

# LOOKING GLASS RIVER INTERCOUNTY DRAIN

## DRAINAGE BOARD MEETING

Tuesday, April 24, 2018  
Clinton County Courthouse  
St. Johns, Michigan

MEMBERS PRESENT: Michael Gregg, Board Chairperson, Michigan Department of Agriculture & Rural Development  
Phil Hanses, Board Secretary, Clinton County Drain Commissioner  
Carla Clos, Ingham County Deputy Drain Commissioner  
Tony Newman, Shiawassee County Drain Commissioner  
Ken Recker, Livingston County Deputy Drain Commissioner

MEMBERS ABSENT: None

ALSO PRESENT: Jenna Jullie, Shiawassee County Deputy Drain Commissioner  
Christine Kosmowski, Michigan Department of Agriculture & Rural Development  
Alan Boyer, LSG Engineers & Surveyors  
Ron Hoeft, LSG Engineers & Surveyors  
Alexis Vlahakis Cole, Woodworth & Associates  
Cheryl Nordarse, Woodworth & Associates  
Carl S. Schaaf  
Shawn Weaver

Chairman Gregg called the meeting to order at 12:00 p.m.

### 2. Review and set the agenda

A request to update the board regarding affidavits concerning the recording of historical easements was made. Said item will be added as item 4c and the treasurers report will moved to 4d.

MOTION by Clos to approve the agenda as amended. SECOND by Newman. MOTION CARRIED unanimously.

### 3. Approval of the March 9, 2018 meeting minutes

Clos noted a correction to the motion in item 4c, second paragraph, by changing “as” to “at” in reference to potential district revisions at the day of review.

MOTION by Clos to approve the minutes of March 9, 2018 as amended. SECOND by Newman. MOTION CARRIED unanimously.

### 4a. Receive an inspection report of maintenance work and take action on payment recommendations

Hoeft reported water levels have been too high so Wombat Services has not progressed since the last meeting. Consequently there is no pay request to approve at this meeting. The contractor expects to continue work in the next week or two on the remaining one mile segment. Newman suggested a change order to the contract to

remove cement pillars from an old dam that are catching debris. Action on this matter will be deferred until the next meeting.

Hanses asked if the current contracts have been amended yet to include additional work for 2018. They have not. He reported that he had kayaked from Babcock Road downstream to Wood Road on March 24<sup>th</sup> to record the location and number of fallen trees in that stretch in order to get a sense of what problems they may be causing. He reported that Olive Township Supervisor Earl Barks had contacted him with concerns that there are likely obstructions downstream of the recorded point of beginning at the south line of Olive Township. Barks feels because of the flooding of roads and property in Olive Township, the Board should proceed further downstream to remove trees and jams. Boyer asked that since the Drain Code requires an engineer's opinion on effects on upstream drainage, would Clinton County engineer Jon Morrison be tasked with this or would this be assigned to a consultant? Hanses indicated that he would prefer a consultant handle the necessary inspection and report. Hanses noted in regards to work in Clinton County, he would prefer a more site specific efforts to remove fallen trees and jams rather than clearing a path along one side of the river. Perhaps a log skidder might be a useful tool to accomplish this although the machinery utilized by Wombat Services might be similarly effective. Gregg suggested that perhaps some partnership could be arranged with DeWitt Township to share in the expense of clearing trees and jams downstream of the intercounty drain should LSG determine such jams are impacting the intercounty drain.

MOTION by Newman to authorize up to \$2,500 to have LSG inspect from Wood Road upstream to the Olive/DeWitt Township line to determine impacts of trees in that area and prepare a report to the Board. SECOND by Recker. MOTION CARRIED unanimously.

4b. Receive a status report from legal counsel regarding the drainage district boundary revisions procedures and day of review logistics

Woodworth staff reported on that the mailing of day of review notices and newspaper publications have been completed in accordance with the Drain Code. It was noted that the Board would need to meet following the day of review to approve the assessment and boundary revision. There was a question as to when the appeal periods end for both the Day of Review of Apportionments and the Day of Review of District Boundaries. Vlahakis Cole will look into this. Gregg suggested that the next meeting take place as soon as possible following the day of review. Board members agreed to meet next on May 15<sup>th</sup> at 3:00 at the Clinton County Courthouse.

4c. Affidavits for recording of historical easements

Vlahakis Cole reported that affidavits for recording of historical easements are prepared and awaiting signatures by Newman and Hanses before recording in the Shiawassee and Clinton County Register of Deeds offices respectively. Woodworth staff will deliver the documents to the applicable offices for recording.

4d. Treasurer's report

The treasurer reported that the current cash balance is \$20,731.35 and when considering the remaining obligation on the Wombat Services Contract No. 1, the net worth of the account is -\$34,442.15. There are six invoices awaiting approval for payment. The computation of costs to be assessed totals \$650,000.

MOTION by Hanses to adopt the Computation of Costs for the purposes of the May 2<sup>nd</sup> Day of Review of Apportionments. SECOND by Clos. MOTION CARRIED unanimously. Copies were distributed for signatures by each board member.

(Clos was dismissed from the meeting for another appointment.)

5. Approval of invoices

Jullie presented the following invoices for board approval:

- Ingham County invoice for publication & mailing in the amount of \$3,215.28
- Livingston County invoice for publication & mailing in the amount of \$822.79
- Clinton County invoice for mailing and inspections in the amount of \$1,371.58
- Independent Newsgroup for publication in Shiawassee County in the amount of \$1,287.60
- LSG invoice #3236 in the amount of \$3,580.00
- Woodworth & Associates invoice #900 in the amount of \$8,785.51

MOTION by Recker to authorize payment of the invoices as presented. SECOND by Hanses. MOTION CARRIED unanimously.

6. Other Business

With the planned retirement of Mike Woodworth and closing of Woodworth & Associates, Alexis Vlahakis Cole will provide a proposal prior to the next meeting to continue to provide legal services as Vlahakis Cole Law Firm.

7. Public Comment

Shawn Weaver noted that woody debris has accumulated at the Fenner Road bridge. Wombat Services will remove the debris when he returns to the site.

8. Set the date, time, and location of next meeting

The next meeting was scheduled for Tuesday, May 15, 2018 at 3:00 at the Clinton County Courthouse.

9. Adjourn

MOTION by Newman to adjourn the meeting. SECOND by Recker. MOTION CARRIED unanimously.

Chair Gregg declared the meeting adjourned at 1:37 p.m.

Respectfully submitted,



Phil Hanses, Secretary

Note: These minutes are subject to approval at the next scheduled drainage board meeting. Approved by the Drainage Board on May 15, 2018.

# PLEASE SIGN IN

LOOKING GLASS RIVER INTERCOUNTY DRAINAGE BOARD MEETING  
April 24, 2018 10:30 A.M.

NAME	REPRESENTING
Phil Hanses	Clinton County
KEN RECKER	LIVINGSTON COUNTY
Jynapukki	Shawnee Co drain office
Carter Oles	ICDC
ALEXIS VIANAKIS COLE	WOODWORTH LAW FIRM
Cheryl Nodarse	Woodworth Law Firm
Ron Hoelt	LSG
Alan Boyer	LSG
Christine Kosmowski	MDARD
Shawn Weaver	Land owner
Carl C. Schopf	" "
Tony Newman	Shia Co Dr.
MIKE GREGG	MDARD

# Agenda

## Looking Glass River Intercounty Drain Drainage Board Clinton, Ingham, Livingston, and Shiawassee Counties

10:30 a.m., Tuesday, April 24, 2018  
Clinton County Court House  
100 East State Street  
St. Johns, Michigan

1. Call to order and roll call

### Board Members

Michael Gregg, Chair, Michigan Dept. of Agriculture & Rural Development  
Phil Hanses, Clinton County Drain Commissioner  
Patrick Lindemann, Ingham County Drain Commissioner  
Brian Jonckheere, Livingston County Drain Commissioner  
Anthony Newman, Shiawassee County Drain Commissioner

### Engineer

Alan Boyer, P.E., LSG Engineers and Surveyors

### Legal Counsel

Michael Woodworth Esq., Woodworth & Associates

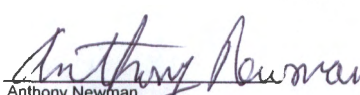

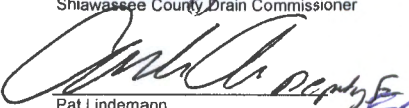

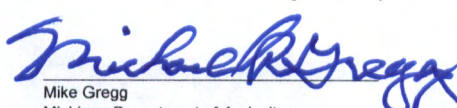
2. Review and set the agenda
3. Approval of the March 9, 2018 meeting minutes
4. Communications and reports of board members, committees, and consultants
  - a. Receive an inspection report of maintenance work and take action on payment recommendations
  - b. Receive a status report from legal counsel regarding the drainage district boundary revisions procedures and day of review logistics
  - d. Treasurer's report
  - c. Affidavits for recording of historical easements.
5. Approval of invoices
6. Other business
7. Public comment
8. Set the date, time, and location of the next meeting
9. Adjourn

**COMPUTATION OF COST**  
**Looking Glass River Intercounty Drain**

Be it Known, That We, the Looking Glass River Intercounty Drain Drainage Board, Counties of Shiawassee, Clinton, Ingham, and Livingston, State of Michigan, in accordance with the statute in such case made and provided, did on the 24th day of April, 2018, make the following computation of the entire cost of said drain, to-wit:

<b>Contracts for Construction:</b>	
<b>2016-2017 Contracts for Construction</b>	
Wombat Services	\$ 105,261.00
Chattaway Excavating	\$ 166,487.50
<b>2018 Contracts for Construction:</b>	
Wombat Services <i>(estimated)</i>	\$ 62,500.00
Chattaway Excavating <i>(estimated)</i>	\$ 62,500.00
<b>District Map</b>	
LSG Engineers & Surveyors	\$ 14,300.00
<b>Publication &amp; Mailing</b>	
<b>Mailing</b>	
-Postage	\$ 1,737.00
-Mail Company - notices	\$ 2,235.00
<b>Publishing - Bids</b>	
-Independent	\$ 139.20
<b>Publishing 197/DOR notice</b>	
-Independent	\$ 1,287.60
-City Pulse	\$ 2,423.50
-Clinton County News	\$ 665.30
-Fowlerville News & Views	\$ 728.00
<b>Additional 197/DOR Costs</b>	
Engineering support at Shiawassee	\$ 1,000.00
Engineering support at Ingham	\$ 1,500.00
Engineering in case of appeal	\$ 14,750.00
<b>Maintenance, Materials &amp; Inspection</b>	
Ingham County	\$ 3,000.00
LSG Engineers & Surveyors	\$ 35,000.00
Helicopter Air Specialty	\$ 1,132.00
Clinton County	\$ 1,069.00
Livingston County	\$ 1,500.00
<b>Legal Fees:</b>	
Woodworth & Associates	\$ 65,000.00
Dickinson Wright PLLC	\$ 4,700.00
<b>Engineering</b>	
LSG Engineers & Surveyors	\$ 30,000.00
Streamside Ecological Services	\$ 3,179.95
<b>Capitalized Interest</b>	
Drain Note from Joanne Lee	\$ 6,830.02
Less Interest Earned	\$ (209.13)
Sub-Total of Costs	<b>\$ 590,715.94</b>
Gross sum of Expenses	\$ 590,715.94
Add 10.03597% for contingent expenses	\$ 59,284.06
<b>TOTAL COMPUTED COST OF CONSTRUCTING SAID DRAIN</b>	<b>\$ 650,000.00</b>
<b>TOTAL ASSESSED</b>	<b>\$ 650,000.00</b>
Shiawassee County Portion	\$ 442,457.79
Clinton County Portion	\$ 117,403.00
Ingham County Portion	\$ 56,281.51
Livingston County Portion	\$ 33,857.70

Filed in my office with other papers pertaining to the within mentioned drain.  
Dated at St. Johns, Michigan on: April 24, 2018

 Anthony Newman Shiawassee County Drain Commissioner	 Phil Hanses Clinton County Drain Commissioner
 Pat Lindemann Ingham County Drain Commissioner	 Brian Jonckheere Livingston County Drain Commissioner
 Mike Gregg Michigan Department of Agriculture & Rural Development Deputy for the Director	

**COMPUTATION OF COST**  
Looking Glass Joint

4/24/18

Date	Funds in	
01/31/2017	Loan from Mrs. Lee	\$ 400,000.00
06/30/2017	Interest	\$ 132.64
12/31/2017	Interest	\$ 76.49
<b>Total</b>		<b>\$ 400,209.13</b>

Date	D.O.	Expenses		
10/06/2015	04473	Woodworth	\$ 16,095.60	
10/06/2015	04474	LSG	\$ 7,292.50	
11/20/2015	04500	Streamside	\$ 488.75	
07/18/2016	04638	Woodworth	\$ 1,613.75	
12/16/2016	04698	Independent Newspaper	\$ 139.20	
12/16/2016	04699	Ing Co #3095, #3164, & #3141	\$ 404.25	
12/16/2016	04700	Woodworth	\$ 3,684.28	
12/16/2016	04701	LSG	\$ 29,344.95	\$ 59,063.28
03/15/2017	04711	Woodworth #441	\$ 101.00	<b>Balance</b>
03/15/2017	04725	Chattaway pmt 1	\$ 36,575.00	
03/15/2017	04726	Dickinson & Wright #073337-01	\$ 4,700.00	
03/15/2017	04730	Ing Co #3300 & #3254	\$ 269.50	
03/15/2017	04731	LSG #2680	\$ 12,137.50	
05/04/2017	04746	Helicopter flyover	\$ 608.00	
06/22/2017	04788	Ing Co #3325	\$ 77.00	
06/22/2017	04789	Woodworth #550	\$ 305.53	
06/22/2017	04790	LSG #2789	\$ 3,240.00	
08/16/2017	04833	Ing Co #3439	\$ 115.50	
11/07/2017	04914	Woodworth #662, #592, #705, #737	\$ 6,077.76	
11/07/2017	04915	LSG #3026	\$ 4,515.00	
11/07/2017	04916	Ing Co #3226 & #3459	\$ 308.00	
11/07/2017	04917	Clinton Co: DR-2017-034	\$ 906.10	
11/08/2017	04926	Chattaway pmt 2	\$ 43,125.00	
11/08/2017	04922	Livingston County	\$ 705.16	
12/13/2017	04939	Helicopter flyover	\$ 524.00	
12/31/2017	04960	Chattaway Pmt 3	\$ 86,787.50	\$ -
12/31/2017	04961	Wombat Pmt 1	\$ 50,087.50	\$ 55,173.50
12/31/2017	04962	Woodworth #758, #820	\$ 3,653.33	
12/31/2017	04963	LSG #3115	\$ 5,467.50	
12/31/2017	04964	Ing Co #3569	\$ 154.00	\$ 260,439.88
01/30/2018	04984	LSG # 3138	\$ 3,702.50	
03/09/2018	05005	LSG #3175	\$ 3,067.50	
03/09/2018	05006	Woodworth #00838 & 00880	\$ 7,578.36	
03/09/2018	05007	Wombat Pmt 2	\$ 26,250.00	\$ 28,923.50
03/09/2018	05008	Ing Co #3630 & #3631	\$ 313.50	
04/24/2018	05043	Ing Co	\$ 3,215.28	
04/24/2018	05042	Livingston County	\$ 822.79	
04/24/2018	05041	Clinton Co:	\$ 1,371.58	
04/24/2018	05040	Independent	\$ 1,287.60	

04/24/2018 05039 LSG #3236  
04/24/2018 05040 Woodworth #900

\$ 3,580.00  
\$ 8,785.51

**Total**      **\$ 379,477.78**  
\$ 20,731.35      \$ (34,442.15)