

COUNTY ADMINISTRATOR
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TO: Jeff Irwin, Chair
Ways & Means Committee

THROUGH: Robert E. Guenzel
County Administrator

FROM: Janis A. Bobrin, Drain Commissioner

DATE: September 7, 2005

SUBJECT: Transfer of Jurisdiction of the Hannah Drain Drainage District to
the City of Ann Arbor

BOARD ACTION REQUESTED:

It is requested that the Board of Commissioners approve the transfer of jurisdiction of the Hannah Drain Drainage District to the City of Ann Arbor.

BACKGROUND:

Chapter 17, section 395 of the Michigan Drain Code allows the County Drain Commissioner to relinquish jurisdiction and control of a drainage district to a municipality as long as there is no outstanding indebtedness or contract liability and if the district is located within the boundaries of said municipality, provided that a majority of the county board of commissioners approve and a resolution is passed by a governing body of the municipality in which the drain is located.

DISCUSSION:

The City of Ann Arbor wishes to assume responsibility for the Hannah Drain Drainage District located in the City of Ann Arbor, and has submitted a resolution requesting relinquishment of jurisdiction and control of this drainage district. (See attached resolution.) There is no outstanding indebtedness or contract liability. The City of Ann Arbor has agreed to the assignment of easements and to pay all costs associated with the relinquishment of jurisdiction and assignment of easements. The City of Ann Arbor also agrees to assume the maintenance, jurisdiction, control and operation of the drain.

Request for transfer of jurisdiction has been reviewed by my staff and has been discussed with City of Ann Arbor representatives. All requirements have been met. I therefore recommend Board approval of the request by the City of Ann Arbor.

IMPACT ON HUMAN RESOURCES:

None

IMPACT ON BUDGET:

There is no impact on the County's budget; expenses will be paid by the City of Ann Arbor.

IMPACT ON INDIRECT COSTS:

None

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:

City of Ann Arbor

CONFORMITY TO COUNTY POLICIES:

There is no conflict with County Policies.

ATTACHMENTS/APPENDICES:

Proposed Resolution

Resolution from the City of Ann Arbor Requesting Jurisdiction.

A RESOLUTION APPROVING RELINQUISHMENT OF THE HANNAH DRAIN
DRAINAGE DISTRICT BY THE DRAIN COMMISSIONER TO THE CITY OF ANN
ARBOR

WASHTENAW COUNTY BOARD OF COMMISSIONERS

September 21, 2005

WHEREAS the Michigan Drain Code MCL 280.395 allows for relinquishment of drainage districts by a county drain commissioner to a municipality upon receipt of a resolution by the governing body of the municipality and approval of the board of commissioners, provided that there is no outstanding indebtedness or contract liability, and

WHEREAS, the City of Ann Arbor has submitted a resolution to the Drain Commissioner requesting relinquishment of jurisdiction and control of the Hannah Drain Drainage District located in the City of Ann Arbor, and

WHEREAS, the Drain Commissioner has reviewed this request and has determined that jurisdiction and control of the said drainage district may be relinquished to the City of Ann Arbor without detriment to the drainage district, and

WHEREAS, this matter has been reviewed by the County Administrator's Office and the Ways & Means Committee,

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves relinquishment of jurisdiction and control of the Hannah Drain Drainage District to the City of Ann Arbor.