



KENT COUNTY DRAIN COMMISSIONER

Kenneth Yonker

775 Ball Ave NE
Grand Rapids, Michigan 49503

**KENT COUNTY DRAIN COMMISSIONER
BEHAN AND FOLEY DRAIN
NOTICE OF MEETING OF BOARD OF DETERMINATION**

COUNTY OF KENT
300 MONROE AVE NW
GRAND RAPIDS, MI 49503

DATE: Thursday, February 22, 2024
TIME: 7:00 P.M.
LOCATION: Kent District Library Grandville Branch,
4055 Maple St SW, Grandville, MI 49418
QUESTIONS: (616) 632-7910

A Board of Determination will meet at the above date, time, and location to hear all interested persons, receive evidence, and determine whether the proposed maintenance and improvement of the Behan and Foley Drain is necessary and conducive to the public health, convenience or welfare, as set forth in the petition, dated August 17, 2023, pursuant to Chapter 8 of Public Act 40 of 1956, as amended.

A presentation will be made to the Board of Determination, which outlines a brief history of the Drainage District, and describes 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 Districts. The Board of Determination will make its decisions 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 Kent County Drain Commissioner's Office located at 775 Ball Ave NE, Grand Rapids, Michigan 49503. 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. Visit our website, <https://www.accesskent.com/Departments/DrainCommissioner/>, under Petitions and Notice, for a copy of the petition and a location map of the drain and district map.

Ken Yonker
Kent County Drain Commissioner

FAQs

Kenneth Yonker
Kent County
Drain Commissioner

FREQUENTLY ASKED QUESTIONS 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 of interested persons and determine whether the petitioned maintenance and improvement 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 Kent County Drain Commissioner requesting maintenance and improvement be performed on 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 Board of Determination, however, it is your right to do so.

Can the decision of the Board of Determination be appealed?

Appeals are provided under MCL 280.72a and MCL 280.72(3).

How can I get more information?

Visit the Kent County Drain Commissioner's website at www.accesskent.com or call 616-632-7910.