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**BABCOCK DRAIN**

**MINUTES OF BOARD OF DETERMINATION MEETING**

NAME OF DRAIN:	Babcock Drain		
DATE/TIME:	Wed., November 6, 2019 6:00 p.m.	LOCATION:	Maple Grove Twp. Hall 17010 Lincoln Rd, New Lothrop, MI 48460
BOARD MEMBERS:	Ruth Averill	Tim Courtney	Dennis Fent

The Board of Determination met on the above date to consider whether the petition, dated September 9, 2019, for maintenance and improvement of the Babcock 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. Fent made a motion that Ms. Averill serves as Chairperson. The motion was seconded by Mr. Courtney. All members were in favor of the motion. Motion PASSED by a 3-0 vote.
2. Ms. Averill made a motion that Mr. Courtney serves as Secretary. The motion was seconded by Mr. Fent. All members were in favor of the motion. Motion PASSED by a 3-0 vote.
3. Ms. Averill made a motion that public comment be limited to three (3) minutes per person. The motion was seconded by Mr. Fent. All members were in favor of the motion. Motion PASSED by a 3-0 vote.

Ms. Averill turned the meeting over to Mr. Wendling and his staff for a 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 facts on the Babcock Drain and the Babcock Drain Drainage District including past maintenance/construction work, recent flooding complaints, and the status of the drain maintenance fund.

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

Mike Gerding – 4405 Chesaning Road  
Jeffrey Krupp – 4552 Chesaning Road  
Marc Ebenhoeh – 15202 Lincoln Road  
Ralph Krupp – 15215 Briggs Road  
Willie Gross- 5501 Chesaning Road  
Pat Devota – 4750 Chesaning Road  
Andy Devota – 4668 Chesaning Road  
Linda Gerding – 4405 Chesaning Road  
Kevin Krupp – 6352 Ditch Road (Maple Grove Township Supervisor)

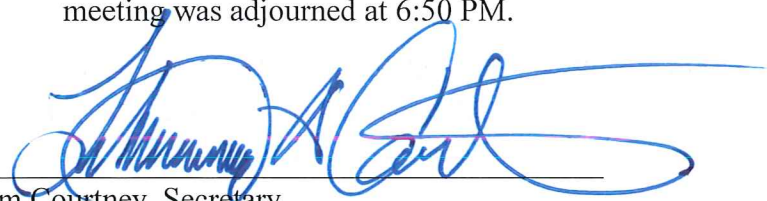
4. Mr. Courtney made a motion to close the public comment section of the meeting. The motion was seconded by Mr. Fent. All members were in favor of the motion. Motion PASSED by a 3-0 vote.

**DECISION AS TO NECESSITY:**

5. Mr. Courtney made a motion that the maintenance and improvement of the Babcock Drain, **IS** necessary and conducive to the public health, convenience or welfare. The motion was seconded by Mr. Fent. Mr. Courtney and Mr. Fent noted that they thought there was definitely a public health hazard due to landowner's not being able to flush toilets, use water from well, and use their sump pumps. All members were in favor of the motion. Motion PASSED by a 3-0 vote.

Mr. Wendling discussed the next steps for a project, including hiring an engineering firm and coming up with the most economical and prudent project possible. 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.

6. Mr. Fent made a motion to adjourn the meeting. The motion was seconded by Mr. Courtney. All members were in favor of the motion. Motion PASSES by a 3-0 vote. The meeting was adjourned at 6:50 PM.



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Tim Courtney, Secretary  
Board of Determination