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SAVAGE DRAIN

MINUTES OF BOARD OF DETERMINATION MEETING

NAME OF DRAIN: Savage Drain ENGINEER: _____
DATE/TIME: Tuesday, Nov. 12, 2019 LOCATION: Albee Twp. Hall
6:00 p.m. 10645 East Rd, Burt 48417

BOARD
MEMBERS: Charles Kerns Jim Totten Martin Warnick

The Board of Determination met on the above date to consider whether the petition, dated March 5, 2019, for maintenance and improvement of the Savage Drain, pursuant to Chapter 8 of Public Act 40 of 1956, as amended, is necessary and conducive to the public health, convenience or welfare.

ELECTION OF CHAIRPERSON AND SECRETARY/RULES:

1. Mr. Warnick made a motion that Mr. Kerns serve as Chairperson. The motion was seconded by Mr. Totten. All members were in favor of the motion. Motioned PASSED by a 3-0 vote.
2. Mr. Totten made a motion that Mr. Warnick serve as Secretary. The motion was seconded by Mr. Kerns. All members were in favor of the motion. Motioned PASSED by a 3-0 vote.
3. Mr. Warnick made a motion that public comment be limited to three (3) minutes per person. The motion was seconded by Mr. Totten. All members were in favor of the motion. Motioned PASSED by a 3-0 vote.

Mr. Kerns turned the meeting over to Mr. Wendling and his staff for presentation. Mr. Wendling discussed the role and function of the Board of Determination and guidelines for public comment.

Ms. Colpaert, from Mr. Wendling's office, discussed the facts on the Savage Drain and the Drainage District including findings from recent drain inspections, past maintenance/construction work, and the status of the drain maintenance fund.

Mr. Wendling then discussed the fact that the petition for the Savage Drain is actually an extension of the larger Misteguay Creek Intercounty Drain (Misteguay Creek) project. The design and replacement of the outlet/flapgates on the Savage Drain was originally included in the bid package on the Misteguay Creek. In order to obtain concessions from the other counties involved (Genesee & Shiawassee Counties), the work on the Savage Drain was removed from the Misteguay Creek project. It was estimated that the cost to do the work on the Savage Drain outlets is approximately \$750,000.

It was noted that Special Commissioner Doug Enos, the Midland County Drain Commissioner, put together the assessment roll on the Misteguay Creek. All of the lands inside of the Savage Drain were given reduced assessments for the Misteguay Creek project with the intent of a separate project on the Savage Drain outlets through a petition on the Savage Drain. The idea for the existing Misteguay Creek assessment is that the cost of the Misteguay Creek assessment, plus a second assessment on the Savage Drain, should be similar cost as was originally going to be charged to each property for just the Misteguay Creek project.

If voted necessary, the work on the Savage Drain may also include the replacement of Bueche Road (which has been closed for a long time). The Saginaw County Road Commission has committed to cost share in helping get the bridge replaced.

Public Comment was received by the Board of Determination. The following landowners made comments at the meeting:

Leon Turnwald – Albee Township Supervisor
Paul Albosta – 9530 Bueche Road
Pat Peterson – 1270 W. Sloan Road
Rich Popp – 6793 Dorwood
Joe Wasmiller – 8965 Bishop Road
Mary McInerney – 12807 Tamarack Drive
Ed Wasmiller – 1715 Fry
Gary Kunik – 3970 W. Burt Road
Ron Peterson – 9050 East Road

DECISION AS TO NECESSITY:

4. Mr. Warnick made a motion that the maintenance and improvement of the Savage Drain as petitioned on March 5, 2019 **IS** necessary and conducive to the public health, convenience or welfare. The motion was seconded by Mr. Totten. All members were in favor of the motion. Motioned PASSED by a 3-0 vote.

Mr. Wendling noted that he's aware there have been a lot of recent drain assessments for many of the properties inside the Savage Drain Drainage District. He will be extremely conscious of cost, but will only build something that will last a long time. It is anticipated that we will focus on the lower end of the drain with this project, and there will likely be a larger maintenance project in the future to clean out the drain bottom and work our way upstream.

Mr. Wendling also discussed the appeal process where a person aggrieved with the decision of necessity could institute an action in the circuit court for Saginaw County within 10 days after the date of the board of determination.

5. Mr. Warnick made a motion to adjourn the meeting. The motion was seconded by Mr. Totten. All members were in favor of the motion. Motioned PASSED by a 3-0 vote. The meeting was adjourned at 6:52 P.M.



Martin Warnick, Secretary
Board of Determination