 5'. The second boring was made 50' south and 73.5' east of the southeast corner of the new "resident" barn revealing the following: top soil loam to 1', loamy sand to 2.5' with orange/grey mottles present at 1.5', followed by sandy clay loam to 3.5', followed by clay to 5'.

The second site visit was made on September 3, 2021, myself (Brian Chambers) and Chris Nagy from the BCHD visited the parcel again to meet with Mr. James Gawel and his backhoe operator Randy Payne. Three soil pit excavations were made on the parcel. The first soil pit was made approximately 100' south and 60' west of the southeast corner of the existing utility barn, revealing the following: a top soil loam to 1', followed by loamy sand to 3' with orange/grey mottles present at 1', followed by clay to 13', followed by blue clay to 17' with flowing water at 16'. A second soil pit was made approximately 234' south and 60' west of the southeast corner of the existing utility barn revealing the following: a top soil loam to 1', followed by loamy sand to 3' with orange/grey mottles present at 1', followed by clay to 10', followed by blue clay to 11' with flowing water at 10.5'. The third soil pit was made approximately 258' south and 185' west of the southeast corner of the existing utility barn revealing the following: a top soil loam to 6", followed by loamy sand to 3' with orange/grey mottles present at 6", followed by clay to 13', followed by blue clay to 18'.

The third and final site visit was made on September 17, 2021, myself (Brian Chambers) and Nick Margaritis from the BCHD visited the parcel again to meet with Mr. James Gawel and his backhoe operator Steve Myers. Four pits were dug on this visit. The first soil pit was made approximately 202' north and 5' west of utility pole BE509-241 revealing the following: top soil loam to 8', followed by clay loam to 5' with orange/grey mottles present at 8",

followed by clay to 9.5', followed by sandy clay loam to 10' with flowing water, followed by blue clay to 15'. The second soil pit was made approximately 141' north and 5' east of utility pole B509-2 revealing the following: top soil loam to 1' with orange/grey mottles at 10", followed by sandy clay loam to 6' with orange/grey mottles present at 1', followed by sandy clay loam to 7', followed by clay to 8'. The third soil pit was made approximately 47.5' north and 64.5' west of utility pole B509-2 revealing the following: top soil loam to 1', followed by loamy sand to 5' with orange/grey mottles present at 1'4", followed by clay to 10'. The fourth soil pit was made approximately 77' north and 22' west from the southeast lot corner revealing the following: top soil loam to 1', followed by loamy sand to 3' with orange/grey mottles present at 1', followed by clay to 14'.

Margaritis: There was one area on the parcel that had barely acceptable soils but it is so far away from the proposed building, it is also not convenient for the farm as well with the animals. The proposal Steve came up with was on our last pit where we had clay down to 14', it's on the South East corner of the property and it's uphill from the rest of the property.

**Appeal Board Discussion:**

Scott: Is that the rest hole that is marked on the map of the proposed system drawing?

Margaritis: Yes that is the site we all agreed on, the last pit we dug. This is pretty much the standard design that we would issue for a typical replacement. The only thing that I would add would be in the second tank add an effluent filter and childproof access riser to grade.

Meyers: I was planning on a 6" filter and I was also planning on steel lids for the tanks instead of plastic just to be safe with the animals.

Kohring: is there a well on site yet?

Meyers: No well yet

Kohring: this is away from field tile you found?

Meyers: totally opposite side of property to the field tile we found

Kohring: is this the updated (latest) drawing here?

Meyers: Yes

Scott: with what they have submitted (two drawings we have here), is that conducive to the test site and what we want to do according to the health department perspective.

Margaritis: yes, if we had a house that we were tasked with issuing a repair or replacement system and we had all this available space, this is exactly what we would design and follows our thought pattern.

**Appeal Board Decision:**

Kohring: test motion to approve a 2-bedroom house on this site with no garbage disposal, 1000-gallon septic tank with a 500-gallon dosing tank with alarm. Mound would be 7:1 following documents (3 page total) received September 29<sup>th</sup> and October 1<sup>st</sup> 2021. An affluent filter and childproof access riser and steel lids on tanks. Scott supports motion.

All in favor, motion approved.

**Introduction (2):** Justin Sorenson (Via Zoom- Engineer speaking on behalf of Patti Kobe Appeal from 9/1/21).

**Installer Proposal:**

Margaritis: the directive from the board was to see if a traditional mound design with 5' finished grade would fit on the property along with reserve area. We made multiple site visits; we could not make it work with the reserve separate. What we could do, and we are in support of, we spent quite a bit of time with Mrs. Kobe and Dig-It Excavating and talking on the phone with Justin quite a bit. We could integrate the two mounds, the original and reserve if we put them at least 5' apart. Conversations with Justin, we can work out new drawings with details as long as the board is accepting of the new solution. We can make it work as long as we integrate the two mounds. It follows suit with what was already approved with the mound design. I don't know if it needs another motion or what.

Scott: I think it might because we are changing the design and if we change the design then the first motion doesn't hold true because we mentioned that design in it. I would be in favor of what you (Nick) said if it's all worked out, I know there was an issue.

Margaritis: it's a very tight fit even though there's acreage, between the pipeline, the creek and wetlands the space just goes away. I know I have talked to Justin for the drip irrigation in the future maybe we can collaborate and maybe set a better path for a design that will be accepting of everyone.

**Appeal Board Discussion & Decision:**

Scott: how would we word the motion to override what we already approved? Do we need to unapproved or amend.

Margaritis: it was approved with the stipulation that it fit on the property.

Derby: so what is different now?

Margaritis: The way it was approved was to have the two mounds separate, but now we are moving them very close together.

Derby: we need to rescind the old motion and propose a new one.

Scott: we will move to rescind the old motion and approve the new motion based on Nick's specifications with the homeowner and engineer. Will that work or do we need to list out everything?

Margaritis: I think the old motion could be repeated, with the change in the reserve area being approx. 5 feet away from the original design.

Kohring: is that motion acceptable?

Scott: yes

Kohring: I will second that. Is there any discussion? (none)

**All in favor, motion approved.**

Sorenson: I really appreciate your help on all of this and making all those trips out to the site to work out a solution for Patti, so on her behalf thank you very much.

**10:51pm Meeting Adjourned**