

# Smith Drain

## Board of Determination

Richland Township Administration Building

1180 N. Hemlock Road, Hemlock MI

Thursday, December 8, 2022

6:00 PM



**Brian J. Wendling**

**Saginaw County Public Works Commissioner**

# Meeting Agenda

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- I. Introduction
- II. Opening of Board of Determination Meeting
- III. Outline of the Board of Determination Procedure
- IV. Inspection Report
- V. Public Testimony - (3 minutes per person.)
- VI. Vote of Board of Determination
- VII. Appeal Procedures and Closing Comments
- VIII. Adjournment

# Role of the B.O.D.

- The Board of Determination's role is to make one decision:
  1. Whether the project is necessary based on public health, convenience or welfare
  
- The Board of Determination DOES NOT decide:
  - ▣ The scope of the project
  - ▣ The cost of the project
  - ▣ How much property owners and municipalities are assessed for the project

# Public Comment

- The speaking order will be on a first come, first served basis. Petitioner will have a chance to speak first.
- State your full name and address. Spell your last name for the court reporter.
- Limit comments to 3 minutes.

# Public Comment (cont.)

- Briefly state your position on the petition for the Smith Drain. For example: “I support the petition for the Smith Drain because . . .” or “I oppose the petition for the Smith Drain because . . . .”
- Remember to stay on topic! Comments for tonight’s meeting are limited to the current petition for the Smith Drain only.
- The Public Works Commissioner’s staff will gladly speak with you on other topics after the conclusion of tonight’s meeting.

# Drain Facts

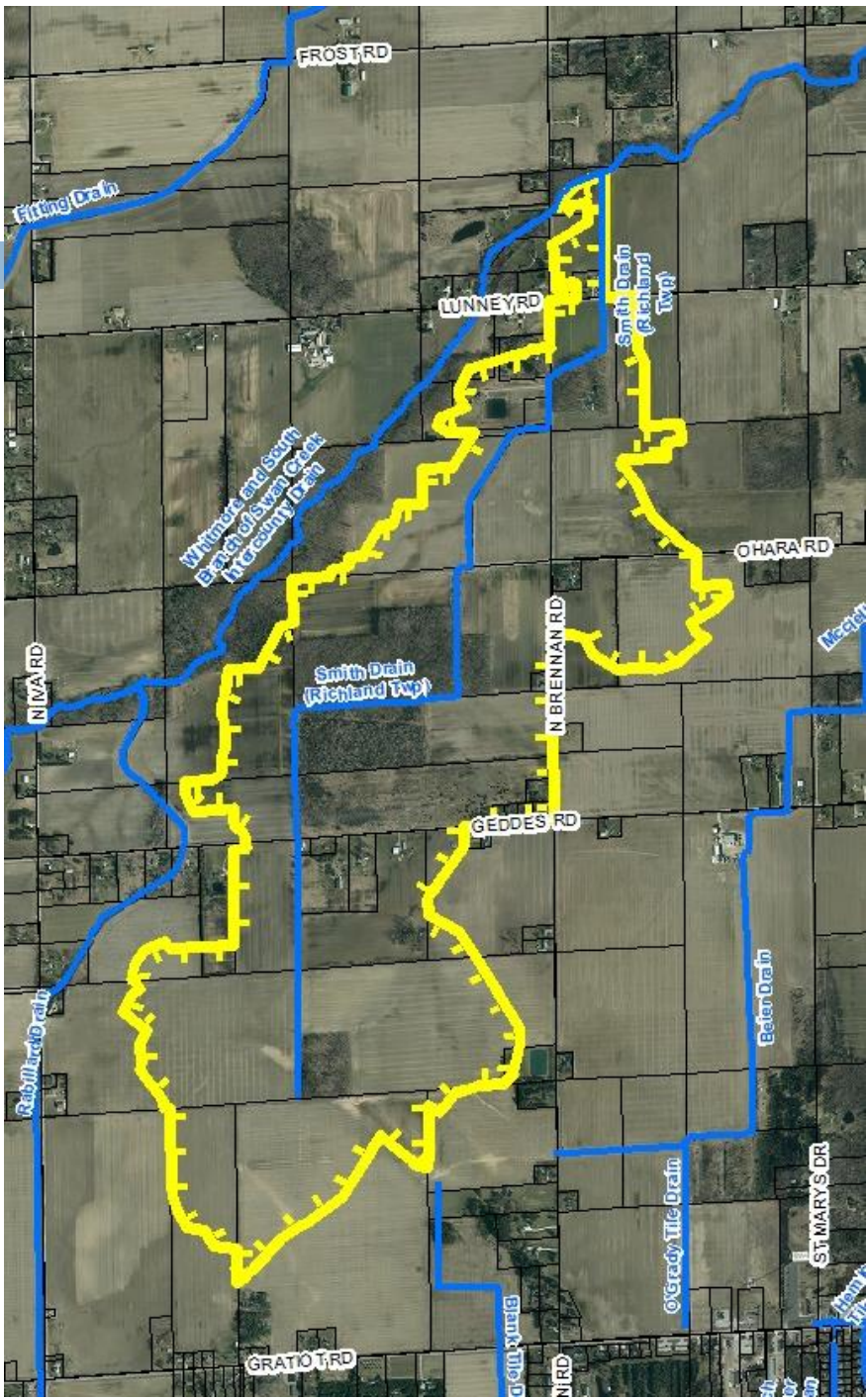
- Smith Drain was established as a county drain in 1905.
- A maintenance project was completed on the drain in 1952. It's been approx. 70 years since major work has been completed on this drain.
- Call/complaint in April 2019 in regards to stagnant water flow, sediment & trees in the drain. SCPW completed inspection May 2019 and noted that petition is required for this drain. Mailed petition to landowner. Final petition never sent to SCPW. No work completed on the drain.

# Drain Facts Continued

- ❑ Call/complaint December 2020 where landowner was worried about high water in the drain coming out of banks and flooding home site. Petition mailed to landowner.
- ❑ Valid petition was received by SCPW on August 12, 2022. The current petition is dated June 28, 2022. It was circulated by Thana Harms signed by 5 freeholders.

# Drain Facts Cont.

- Location of Smith Drain - See Map
  - ▣ Approximately 11,821 feet long ( 2.2 miles)
  - ▣ Approx. 610 acres
- What is the drainage district?
  - ▣ Lands that contributes storm water to drain
  - ▣ Drainage District serves as the special assesment district
  - ▣ Smith Drain Drainage District includes:
    - Richland Township
    - Saginaw County
    - Landowners – Approx. 44 parcels

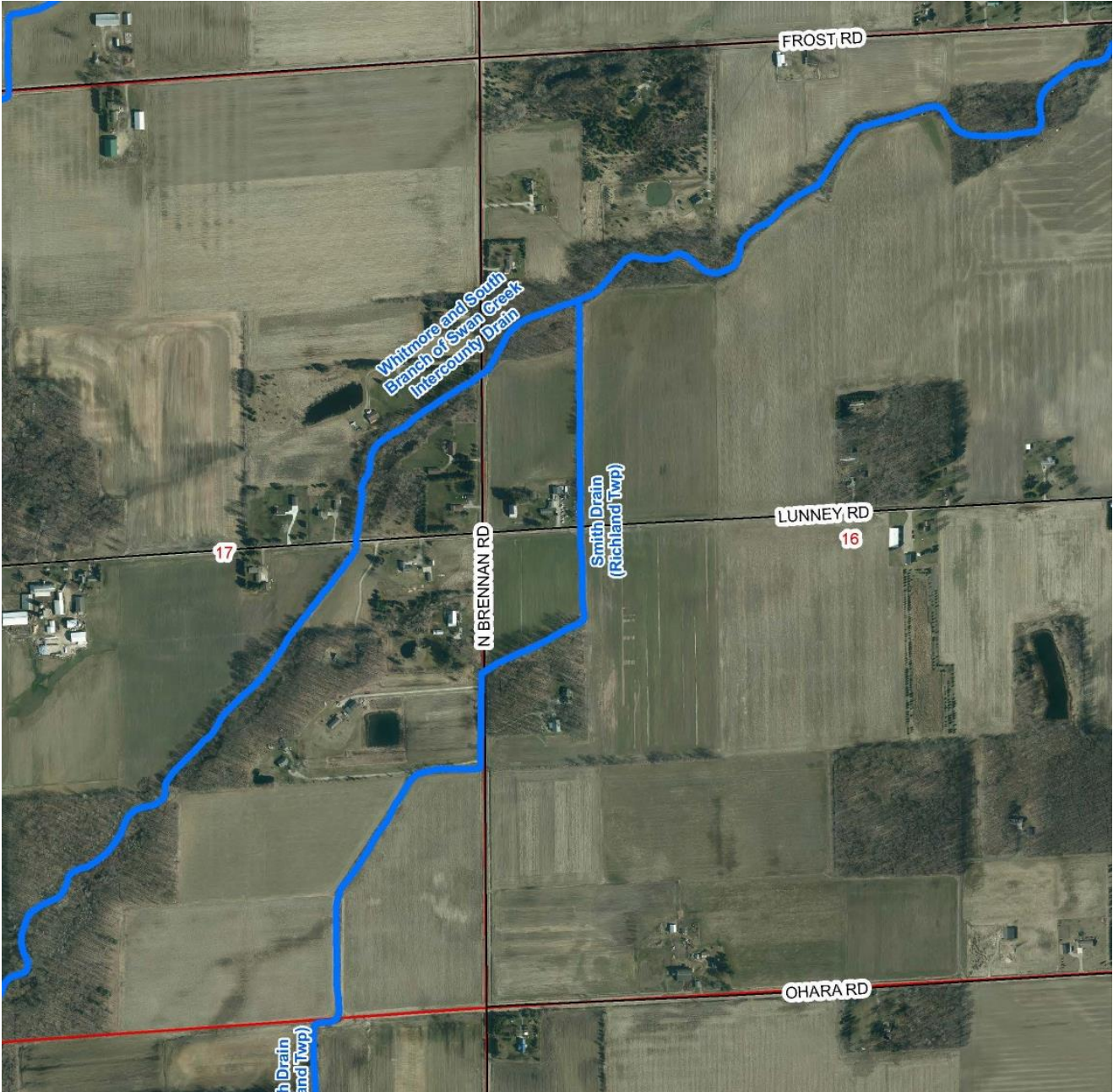




# Drain Inspection

- On November 15, 2022 & December 6, 2022 a field review of the Drain (inspection from the road crossings only) was completed as a result of the petition filed with the Public Works Commissioner. The following was observed:
  - Sections of the drain have trees and sediment in it. There was standing water in the upstream end of the drain near Geddes Road due to an obstruction in the drain, but little to no water in most of the drain downstream.

# Drain Location Map – Northern End





# Looking North (downstream) from Lunney Road

Trees & brush  
along drain,  
grass/sediment  
drain bottom,  
bottom of  
drain mostly  
dry





# Looking South (Upstream) from Lunney Road

Grass/sediment in  
bottom of drain





# South End of Lunney Road Culvert

Minimal  
sediment in the  
culvert





# Looking East (Downstream) from Brennan Road Crossing

Trees & sediment  
in bottom of drain





# East (Downstream) End of Brennan Road Crossing

No sediment in  
culvert





# Looking South (Upstream) – Drive Crossing Along West Side of Brennan Road

Sediment/grass in  
bottom of drain,  
culvert has  
minimal sediment  
in it





# Looking North (Downstream) from Brennan Road

Trees, brush and grass in and along drain, sediment in bottom of drain, drain mostly dry





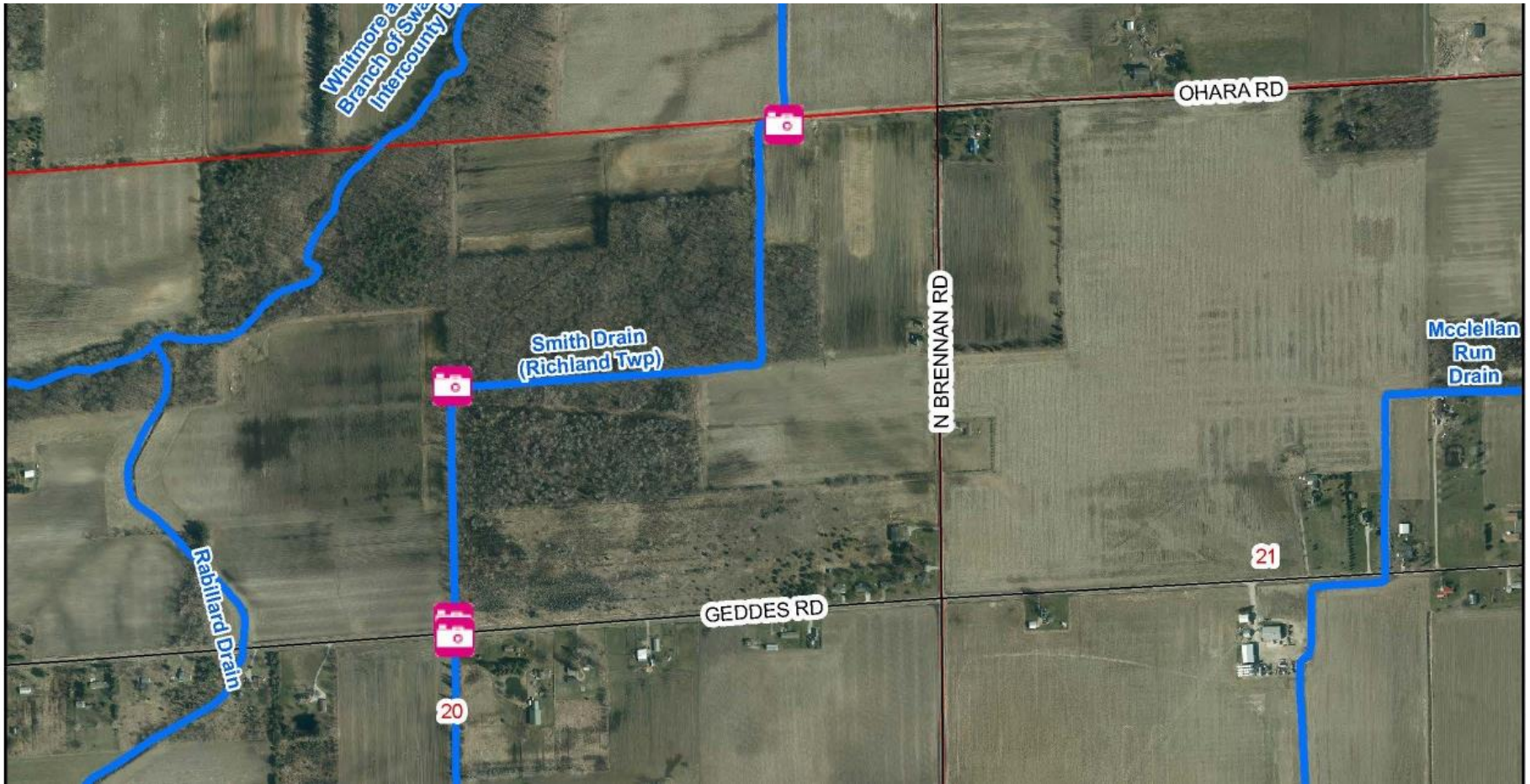
# Looking West (Upstream) from Brennan Road

Trees/brush &  
sediment in the  
drain bottom





# Picture Location – May 2019 Pictures



# Looking North – O’Hara Extended West (May 2019)

Sediment &  
water in the  
drain bottom





# Wooded Area Approx. 1280 feet North of Geddes Road (May 2019)

Trees & water in  
the drain bottom





# Looking downstream (North) from Geddes Road

Trees & brush in  
and along drain





# Looking Upstream (South) from Geddes Road

Obstruction in the  
drain, standing  
water





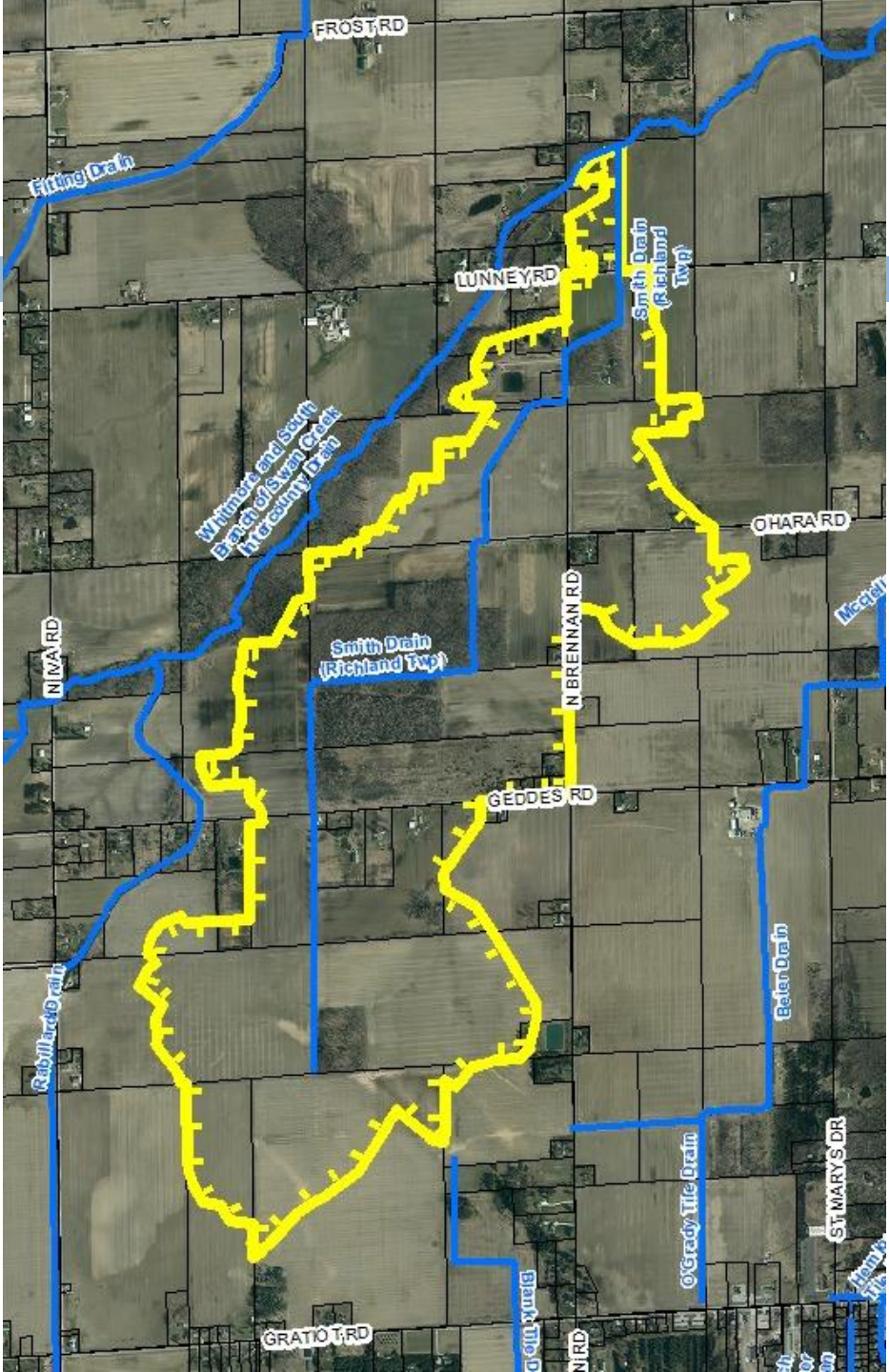
# Summary of Drain Finances

- Drain account currently has approximately **(-\$84)** in it.





# Location Of Drain



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# Appeal Procedures

- i. Whenever the board of determination finds by majority vote that the drain is or is not necessary, any person feeling aggrieved by the determination may institute an action in the circuit court for the county in which the real property is located. The action shall be filed by person aggrieved within 10 days after the determination of necessity or no necessity by the board of determination.