



CLINTON COUNTY DRAIN COMMISSIONER

KIDD DRAIN

NOTICE OF MEETING OF BOARD OF DETERMINATION

DATE: Monday, July 11, 2022

TIME: 7:00 p.m.

LOCATION: Ovid Township Hall
1015 Baese Court
Ovid, MI 48866

QUESTIONS: (989) 224-5160

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 of the Kidd Drain, as set forth in the petition dated January 3, 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 Kidd Drain, 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 a 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 Clinton County Drain Commissioner's Office located at 100 E. State Street, Suite 2300, St. Johns, MI 48879.

Persons with disabilities needing accommodations for effective participation in the meeting should contact the Drain 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.

Phil Hanses
Clinton County Drain Commissioner

FAQs

Phil Hanses
Clinton County
Drain Commissioner



FREQUENTLY ASKED QUESTIONS Kidd 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 maintenance and improvement of the 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 maintenance and improvement of the Drain.

Why did I receive a notice?

A petition was filed with the Clinton County Drain Commissioner requesting the maintenance and improvement of the 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 Drain 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 Clinton County Drain Commissioner's website at <https://www.clinton-county.org/250/Drain-Commissioners-Office> or call (989) 224-5160.

Phil Hanses

Clinton County Drain Commissioner | 100 E. State Street, Suite 2300 | St. Johns, MI 48879 | (989) 224-5160



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MEETING OF BOARD OF DETERMINATION

Monday, July 11, 2022, 7:00 p.m.
Ovid Township Hall, 1015 Baese Court, Ovid, MI 48866

AGENDA

I. Introductions

- A. Board of Determination Members
- B. Drain Office Staff
- C. Engineer/Attorneys

II. Opening of the Board of Determination Meeting

- A. Oath
- B. Election of Secretary and Chairperson
- C. Rules of Public Comment

III. Outline of the Board of Determination Procedure

- A. Role and function of the Board
- B. Procedural History

IV. Public Testimony

- A. Open Public Comment
 - State your name and address
 - Identify whether you live or have lands in the drainage district
 - Chairperson read any letters/correspondence received
- B. Public Comment Closure

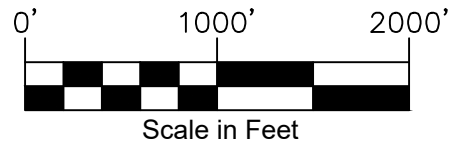
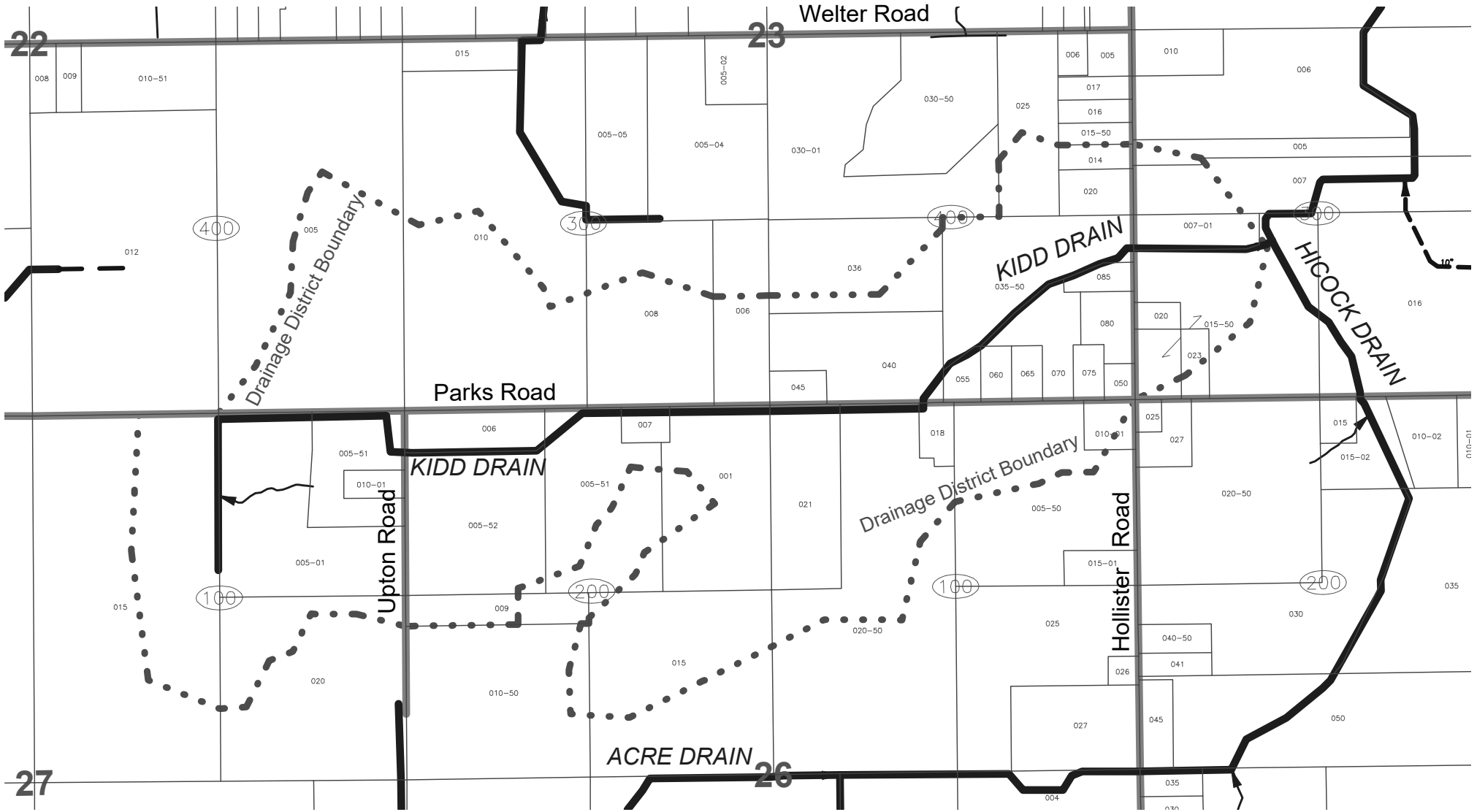
VII. Decisions of Board of Determination

- A. Whether Maintenance and Improvement of Drain is Necessary and Conducive to Public Health, Convenience or Welfare

VIII. Appeal Process

IX. Adjourn

KIDD DRAIN DRAINAGE DISTRICT



Drainage District Area: Approximately 426 Acres
Length of Drain: 9,400' or 1.78 miles