



Brian J. Wendling
Public Works Commissioner
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**SMITH DRAIN
NOTICE OF MEETING OF BOARD OF DETERMINATION**

DATE: Thursday, December 8, 2022
TIME: 6:00p.m.
LOCATION: Richland Township Administration Building, 1180 N. Hemlock Rd., Hemlock, Michigan, 48626
QUESTIONS: (989)790-5258

A Board of Determination 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 June 28, 2022, is necessary and conducive to the public health, convenience or welfare, pursuant to Chapter 8 of Public Act 40 of 1956, as amended.


A presentation will be made to the Board of Determination outlining a brief history of the Drainage District, and describing the roles, responsibilities and decisions made by a Board of Determination. The presentation is to provide background for landowners and municipalities in the drainage district and to facilitate the dissemination of information and the receipt of testimony of landowners in the Drainage District. The Board of Determination will make its decision at the end of the meeting.

Proceedings conducted at this public meeting will be subject to the provisions of the Michigan Open Meetings Act. Information regarding this meeting may be obtained from the Saginaw County Public Works Commissioner's Office located at 111 S. Michigan Ave., Saginaw, MI 48602.

Persons with disabilities needing accommodations for effective participation in the meeting should contact the Public Works Commissioner 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 decisions of the Board of Determination may seek judicial review pursuant to MCL 280.72a.

Dated: November 4, 2022



Brian J. Wendling
Saginaw County Public Works Commissioner

FAQs

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Saginaw County
Public Works Commissioner



FREQUENTLY ASKED QUESTIONS Smith Drain Board of Determination

What is a Board of Determination?

A Board of Determination is a 3-member panel of disinterested property owners. The role of the Board of Determination is to receive evidence and hear testimony and determine whether the construction (or establishment) of the proposed drain is necessary and conducive to the public health, convenience or welfare.

What is a Drainage District?

A drainage district is the land area that benefits from the drain. The drainage district makes up the watershed that contributes water to the drain. Each property and municipality within the drainage district pays for the construction (or establishment) of the Drain and for future maintenance and improvement of the drain.

Why did I receive a notice?

A petition was filed with the Saginaw County Public Works Commissioner requesting the locating, establishing and constructing of the proposed Drain. All property owners with lands in the Drainage District were sent a copy of the notice.

Does the Board of Determination decide what work gets done?

No, the Board of Determination decides necessity, but does not determine the scope or cost of the project. Further, the Board of Determination does not determine how much property owners and municipalities will be assessed.

Does the decision of the Board of Determination have to be unanimous?

No, only a majority vote of the Board of Determination is required. Only the members of the Board of Determination vote. The attendees at the meeting do not vote, but instead provide testimony to the Board members to assist in their determination.

What is my assessment amount?

Estimated assessment amounts are not yet determined. If the Board of Determination finds the project necessary, the Public Works Commissioner will hold a public meeting to review apportionments after a project scope has been determined. Notices for the public hearing on assessments will be sent out at a later date.

Do I have to attend the Board of Determination?

No, you are not required to attend the meeting; however, it is your right to do so.

Can the decision of the Board of Determination be appealed?

Yes. If a person feels aggrieved by the board's determination of necessity, he/she may institute an action in circuit court within 10 days under MCL 280.72a.

How can I get more information?

Visit the Saginaw County Public Works Commissioner's website at: <http://www.saginawcounty.com/publicworks/default.aspx> or call (989) 790-5258.

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