

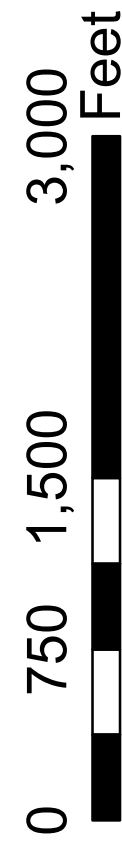
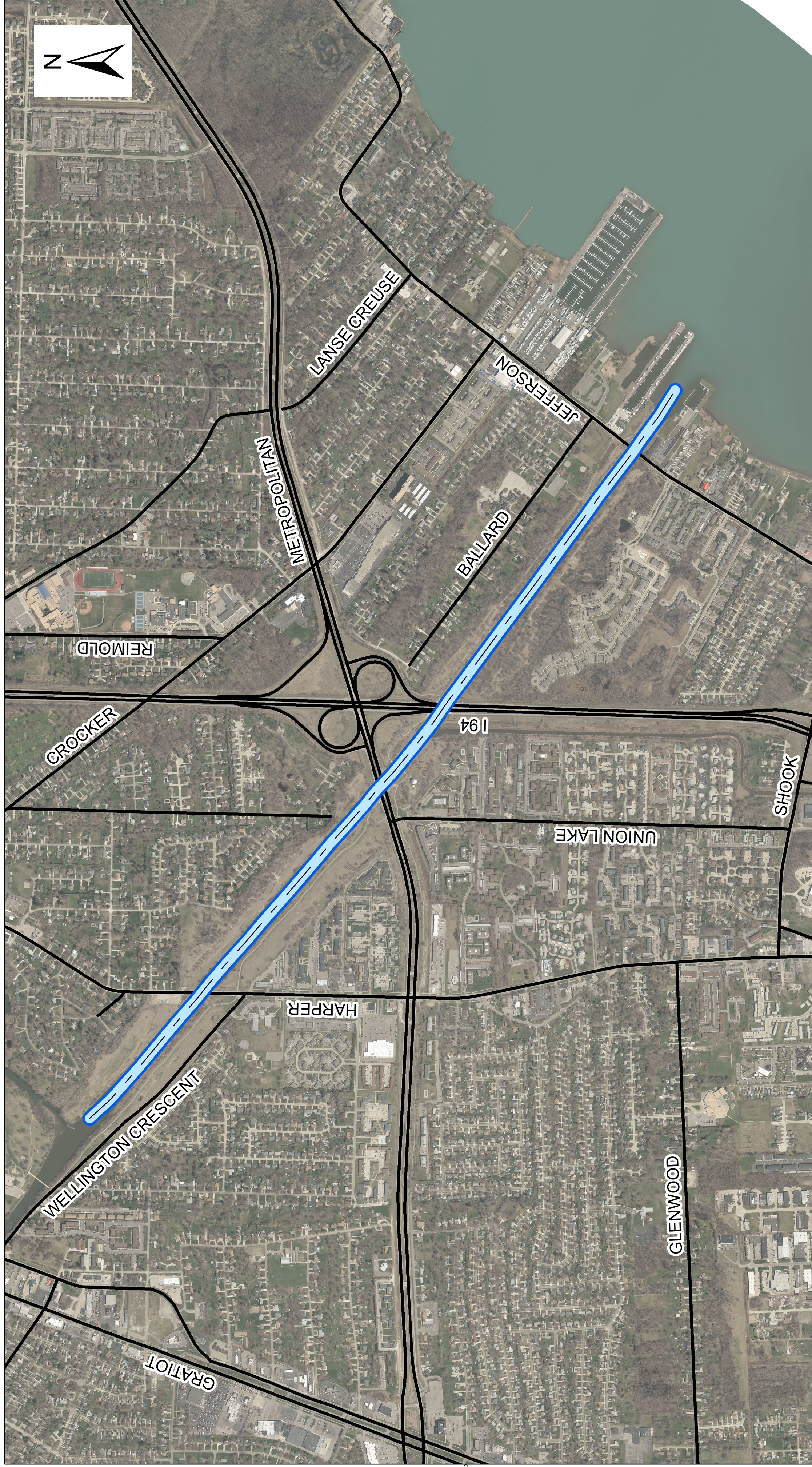
Gregg
Miller
Nash
Suma
Wiley

CLINTON RIVER SPILLWAY
INTER-COUNTY DRAINAGE BOARD
APRIL 26, 2022
10:00 A.M.
AGENDA

	Page
1. Call of meeting to order and roll call	
2. Approval of Agenda	
3. Approval of Minutes of meeting of June 22, 2021	3
4. Public Participation	
5. Project Updates – Jeff Bednar/Tom Stockel	7
a. Tree Planting and Fence Repair	
b. Master Plan Update	
c. Vegetation Removal/Riprap/Signage/Parking Lot	
d. USACE Weir Design	
e. Mowing Letter to Resident	
6. Sinkhole Repair – Stephen Downing	
Information to be Provided at Meeting	
7. Ownership of Spillway Parcels – Legal Review	16
Motion: To authorize a legal review of Spillway parcel ownership by Aloia Law at a not to exceed cost of \$4,000.	
8. Consideration for approval of invoices (see attached)	17
9. Financial Update – Bruce Manning	18
10. Other Business	
11. Adjourn	

CLINTON RIVER SPILLWAY

LAPEER, MACOMB, OAKLAND, & ST CLAIR COUNTIES



Drain Length (Feet/Miles):
11,281.34 / 2.14

Legend

- Open Channel
- Ditch
 - Pond

A meeting of the Inter-County Drainage Board for the **CLINTON RIVER SPILLWAY DRAIN** was held in the Office of the Macomb County Public Works Commissioner, 21777 Dunham, Clinton Township, Michigan, and virtually per the State Public Act 254 of 2020, on June 22, 2021.

PRESENT: Michael Gregg, Chairman
Michigan Department of Agriculture & Rural Development

Candice S. Miller, Secretary
Macomb County Public Works Commissioner

Jim Nash, Member
Oakland County Water Resources Commissioner
Location: Farmington Hills, Oakland County MI

Joe Suma, Member
Lapeer County Drain Commissioner

Robert Wiley, Member
St. Clair County Drain Commissioner

ALSO PRESENT: Anne Vaara, Chief Deputy, Steve Korth, P.E., Manager, Office of Oakland County Water Resources Commissioner; Jeff Bednar P.E., Environmental Resources Manager, Bruce Manning, Financial Manager, Kellie Kource, Drain Account Specialist, Norb Franz, Communications Manager, Tom Stockel, Construction Engineer, Danielle Devlin, Environmental Specialist, Macomb County Public Works; Stephen Saph Jr., Insurance Broker; Kim Meltzer, Clinton Township Clerk; Dana Duggar, Resident

The Chairman called the meeting to order at 10:02 a.m.

A motion was made by Mr. Suma, supported by Ms. Miller to approve the agenda as presented.

Adopted: YEAS: 5
NAYS: 0

The minutes of the meeting of March 23, 2021 were presented. A motion was made by Ms. Miller, supported by Mr. Suma to approve the minutes as presented.

Adopted: YEAS: 5
NAYS: 0

The meeting was open to public participation. Mr. Duggar addressed the board regarding debris clean up under the pedestrian bridge of Shadyside Park. He also asked about the warranty on evergreen trees that were planted which did not survive. He also suggested that there should be proper maintenance on the new pedestrian bridge proposed along Jefferson.

Kim Meltzer, Clinton Township Clerk addressed the board to let us know that they have cleaned up some of the debris along the Spillway banks and would be willing to help again.

Mr. Saph updated the board that we have received the general liability insurance coverage proposal from Argonaut Insurance Company. The premium prices did go up, but up less than the many other rate increases this year. The deductible for this renewal decreased from \$250,000 down to \$100,000.

A motion was made by Ms. Miller, supported by Mr. Wiley to approve the general liability insurance coverage renewal with Argonaut Insurance Company in the amount of \$78,511 (Clinton River Spillway share \$16,567).

Adopted: YEAS: 5
NAYS: 0

Mr. Bednar updated the board we received a summary of findings from the Army Corps from our October 2020 annual inspection along the Clinton River Spillway. The findings indicate that the weir itself was in good shape. We will petition the Army Corps to fix its design deficiency. Our responsibility is the clearing of the vegetation, adding riprap, signage, adding stone and grading the access lots on the Spillway which we will take care of.

A motion was made by Mr. Wiley, supported by Mr. Suma to authorize up to \$17,000 for parking lot maintenance and obtain 3 quotes for bank erosion repairs.

Adopted: YEAS: 5
NAYS: 0

A motion was made by Mr. Wiley, supported by Mr. Suma to have Mr. Bednar draft a letter for the Chair to request the Army Corp review the weir design deficiencies and request repairs.

Adopted: YEAS: 5
NAYS: 0

A motion was made by Ms. Miller, supported by Mr. Suma for the Macomb County Public Works Commissioner to solicit quotes for vegetation and debris removal and additional riprap and new signage at the weir structure.

Adopted: YEAS: 5
NAYS: 0

A motion was made by Mr. Wiley, supported by Mr. Suma to receive and file the project updates by Mr. Bednar and Mr. Stockel.

Adopted: YEAS: 5
NAYS: 0

Ms. Miller updated the board that Harrison Township has received a grant to design a pedestrian bridge along the Spillway. We will monitor the design to ensure it does not impede the Spillway flows.

A motion was made by Mr. Suma, supported by Mr. Wiley to receive and file the Harrison Township/Spillway pedestrian bridge grant update.

Adopted: YEAS: 5
NAYS: 0

Ms. Miller updated the board that the Detroit Zoological Society has offered to plant additional trees in communities, and they have decided to put their efforts into tree plantings along the Spillway. They have agreed to put \$15,000 toward this project if the Spillway Board authorizes a \$15,000 match. Ms. Devlin and Mr. Bednar presented their initial plans on where to place the plantings. Harrison Township has agreed to maintain the watering and care of the plantings.

A motion was made by Mr. Wiley, supported by Ms. Miller to authorize up to \$15,000 to match the pledge from the Detroit Zoological Society for additional tree plantings along the Spillway.

Adopted: YEAS: 5
NAYS: 0

The Chairman presented the invoices totaling \$3,970.49 as provided to the Board for review and approval.

A motion was made by Mr. Suma, supported by Mr. Wiley to approve the invoices as presented.

Adopted: YEAS: 5
NAYS: 0

A motion was made by Mr. Suma, supported by Mr. Wiley to receive and file the financial report presented by Mr. Manning.

Adopted: YEAS: 5
NAYS: 0

There being no further business, it was moved by Mr. Wiley supported by Mr. Suma that the meeting of the Clinton River Spillway Inter-County Drainage Board be adjourned.

Adopted: YEAS: 5
NAYS: 0

The meeting was adjourned at approximately 12:06 p.m.



Candice S. Miller, Secretary
Clinton River Spillway Inter-County Drainage Board

STATE OF MICHIGAN
COUNTY OF MACOMB

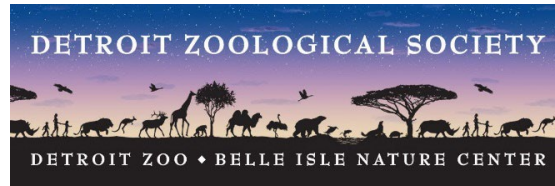
I certify that the foregoing is a true and correct copy of proceedings taken by the Inter-County Drainage Board for the Drainage District shown on the attached set of Minutes, on June 22, 2021. The original of which is on file in the Public Works Commissioner's Office. Public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1975, including, in the case of a special or rescheduled meeting or a meeting secured for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.



Candice S. Miller, Secretary
Clinton River Spillway Inter-County Drainage Board

DATED: 6/22/2021





OCTOBER 29, 2021

FOR IMMEDIATE RELEASE

Contacts:

Norb Franz, Macomb County Public Works communications manager, 586-201-5732

norb.franz@macombgov.org

Rachelle Spence, Detroit Zoological Society senior communications manager, 248-336-5867

rspence@dzs.org

NEWS RELEASE: Officials, volunteers plant more than 50 trees at Harrison Township park

To improve the environment and the “greening” of Macomb County, a group of more than two dozen officials and community volunteers planted 54 trees on Friday at a Harrison Township park where the Clinton River Spillway meets Lake St. Clair.

The group endured rain and a chilly wind to plant dozens of trees of various species at Jefferson Spillway Park, a passive park on Jefferson Avenue that is also a popular fishing spot overlooking the outlet of the Clinton River Spillway at Lake St. Clair. The trees will act as green infrastructure by improving storm water management and water quality, reducing carbon dioxide and increasing the shade canopy.

The event was a partnership between the Macomb County Public Works Office and The Detroit Zoological Society, in collaboration with Harrison Township, ReLeaf Michigan and Green Macomb.

“This is a wonderful team effort that improves the environment immediately and for decades to come through green infrastructure, contributing to quality of life by also making the park more enjoyable to area residents and visitors for generations,” Macomb County Public Works Commissioner Candice S. Miller said.

“The Detroit Zoological Society has pledged to plant 2,000 trees on its campuses and – in collaboration with ReLeaf Michigan – in communities across metro Detroit,” said Gerry

VanAcker, DZS chief operating officer. “We’ve already made wonderful progress toward this goal. It’s been so rewarding to see people give back what deforestation has taken away.”

Macomb County Executive Mark A. Hackel said: “Plantings like today’s and others hosted through our Green Macomb initiative make a big impact for our residents. We are aiming to double the tree canopy in Macomb County and are well on our way to that goal.”

The variety of trees planted at Jefferson Spillway Park include: swamp white oak, triumph elm, prairie fire crabapple, skyline honeylocust, Japanese lilac, American hophornbeam, London planetree, Princeton sentry ginkgo, Redmond linden and emerald arborvitae.

All of the new trees will be maintained for the first three years by Harrison Township.

“We are happy to partner with DZS and Macomb County Public Works in order to improve Spillway Park. These trees will provide benefits for decades to come,” Harrison Township Supervisor Ken Verkest said. “The park itself is the result of partnerships; it is federal land, overseen by the intercounty drain board and leased to Harrison Township for recreational purposes.”

The average tree absorbs 48 pounds of carbon dioxide and 1,673 gallons of storm water every year. Some native species provide food and shelter for birds, insects and small mammals.

ReLeaf Michigan is a statewide tree planting and education non-profit organization. In its mission to assist Michigan communities with increasing overall tree canopy cover and in maintaining their existing urban forest by providing access to tree-related resources and education, ReLeaf Michigan has planted over 30,000 trees with volunteers in more than 400 communities around the state since 1988.

“ReLeaf Michigan is pleased to partner with Macomb County, Green Macomb, Harrison Township, and the Detroit Zoological Society to plant 54 trees at Jefferson Spillway Park,” said ReLeaf Michigan project forester Ashley Laux. “Trees provide extensive environmental, economic, social and human health benefits, so a tree planting event is a great way for neighbors to connect and create a healthier community together.”

PHOTOS:

Macomb County Executive Mark Hackel, left, Macomb County Public Works Commissioner Candice Miller and Detroit Zoological Society Deputy Chief Development Officer Sabarras George chat before the tree planting at Jefferson Spillway Park in Harrison Township on Friday, Oct. 29, 2021.

Macomb County Executive Mark Hackel and County Public Works Commissioner Candice Miller with one of the 54 trees planted at Jefferson Spillway Park in Harrison Township on Friday, Oct. 29, 2021.

From left, Detroit Zoological Society Deputy Chief Development Officer Sabarras George, Macomb County Public Works Commissioner Candice Miller and County Executive Mark Hackel plant a tree at Jefferson Spillway Park in Harrison Township on Friday, Oct. 29, 2021.

From left, Macomb County Commissioner Barbara Zinner, Detroit Zoological Society Deputy Chief Development Officer Sabarras George, Macomb County Public Works Commissioner Candice Miller, County Executive Mark Hackel and Harrison Township Supervisor Ken Verkest plant a tree at Jefferson Spillway Park on Friday, Oct. 29, 2021.











Candice S. Miller

Public Works Commissioner
Macomb County

August 12, 2021

Property Owner

«Address»

Clinton Township, MI 48036

Dear Clinton River Spillway Neighbor:

As you have observed over the past several years, the Clinton River Spillway has experienced a significant habitat restoration project. This restoration, supported by federal grant funds, is a remedial action to address impairments to the Clinton River Area of Concern. The native grasses and wildflowers planted on the banks and upland areas of the Spillway property are a crucial element of the restoration project, both to encourage infiltration of stormwater carrying pollutants to the lake and to serve as food and habitat for necessary pollinators such as monarch butterflies.

Therefore it is critical that you and other Spillway neighbors **refrain from mowing or damaging any vegetation**, or depositing yard waste, trash or personal items within the Spillway property. **Violations will be enforced with restitution as per the Michigan Drain Code and Section 1062.12 of the Clinton Township Code of Ordinances.**

The habitat enhancement project was supported by both the National Oceanic and Atmospheric Administration (NOAA) and the US Environmental Protection Agency (EPA) as well as the Spillway Inter-County Drain Board. Millions of dollars of public funds were invested in this restoration project. Trespass mowing of the native areas creates extensive and expensive damage to the ongoing establishment efforts.

The EPA has granted additional funds for further establishment of the native plants and management of weeds and invasive species in the restoration areas. Native plants will be supplemented and maintenance mows or invasive species management will occur annually. A healthy, vegetated Spillway corridor is essential to the quality of life we enjoy in Macomb County.

Please call (586) 469-5325 or visit the Macomb County Public Works web page at www.macombgov.org for more information on this project.

Sincerely,

Candice S. Miller
Macomb County Public Works Commissioner

MEMORANDUM

TO: Candice S. Miller
Macomb County Department of Public Works Commissioner

FROM: Jeffrey M. Candela, Esq.
Aloia Law

DATE: April 4, 2022

RE: Clinton River Spillway / Real Estate Research
Our File No. 1000-014

Pursuant to your request, our office has been conducting real estate research in an effort to confirm the Drainage Board for the Clinton River Spillway Drain's ("Drainage Board's") ownership of parcels of land located along the Clinton River Spillway pursuant to the Quit Claim Deed recorded on December 20, 1952, in Liber 887, Page 22, Macomb County Records (the "1952 QCD").

The 1952 QCD conveyed certain "Tracts" of land located within Clinton Township, Harrison Township and the City of Mount Clemens from the United States of America, as Grantor, to the Drainage Board, as the Grantee. Unfortunately, because the 1952 QCD identified "Tracts" of land as opposed to actual parcels with parcel identification numbers, the 1952 QCD was never properly indexed by the Macomb County Register of Deeds. As a result, current Macomb GIS and Assessor records show the majority of parcels along the Clinton River Spillway as assessed to USA Spillway (Harrison Township parcels), or the U.S. Government (Clinton Township parcels).

In an effort to identify the relevant parcels that were conveyed to the Drainage Board in the 1952 QCD, my office has been conducting property research parcel-by-parcel to connect the "Tracts" conveyed within the 1952 QCD to current parcel identification numbers. While conducting the research has been tedious, we have made good progress to date. This research will ultimately avoid the necessity, or at least greatly reduce, the involvement and expense of engineers recreating the legal descriptions for the relevant parcels.

To date, our review and research has taken approximately 15 hours accumulating approximately \$1,900.00 in invoicing. I estimate another 8-10 hours to complete the review and research.

Once we have completed the research and the "Tracts" have been matched to the parcel identification numbers, we plan to proceed with strategizing with the local Assessor's offices, the Macomb County Register of Deeds and/or Macomb County Land File to try and correct the indexing issue with the 1952 QCD. As a last resort, we can work with the US Army Corps of Engineers to amend the 1952 QCD or record a new instrument clarifying record title in the Drainage Board so the relevant parcels can be properly indexed.

Upon your review of this Memorandum, please contact me if you have any questions or if you would like for us to proceed in a different manner.

<u>Funding Source</u>	<u>Apportionment</u>	<u>Manager</u>	<u>Vendor</u>	<u>Amount</u>	<u>Invoice Detail</u>	<u>Project Summary</u>	<u>Project Balance</u>
Clinton River Spillway	Chapter 21						
		Bednar	Cardno, Inc.	\$ 16,119.41	Invoice #316988 - 8.10.21	EPA Grant for Invasive Species Treatment	
		Bednar	Cardno, Inc.	\$ 3,978.10	Invoice #322175 - 11.11.21	EPA Grant for Invasive Species Treatment	
		Bednar	Cardno, Inc.	\$ 6,667.13	Invoice #323513 - 12.6.21	EPA Grant for Invasive Species Treatment	
		Bednar	Cardno, Inc.	\$ 3,646.14	Invoice #324820 - 01.05.22	EPA Grant for Invasive Species Treatment	
		Stockel	Cortis Brothers Trucking	\$ 6,737.02	Invoice #8500 - 6.30.21	Union Lake Emergency Repairs	
		Stockel	English Countryside Landscaping	\$ 8,415.00	Invoice #21-529 - 12.2.21	Trees on Berm near Fishing Pier	
		Slanec	Marino's Landscape	\$ 840.00	Invoice #13945 - 6.30.21	Lawn Care June 2021	
		Slanec	Marino's Landscape	\$ 840.00	Invoice #14589 - 7.31.21	Lawn Care July 2021	
		Downing	Marino's Landscape	\$ 1,260.00	Invoice #14899 - 8.31.21	Lawn Care August 2021	
		Downing	Marino's Landscape	\$ 840.00	Invoice #15763 - 9.30.21	Lawn Care September 2021	
		Downing	Marino's Landscape	\$ 840.00	Invoice #16263 - 10.31.21	Lawn Care October 2021	
		Baker	Nickel & Saph	\$ 16,567.00	Invoice #21-418 - 6.22.21	Insurance Renewal - 6.29.21 - 6.29.22	
		Bednar	ReLeaf Michigan	\$ 9,087.00	Invoice #1125 - 11.9.21	Tree Planting - FINAL	
		Bednar	ReLeaf Michigan	\$ 1,000.00	Invoice #1129 - 12.2.21	Staking of Trees	
		Stockel	RG Eisenhardt Contracting, Inc.	\$ 6,500.00	Invoice #5203 - 8.10.21	Jefferson Site Parking Lot	
		Stockel	RG Eisenhardt Contracting, Inc.	\$ 7,450.00	Invoice #5204 - 8.10.21	Harper Site Parking Lot	
		Bednar	Six Rivers Land Conservancy	\$ 4,200.00	Invoice #1327 - 10.13.21	AOC EPA Monitoring - EPA Grant	
		Stockel	Taylor Made Fences	\$ 1,700.00	Invoices #5413 - 03.18.22	Fence Repairs	
				Total		\$ 96,686.80	

YTD Trial Balance**Fund: Clinton River Spillway****As of Fiscal Period: Oct 1, 2021-Mar 31, 2022**

	O&M Balance 9/30/2021	O&M	TOTAL 3/31/2022
Cash - Operating	409,696	(17,033)	392,663
Accounts Receivable			0
Assets			0
Liabilities			0
Revenues		5,222	5,222
Expenditures		22,255	22,255
Equity	409,696		392,663