

1 MR. BUSH: Good morning, everyone. It's 10:00
2 o'clock. We'll go ahead and get the public hearing
3 started for Eagle Ridge. I'm Joe Bush. I will start
4 out with doing the introductions. I'm your Ottawa
5 County Water Resources Commissioner. It was known as
6 your Ottawa County Drain Commissioner, so it's a
7 different name, same office. We do the same thing we
8 did before. Hopefully we do it better.

9 Again Joe Bush and then I will introduce my
10 staff. We have my secretary with me this morning.
11 That's Jen. Then we also-- Just so everybody knows,
12 everything is court recorded word for word this morning.
13 So if you have any questions, we'll go ahead and get
14 started. When it's public comment time, state your
15 name, your address, and go ahead and place your comment.
16 Make sure you speak loud for our Court Reporter. His
17 name is David;

18 And then we have Ryan McEnhill. He's from ENG
19 Engineering, which it used to be Fitzgerald, Kinney out
20 of Lansing, but they have a branch in Spring Lake and he
21 does a lot of drain work throughout the state. So he's
22 very familiar with my office and what we try to do; and
23 then we also have a 3-panel board which is picked by me.
24 These people have no affiliation with Eagle Ridge or
25 Coopersville City or Polkton Township or any neighboring

1 properties that are adjacent to today's public hearing.

2 This 3-panel board is picked by drain code and
3 they actually make the decision today whether we move
4 forward or do not do anything. So it's up to this
5 3-panel board. It has nothing to do with me. I don't
6 make the decision. So that's why it's important that if
7 you are here today for public comment, if you have
8 flooding or if you disagree with what we're looking at
9 doing, make sure you make it known for the court
10 recorder so it's on public record, and everything is
11 word for word as in a court document, and if you can't--
12 It's on my website, miottawa.org. If you can't get
13 access to a computer, I would be more than happy to
14 e-mail it to you. If you want to call my office, we can
15 help you out.

16 So starting on my right and going left, we
17 have Peggy Weick and she's with the Ottawa County Farm
18 Bureau. She's one of the-- She is the director over
19 there; and in the center, we have Larry Bruursema.
20 He's from Georgetown Township; and then we have got
21 Larry -- or not Larry -- Glenn Nykamp. He's from
22 Zeeland Township. These men are picked because of their
23 experience in drainage and both of them have been in
24 leadership in their communities as far as township
25 supervisor. Larry was Georgetown Township supervisor

1 and on the road commission and Glenn Nykamp is the
2 current supervisor at Zeeland Township. So they are
3 very well experienced in drainage and how drain code
4 works.

5 A lot of people do not understand that the
6 water resources or the drain commissioner goes by drain
7 code. That's why we're holding a public hearing for
8 your input today. So in further introductions, we have
9 got Jerry Olman from the road commission. He's here in
10 the front row; and then we have got the city that's
11 represented in the back row with Bryan and Anisa. Is
12 that right?

13 MS. WILLIAMS: Uh-huh.

14 MR. BUSH: So they are here from the city. So
15 be sure to ask any questions today, whether it's to them
16 or the road commission or to the 3-panel board. Once
17 the meeting -- or I give the oath to these three people
18 here, they will take over the meeting. They will pick a
19 chair and secretary, and then they'll run it, and then
20 any questions as to them. Then if there's any questions
21 from them, they will ask myself, the engineer or one of
22 the 3-panel board here.

23 So that's how the meeting kind of runs. Just
24 so everybody knows, that we're here today because we
25 received a petition from the city, and that was because

1 of flooding issues in the past, and then I was involved
2 in 2013 when Eagle Ridge had issues and neighboring
3 property owners had flooding issues. When I got the
4 call to go out and look at it, a lot of it that was
5 going on, a lot of the flooding is not a county drain.
6 I have no easements to go work on peoples' property. I
7 have no way to pay for it because it's not a county
8 drain. It's just a natural water course where a lot of
9 the issues were happening.

10 So that's why we're here today based on that
11 petition, and then once I receive a petition, and then
12 this is where -- this is why we are here, and I pick a
13 3-panel board, and they will decide. So I think that's
14 all I have for my part. I'll give the oath to the three
15 people here, and then once I sit down, I guess they will
16 run the meeting from there. Any further questions, I'll
17 be more than happy to answer.

18 The language in the letter that was sent out
19 is kind of vague. It's for all of our petition
20 projects. So we're not-- I don't think we are going to
21 be adding a lot. A lot of the infrastructure is already
22 in place. There are just issues with what is in place
23 there now and some of the issues, I don't have easements
24 again. So we're trying to resolve flooding issues.

25 A lot of this sounds like oh, you are going to

1 propose a new drain or you have got alternatives.
2 There's different things that we like to see, but we
3 don't do a lot with the engineer because of cost, for
4 one; and number two, we don't have a project yet
5 because this 3-panel board decides that. So I'm not
6 just going to go spend money without having a direction.

7 So once we hear from you guys in the public
8 comment time and this 3-panel board with questions, then
9 we'll move forward and it can either be a project or
10 not. We have a question?

11 AUDIENCE MEMBER: I guess I just want to
12 understand. The petition allows-- The petition
13 allocates money for you guys to come in and do the
14 project?

15 MR. BUSH: Correct; and there's a process.
16 We'll go through that later on who would pay how much.
17 We don't know. We don't have a cost. We don't even
18 have a project yet. We just went out and did all the
19 research on figuring out why we had the issue we had,
20 and that's what we'll present today, and on a limited
21 amount of funds, we went out with an engineer and tried
22 to figure out what was going on out there to try to give
23 you information today for the public hearing.

24 So the petition process starts the legal with
25 drain code moving forward legally and with taxpayers'

1 money. So that's why we're here today.

2 AUDIENCE MEMBER: To do the work on property
3 -- on drainage property?

4 MR. BUSH: No. It's only going to be work
5 that we have easements on.

6 AUDIENCE MEMBER: That's all you can do?

7 MR. BUSH: That's correct. That's correct. A
8 lot of it, we don't have easements. That's why we're
9 here today. If we move forward with the project, then
10 we would probably come and get easements, maybe do work
11 on the issues in that easement. We have a power point
12 we'll show today of the issues and concerns. So when we
13 do that, then that's kind of the process. Like I said,
14 I can't do work outside the easement and, if there's no
15 easement at all, I can't do anything without property
16 owners' permission.

17 AUDIENCE MEMBER: And the city has brought
18 this as a problem? Is that what you said?

19 MR. BUSH: Yes. Well, the city was aware of
20 it in 2013. I think there's been issues in the past and
21 I think the city wants to move forward on trying to
22 resolve the flooding concerns out there. That's why
23 they sent me a petition. So on behalf of the residents
24 for Eagle Ridge and we'll go into that detail, you know.
25 Maybe you're not affected. Maybe you didn't have

1 flooding, but we'll get into detail on who did and why
2 they did, possibly.

3 So I'm sure people are sitting here going I
4 never had a problem, been there 40 years and never had a
5 problem, but your neighbor or neighbor down the next
6 road over, he might have flooding problems because
7 everybody's water runs somewhere, whether it's in a pond
8 or whether it's-- Everybody says well, my water goes in
9 my ground, never had a problem. Well, when the ground
10 is froze, and you are in the middle of April or March,
11 and you get a big rain event, two inches of rain, the
12 ground's froze, you got snow on the ground, your water
13 is going somewhere. It's not going in the ground. It's
14 going on somebody else's property or a pond or a drain
15 or the roadside ditch. It's going somewhere.

16 So yeah; and I totally get it. Not everybody
17 has had a problem, but somewhere in your neighborhood,
18 somebody's probably been affected by a rain event and
19 had a driveway washed out or something. So that's why
20 we're here today -- to address your concerns; and like
21 I said, I don't make the decision whether we move
22 forward or not. So we'll go ahead and keep moving
23 forward and make the meeting go as quickly as possible
24 and I appreciate everybody coming and spending your
25 morning at 10:00 o'clock with us to listen.

1 Would you please rise so I can give you the
2 oath? Raise your right hands, please. Do each of you
3 solemnly swear to faithfully perform and discharge the
4 duties imposed upon you as members of the board of
5 determination appointed by the water resources
6 commissioner of Ottawa County to determine the necessity
7 of drainage improvements in a certain drain to be known
8 and designated as Eagle Ridge Estates drain in the City
9 of Coopersville and said county as required by law?

10 What do you say?

11 MR. NYKAMP: I do.

12 MR. BRUURSEMA: I do

13 MS. WEICK: I do.

14 MR. BUSH: Thank you.

15 MR. BRUURSEMA: I guess he's going to turn it
16 over to us. So let's have the -- find out who is
17 secretary and chair.

18 MR. NYKAMP: I make a motion to approve Peggy
19 as the secretary.

20 MR. BRUURSEMA: I'll second that. All in
21 favor signify by saying aye.

22 MR. NYKAMP: Aye.

23 MR. BRUURSEMA: Aye.

24 MS. WEICK: Aye.

25 MR. BRUURSEMA: OK. We've got to have a

1 chairperson.

2 MS. WEICK: I make a motion that Larry be the
3 chairperson.

4 MR. NYKAMP: I support.

5 MR. BRUURSEMA: Seems like I have rarely been
6 there, but OK. All those in favor signify by saying
7 aye.

8 MS. WEICK: Aye.

9 MR. NYKAMP: Aye.

10 MR. BRUURSEMA: Aye. Motion carried.

11 AUDIENCE MEMBER: Can you talk a little
12 louder?

13 MR. BRUURSEMA: That's one of my problems. I
14 won't be properly loud. I'll try, though. OK. We are
15 open for township comments on this project. Who is to
16 do that?

17 MR. BUSH: That would be Bryan. If Bryan has
18 any comments, you can go ahead and speak, Bryan.

19 MR. BUIST: Basically--

20 MR. BRUURSEMA: Can you stand?

21 MR. BUIST: Basically we have had, especially
22 in the springtime, a lot of flooding along the creek
23 there, and there's no way that we can fix this unless we
24 move forward with this project, and we just want to do
25 everything we can to help the residents out and fix

1 their flooding issues. So I've been on site many times.
2 So if anybody has any questions, you can ask me.

3 MR. NYKAMP: I have got a question. You said
4 the creek there. We're assuming that's the green line
5 that's going through the middle here?

6 MR. BUIST: Yeah. Correct.

7 MR. BRUURSEMA: I think the engineer will
8 probably point that out to us.

9 MR. McENHILL: Yes.

10 MR. BRUURSEMA: With that, we will turn it
11 over to the engineer to explain everything to everybody.

12 MR. McENHILL: Everything. Yes. All right.
13 Well, good morning, everyone. I am Ryan McEnhill. I'm
14 with ENG Engineers. I'm a registered professional
15 engineer here in the State of Michigan and we do quite a
16 bit of work for drain commissioners all across lower
17 Michigan. So we're very familiar with the process and
18 kind of the issues; and I'm going to go through all of
19 those issues today, primarily focusing on the three
20 branches that we have proposed and kind of what the
21 potential issues are that are out there.

22 So I have been to the site quite a few times.
23 I think Joe kind of hit the nail on the head with all of
24 these items here, but there was a petition filed. It's
25 a statutory requirement for the Michigan Drain Code that

1 we have this meeting today. This board basically has
2 one sole purpose, which is to determine the necessity of
3 the project. OK. They don't get to determine what the
4 scope of the project is going to be, what the cost of
5 the project is going to be. They are just here to
6 determine if a project is necessary.

7 So I think Joe already talked about that, so I
8 won't go into too much detail, but Joe contacted us when
9 he received a petition to basically do three main tasks.
10 The first one is to research, I guess, what's out there.
11 We started at the drain commissioner's office. We
12 reviewed the existing drawing for the subdivision to try
13 to get the lay of the land to see how it was laid out
14 from where piping is going from a design standpoint, how
15 the detention ponds were designed.

16 Secondly we did field visits to kind of
17 verify where issues were at, what popped out as from a
18 drainage perspective looked like it would be a problem,
19 and I'm going to go through a bunch of pictures and
20 photos and kind of explain what we saw from that
21 standpoint; and then the third thing that we did was
22 try to determine what the drainage district boundary is
23 for this district, and the easiest way to think about
24 the drainage district -- and I'm sure that most of you
25 haven't been involved in a meeting like this since it is

1 a new drain or a consolidation -- basically any water
2 that lands on your property, some of it will infiltrate,
3 some of it will run off, but eventually it's going to
4 make its way to one of these three branches. OK.

5 So that's why you are included in the mailing
6 and that's what that big purple line is that's indicated
7 on the map that you have. That's the drainage district
8 boundary or watershed; and we determined that primarily
9 based on contour information that's given to us by
10 Ottawa County GIS, and then the big thing is that we
11 will actually go out there and walk it just to ensure
12 that, you know, we are getting the high points, and
13 we're making sure that it's actually correct.

14 So we review quite a few things when we go
15 through and delineate these districts to make sure they
16 are correct. Just to give you just an idea, there's
17 City of Coopersville, there's Polkton, there's Wright
18 Township all included in the district, the majority of
19 the land in the City of Coopersville and Polkton, and
20 then just over 170 properties in total that encompass
21 this drain district.

22 So there's three main branches. The first
23 branch is the green dash line that kind of encompasses
24 -- goes all the way up into the northeast portion of the
25 drainage district, comes down along the northern side of

1 Eagle Ridge subdivision and then ultimately crosses 56th
2 street and discharges to McEwan Creek. The second
3 branch is kind of a mix of enclosed pipe and open ditch.
4 All three of these actually discharge to McEwan Creek,
5 but this one runs down the north side of Cleveland and
6 then crosses under the roadway kind of right near that
7 intersection of Cleveland and 56th;

8 And then the third one is also kind of a mix
9 of swales and enclosed pipes. That is the orange line
10 on your map and then basically it goes across land,
11 across a bunch of property that currently has no
12 easement on it, but all three of these branches are
13 existing water courses already. OK. That
14 infrastructure is kind of already there. These aren't
15 new proposed, I guess, branches that we're looking to
16 kind of re-engineer. The system is actually already in
17 place for each of these three branches.

18 So now I'm going to kind of get into the
19 existing conditions overview and what I tried to do is
20 give a lot of pictures because the pictures are kind of
21 the easiest way to kind of explain what's out there. I
22 will talk about the open channel conditions mainly
23 surrounded around that green line of Branch 1 and then
24 we'll go to kind of some of the things that were done
25 and look at the agricultural.

1 Obviously a lot of the Polkton and Wright
2 Townships areas have a lot of agricultural land that's
3 contributing to this Branch 1. So we'll take a quick
4 look at those types of conditions. We'll get into Eagle
5 Ridge Estates subdivision and the specific drainage
6 that's happening there and then the private drains as
7 well, which are basically referring to Branch 2 and 3.

8 OK. So with Branch 1, the two areas during my
9 walk -- and I actually walked the entire green line.
10 The two kind of issues that popped out were mainly at
11 the downstream end. The area between 56th Street to the
12 west over to McEwan Creek was very thick and, if we get
13 to the next slide area, show a couple pictures of what
14 that area kind of looks like. Heavy vegetation.
15 There's several log jams. Just not very conducive to
16 water moving through there efficiently;

17 And then these are kind of representative
18 photos of what it looks like kind of on the north side
19 of Eagle Ridge Estates. I mean, it's considered a
20 wetland area, so it's in a preserved state. It's more
21 of a creek, doesn't have, you know, the big deep ditch
22 cross-section that you would typically see for a drain.
23 This is more like a meandering creek with the ditch
24 defined, but you kind of got to look for it, you know.
25 It's probably one foot in depth, but also it's in a

1 natural state. It's got some, you know, all the natural
2 features, but it sits well below Eagle Ridge
3 subdivision, well below the agricultural land to the
4 north. So this specific area doesn't pose any threat to
5 homes, I guess, the way it sits today.

6 This is a look at the agricultural runoff and
7 it's a massive area of agricultural -- most of it. At
8 least at the time that it was inspected just recently
9 here in the last two months, it's mostly bare. You
10 know, the first thing that kind of popped into my head
11 when I was out there is just based on the slopes that
12 are out there, that water is getting to this drain fast.
13 OK. So it's a very flashy system. It runs off, likely
14 brings quite a bit of sediment with it.

15 So that was the first thing that popped into
16 my head and then also kind of the large land area that
17 it encompassed. So you can see that there's kind of a
18 big peak in discharge that happens during rain events
19 and these are just a couple photos of the agricultural
20 drainage ditch that was recently constructed. Some of
21 it is tiled, recently tiled, and there is some erosion
22 issues, sedimentation issues that I guess were
23 noticeable during the inspection, too.

24 So getting into the subdivision drainage
25 conditions, walked this a couple times and these spots

1 that are denoted as drainage concerns are certainly not
2 an all-inclusive type of list. It's just the areas that
3 I noticed that popped out and I actually talked with a
4 few residents that were out there that gave me some
5 additional insight. So these were the areas that I
6 found of concern, certainly not an all-inclusive list,
7 but I just wanted to talk through just a few of these;

8 And the big thing that I looked at and went
9 back to the files to review, too, was OK. How are these
10 detention basins operating? There's two detention
11 basins in the subdivision, one on the west side, one on
12 the east side. The west detention basin was originally
13 designed to detain a 25-year storm event for
14 approximately 48 acres, which for the most part is like
15 the first three phases of that subdivision. So a
16 25-year storm, I think, was the standard at the time
17 that this went in.

18 The detention basin on the east side of the
19 site, which would be east of Redtail, that one was
20 designed for a 100-year storm event because the actual
21 water resource commissioner's standards had changed, I
22 believe, when that phase actually was built. So the
23 thing that pops out is that the east detention basin was
24 designed to have a restriction. Typically when we
25 design these, we have some sort of restriction in there,

1 whether it be a 6-inch pipe, something that will
2 restrict the flow out and allow this thing to detain
3 water. Well, there's no 6-inch restriction in there
4 anymore. The restriction has been removed. So really
5 it's not acting as a detention basin anymore. It's kind
6 of a like a flow-through basin;

7 And the reason why that's important is because
8 when it does flow through there, it ultimately ends up
9 in this west detention basin which is already designed
10 for a higher frequency storm and really doesn't have the
11 capacity to handle that additional runoff. So you are
12 getting this west detention basin overloaded, I guess,
13 with water from the entire subdivision. So that was the
14 thing that popped out, more of a file review and then a
15 confirmation in the field of what I saw there, and then
16 I think there was a complaint report that the west basin
17 had actually overtopped its bank, went down and actually
18 caused some issues -- I can't think of the exact date,
19 but where basements were possibly in danger, too.

20 So that was one thing that popped out and then
21 the other couple areas were surrounded around the rear
22 yard drainage. You know, the soils in this area are
23 predominantly clay. So you are not getting a lot of
24 infiltration. A lot of it primarily turns to runoff and
25 the slopes in the rear yard were minimal. So even

1 talking with a few homeowners, they said that, you know,
2 they were concerned about the drain. They always get
3 standing water there during rain events, and those two
4 specific spots, I did walk back there maybe two days
5 after a rain event, and it was just kind of like a
6 sponge back there. So those were kind of issues that I
7 noticed in those two spots.

8 This is at Branch 2, which I did talk to this
9 homeowner yesterday, too, but there's a lot of runoff
10 that comes from Eagle Ridge Estates subdivision that
11 ultimately ends up in his backyard and again this is a
12 very saturated area. I think work was done recently to
13 put in a larger diameter pipe to at least alleviate some
14 of his concerns, and that outlets onto the north side of
15 Cleveland Road, and that's part of the Branch 2 system
16 that's being proposed;

17 And then finally this is Branch 3. This again
18 collects water from Eagle Ridge Estates subdivision as
19 well. This is generally a private system. There's
20 apparently no easement in place on the south side of
21 Cleveland. There's a lot of saturated condition down
22 there. The concern is there's a lot of water going down
23 through there, hasn't been maintained properly.

24 So from a culvert standpoint, those types of
25 things, it popped out as a potential issue just because

1 of the large amount of contributing area that you are
2 getting from a storm water perspective that's going into
3 a private system. So there's really nobody-- The drain
4 commissioner currently doesn't have the authority to
5 maintain it. It's currently all on the property owners
6 to maintain it. So that was a concern that I noticed as
7 well.

8 There's a lot of standing water, cattail
9 growth. You can see the rutting that happens and that's
10 kind of due to the clay soil as well, but those are the
11 three branches, kind of just a brief outline of the
12 existing conditions that are out there just to give
13 everybody an idea. The next couple steps here as we go
14 forward are public testimony. Obviously we love to hear
15 from all of you whether you are for the project, against
16 the project. All those things are important for the
17 board members to determine and then it's up to them
18 ultimately to determine what the necessity of the
19 petition is.

20 If the project were to be turned down today,
21 the project would cease. Another petition couldn't be
22 heard on this project for another 12 months, and so if
23 the project is determined to be necessary, the next
24 steps obviously would be to kind of develop and do
25 additional research on what we think how we're going to

1 fix, I guess, the issues, and your input on what those
2 are are all important in how we determine what those
3 design alternatives are going to be.

4 So that's where we are at. I will turn it
5 back over to the board. If the board has any specific
6 questions for me, I'm more than happy to answer them.

7 MR. BRUURSEMA: Thank you, Ryan. OK. Now
8 it's your turn to make any comments. So if you would
9 give your name and address, the secretary will put that
10 down and we would like to hear your comments. Why don't
11 we-- We have an order here. Why don't we start at the
12 end of the row and work over? So think about your
13 comments and you don't have any comments right now, do
14 you? OK. And you can be the first row.

15 MS. BURKLE: OK. Lisa Burkle, 244 Talon
16 Drive, and you are going in my backyard. I guess my
17 question is who is going to pay for this, you know? I
18 do have an easement in my backyard. I do have--

19 MR. BUSH: OK. There is some. A lot of it
20 does have; some of it doesn't.

21 MS. BURKLE: Yes. Mine supposedly has city
22 owned property going right through my backyard where you
23 are proposing to go. We have a pathway, bike path.
24 Does it flood? Yeah. It dries. Doesn't go in my
25 backyard -- or run into my basement. We have had no

1 issues. So I guess why now after so many years is this
2 being brought up, I mean?

3 MR. BUSH: It's other--

4 MS. BURKLE: I've been there.

5 MR. BUSH: It's other people. It might not--
6 Right.

7 MS. BURKLE: It clearly has-- There's a hill
8 and then my property runs into that hill. Whoever did
9 the site work, why shouldn't they be the ones to pay for
10 it? It was obviously approved.

11 MR. BUSH: How many years ago was that?

12 MS. BURKLE: 13 -- 12, 13 years.

13 MR. BUSH: It might be hard to go back on
14 somebody for 13 years ago now.

15 MS. BURKLE: So is it my responsibility then?
16 Do I have to pay for this?

17 MR. BUSH: No. I guess there's a way to pay
18 for it if it moves forward.

19 MR. BRUURSEMA: Yes. I was going to say the
20 way to pay for it would be up to the township.

21 MR. BUSH: Yes. There will be a motion made,
22 if it moves forward, that the township or the city,
23 everybody who is a player on that one power point, that
24 everybody is playing a role in it. So the townships
25 play a role, so they will pay. The road commission

1 plays a role. They have 14 counts, which is a drain.
2 They will play a role, and then the city will play a
3 role because they are -- a lot of it's in the city.
4 They will all pay a share based on apportionments. I
5 will apportion them based on what I feel they should pay
6 and then we'll just--

7 I hate to throw numbers out there because
8 these aren't-- These are just numbers that, you know,
9 say it's a \$10,000 fix. I could make those -- all those
10 municipalities and everybody pay 50 percent of it and
11 then the other 50 percent could go back on the
12 homeowners in the whole drain district. So everybody is
13 going to pay a little bit because everybody is getting
14 the benefit overall to the project and then that's based
15 on the formula. We will go based on acreage, home, your
16 runoff, you know. The engineer will come up with a
17 formula, which we do it on every project, to make sure
18 it's fair and equitable for everybody.

19 So -- and then it's based on benefit,
20 contribution to your water flow. So how much water do
21 you contribute and how much do you benefit from it? So
22 that's how it would be paid for. Not everybody is going
23 to pay the same, but we try to be fair about it, but
24 again, your city, all your townships who are involved,
25 the road commission, the county, you know, they will all

1 get apportioned, too. So they are going to pay their
2 share, but also the property owner will have a
3 percentage of it.

4 MR. BRUURSEMA: Unless the township wants to
5 pay the whole bill.

6 MR. BUSH: Right. Unless your city wants to
7 pay the whole thing. That's up to the city. They could
8 come back and say well, the cost is minimal. We'll
9 just-- We won't assess our property owners; and now if
10 the city says well, we're not interested in paying the
11 whole thing for our residents within the city limits,
12 then we'll go back and then assess the people based on
13 benefit based on our formula. That's how every drain
14 project is paid for.

15 The county, we don't have funds aside just to
16 pay for county drains. It's usually special
17 assessments. Good example, Georgetown Township. We
18 don't normally assess property owners in Georgetown
19 Township. Georgetown Township sets money aside every
20 year, 300,000 to \$400,000 for drainage. Not everybody
21 can do that. So we're blessed. Allendale is kind of
22 the same way. They pretty much will pay at large when
23 it's their township residents. I know Wright Township
24 probably won't pay at large. Polkton probably won't pay
25 at large, I don't think, and the city, I'm not sure if

1 they would want to pay at large. I don't know. I can't
2 speak for them, but I can say that history proves that
3 it probably will be based on the residents paying for
4 this, a percentage of it.

5 MR. BRUURSEMA: Thank you. Good question. I
6 think Joe answered a lot of questions that people may
7 have in their minds.

8 MR. BUSH: I'm sure everybody's number one
9 question, who should pay for it and why do I got to be
10 responsible for a contractor from 15 years ago? Well,
11 it's hard to go back on somebody 15 years later and say
12 oh, you didn't do it right. Because like she said, why
13 bring it up now? Well, because we're having more issues
14 now. These issues probably have been going on for
15 years. It's just people say well, it only happened last
16 year. It won't happen again. Then we get a few dry
17 years. Then we might go five years and never have a
18 water problem.

19 Water tables come up. Rain events get
20 different. Now all of a sudden we have problems and
21 then this is why we're here today -- to figure out how
22 do we solve some of these problems because they keep
23 coming back to certain property owners. Some people
24 have lived here for a couple years, haven't seen it.
25 Some people might have been here since the beginning and

1 seen a lot. So it varies.

2 That's why your testimony today is important
3 for us to try to figure out whether -- and I know it's
4 in your backyard and what will we do? Well, we don't
5 have a project, number one. Number two, it's already
6 there. The infrastructure is already in place. How do
7 we improve it to make it more efficient or make it more
8 better for your neighbors, whoever else has issues? So
9 that's kind of why we're here. Hopefully that answered
10 your question.

11 MR. BRUURSEMA: Did you want to add to that
12 question?

13 MS. BURKLE: No. I'm good right now. Thanks.

14 MS. HILTON: Julie Hilton, 297 Talon. I have
15 a question for the engineer. I do have a storm drain in
16 the free space behind our house in between Talon and
17 Creekside. Is that connected to anything or is it
18 draining the water freely? There's nothing on the map.

19 MR. McENHILL: In between Talon and Creekside?

20 MS. HILTON: Right between Talon and
21 Creekside, there is a sewer drain in the free space in
22 the common area behind.

23 MR. McENHILL: Yes. Those are connected into
24 the storm sewer system in the roadway.

25 MS. HILTON: So are these new systems going to

1 be connected to us? Am I going to have more water in my
2 backyard because everything is connected?

3 MR. McENHILL: No.

4 MS. HILTON: Is it going to improve this?

5 MR. McENHILL: No. We certainly don't do
6 these projects to try to make it a negative for anybody.

7 MS. HILTON: Right.

8 MR. McENHILL: We are always trying to make an
9 improvement. So I think your rear yard is kind of
10 almost like a soup bowl pretty much, is it?

11 MS. HILTON: Well, my rear yard is fine. It's
12 the common area and that is where the drain system is.
13 That's what I'm assuming the drain's there for.

14 MR. McENHILL: Right; and I think for the
15 most part, there's just not enough of catch basins to be
16 able to catch the water. A lot of times when you got
17 those clay soils and there's not a lot of slope in the
18 rear yard, the water just tends to sit there, I mean. A
19 lot of times, people can't mow their lawns because they
20 can't get their lawn tractor through there. So I mean,
21 to answer your question, no. We certainly don't do
22 things to try to push more water on somebody else.

23 MS. HILTON: I just wondered if that was just
24 part of the water system connected to the system.

25 MR. McENHILL: It is connected to the system.

1 Yes.

2 MR. BRUURSEMA: OK. Thank you. Second row,
3 you got any comments? Yes?

4 MS. TEPASTTE: I live at 43 Talon.

5 MR. BRUURSEMA: Name?

6 MS. TEPASTTE: Ann Tepastte; and I have lived
7 there four years and I have had water in my basement
8 twice. OK. After the first time, I had tiles put in
9 that go to this cute little drainage ditch out there and
10 from, you know, from the -- come down the house and go,
11 anyway, to prevent it. Second time, that was when we
12 had the real bad rain. I had water in my basement again
13 and yeah. I called the city and they said they were
14 going to, you know, have all these meetings and stuff,
15 which is great.

16 There's a retention pond right past my house
17 and then the drain, and it looks like, I mean, you know,
18 I'm certainly uneducated on this stuff, but the drainage
19 ditch is what -- almost 20 years old, and I'm thinking
20 that it needs to be dredged to be made deeper or
21 something so that water flows from the drainage ditch
22 out, and my neighbor has a-- What is that thing? --a
23 big manhole cover. Now, when it's really bad after a
24 storm, he will go out and lift that up, and water will
25 go right down it, and he leaves it up for a little

1 while, but I mean, I don't think that's his job to go
2 open a manhole cover so water will go down it, and--

3 MR. BUSH: And I believe that's why we're here
4 today because I was in your backyard in 2013 when your
5 basement got flooded. I was over there. I walked it.
6 So--

7 MS. TEPASTTE: Yes. It isn't going downhill
8 anymore.

9 MR. BUSH: No. No. We have issues over there
10 and we've got to do something. Otherwise you're going
11 to get flooded again.

12 MS. TEPASTTE: Don't say that.

13 MR. BUSH: No. I mean, the reality is we
14 could get another 2013 rain event next year. I hope
15 not.

16 MS. TEPASTTE: Tomorrow, you know.

17 MR. BUSH: Yes. It's usually in the spring.
18 It's usually snow melt and rain event. So anyway, we're
19 here today to listen to testimony and--

20 MR. BRUURSEMA: Joe, what is that manhole for?

21 MR. BUSH: It's one of the manholes to that
22 system, but it can't get there. That year was a bad
23 year because the water was-- The pond -- that actual
24 pond was overflowing for some reason.

25 MS. TEPASTTE: I mean, that pond is all grown

1 up and there's cattails. I mean, it's kind of neat that
2 there's wildlife in there and everything until my
3 basement floods.

4 MR. BUSH: That particular pond, Ryan, you
5 have some way to point it out on the -- is right--

6 MR. McENHILL: Yes. This spot right here is
7 the pond you are referring to. Right?

8 MS. TEPASTTE: No.

9 MR. BUSH: The one on the northwest corner up
10 there in blue.

11 MR. McENHILL: Yes; and actually I had a
12 photo that I didn't expand too much on that showed the
13 detention basin. You can't even really tell it's a
14 detention basin. That left-handed picture there for the
15 board members, that's the detention basin. I mean, it
16 looks like there's a forest.

17 MR. BRUURSEMA: There's a forest there.

18 MR. BUSH: It's definitely not got the
19 capacity to put the water in.

20 MS. TEPASTTE: Right. Thank you.

21 MR. BRUURSEMA: OK. Sir?

22 MR. ARENS: Yes. My name is Derrick Arens. I
23 live at 257 Talon, and actually I live right here on the
24 screen, and I notice that this area is not on your
25 impact area.

1 MR. McENHILL: Can you come and show the board
2 members, actually?

3 MR. ARENS: We are looking at this common area
4 right here that's not highlighted on anything that I
5 have seen and actually my backyard is, I think, the low
6 point.

7 MS. HILTON: Yes. Mine goes to his.

8 MR. ARENS: And I'm like you said. I can't
9 mow my lawn. I have been there since December of '08.
10 I have had water in my basement three times to where it
11 just runs right into my basement and I do road and
12 bridge construction for a living, have had a handful of
13 people out there to evaluate it. I guess for me, this
14 is a huge deal because, like I said, I can't use my
15 backyard half the year; and I think the manhole, the
16 drainage structures are too high.

17 If you look at the GIS maps, you can see the
18 area to the east all flows very nicely, but it all runs
19 to the west right along that trail and we can't mow that
20 area, kids can't play in it until midsummer to fall just
21 because it does. You know, when we moved in and it's
22 dry, we have all kinds of kids back there playing
23 baseball and all that stuff. If they can't use that
24 half the summer, it just sits and grows weeds and that's
25 a big part for me, at least, to let my kids go back

1 there and play. So I would love to be part of any
2 discussion or considerations that are part of the design
3 for the fix.

4 MR. BRUURSEMA: OK. Thank you. Next row.
5 OK.

6 MR. ALBERTS: I'm Jim Alberts. I live on
7 Creekside and I guess I have two questions or two
8 concerns. Number one is with the timing of this
9 meeting. I have talked to a lot of my neighbors and, if
10 you look around here, you don't see very many young
11 people. There's a lot of young people that live there.
12 Now, why is this meeting at 10:00 o'clock? A lot of
13 people would want to be here, but they work. The old
14 people are here, all right.

15 It almost looks as if you decided well, you
16 know, we don't want many people here. True or not true?

17 MR. BUSH: That's not true.

18 MR. ALBERTS: OK. I'm just telling you how it
19 looks. Number two, you are asking us and you are asking
20 that board to decide a project and, to me, everything is
21 pretty vague. All I have heard here is well, we're not
22 real sure and we really don't know what it will cost.
23 How are these three people going to say aye or nay when
24 there's no work, no cost, no whatever? I kind of
25 believe it's a done deal, but this stuff is very, very

1 vague. I'm sure everybody here would like to have some
2 idea. Is it going to cost 20 million? Is it--

3 MR. BUSH: Well, right.

4 MR. ALBERTS: Is it going to cost 20 million
5 or is it going to cost \$100?

6 MR. BRUURSEMA: Excuse me. What we are here
7 for is to determine if something should be done. We
8 aren't thinking about cost at all. We just want to
9 know--

10 MR. ALBERTS: Yeah. You answered my question.
11 You aren't thinking about cost.

12 MR. BRUURSEMA: We didn't know anything about
13 this drain before, heard nothing about it until I came
14 in here this morning, neither one of us. So it's just
15 whether it should or should not be done and we'll make
16 that determination on what we hear from you folks.

17 MR. ALBERTS: But am I correct? If you three
18 say yes, this project will go forward?

19 MR. BRUURSEMA: It will proceed from there.
20 All we have to do is make a decision and, if it's yes,
21 the township or city will proceed with it.

22 MR. ALBERTS: OK. At what cost? At what
23 general cost? At what general work-up is that to be
24 determined?

25 MR. BUSH: That's to be determined. I guess

1 let me answer the question.

2 MR. ALBERTS: I have got one other question.
3 Then how do you expect us to reply to you in any kind of
4 coherent manner? You are asking input, but you are
5 telling us we don't know what we're going to do and we
6 don't know what it will cost. How can we reply to you
7 honestly?

8 MR. BUSH: Let me answer the first question.
9 Your first question was why 10:00 o'clock. Well, most--
10 If you go on miottawa.org on my website, most of our
11 meetings are at 10:00. They have been that way for the
12 last umpteen years because we had them at night, too,
13 and I got more feedback at night -- having them at night
14 because your young families, number one, they have
15 supper at a certain time. They don't want to disrupt
16 supper.

17 Number two, you are going -- families have
18 sporting events. My kids are in sporting events and
19 they are usually on traveling soccer or whatever may be,
20 but everybody gets busy, and if you have them during the
21 school year, people want to get their kids in bed. They
22 have routines. So the young families seem to have-- So
23 then they didn't like it at night, so then I got
24 feedback, why do you have them at night for? We don't
25 have time at night.

1 So I figured 10:00 o'clock, try -- I mean, I
2 just try to have it convenient. I totally understand
3 your concerns. I hear it all the time and it's like
4 well, what do you do? I can't win either way. So just
5 have it at 10:00. Hopefully people can come. You can
6 always write in correspondence, which we kind of skipped
7 that, but we'll do that. You can write in
8 correspondence and you can call and talk to the engineer
9 or I.

10 So that's question number one. Number two,
11 you people would be very upset if I went out and anybody
12 in this district, anybody in that red line on the map,
13 and I went out and spent \$50,000 on engineering to come
14 up with a cost and to figure up bids, and then this
15 board comes back and says Joe, we don't approve it.
16 What do I do with that \$50,000? Who do I assess it to?
17 The city is going to say you assess my residents and
18 then the townships are going to go well, I'm not paying
19 for it. You assess my residents. Then you guys get
20 stuck with a \$50,000 bill that this 3-panel board says I
21 don't see a project.

22 That's what I could get stuck doing. So I do
23 the very minimal to do what I do with Ryan. We spent
24 very miniscule money to figure out what we can show you
25 today because I can't go and spend tax dollar money

1 without having this 3-panel board approve a project.
2 Now, we can move forward and then I will keep everybody
3 in the loop and do a mailing on what we're thinking we
4 can do or our project cost, because if the project is
5 too much, and drain code, if it says that the project
6 oversees the benefits and the cost is too much, I won't
7 do it. I will just say I'm not going to do it. It's
8 too costly, and I have that jurisdiction to say that,
9 and I would do that.

10 If it's too costly, we're at \$20 million for
11 these many property owners in the city and Wright
12 Township, I go, you know, we have to look at it again
13 and revisit it and do a small scale project and
14 piecemeal it together, which then you guys would be
15 upset. If everybody gets flooded, you go why did you
16 put a band-aid on it? Why didn't you do the full
17 surgery and do the project the first time because now
18 I'm flooded again, Joe? So then you are going to be
19 upset. There's certain people that are going to be
20 upset again.

21 So I'm trying to do it very conservatively --
22 and I hope I answered your question -- by spending a
23 little bit of money on engineering and come up with some
24 kind of here's what we have, here's what the problems
25 are, and this board needs something to go on because

1 they don't have anything. How are they going to make a
2 decision? And so that's why I do what I do. That's why
3 we don't have a cost -- because I didn't spend 50,000
4 for an engineer to go out and put one together for me,
5 because it's your right today to object having the
6 project at all.

7 You can shut this-- You are the voting-- You
8 are the speaker today. If you don't want the project,
9 you could say no, no, no, and this board could say no,
10 and I just move out and nothing happens. I mean, that
11 could happen. I'm not saying it would.

12 MR. ALBERTS: Except the reality is we don't
13 have that choice. Those people have to choose.

14 MR. BUSH: They do, but if there's enough
15 negative comments in here, that helps those three
16 members decide oh boy, this is not going to -- it's not
17 necessary. These people don't want it.

18 MR. ALBERTS: I don't mean my comments to be
19 negative because I have never had a problem, but I
20 certainly don't want any of my neighbors to have a
21 problem.

22 MR. BUSH: Right. Right. Understood.

23 MR. ALBERTS: My concern is you are tasking
24 three people to do a project and, unless they have more
25 than what we have, I don't know how they can decide.

1 MR. BUSH: They are not determining the price.
2 They are determining whether it's a necessity or not.
3 Now, there's a time and a place that-- There's a time
4 where they review that you can come in and you can
5 appeal your assessment. You can disagree with me.
6 There's a legal process that can happen beyond there.

7 MR. ALBERTS: Well, yes, but the reality is
8 when we walk out of here today, they are going to say
9 yes or no--

10 MR. BUSH: Correct.

11 MR. ALBERTS: --and it's a done deal.

12 MR. BUSH: Well, to a point. The cost isn't a
13 done deal yet. The project moving forward is -- could
14 be a done deal, but the cost isn't a done deal yet. I
15 mean, I'm looking at this. I'm going-- I got in my
16 mind, you know, I'm not going to spend \$1 million on
17 this project. I'm not going to spend 500,000. I don't
18 see \$200,000 to fix this project. That's a lot of
19 money. I mean, I have to really consider that and to
20 sit here and say \$20 million, no. \$1 million, no.

21 I mean, the infrastructure is here. We just
22 have to figure out how to make it work better than what
23 it's worked. Do we have to add a few things? Do we got
24 to clean out that drain along Pine Eagle Ridge and down
25 to the proposed drain line? Do we got to do more

1 maintenance on that drain? Do we got to clean out those
2 detention basins that you've seen as a forest? I mean,
3 all these little pieces need to happen.

4 MR. ALBERTS: So you are-- Then what you are
5 explaining is that you do not believe that this whole
6 project would cost any more than 200 grand. Is that
7 what I hear you saying?

8 MR. BUSH: Ryan, would that be a fair
9 statement? I mean, it's hard to say, but--

10 MR. BRUURSEMA: Be careful.

11 MR. McENHILL: I typically wouldn't throw out
12 dollar amounts, but obviously anytime you do a project,
13 there's always a balance between the cost aspect and
14 performance aspect, and you always try to get the best
15 bang for your buck on what you are going to do, and
16 typically the drain commissions -- and we work with a
17 lot of them across the state -- have scope meetings
18 where you actually come in, and you can review kind of
19 preliminary drawings and what we're proposing to do, and
20 we'll usually have a rough cost estimate of what we
21 think it's going to cost, and that's the time down the
22 line where you guys again could have a bunch of input on
23 what the project ultimately becomes should this board
24 find the project necessary.

25 OK. So we try to keep everybody involved so

1 they have a voice throughout the process.

2 MR. BRUURSEMA: Thank you. I have been on a
3 lot of these boards of drains -- not as a determination
4 board, but with the township. I was on the board for 20
5 years. We have had a lot of audiences just like this.
6 There were some for it, some against it. We went
7 through a lot of them with a lot of protests, but I'll
8 guarantee you those people are happy today because we
9 saw and looked ahead as what would happen as other
10 people moved in and the problems that we could solve and
11 it happened. It worked.

12 Even though a lot of people were very negative
13 about it, these things happen and we're here to
14 determine whether we're creating damage to some people
15 and hardship to some people and some people are living
16 high and dry, but their water, like you mentioned,
17 somebody else mentioned, it goes somewhere. If you are
18 the bottom of the hill, you are going to get the water.
19 If you are on the top, you are going to be high and dry.
20 However, they are contributing to the problem, if they
21 have a problem. Now, we haven't heard all the problems
22 yet.

23 MR. ALBERTS: But I don't think anybody here
24 who is high and dry like I am and Joe is, I don't think
25 anybody here is complaining about a cost to help our

1 neighbors. All right -- which is what you are
2 inferring.

3 MR. BRUURSEMA: No. I'm not--

4 MR. ALBERTS: My concern is the vagueness of
5 it. We're going to kind of do this and it's going to
6 kind of cost us money. That's my only question. If you
7 can get a dry basement, I'm more than happy to help pay
8 for it.

9 MR. BUSH: Like I said, I'm sticking my neck
10 out there to put this on the record to say a cost
11 because I didn't spend \$50,000 on engineering before
12 today to figure out a true cost. I wish I could give
13 you a number today. I would feel better about it, but I
14 really don't-- On the record, I don't know. I mean, I
15 can say it's not going to be 20 million. We might as
16 well have another city built, I mean. So you know, it's
17 got be to feasible. I'm not going to put people in
18 hardship.

19 MR. BRUURSEMA: OK. We'll continue. Are you
20 all set for now?

21 MR. ALBERTS: Yes, I am.

22 MR. BRUURSEMA: I'll give you another chance.

23 MR. WURM: My name is Joe Wurm. I live at 193
24 Creekside Drive. I just got a couple questions, one
25 kind of for you. Does anybody-- You know, I'm looking

1 at these pictures and I'm seeing that these basins
2 haven't been cleaned out. Who is responsible for that
3 in these common areas?

4 MR. BUSH: Right. Sometimes it's me.
5 Sometimes it could be the association.

6 AUDIENCE MEMBER: There is no association.

7 AUDIENCE MEMBER: There is no association.

8 MR. BUSH: There is no-- Well, I'm just
9 saying sometimes, maybe not in this circumstance, but
10 you know, sometimes it's the water resources, the drain
11 commissioner's responsibility. Sometimes not; and this
12 one--

13 MR. WURM: Who determines that?

14 MR. BUSH: Well, that's why we're here today.

15 MR. WURM: I mean, to determine who should
16 have been cleaning them out this long?

17 MR. BUSH: Well, I don't know if-- It could
18 have been anybody. It could have been the city. It
19 could have been us, but nobody's cleaned them out.
20 Nobody's fault, you know.

21 MR. WURM: That's why a lot of these people
22 are having hardships. Number two, if we go towards--

23 MR. BRUURSEMA: Let me answer your first
24 question about who is responsible for it. When I was
25 with the Township of Georgetown, we did it ourselves.

1 If the people had problems, the ditch was all overgrown,
2 we went out there and cleaned it out. We didn't even
3 bother the drain commissioner.

4 MR. WURM: That's what I mean. If the people
5 know that, that's all well and good.

6 MR. BRUURSEMA: You can complain to your
7 municipality and they can get it done.

8 MR. WURM: OK; and to the engineer, you know,
9 I heard that we can't go back 12 years ago, you know.
10 It's too long. Are you representing the firm that's
11 going to do the work?

12 MR. McENHILL: That's going to do the design?

13 MR. WURM: Yes.

14 MR. McENHILL: I don't know for certain.
15 That's a decision--

16 MR. WURM: How long do you guarantee your
17 work? In other words, I don't want to hear 15 years
18 down the road that this needs to be redone again, but we
19 can't go back on the engineer that designed it.

20 MR. McENHILL: Well, typically you try to--
21 For instance, when you are doing infrastructure, let's
22 just say an enclosed pipe, you design that for a certain
23 design storm, whether it be a 10-year storm event. OK.
24 That's what you design your storm sewer for. OK. So if
25 -- and we base that on historic rainfall amounts. OK.

1 So it should last-- It should serve that design storm
2 indefinitely, assuming that there is no changes in the
3 watershed that's contributing to that system.

4 MR. WURM: And obviously the ones that
5 contribute to it, that would be runoff, somebody putting
6 in another huge complex?

7 MR. McENHILL: Correct.

8 MR. WURM: And that's the city's
9 responsibility then?

10 MR. McENHILL: Well, I mean, all of these site
11 plans and subdivisions are reviewed. Typically whenever
12 you put in a new subdivision, the runoff is, for the
13 most part, it's done according to Joe's standards that
14 he has in his office, but usually it's restricted to the
15 predevelopment runoff amount. So you shouldn't see --
16 and that's by using detention basins and that sort of
17 thing, assuming they operate correctly and are
18 maintained.

19 MR. WURM: Yes, but you know, my question is
20 will this be guaranteed, you know, for 20 years? Is it
21 going to be guaranteed for 10 years, you know?

22 MR. BRUURSEMA: I guess the short answer on
23 that would be no. They don't have guarantees.

24 MR. BUSH: No guarantees.

25 MR. BRUURSEMA: That's a question that's not

1 necessary.

2 MR. BUSH: What if you get a 200-year storm
3 event? We do what fits. You get a different rain
4 event, then you can't build something for a 200-,
5 300-year storm.

6 MR. WURM: Yeah, but what if we don't get a
7 100 year? What if, like I say, somebody builds another
8 complex out there, we put up another section of school
9 up there?

10 MR. BUSH: If there's another phase, then they
11 will probably be putting a pond in and they will have to
12 do their own water management on their own sites.
13 Another phase would have another pond and their own
14 infrastructure to keep their water management within
15 themselves so they don't flood neighboring properties
16 like we have now. That's why when I review it, my--
17 When I say my office reviews it, just so you know, and
18 then there's usually three engineering firms that see it
19 for potential future liabilities.

20 Now, we do it better now than what we did
21 probably 10 years ago and probably 20 years ago when
22 these phases were probably put in. So you know, the
23 criteria is stronger now than what it used to be and my
24 job is to prevent flooding. That's why we are what we
25 are, so besides water quality and all the other stuff,

1 but my job is to make sure that any future growth and
2 the issues we have currently improve. That's why we're
3 here.

4 So you know, is there any guarantees? That's
5 pretty vague. I mean, there's no guarantee on what
6 Mother Nature can bring. We have seen some horrific
7 snow events in the last five years and we have seen some
8 rain events.

9 MR. WURM: Why I asked that question was you
10 say in the retention pond to the east, that there should
11 have been a 6-inch pipe--

12 MR. BUSH: It might have been in there.

13 MR. WURM: --that's for us?

14 MR. BUSH: It might have been in there. See,
15 we're more reactive than proactive. When you have 900
16 county drains in the county, I have a very small office.

17 MR. WURM: I understand that.

18 MR. BUSH: So I don't have time to go out and
19 look at this stuff. You guys--

20 MR. WURM: I asked the question again because
21 if they didn't put it in there and they were supposed
22 to--

23 MR. BUSH: It might have been there. We don't
24 know that. That's the problem. Somebody could have
25 took it out because they didn't like it. They might

1 have lived there. That happens a lot.

2 MR. BRUURSEMA: Thank you.

3 MR WURM: I just wondered why they wouldn't
4 be responsible--

5 MR. BUSH: Right.

6 MR. BRUURSEMA: Hold it.

7 MR. WURM: --if they were paid to have it put
8 in there and it didn't get put in.

9 MR. BRUURSEMA: Hold it. If I can answer some
10 of your questions, these developers, as they come in,
11 they have engineers to design a development that will
12 take care of their own water. They know what's
13 downstream, so they design accordingly. So that's--
14 You can't foresee everything, but they do the best they
15 can and it's approved by you. OK. Do you have any
16 more?

17 MR. WURM: No. That's all.

18 MR. NYKAMP: Let me say one thing. We
19 maintain our drains. We actually pay for them in our
20 township, unless they are huge, huge -- not 20 million
21 -- but we maintain those same drains multiple times
22 sometimes in a year if something happens; and in a
23 subdivision, it's a little bit different, but -- and our
24 drain water comes up there from the first section. We
25 might have a tree that falls in there today and we might

1 have another tree that falls in there two weeks from
2 now.

3 So we maintain them as we go along by request
4 of people. People will call Joe, say hey, my ditch has
5 got a log in it or whatever it is. We as a township, we
6 pay for somebody to remove that log. So just because we
7 pull a log out today doesn't mean we won't have 20 more
8 in the next 50 years.

9 MR. BRUURSEMA: OK. You have a comment?

10 MR. HAMMOND: Let me ask my question first. I
11 just want to make sure everything is going to be
12 maintained and maintained by who?

13 MR. BRUURSEMA: Your municipality. We need
14 your name and address.

15 MR. HAMMOND: Mike Hammond, 548 East Street.

16 MR. BRUURSEMA: OK. Anything else? OK. How
17 about that young lady there? No? Yes, sir?

18 MR. PITZ: Yes. I'm Bruce Pitz. I live at
19 938 Redtail. I'm on the east retention pond right about
20 there, and that was cleaned out three years ago, and
21 it's pretty much overgrown again. We have not had any
22 problems with water in our basement. I don't think any
23 of our neighbors have who haven't had sump pump problems
24 -- that kind of thing. We have a high water table
25 there.

1 Just to comment, to me, there is a drain that
2 runs off the city street right between my property and
3 the property to the south that feeds that pond. I think
4 probably the majority of the water that ends up in there
5 comes off the city street. Just a comment on that. I
6 guess I'm thinking really the city wanted these houses
7 in here as tax base and the city has never really done
8 anything to protect the people who live there. They
9 wanted our tax money, but they are not backing us.
10 That's just my thought.

11 MR. BRUURSEMA: Thank you. Anything else?
12 OK. Let's stand up and see. How about you there? No?

13 AUDIENCE MEMBER: Can I speak for her?

14 MR. BRUURSEMA: Pardon?

15 AUDIENCE MEMBER: Can I speak for her? I'm
16 her granddaughter.

17 MR. BRUURSEMA: Sure. Sure can.

18 AUDIENCE MEMBER: So she's Betty Knauf and she
19 lives at 17591 48th Avenue. She was the bulk of the
20 green property on Proposed 1. She owns this whole part
21 down here. She's lived there for 68 years. She's never
22 had a water issue, and while she feels bad for the
23 people downstream, those houses went in long after hers
24 did, and she just doesn't feel that that's her
25 responsibility as a taxpayer to cover the problems that

1 they are seeing in the city.

2 MR. BRUURSEMA: OK. Thank you. Les?

3 MR. LANGELAND: Lester Langeland, and I
4 represent Langeland Farms and Langeland Farms,
5 Incorporated, and our water goes on the north side of
6 Eagle Ridge, and Bill Henke owns some. Some of the
7 people there own some of the land. A lot of that's been
8 tiled and I don't see a need for the drain commission to
9 authorize a county drain beyond the east side of Eagle
10 Ridge as far as construction.

11 I'm not saying that I wouldn't be liable to
12 pay for some of the water coming through the north side
13 of Eagle Ridge. Now, on the north side of Eagle Ridge,
14 if you have been out there-- Joe has been. --it's been
15 left to grow up as a wetlands. Brush and things have
16 grown in there, and as I listened to comments here, most
17 of the problems are dealing with Proposed Branch 2 and
18 3, not Proposed Branch 1.

19 They mostly deal with Branch 2 and 3. So if
20 Branch 2 and 3 are taken care of, then Branch 1, maybe
21 it's not the real purpose except for that maybe 500 feet
22 along the north side. Now, I have maintained there on
23 the end of my property where, with Bill Henke, we
24 cleaned that all out, and I don't really see a need for
25 the drain commission to authorize a drain up through my

1 land and through Bill's land.

2 The water is going to come there. We may have
3 to pay, but to have an authorized drain section there
4 and get an easement for that length going way up to 48th
5 Avenue, I don't see a need for that at all. It's tiled
6 and the water -- the drain -- don't need an open drain
7 there. It's just from that on.

8 Now, if you ask for an assessment, it's a
9 little different story. I have got quite a lot of land
10 that the water runs through there. I probably would
11 have to pay for some of the assessment only if it's in
12 proportion to what goes on the north side of Eagle Ridge
13 because none of my water goes where Drains 2 and 3 are.
14 Drains 2 and 3 are all enclosed primarily in Eagle
15 Redge. So that assessment should be Eagle Ridge's
16 assessment. Drain 1, a portion goes through. That's, I
17 think, a question that would have to be accomodated.

18 MR. BRUURSEMA: OK. Do you want to address
19 anything on that, Ryan?

20 MR. McENHILL: Well, I think the only thing is
21 that if the volume -- it's the volume of water that's
22 coming down into that Branch 1. I think that in just
23 talking about this with Joe previously, we want to keep
24 that wetland area kind of in the natural state that it's
25 in now. I don't foresee anything occurring on that

1 drain just to the north side of Eagle Ridge, but I think
2 the concern is how that big volume of water that comes
3 off those fields is handled.

4 We obviously don't want sedimentation getting
5 into that very natural wetland area. So that would be a
6 concern, but the actual alignment of what would become a
7 county drain on that green line is something that I
8 think would be discussed further with Joe to determine
9 what exactly would be taken over and made established as
10 a county drain. So there's the potential that not all
11 of that green line could become county drain. I think
12 that's a discussion that we probably would have here if
13 we move forward.

14 MR. BRUURSEMA: Thank you, Ryan.

15 MR. BUSH: I do just want to appreciate
16 Mr. Langeland and Langeland Farms and Bill Henke
17 cleaning out that section of drain because you guys do
18 maintain it. So that is very well known that you guys
19 try to keep things on the up and up on the upper end.
20 So it's appreciated.

21 MR. LANGELAND: One of our problems in
22 cleaning it out is that some of the people -- and that's
23 their privilege -- want to maintain that wetland in that
24 natural thing. So we had to really run the water north
25 of it on Bill's land -- not going through that--

1 MR. BUSH: The wetland.

2 MR. LANGE LAND: --that wetland. We went
3 alongside the wetland, cleaned it out, and then the
4 problem with a lot of these ditches is who cleans them
5 out five years from now? So now, I do know, and I have
6 had drains in Polkton Township, and Polkton Township has
7 got taxes today, and they figure on cleaning every 10
8 years, a revolving fund. Now, they cleaned part of one
9 of my properties where I had it last year, and next year
10 in 2016, there's a drain over on Garfield in that area
11 that they have got scheduled to do. To what extent
12 Polkton is involved in this, it looks to me it's more of
13 a city problem than a Polkton Township problem.

14 MR. BRUURSEMA: Thank you, Les. Is there any
15 more?

16 MR. LANGE LAND: No. I think that's enough.

17 MR. BRUURSEMA: Thank you. OK. How about the
18 yellow shirt over there? You want to start over there?

19 MR. TOOGOOD: Yes. My name is Jerry Toogood
20 and I live at 984 East Street. I'm probably the first
21 person affected in that Proposal 1 drain. Where Lester
22 and Bill Henke dump their water off their agricultural
23 fields, they dump it right on the east end of my
24 property. That's where that little drain meanders back
25 through that wet area. So more like that, I heard that

1 you don't want anyone to think about going back to the
2 wetlands, but you know they are going to fill that
3 little drain in with silt.

4 I moved into my house in 1989. I have 4-1/2
5 acres. I got a pond out in back. The pond's still
6 there. You can't see it no more. Over the years when I
7 first moved in, I had one of the local farmers come down
8 and mow all that grass for me, and it got to the point
9 he couldn't do it anymore because it got so wet, he got
10 stuck with his tractor, and that all coincided with the
11 time where agricultural started tiling fields, the
12 housing development started going in, and that's when I
13 seemed to start getting more and more water on my
14 property.

15 It got to the point I couldn't mow the grass
16 anymore. Everything out back kind of got run over,
17 don't take care of it. We still do mow open areas that
18 we can, but around the pond, it's all overgrown. I'm
19 sure you guys have been out there. You know how the
20 pond looks. I got cattails, reeds and the trees.

21 I hired an excavator -- and I can't tell you
22 exact when -- probably somewhere around mid '90s. He
23 came out with his equipment. We dug out that whole edge
24 of that pond, cleaned it all out, and it just got to the
25 point we had so much water coming off Bill Henke's

1 fields to the north, all the surface runoff, it actually
2 cut little furrows right in my grass there in the high
3 water runoff areas, and it was always wet back there, so
4 I just couldn't maintain it.

5 When I moved in, I was told by the people that
6 live there that that pond was probably 12, 14 feet deep
7 at the deepest part. I don't think there's any part of
8 that pond right now that's probably more than four, five
9 feet deep. I think over the years, there's been a lot
10 of silt run in that pond and pretty much filled it in,
11 but I'm the first one and my neighbor next door, Rob,
12 he's the one that's had his driveway washed away a
13 couple times, and I don't think this has anything to do
14 with Eagle Ridge, their development, because it more or
15 less sounds like they are on Proposal 2 and Proposal 3.

16 Maybe that people that live on the north edge
17 of Eagle Ridge, probably shouldn't say this, but
18 probably some of them got sump pumps that dump out in
19 back of their homes and, you know, pump water out of
20 their basement down into that creek, but I definitely
21 think that creek needs to be cleaned out and maintained,
22 not only on my property and Rob's property, and also to
23 the west of us to where it meets up with that creek.

24 Let me see. You have got pictures that show
25 that that creek is-- You can't walk through it because

1 it's so filled. The creek is very shallow. Not the
2 pond, the creek. The ditch is very shallow. I would
3 think that if the city dug out, you know, maybe kept it
4 two, three feet or something like that, got little banks
5 on it, it's going to help us tremendously, but we
6 definitely got-- I think we definitely got to have that
7 made a county drain so it can be maintained. OK.

8 MR. BRUURSEMA: Thank you. Way in back, do
9 you have something?

10 MS. WILLIAMS: Yes. Anisa Williams. I'm the
11 assistant city manager, and I'm sorry Mr. Patrick could
12 not be here today, but one of the things that he
13 expressed to me is that we have been listening to
14 residents and hearing you guys complain about flooding
15 in basements and also hearing that you guys are high and
16 dry, and I want you to know that we have been hearing
17 you, and this is why we petitioned Ottawa County to make
18 -- try to get some movement as we're trying to look
19 holistically at the drain and water issues, and it does
20 involve Polkton and Wright Townships.

21 Therefore we wanted to see if there was a
22 solution that could work for everyone, which is why
23 we're here today. So thank you for coming in and
24 listening and talking.

25 MR. BRUURSEMA: Thank you.

1 MR. BUIST: Well, the whole time I'm sitting
2 here thinking about things to say, hearing everybody,
3 and Joe, especially you, this whole thing was brought
4 about because the city wants to have a plan in place to
5 help everybody's -- you know, everybody's issues, and
6 right now, there is not an association in Eagle Ridge,
7 and we always battle with who's going to do this or
8 who's going to do that because nobody really knows.

9 We just put about \$6000 into a pipe to help
10 drain an issue, and you know, technically we did it
11 because the pipe was full of roots, but it was part of
12 an Eagle Ridge thing. So if we do this, if we make this
13 a county drain, it will delineate who is responsible,
14 and we will have a maintenance program.

15 The city goes ahead and sweeps the roads, you
16 know. We try to keep the basins clean as best as we
17 can, but there's only so much we can do, and we just
18 think that this is the best way to come up with a
19 program and solve everybody's problems, and we can all
20 work together and go about it that way. So--

21 MR. BRUURSEMA: Thank you. Is there any-- I
22 don't want to leave anybody out. Sir? We have got one
23 here.

24 AUDIENCE MEMBER: I guess my question is to
25 everybody. Is anybody opposed to a plan, just even

1 evaluate it?

2 AUDIENCE MEMBER: We need a plan.

3 MR. BRUURSEMA: Anyway, go ahead.

4 AUDIENCE MEMBER: I have a question for you
5 and for you. When you are walking through these, is it
6 a maintenance issue mainly because nobody was taking
7 responsibility and nobody was maintaining these drainage
8 basins or whatever, however the water drains?

9 MR. BUSH: I would say that's 50 percent of
10 it.

11 AUDIENCE MEMBER: So probably the main
12 solution would be just to go back, clean these, get them
13 back to where they should be standards and that should
14 handle the problems?

15 MR. BUSH: Right. I would say at least 50
16 percent or more, but I think some of it could be some
17 new infrastructure, some new piping, upsize some of it
18 based on certain locations. Some of it hasn't been
19 cleaned out. 56th Avenue all the way to where it ties
20 in to where it comes to a Y at O'Brien, if you can move
21 that-- Can you make that bigger a little bit, where it
22 comes to a Y on the west side? Bryan and I walked that.
23 Bryan and I walked that from the city and took
24 pictures. It's so thick back there, you don't even know
25 it's a drain. I mean, it's horrible. I thought oh my

1 word. This is why people were flooding, I mean; and of
2 course, it's downstream, but if you get water flow, you
3 are going to help upstream property owners. To answer
4 your question, I would say at least 50 percent of it is
5 maintenance and then the other portion could be upsized a
6 few culverts, maybe.

7 I know we do have written correspondence. Let
8 us not forget to read those from a couple Lemmens who
9 say they are objecting to anything because they don't
10 want more water because they flood already, and I'm like
11 well, we are not proposing to dump more water on you.
12 We are proposing how to manage the water we already have
13 so nobody else floods. So that's what we're trying to
14 do.

15 MR. BRUURSEMA: I was going to wait until we
16 are clear. Then we are going to read them.

17 MR. BUSH: But you've got another question?

18 AUDIENCE MEMBER: I had another point.

19 MR. BRUURSEMA: Bill had his hand up. Is that
20 Bill in the white shirt? Did you have a comment?

21 MR. ALBERTS: Yeah, I did. Jim Alberts again.
22 If we go forward with this project, will any of the
23 property owners within the enclosed area be allowed to
24 opt out for whatever reason or is it a done deal that
25 we're going to spend X amount of money, we have X number

1 of property owners and everybody is going to share?

2 MR. BUSH: There's usually not an opt out.

3 MR. ALBERTS: There's usually not an opt out?

4 MR. BUSH: That's right.

5 AUDIENCE MEMBER I have a-- My question is
6 it's in my backyard. I think it's Proposal 3.

7 MR. BUSH: Can you show us on the map maybe
8 where you are located?

9 AUDIENCE MEMBER: Im right there. What's
10 supposedly in my backyard? There's nothing except the
11 hill. I guess I want to know. There's no drain. There
12 is no nothing.

13 MR. McENHILL: No. There's just a little
14 swale there.

15 AUDIENCE MEMBER: There's a path going and
16 that floods, but we have never flooded our-- None of us
17 have ever flooded our basements or anything. We don't
18 mow right on that hill. There is a hill from East
19 Street. All those properties, whoever did our site
20 work, they just drove it and left a little hill, so we
21 get all the way down and we're the low point. I know
22 that, but I guess what is there or what would you do?

23 MR. McENHILL: Well, I'm familiar-- Do you
24 want me to go into that? I will give it to you if you
25 don't want me to.

1 MR. BRUURSEMA: No. Go ahead.

2 MR. McENHILL: We actually had a project very
3 similar to this where you have clay soils and you have
4 areas that are designed right now to use swales. We
5 would try to put in catch basin structures, enclosed
6 pipe to try to get that pipe into the ground and out.

7 AUDIENCE MEMBER: So I don't have anything
8 that I can maintain or do or anything to help that and
9 how is that going to help, I guess, because there's not
10 a ton of water like he's talking? Our basements don't
11 flood like that. It stays out there. I mean, it's
12 squishy. We don't get to mow for a while. So it grows,
13 whatever, but it does dry, I guess. So how is that
14 going to help his problem or her problem or, you know,
15 that type of thing, I guess?

16 MR. McENHILL: That's something that we would
17 -- if the project goes forward. I guess I will tell you
18 there are solutions. There are solutions for it. I
19 don't want to get in too detail about that, but if they
20 do -- if the project does go forward, we would have
21 select areas for placement.

22 AUDIENCE MEMBER: I'm asking is that one
23 necessary?

24 MR. BUSH: Maybe we won't do anything there.

25 AUDIENCE MEMBER: Right. That's what I'm

1 asking. Is it necessary?

2 MR. BUSH: It's a possibility.

3 MR McENHILL: If it's something you definitely
4 didn't want and you are OK with having spongy water
5 there for extended periods, we wouldn't do anything.

6 AUDIENCE MEMBER: Well, no, but I mean, the
7 path is more what hurts everybody else because everybody
8 uses our path as a bike path.

9 MR. BRUURSEMA: I think we're falling into the
10 category of what the answer was here -- I think his name
11 was Bill -- that you are in the district. You are
12 there. So--

13 AUDIENCE MEMBER: I just wondered if--

14 MR. BRUURSEMA: Your property, nothing will be
15 done, but you are in the district.

16 MR. BUSH: So we would talk to you first and
17 say -- and your neighbors and say if you guys don't want
18 anything done there, then I goes that's what it's going
19 to be.

20 AUDIENCE MEMBER: I didn't know if that would
21 be a help to everybody or if it's not. You know what I
22 mean? Or is it just because of us?

23 MR. BRUURSEMA: OK. We have one young lady?

24 AUDIENCE MEMBER: My impression of all of this
25 is if you approve it, that still doesn't determine

1 exactly what's going to happen. Are they going to do
2 the minimum just to get it draining or are they going to
3 reconstruct everything? So in other words, this meeting
4 is just to determine that we're going to go on from this
5 point?

6 MR. BUSH: That's correct.

7 AUDIENCE MEMBER: You are not saying no. You
8 were not saying no to anything. You are saying that
9 we're going to study it, figure it out and go from
10 there?

11 MR. BUSH: That's correct. I would say that's
12 a true statement.

13 MR. NYKAMP: We are not even saying yes to
14 anything.

15 AUDIENCE MEMBER: Exactly. Exactly.

16 MR. BUSH: But I can say yes to one thing. I
17 would say a lot of it's maintenance.

18 AUDIENCE MEMBER: I feel that way. For my
19 part of it, I look at that, and you can see where it
20 goes down, and then it goes up, and it goes down, and
21 then there's a tree over it and all of this stuff.
22 Yeah. My brother offered to come with his backhoe and
23 he says all you got to do is take a foot or so of dirt
24 out of there and it will work, you know. He's not--
25 He's a farmer. OK. And he was ready and willing to

1 take a foot of dirt out of there for me, you know. So
2 that -- but I mean, it looks like where I'm sitting, if
3 you did that all the way along there, that would solve
4 my problem.

5 MR. BUSH: I just want to let everybody know
6 common sense doesn't go out the window today. I mean,
7 common sense is if the infrastructure is there, we're
8 not going to replace it just because. If it's there and
9 it's working is one thing, but maintenance is another.

10 AUDIENCE MEMBER: Well, if I can get it to go
11 past my house, it still has to go past somebody else's
12 house. So I mean, it--

13 MR. BUSH: Your water goes in over by his
14 house and goes over by Mr. Robert Shoemaker and it goes
15 downstream. So we might fix your problem, but then we
16 don't want to get water on him as well, which comes back
17 to maintenance again.

18 AUDIENCE MEMBER: They can have my water.

19 MR. BRUURSEMA: OK. We have Les wanted to say
20 something back there.

21 MR. LANGELAND: I can go back in history a
22 little bit. I farmed on both sides of that swamp area
23 there at one time before Eagle Ridge was all full of
24 houses. There was just a small area of creek and trees
25 and brush. Is that swamp area the golden cow, the

1 sacred cow that you can't clean it out, let the water
2 flow? I mean, that's in consideration, also.

3 MR. BRUURSEMA: Yes. The DEQ will have to
4 determine that. We can't determine that, Les. The DEQ
5 might have to step in. You might have to mitigate
6 something. OK. I'm going to have Peggy read the
7 correspondence that came through the mail regarding this
8 drain. OK.

9 MS. WEICK: All right. Our first piece of
10 correspondence is from Chad Lemmen at 194 Cleveland
11 Street, East. Dear Mr. Bush, I received your letter
12 dated July 16, 2015, indicating that the Board of
13 Determination will meet on July 30th, 2015, regarding
14 the Eagle Ridge Estates drain petition for maintenance
15 and/or improvements which was filed by the City of
16 Coopersville.

17 This petition shows that water drainage will
18 be directed across my property at 194 Cleveland Street,
19 East. I would like to point out that there is currently
20 no easement across my property for the purpose of water
21 drainage and that Eagle Ridge is already draining water
22 across my land.

23 I do not consent to allowing any water
24 drainage from Eagle Ridge across my land and further do
25 not agree to any sort of easement or assessment relating

1 to such. I am not able to attend the meeting, so please
2 accept this letter as my formal protest to the petition.
3 All right.

4 MR. NYKAMP: What was the location of that,
5 Peggy -- 194?

6 MS. WEICK: 194. OK. Now, our next letter is
7 from Douglas Lemmen at 120 East Cleveland Street,
8 Coopersville. I am writing to object to any easements,
9 assessments, or diverting of more water onto my
10 property. There is an 18-inch drain under my driveway
11 that already is at capacity. During any big rainfall,
12 the water backs up and causes erosion to the banks of my
13 driveway. More water is going to compound the problem.

14 I have also attached a picture of my front
15 yard that I took today, 7-24-15. It shows the problem I
16 have with trying to mow my front yard. Too much water.
17 I don't need any more water in this area. I try to
18 maintain my property. I don't need any more drains,
19 tiles, ditches or buildings on my property. I object to
20 making Eagle Ridge's problem my problem. All right.

21 The third letter is from Frank Wash, 237
22 Creekside Drive, Coopersville. Mr. Bush--

23 MR. BRUURSEMA: It's a long one.

24 MS. WEICK: It's a long one. Yes. I received
25 your notice of meeting regarding the Board of

1 Determination for the proposed Eagle Ridge Estates
2 county drainage district. I was a member of the
3 Coopersville Planning Commission when two of the Eagle
4 Ridge plat phases were approved. I have resided at 237
5 Creekside Drive since June of 1999.

6 I began my career in the public sector in 1997
7 as a Section 319 Clean Water Act watershed project
8 manager for the Grand Valley State University Annis
9 Water Resource Institute. I assisted the now-deceased
10 Kent County Drain Commissioner, Roger Laninga, in the
11 creation of a regional storm water ordinance that has
12 since been adopted by numerous communities. I have been
13 a community planner for first Alpine Township and then
14 the City of Walker since 1998. I now serve as the
15 Walker assistant city manager and community development
16 director.

17 Attached is a 2014 aerial image of the current
18 parcel lines from the Ottawa County GIS mapping service.
19 I live adjacent to a natural area/flood plain bottom
20 land that straddles the line between the City of
21 Coopersville and Polkton Township. I have watched the
22 localized flood plain and storm water system evolve as
23 the Eagle Ridge plat has developed. The proposed Branch
24 2 and Branch 3 are engineered drainage systems that
25 require periodic clean-outs to provide storm water

1 conveyance and protect minimum building openings.

2 I'm aware of the long-term storm
3 water/flooding issues along the Redtail Drive, but do
4 not know the engineering and construction details.
5 Proposed Branch 1 is substantially different from the
6 other two proposed branches. The headwaters are heavily
7 impacted by farm runoff. Any significant rain event
8 hits a quick peak in the natural area behind my house.
9 The flood water is filled with sediment from the farm
10 fields. Sedimentary deposition can be significant, but
11 the natural stream meanders and adjacent flood plain
12 handle the situation well.

13 I have witnessed at least one localized
14 100-year flooding event in Proposed Branch 1. The large
15 storage volume of the natural system area acts
16 effectively as a storm water detention/retention area
17 while not impacting adjacent homes.

18 The Eagle Ridge MBO table was established by
19 Nederveld Engineering during the Coopersville Planning
20 Commission reviews. I have yet to see any aquatic
21 insects or fish in the natural stream course of the
22 Proposed Branch 1. I imagine this is due to the
23 intermittent nature of the waterway and upstream point
24 source pollution. The same can probably be said for the
25 downstream stretch of Deer Creek.

1 However, the Proposed Branch 1 does support
2 significant numbers of migratory birds, perhaps serving
3 as a stopover greenway during seasonal transitions. I
4 will raise the issue of regulatory status of the natural
5 area/greenbelt portion of the Proposed Branch 1. There
6 is an obvious bank and channel which suggests the
7 regulatory presence of a stream. There are obvious and
8 obligate wetland plants and hydric soils which suggests
9 the presence of regulated wetlands.

10 As such, I suggest that the greenbelt portion
11 of the Proposed Branch 1 is unlike the other two
12 proposed branches and should be treated differently from
13 a drain management perspective as follows. Proposed
14 Branch 2 and 3 are artificial channels and should be
15 maintained as such. The upstream section of the
16 Proposed Branch 1 will likely be managed as an
17 agricultural drain, but best management practices should
18 be required to avoid downstream sedimentation and
19 subsequent alterations to the localized 100-year flood
20 plain.

21 The natural area/greenbelt portion of the
22 Proposed Branch 1 should be treated as a natural and
23 regulated bottom land wetland and stream system in
24 compliance with MDEQ permit standards. I appreciate
25 your taking time to consider this letter. I will be in

1 attendance on 30 July, 2015, in Coopersville. Is he
2 here? Frank Wash, 237 Creekside Drive.

3 MR. BRUURSEMA: That's it?

4 MS. WEICK: No. One more. Sorry. This is
5 from Dave and Jodi Barrett. We purchased a home at 865
6 Eagle Drive 20 years ago. Upon purchasing the property,
7 we noticed a lot of water in the backyard. We called
8 Van's Excavating because they were the company that was
9 hired to excavate the land and had them adjust the slope
10 so water could flow away from the house. This helped a
11 little, but never took care of the problem.

12 There were never any tiles or solid ditch
13 implemented to help with the standing water at the
14 backyard/perimeter line of all the other properties. As
15 adjoining properties were sold, the small and inadequate
16 ditch became too flat for water to go anywhere. Now all
17 adjoining properties have standing water which smells
18 like sewage and adds for breeding ground for mosquitoes.
19 I had also had someone from the City of Coopersville
20 come out and look at the problem, but they did not help
21 and really did not have many options or suggestions on
22 how to fix the problem.

23 We would love for the city to put some kind of
24 tile drainage to help with this problem. Thank you.
25 That's it.

1 MR. BRUURSEMA: OK. Thank you.

2 MR. TOOGOOD: Can I make another comment,
3 please? Jerry Toogood, 984 East Street. Kind of forgot
4 to say this the first time when I spoke. On May 13th,
5 we were sent a package by the City of Coopersville. In
6 it, they included a drainage evaluation. It was done by
7 Prein and Newhof engineering firm and they -- what the
8 evaluation does, it talks about the farmers tiling their
9 fields and the sort of impact that it has on the
10 adjacent properties.

11 If you read through it, it really just says
12 that this study they done, it doesn't -- they feel
13 there's not really significant impact. One thing I want
14 to point out, you know, the farmers tiling their fields
15 today, that is -- that's the trend. Everybody is doing
16 it, and I don't know if Joe has any control over farmers
17 tiling their fields, but they just go out and they dig
18 trenches. They put tiles in there. It may dry these
19 fields up.

20 Years ago, guys go out and pick corn, they go
21 out with a combine and they would have to drag gravity
22 boxes along with them with big flotation tires on them
23 to plunk their corn in them now. You know what they
24 drive out there now? They drive double-bottom semi
25 tailers out in those corn fields. They pick the corn

1 and they fill it. Those fields are so dry, there's not
2 a lick of water in them.

3 That water is going somewhere, and I say in
4 this case, you know, Lester sat here. He's tiled his
5 fields. Bill Henke has tiled his fields, you know, and
6 where it comes, it comes in on the east end of that wet
7 area and comes across my property. Now, the gentleman
8 that had the letter here, I don't want-- I think he's
9 trying to allude to the fact that maybe it should be
10 treated as a wetland, migratory birds. Well, every now
11 and then you hear geese out there in back honking, might
12 see a kingfisher sitting out or something like that, but
13 you know, they are not there all the time.

14 So as far as the designated wetland, I really
15 don't know if it is or not, but like I say, the thing is
16 whether it's here or whether it's somewhere else, the
17 farmers tiling their fields is just putting water onto
18 adjacent properties and, in this case, I think the only
19 way we can do anything about it, like I say, is to move
20 forward with this project, clean those ditches out and
21 maintain them and keep them clean.

22 MR. BRUURSEMA: Thank you. Is there anything
23 else? I don't want to cut anybody off, but if we have
24 some more information, now is the time. All right. If
25 there isn't, I will declare the hearing closed. Now, is

1 there any comments from the board itself?

2 MR. NYKAMP: I think there's been a lot of
3 information that's been gathered. We are not going to
4 resolve every issue. We are going to-- I mean, I don't
5 think Joe could even do that when it gets down to the
6 very end other than spending thousands and tens of
7 thousands of dollars or more for every little lot, but I
8 think that most of the people here will be provided with
9 some things that can be done to resolve the issues that
10 are there.

11 Might not be for you, but it might be for your
12 neighbor and that's what we find out with subdivisions.
13 What we have been finding out, this gentleman that just
14 talked about the tiling of the fields, it has become an
15 issue for every township around because it's like it
16 used to meander down there to the river or wherever it
17 went. Now it's like flushing the toilet. Kaboom, it's
18 done. Next day, it's dry again. We can get out there
19 and we can pick the corn or whatever we want to do.

20 There's some issues we can't resolve with that
21 because they are allowed to do that, too, but for the
22 majority of the people here, even though they have dry
23 basements, I think they understand the issues that some
24 people do have and that's what this Board of
25 Determination's responsibility is going to be -- to say

1 we don't know what you are going to do, but something
2 should be done.

3 MR. BRUURSEMA: Thank you. Peggy?

4 MS. WEICK: The reality is there was a lot of
5 really good information that, like Glenn said, that
6 everybody gave here and even in the letters there. The
7 reality is many people don't understand watersheds.
8 They don't understand if I put water down here or
9 something gets changed, it tips, down it comes. All
10 right. Even if you are on a flat area, they don't
11 understand that water they put in may still be going to
12 somebody else's property.

13 I do, in having listened to everybody, agree
14 that there is, you know, a maintenance problem here
15 first off, and the maintenance, nothing can be done
16 unless anything goes forward, as far as I can see, and I
17 do appreciate that there's people out here in the
18 audience that understand that maybe they don't have a
19 problem, but their neighbors do, but that doesn't mean
20 that the problem isn't going to get bigger and bigger
21 and you may end up with a problem as well. So it's--

22 MR. BRUURSEMA: Thank you. Well, I want to
23 make a comment that you have been a very good audience.
24 I don't mind these kind. Sometimes they aren't so
25 sweet. So I don't have any comments. You guys did a

1 great job. We did close the public hearing, and we made
2 our comments, and now there's motions that have to be
3 made. I have a motion here to deem it necessary to
4 proceed with the project. Do I hear a motion?

5 MS. WEICK: I make a motion that we make it
6 necessary to proceed with the project.

7 MR. BRUURSEMA: Do I have support?

8 MR. NYKAMP: Support.

9 MR. BRUURSEMA: It's been moved and supported.
10 All in favor signify by saying aye.

11 MR. NYKAMP: Aye.

12 MS. WEICK: Aye.

13 MR. BRUURSEMA: Aye. Motion carried. Now, we
14 have one that is necessary for the protection of public
15 health in the City of Coopersville, Township of Polkton,
16 and Township of Wright and that a portion of the costs
17 shall be apportioned to the municipalities at large. Is
18 there a motion for that?

19 MR. NYKAMP: So moved.

20 MS. WEICK: Second.

21 MR. BRUURSEMA: Support. All in favor signify
22 by saying aye.

23 MS. WEICK: Aye.

24 MR. NYKAMP: Aye.

25 MR. BRUURSEMA: Opposed? Same. Motion

1 carried. It is that the drain district boundary be
2 adjusted as necessary and lands be added and deleted as
3 determined by the engineer.

4 MS. WEICK: I make so motion. Do I have to
5 read it or just make a motion?

6 MR. BRUURSEMA: No. She's making a motion and
7 it was seconded by--

8 MR. NYKAMP: Not yet. What Lester was talking
9 about, you know, some of his-- You can adjust his
10 portion without deleting it?

11 MR. BUSH: That's correct.

12 MR. BRUURSEMA: Yes. We would be allowed to
13 do that if we pass this motion.

14 MR. NYKAMP: All right. Then I will support.

15 MR. BRUURSEMA: OK. It's been moved and
16 supported that the drainage district boundary be
17 adjusted as necessary and lands be added and deleted as
18 determined by the engineer. All those in favor signify
19 by saying aye.

20 MR. NYKAMP: Aye.

21 MS. WEICK: Aye.

22 MR. BRUURSEMA: Opposed? Motion carried.

23 Thank you.

24 MR. BUSH: I just want to make some final
25 comments. Number one, I just want to say thank you for

1 everybody showing up today. I know it's not a very
2 convenient time, but I do appreciate it very much and I
3 want to stress the fact that we are here to help you.
4 We are all about customer service and, you know, it's my
5 job to make sure that everything in Coopersville flows
6 correctly and -- well, everywhere, but today we are
7 talking about Coopersville;

8 But anyway, I'm here to help. So if anybody
9 has any questions, be sure to call my office or call
10 Ryan, the engineer. Your input is going to be -- will
11 impact on what we do over there. So I just want to make
12 it clear that I'm willing to listen and be sure to call
13 me if you have any concerns. That's all I got. Go
14 ahead.

15 AUDIENCE MEMBER: Is there a sign-up sheet? I
16 didn't get to sign in, but I would like to be involved
17 in any future stuff. Can I sign up for that here or do
18 we just wait for information to be made?

19 MR. BUSH: Yes, absolutely. I just want to
20 let everybody know I appreciate your time. Your time is
21 valuable and I appreciate it.

22 MR. BRUURSEMA: Do we have a contact number
23 for Ryan?

24 MR. BUSH: He's got cards.

25 AUDIENCE MEMBER: You are going to keep us in

1 the loop?

2 MR. BUSH: In the loop. Yes, absolutely.

3 AUDIENCE MEMBER: Joe, I know this isn't
4 public comment, but can I ask you a question or do you
5 want me to wait until after?

6 MR. BUSH: We can wait until after. Public
7 comment is closed.

8 --oo00oo--

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STATE OF MICHIGAN)
) SS.
COUNTY OF MUSKEGON)

I, David R. Walley, Certified Shorthand Reporter (CSR-2718), County of Muskegon, State of Michigan, do hereby certify that the foregoing Pages 1 through 78, inclusive, comprise a full, true, and accurate transcript of the proceedings taken in the matter of Eagle Ridge Estates County Drain Board of Determination, on July 30, 2015.

David R. Walley
Certified Shorthand Reporter

June 10, 2006

<hr/> \$ <hr/>	100-year 17:20 68:14 69:19	2014 67:17	548 48:15	actual 17:20 29:23 52:6
\$1 38:16,20	10:00 32:12 34:9,11 35:1,5	2015 65:12,13 70:1 79:13	56th 14:1,7 15:11 58:19	add 26:11 38:23
\$10,000 23:9	12 20:22 22:12 43:9 55:6	2016 53:10	<hr/> 6 <hr/>	added 76:2,17
\$100 33:5	13 22:12,14	237 66:21 67:4 70:2	6-inch 18:1,3 46:11	additional 17:5 18:11 20:25
\$20 36:10 38:20	13th 71:4	244 21:15	68 49:21	address 21:9 48:14 51:18
\$200,000 38:18	14 23:1 55:6	25-year 17:13,16	<hr/> 7 <hr/>	adds 70:18
\$400,000 24:20	15 25:10,11 43:17	257 30:23	7-24-15 66:15	adjacent 67:19 68:11, 17 71:10 72:18
\$50,000 35:13,16,20 41:11	16 65:12	297 26:14	78 79:10	adj 70:18
\$6000 57:9	170 13:20	<hr/> 3 <hr/>	<hr/> 8 <hr/>	adjacent 67:19 68:11, 17 71:10 72:18
<hr/> - <hr/>	17591 49:19	3 15:7 19:17 50:18,19,20 51:13,14 55:15 60:6 67:24 69:14	865 70:5	adjoining 70:15,17
--a 28:22	18-inch 66:10	3-panel 35:20 36:1	<hr/> 9 <hr/>	adjust 76:9
--and 38:11	193 41:23	30 70:1 79:13	900 46:15	adjusted 76:2,17
--if 47:7	194 65:10,18 66:5,6	300,000 24:20	90s 54:22	adopted 67:12
--it's 50:14	1989 54:4	300-year 45:5	938 48:19	aerial 67:17
--oo00oo-- 78:8	1997 67:6	30th 65:13	984 53:20 71:3	affected 53:21
--that 53:2	1998 67:14	319 67:7	<hr/> A <hr/>	agree 65:25 74:13
--that's 46:13	1999 67:5	<hr/> 4 <hr/>	a-- 28:22 60:5	agricultural 14:25 15:2 16:3,6,7,19 53:22 54:11 69:17
<hr/> 0 <hr/>	<hr/> 2 <hr/>	4-1/2 54:4	absolutely 77:19 78:2	ahead 40:9 57:15 58:3 61:1 77:14
08 31:9	2 15:7 19:8,15 50:17,19,20 51:13,14 55:15 67:24 69:14	43 28:4	accept 66:2	Alberts 32:6, 18 33:4,10,17, 22 34:2 37:12, 18,23 38:7,11 39:4 40:23 41:4, 59:21 60:3
<hr/> 1 <hr/>	20 28:19 33:2, 40:4 41:15 44:20 45:21 47:20 48:7 70:6	48 17:14	accomodated 51:17	alignment 52:6
1 14:23 15:3,8 49:20 50:18, 20 51:16,22 53:21 68:5,14, 22 69:1,5,11, 16,22 79:10	200 39:6	48th 49:19 51:4	accurate 79:11	all-inclusive 17:2,6
10 45:21 53:7 79:19	200- 45:4	<hr/> 5 <hr/>	acreage 23:15	
10-year 43:23	200-year 45:2	50 23:10,11 48:8 58:9,15 59:4	acres 17:14 54:5	
100 45:7	2006 79:19	50,000 37:3	Act 67:7	
	2013 29:4,14	500 50:21	acting 18:5	
		500,000 38:17	acts 68:15	

Allendale 24:21	appreciated 52:20	24:17 66:9	22:13 23:11 24:8,12 25:11, 23 31:22,25 35:15 43:9,19 53:24 54:1,5, 16 55:3,19 56:8 58:12,13, 24 64:16,20, 21 72:11	31:10,11 41:7 48:22 55:20
alleviate 19:13	approve 35:15 36:1 62:25	assistant 56:11 67:15		basements 18:19 56:15 60:17 61:10 73:23
allowed 59:23 73:21 76:12	approved 22:10 47:15 67:4	assisted 67:9		basically 12:1,9 13:1 14:10 15:7
allowing 65:23	approximate y 17:14	association 42:5,6,7 57:6	backhoe 63:22	basin 17:12, 18,23 18:5,6, 9,12,16 30:13, 14,15 61:5
allude 72:9	aquatic 68:20	assuming 11:4 27:13 44:2,17	backing 49:9	basins 17:10, 11 27:15 39:2 42:1 57:16 58:8
alongside 53:3	are-- 39:4	attached 66:14 67:17	backs 66:12	battle 57:7
Alpine 67:13	area 15:11,13, 14,20 16:4,7, 16 18:22 19:12 20:1 26:22 27:12 30:24,25 31:3, 18,20 51:24 52:5 53:10,25 59:23 64:22, 24,25 66:17 68:8,15,16 72:7 74:10	attend 66:1	backyard 19:11 21:16, 18,22,25 26:4 27:2 29:4 31:5,15 60:6, 10 70:7	bed 34:21
alterations 69:19	area/flood 67:19	attendance 70:1	backyard/ perimeter 70:14	began 67:6
alternatives 21:3	area/ greenbelt 69:5,21	audience 42:6,7 49:13, 15,18 57:24 58:2,4,11 59:18 60:5,9, 15 61:7,22,25 62:6,13,20,24 63:7,15,18 64:10, 74:18, 23 77:15,25 78:3	bad 28:12,23 49:22	beginning 25:25
amount 20:1 44:15 59:25	areas 15:2,8 17:2,5 18:21 42:3 54:17 55:3 61:4,21	audiences 40:5	balance 39:13	benefit 23:14, 19,21 24:13
amounts 39:12 43:25	aren't-- 23:8	authority 20:4	band-aid 36:16	benefits 36:6
and-- 29:2,19	Arens 30:22 31:3,8	authorize 50:9,25	bang 39:15	Betty 49:18
and/or 65:15	artificial 69:14	authorized 51:3	bank 18:17 69:6	bids 35:14
Anisa 56:10	aspect 39:13, 14	Avenue 49:19 51:5 58:19	banks 56:4 66:12	big 13:6,10 15:21 16:18 17:8 28:23 31:25 52:2 66:11 71:22
Ann 28:6	assessment 38:5 51:8,11, 15,16 65:25	avoid 69:18	bare 16:9	bigger 58:21 74:20
Annis 67:8	assessments	aware 68:2	Barrett 70:5	bike 21:23 62:8
any-- 57:21		aye 32:23 75:10,11,12, 13,22,23,24 76:19,20,21	base 43:25 49:7	bill 24:5 35:20 50:6,23 52:16 53:22 54:25 59:19,20 62:11 72:5
anybody-- 41:25		<hr/> B <hr/>	baseball 31:23	birds 69:2 72:10
anymore 18:4,5 29:8 54:9,16		back 17:9 19:4,6 21:5	based 13:9 16:11 23:4,5, 14,15,19 24:12,13 25:3 58:18	
anytime 39:12			basement 21:25 28:7,12 29:5 30:3	
apparently 19:20				
appeal 38:5				
apportion 23:5				
apportioned 24:1 75:17				
apportionme nts 23:4				

<p>bit 11:16 16:14 23:13 47:23 58:21 64:22</p> <p>blessed 24:21</p> <p>blue 30:10</p> <p>board 12:1 20:17 21:5 30:15 31:1 32:20 35:15, 20 36:1,25 37:9 39:23 40:4 65:12 66:25 73:1,24 79:13</p> <p>boards 40:3</p> <p>bother 43:3</p> <p>bottom 40:18 67:19 69:23</p> <p>boundary 12:22 13:8 76:1,16</p> <p>bowl 27:10</p> <p>boxes 71:22</p> <p>boy 37:16</p> <p>branch 13:23 14:3,23 15:3,7 19:8,15, 50:17,18,19, 20 51:22 67:23,24 68:5, 14,22 69:1,5, 11,14,16,22</p> <p>branches 11:20 13:4,22 14:12,15,17 20:11 68:6 69:12</p> <p>Brandh 15:8</p> <p>breeding 70:18</p> <p>bridge 31:12</p> <p>bring 25:13 46:6</p> <p>brings 16:14</p>	<p>brother 63:22</p> <p>brought 22:2 57:3</p> <p>Bruce 48:18</p> <p>brush 50:15 64:25</p> <p>BRURSEM A 11:7,10 21:7 22:19 24:4 25:5 26:11 28:2,5 29:20 30:17,21 32:4 33:6,12,19 39:10 40:2 41:3,19,22 42:23 43:6 44:22,25 47:2, 6, 48:9,13,16 49:11,14,17 50:2 51:18 53:14,17 56:8, 25 57:21 58:3 59:15,19 61:1 62:9,14,23 64:19 65:3 66:23 70:3 71:1 72:22 74:3,22 75:7, 9,13,21,25 76:6,12,15, 77:22</p> <p>Bryan 58:22, 23</p> <p>buck 39:15</p> <p>build 45:4</p> <p>building 68:1</p> <p>buildings 66:19</p> <p>builds 45:7</p> <p>built 17:22 41:16</p> <p>BUIST 11:6 57:1</p> <p>bulk 49:19</p> <p>bunch 12:19 14:11 39:22</p> <p>Burkle 21:15, 21 22:4,7,12,</p>	<p>15 26:13</p> <p>Bush 21:19 22:3,5,11,13, 17,21 24:6 25:8 29:3,9, 13,17,21 30:4, 9,18 32:17 33:3,25 34:8 37:14,22 38:1, 10,12 39:8 41:9 42:4,8, 14,17 44:24 45:2,10 46:12, 14,18,23 47:5 52:15 53:1 58:9,15 59:17 60:2,4,7 61:24 62:2,16 63:6, 11,16 64:5,13 76:11,24 77:19,24 78:2, 6</p> <p>Bush-- 66:22</p> <p>busy 34:20</p> <p>but-- 39:9</p> <p>by-- 76:7</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 35:8 48:4 77:9,12</p> <p>called 28:13 70:7</p> <p>capacity 18:11 30:19 66:11</p> <p>cards 77:24</p> <p>care 47:12 50:20 54:17 70:11</p> <p>career 67:6</p> <p>careful 39:10</p> <p>carried 75:13 76:1,22</p> <p>case 72:4,18</p> <p>catagory 62:10</p>	<p>catch 27:15, 16 61:5</p> <p>cattail 20:8</p> <p>cattails 30:1 54:20</p> <p>caused 18:18</p> <p>cease 20:21</p> <p>Certified 79:8,17</p> <p>certify 79:10</p> <p>Chad 65:10</p> <p>chance 41:22</p> <p>changed 17:21 74:9</p> <p>channel 14:22 69:6</p> <p>channels 69:14</p> <p>choice 37:13</p> <p>choose 37:13</p> <p>circumstance 42:9</p> <p>city 13:17,19 21:21 22:22 23:2,3,24 24:6,7,10,11, 25 28:13 33:21 35:17 36:11 41:16 42:18 49:2,5, 6,7 50:1 53:13 56:3,11 57:4, 15 58:23 65:15 67:14, 15,20 70:19, 23 71:5 75:15</p> <p>city's 44:8</p> <p>clay 18:23 20:10 27:17 61:3</p> <p>clean 38:24 39:1 57:16 58:12 65:1 67:7 72:20,21</p> <p>clean-outs 67:25</p>	<p>cleaned 42:2, 19 43:2 48:20 50:24 53:3,8 54:24 55:21 58:19</p> <p>cleaning 42:16 52:17, 22 53:7</p> <p>cleans 53:4</p> <p>clear 59:16 77:12</p> <p>Cleveland 14:5,7 19:15, 21 65:10,18 66:7</p> <p>close 75:1</p> <p>closed 72:25 78:7</p> <p>code 11:25 36:5</p> <p>coherent 34:4</p> <p>coincided 54:10</p> <p>collects 19:18</p> <p>combine 71:21</p> <p>comment 48:9 49:1,5 59:20 71:2 74:23 78:4,7</p> <p>comments 21:8,10,13 28:3 37:15,18 50:16 73:1 74:25 75:2 76:25</p> <p>commission 23:25 50:8,25 67:3 68:20</p> <p>commissione r 20:4 43:3 67:10</p> <p>commissione r's 12:11 17:21 42:11</p>
---	---	---	---	---

commissioners 11:16	connected 26:17,23 27:1, 2,24,25	75:15 77:5,7	67:11	Dear 65:11
commissions 39:16	consent 65:23	corn 71:20,23, 25 73:19	creek 11:4 14:2,4 15:12, 21,23 55:20, 21,23,25 56:1, 2 64:24 68:25	December 31:9
common 26:22 27:12 42:3 64:6,7	conservatively 36:21	corner 30:9	Creekside 26:17,19,21 32:7 41:24 66:22 67:5 70:2	decide 32:20 37:16,25
communities 67:12	consideration 65:2	correct 11:6 13:13,16 33:17 38:10 44:7 63:6, 76:11	criteria 45:23	decided 32:15
community 67:13,15	considerations 32:2	correctly 44:17 77:6	cross-section 15:22	decision 33:20 37:2
company 70:8	considered 15:19	correspondence 35:6,8 65:7,10	crosses 14:1, 6	decision-- 43:15
complain 43:6 56:14	consolidation 13:1	cost 12:4 24:8 32:22,24 33:2, 4,5,8,11,22,23 34:6 35:14 36:4,6 37:3 38:12,14 39:6, 13,20,21 40:25 41:6,10, 12	CSR-2718 79:9	declare 72:25
complaining 40:25	constructed 16:20	costly 36:8,10	culvert 19:24	deem 75:3
complaint 18:16	construction 31:12 50:10 68:4	costs 75:16	culverts 59:6	deep 15:21 55:6,9
complex 44:6 45:8	contact 77:22	counts 23:1	current 67:17	deeper 28:20
compliance 69:24	contacted 12:8	county 13:10 23:25 24:15, 46:16 50:9 52:7,10,11 56:7,17 57:13 67:2,10,18 79:5,9,13	customer 77:4	deepest 55:7
compound 66:13	continue 41:19	couple 15:13 16:19,25 18:21 20:13 41:24 55:13 59:8	cut 55:2 72:23	Deer 68:25
comprise 79:11	contour 13:9	courses 14:13	cute 28:9	defined 15:24
concern 17:6 19:22 20:6 37:23 41:4 52:2,6	contractor 25:10	cover 28:23 29:2 49:25	cut 55:2 72:23	deleted 76:2, 17
concerned 19:2	contribute 23:21 44:5	cow 64:25 65:1	customer 77:4	deleting 76:10
concerns 17:1 19:14 32:8 35:3 77:13	contributing 15:3 20:1 40:20 44:3	creating 40:14	cut 55:2 72:23	delineate 13:15 57:13
condition 19:21	contribution 23:20	creation	damage 40:14	denoted 17:1
conditions 14:19,22 15:4 16:25 20:12	control 71:16		danger 18:19	deposition 68:10
conductive 15:15	convenient 77:2		dash 13:23	depth 15:25
confirmation 18:15	conveyance 68:1		date 18:18	DEQ 65:3,4
	Coopersville 13:17,19 65:16 66:8,22 67:3,21 68:19 70:1,19 71:5		dated 65:12	Derrick 30:22
			Dave 70:5	design 12:14 17:25 21:3 32:2 43:12,22, 23,24 44:1 47:11,13
			David 79:8,16	designated 72:14
			day 73:18	designed 12:15 17:13, 20,24 18:9 43:19 61:4
			days 19:4	detail 12:8
			deal 31:14 32:25 38:11, 13,14 50:19 59:24	
			dealing 50:17	
			D	

equitable 23:18	explaining 39:5	feels 49:22	flooded 29:5, 11 36:15,18 60:16,17	free 26:16,21
erosion 16:21 66:12	expressed 56:13	feet 50:21 55:6,9 56:4	flooding 11:1 45:24 56:14 59:1 68:14	freely 26:18
established 52:9 68:18	extended 62:5	field 12:16 18:15	floods 30:3 59:13 60:16	frequency 18:10
Estates 15:5, 19 19:10,18 65:14 67:1 79:12	extent 53:11	fields 52:3 53:23 54:11 55:1 68:10 71:9,14,17,19, 25 72:1,5,17 73:14	flotation 71:22	front 66:14,16
estimate 39:20	fact 72:9 77:3	figure 25:21 26:3 35:14,24 38:22 41:12 53:7 63:9	flow 18:2,8 23:20 65:2 70:10	full 36:16 57:11 64:23 79:11
evaluate 31:13 58:1	fair 23:18,23 39:8	figured 35:1	flow-through 18:6	fund 53:8
evaluation 71:6,8	fall 31:20	file 18:14	flows 28:21 31:18 77:5	funds 24:15
event 17:13, 20 19:5 29:14, 18 43:23 45:3, 4 68:7,14	falling 62:9	filed 11:24 65:15	flushing 73:17	furrows 55:2
events 16:18 19:3 25:19 34:18 46:7,8	falls 47:25 48:1	files 17:9	focusing 11:19	future 45:19 46:1 77:17
eventually 13:3	familiar 11:17	fill 54:2 72:1	folks 33:16	<hr/> G <hr/>
everybody's 25:8 57:5,19	familiar-- 60:23	filled 55:10 56:1 68:9	foot 15:25 63:23 64:1	Garfield 53:10
evolve 67:22	families 34:14,17,22	final 76:24	foregoing 79:10	gathered 73:3
exact 18:18 54:22	farm 68:7,9	finally 19:17	foresee 47:14 51:25	gave 17:4 74:6
excavate 70:9	farmed 64:22	find 39:24 73:12	forest 30:16, 17 39:2	geese 72:11
Excavating 70:8	farmer 63:25	finding 73:13	forget 59:8	general 33:23
excavator 54:21	farmers 54:7 71:8,14,16 72:17	fine 27:11	forgot 71:3	generally 19:19
Excuse 33:6	Farms 50:4 52:16	firm 43:10 71:7	formal 66:2	gentleman 72:7 73:13
existing 12:12 14:13, 19 20:12	fast 16:12	firms 45:18	formula 23:15,17 24:13	Georgetown 24:17,18,19 42:25
expand 30:12	fault 42:20	fish 68:21	forward 20:14 22:18,22 33:18 36:2 52:13 59:22 61:17, 72:20 74:16	get all 60:21
expect 34:3	favor 75:10,21 76:18	fits 45:3	found 17:6	GIS 13:10 31:17 67:18
explain 11:11 12:20 14:21	feasible 41:17	fix 21:1 23:9 32:3 38:18 64:15 70:22	Frank 66:21 70:2	give 13:16 14:20 20:12 21:9 41:12,22 60:24
	features 16:2	flashy 16:13		Glenn 74:5
	feedback 34:13,24	flat 70:16 74:10		going-- 38:15
	feeds 49:3	flood 21:24 45:15 59:10 61:11 67:22 68:9,11 69:19		golden 64:25
	feel 23:5 41:13 49:24 63:18 71:12			good 11:13 24:17 25:5

26:13 74:5,23	54:19 56:14, 15 62:17 71:20 74:25	75:4	home 23:15 70:5	impacting 68:17
got-- 56:6	guys-- 46:19	heard 20:22 32:21 33:13 40:21 43:9 53:25	homeowner 19:9	implemented 70:13
grand 39:6 67:8	<hr/> H <hr/>	hearing 56:14,15,16 57:2 72:25 75:1	homeowners 19:1 23:12	important 18:7 20:16 26:2
granddaught er 49:16	half 31:15,24	heavily 68:6	homes 16:5 55:19 68:17	impression 62:24
grass 54:8,15 55:2	Hammond 48:10,15	Heavy 15:14	honestly 34:7	improve 26:7 27:4 46:2
gravity 71:21	hand 59:19	helped 70:10	honking 72:11	improvement 27:9
great 28:15 75:1	handful 31:12	helps 37:15	hope 29:14 36:22	improvement s 65:15
green 11:4 14:23 15:9 49:20 52:7,11	handle 18:11 58:14 68:12	Henke 50:6, 23 52:16 53:22 72:5	horrible 58:25	improvement s 65:15
greenbelt 69:10	handled 52:3	Henke's 54:25	horrific 46:6	inadequate 70:15
greenway 69:3	happen 25:16 37:11 38:6 39:3 40:9,13 63:1	hey 48:4	house 26:16 28:10,16 54:4 64:11,12,14 68:8 70:10	included 13:5,18 71:6
ground 61:6 70:18	happened 25:15 40:11	high 13:12 40:16,19, 48:24 55:2 56:15	houses 49:6, 23 64:24	inclusive 79:11
grow 50:15	happening 15:6	higher 18:10	housing 54:12	Incorporated 50:5
grown 29:25 50:16	happy 21:6 40:8 41:7	highlighted 31:4	huge 31:14 44:6 47:20	indefinitely 44:2
grows 31:24 61:12	hard 22:13 25:11 39:9	hill 22:7,8 40:18 60:11, 18,20	hurts 62:7	indicating 65:12
growth 20:9 46:1	hardship 40:15 41:18	Hilton 26:14, 20,25 27:4,7, 11,23 31:7	hydric 69:8	inferring 41:2
guarantee 40:8 43:16 46:5	hardships 42:22	hired 54:21 70:9	<hr/> I <hr/>	infiltrate 13:2
guaranteed 44:20,21	has-- 22:7	his-- 76:9	idea 13:16 20:13 33:2	infiltration 18:24
guarantees 44:23,24 46:4	hate 23:7	historic 43:25	if-- 42:17 62:13	information 13:9 72:24 73:3 74:5 77:18
guess 12:10 14:15 16:5,22 18:12 21:1,16 22:1,17 31:13 32:7 33:25 44:22 49:6 57:24 60:11, 22 61:9,13,15, 17	have-- 21:18 34:22	history 25:2 64:21	Im 60:9	infrastructur e 14:14 26:6 43:21 45:14 58:17 64:7
guys 35:19 36:14 39:22 52:17,18	head 11:23 16:10,16	hit 11:23	image 67:17	input 21:1 34:4 39:22 77:10
	headwaters 68:6	hits 68:8	imagine 68:22	insects 68:21
	health 75:15	Hold 47:6,9	impact 30:25 71:9,13 77:11	insight 17:5
	hear 20:14 21:10 33:16 35:3 39:7 43:17 72:11	holistically 56:19	impacted 68:7	

inspected 16:8	Jodi 70:5	know-- 33:9	53:14 64:19 65:4	log 15:15 48:5,6,7
inspection 16:23	Joe 11:23 12:7,8 25:6 29:20 35:15 36:18 40:24 41:23 48:4 50:14 51:23 52:8 57:3 71:16 73:5 78:3	<hr/> L <hr/>	Lester 50:3 53:21 72:4 76:8	long 42:16 43:10,16 66:23,24
instance 43:21	Joe's 44:13	lady 48:17 62:23	letter 65:11 66:2,6,21 69:25 72:8	long-term 68:2
Institute 67:9	Julie 26:14	laid 12:13	letters 74:6	looked 12:18 17:8 40:9
interested 24:10	July 65:12,13 70:1 79:13	land 12:13 13:19 14:10 15:2 16:3,16 50:7 51:1,9 52:25 65:22, 24 67:20 69:23 70:9	liable 50:11	loop 36:3 78:1,2
intermittent 68:23	June 67:5 79:19	lands 76:2,17	liabilities 45:19	lot 14:20 15:1, 2 18:23,24 19:9,21,22 20:8 21:19 23:3 25:6 26:1 27:16,17,19 32:9,11,12 38:18 39:17 40:3,5,7,12 42:21 47:1 50:7 51:9 53:4 55:9 63:17 70:7 73:2,7 74:4
intersection 14:7	jurisdiction 36:8	Langeland 50:3,4 52:16, 21 53:2,16 64:21	lift 28:24	lines 67:18
involve 56:20	just-- 23:6 24:9	Laninga 67:10	limits 24:11	Lisa 21:15
involved 12:25 23:24 39:25 53:12 77:16	<hr/> K <hr/>	large 16:16 20:1 24:22,24, 25 25:1 68:14 75:17	lines 67:18	list 17:2,6
is-- 55:25	Kaboom 73:17	larger 19:13	listened 50:16 74:13	listen 29:19 77:12
issue 19:25 49:22 57:10 58:6 73:4,15	Kent 67:10	last-- 44:1	listening 56:13,24	listened 50:16 74:13
issues 11:1, 18,19,21 12:17 15:10 16:22 18:18 19:6 22:1 25:13,14 26:8 29:9 46:2 56:19 57:5 68:3 73:9,20, 23	kids 31:20,22, 25 34:18,21	lawn 27:20 31:9	live 28:4 30:23 32:6,11 41:23 48:18 49:8 53:20 55:6,16 67:19	listen 29:19 77:12
it's-- 74:21	kind 11:18,20, 23 12:16,20 13:23 14:3,6, 8,14,16,18,20, 21,24 15:10, 14,17,18,24 16:10,16,17 19:5,6 20:10, 11,24 24:21 27:9 30:1 32:24 34:3 35:6 36:24 39:18 41:5,6, 25 51:24 54:16 70:23 71:3 74:24	lawns 27:19	lived 25:24 28:6 47:1 49:21	listened 50:16 74:13
it-- 33:2 64:12	kinds 31:22	lay 12:13	living 31:12 40:15	listening 56:13,24
items 11:24	kingfisher 72:12	leave 57:22	local 54:7	live 28:4 30:23 32:6,11 41:23 48:18 49:8 53:20 55:6,16 67:19
<hr/> J <hr/>	Knauf 49:18	leaves 28:25	localized 67:22 68:13 69:19	lives 49:19
jams 15:15		left 50:15 60:20	located 60:8	lower 11:16
Jerry 53:19 71:3		left-handed 30:14	location 66:4	<hr/> M <hr/>
Jim 32:6 59:21		legal 38:6	locations 58:18	made 22:21 28:20 52:9 56:7 75:1,3 77:18
job 29:1 45:24 75:1 77:5		Lemmen 65:10 66:7		mail 65:7
		Lemmens 59:8		mailing 13:5 36:3
		length 51:4		main 12:9 13:22 58:11
		Les 50:2		maintain 20:5,6 47:19, 21 48:3 52:18, 23 55:4 61:8 66:18 72:21
				maintained 19:23 44:18

48:12 50:22 55:21 56:7 69:15	matter 79:12	mid 54:22	motions 75:2	neck 41:9
maintaining 58:7	MBO 68:18	middle 11:5	move 36:2 37:10 52:13 58:20 72:19	Nederveld 68:19
maintenance 39:1 57:14 58:6 59:5 63:17 64:9,17 74:14,15	Mcenhill 11:9,12,13 26:19,23 27:3, 5,8,14,25 30:6,11 31:1 39:11 43:12, 14,20 44:7,10 51:20 60:13, 23 61:2,16 62:3	midsummer 31:20	moved 31:21 40:10 54:4,7 55:5 75:9,19 76:15	negative 27:6 37:15,19 40:12
majority 13:18 49:4 73:22	Mcewan 14:2, 4 15:12	migratory 69:2 72:10	movement 56:18	neighbor 28:22 55:11 73:12
make 13:4,15 21:8 23:9,17 26:7 27:6,8 33:15,20 37:1 38:22 46:1 48:11 56:17 57:12 58:21 71:2 74:23 75:5 76:4,5,24 77:5,11	MDEQ 69:24	Mike 48:15	moves 22:18, 22	neighboring 45:15
making 13:13 66:20 76:6	meander 73:16	million 33:2,4 36:10 38:16, 20 41:15 47:20	moving 15:16 38:13	neighbors 26:8 32:9 37:20 41:1 48:23 62:17 74:19
manage 59:12	meandering 15:23	mind 38:16 74:24	mow 27:19 31:9,19 54:8, 15,17 60:18 61:12 66:16	Newhof 71:7
managed 69:16	meanders 53:24 68:11	minds 25:7	multiple 47:21	nice 31:18
management 45:12,14 69:13,17	meet 65:13	minimal 18:25 24:8 35:23	municipalities 23:10	night 34:12, 13,23,24,25
manager 56:11 67:8,15	meeting 12:1, 25 32:9,12 63:3 66:1,25	minimum 63:2 68:1	municipalitie s 75:17	no-- 38:9 42:8
manhole 28:23 29:2,20 31:15	meetings 28:14 34:11 39:17	miniscule 35:24	municipality 43:7 48:13	nobody's 42:19,20
manholes 29:21	meets 55:23	miottawa.org 34:10	Muskegon 79:5,9	nobody-- 20:3
manner 34:4	melt 29:18	mitigate 65:5	my-- 45:16	north 14:5 15:18 16:4 19:14 50:5,12, 13,22 51:12 52:1,24 55:1, 16
map 13:7 14:10 26:18 35:12 60:7	member 42:6, 7 49:13,15,18 57:24 58:2,4, 11 59:18 60:5, 9,15 61:7,22, 25 62:6,13,20, 24 63:7,15,18 64:10,18 67:2 77:15,25 78:3	mix 14:3,8	<hr/> N <hr/>	northeast 13:24
mapping 67:18	members 20:17 30:15 31:2 37:16	money 24:19 35:24,25 36:23 38:19 41:6 49:9 59:25	nail 11:23	northern 13:25
maps 31:17	mentioned 40:16,17	months 16:9 20:22	natural 16:1 51:24 52:5,24 67:19 68:8,11, 15,21 69:4,21, 22	northwest 30:9
massive 16:7	Michigan 11:15,17,25 79:4,9	morning 11:13 33:14	nature 46:6 68:23	not-- 22:5 41:3 63:24
		mosquitoes 70:18	nay 32:23	notice 30:24 66:25
		most-- 34:9	neat 30:1	noticeable 16:23
		Mother 46:6	necessity 12:2 20:18 38:2	noticed 17:3 19:7 20:6 70:7
		motion 22:21 75:3,4,5,13, 18,25 76:4,5, 6,13,22		

now-deceased 67:9	opposed 75:25 76:22	paid 23:22 24:14 47:7	23:10,11 58:9, 16 59:4	pipng 12:14 58:17
number 25:8 26:5 32:8,19 34:14,17 35:10 41:13 42:22 76:25 77:22	opt 59:24 60:2,3	parcel 67:18	percentage 24:3 25:4	Pitz 48:18
numbers 23:7,8 69:2	options 70:21	Pardon 49:14	performance 39:14	place 14:17 19:20 26:6 38:3 57:4
numerous 67:12	orange 14:9	part 17:14 27:15,24 31:25 32:1,2 44:13 49:20 53:8 55:7 57:11 63:19	periodic 67:25	placement 61:21
NYKAMP 11:3 47:18 63:13 66:4 73:2 75:8,11, 19,24 76:8,14, 20	order 21:11	pass 76:13	periods 62:5	plain 67:19,22 68:11 69:20
<hr/> O <hr/>	ordinance 67:11	past 28:16 64:11	permit 69:24	plan 57:4,25 58:2
O'brien 58:20	originally 17:12	path 21:23 60:15 62:7,8	person 53:21	planner 67:13
object 37:5 66:8,19	other-- 22:3	pathway 21:23	perspective 12:18 20:2 69:13	Planning 67:3 68:19
objecting 59:9	Ottawa 13:10 56:17 67:18	Patrick 56:11	petition 11:24 12:9 20:19,21 65:14,17 66:2	plans 44:11
obligate 69:8	our-- 60:16	pay 21:17 22:9,16,17,20, 25 23:4,5,10, 13,23 24:1,5, 7,16,22,24 25:1,9 41:7 47:19 48:6 50:12 51:3,11	petitioned 56:17	plants 69:8
obvious 69:6, 7	outlets 19:14	paying 24:10 25:3 35:18	phase 17:22 45:10,13	plat 67:4,23
occurring 51:25	outline 20:11	peak 16:18 68:8	phases 17:15 45:22 67:4	play 22:25 23:2 31:20 32:1
offered 63:22	overflowing 29:24	Peggy 65:6 66:5 74:3	photo 30:12	player 22:23
office 12:11 44:14 45:17 46:16 77:9	overgrown 43:1 48:21 54:18	people 22:5 24:12 25:6,15, 23,25 27:19 31:13 32:11, 13,14,16,23 34:21 35:5,11 36:19 37:13, 17,24 40:8,10, 12,14,15 41:17 42:21 43:1, 48:4 49:8,23 50:7 52:22 55:5,16 59:1 73:8,22, 24 74:7,17	photos 12:20 15:18 16:19	playing 22:24 31:22
one-- 42:12	overloaded 18:12	percent	photo 30:12	plays 23:1
open 14:3,22 29:2 51:6 54:17	oversees 36:6		pick 71:20,25 73:19	plunk 71:23
openings 68:1	overtopped 18:17		picture 66:14	point 11:8 22:23 30:5 31:6 38:12 54:8,15,25 59:18 60:21 63:5 65:19 68:23 71:14
operate 44:17	overview 14:19		pictures 12:19 14:20 15:13 42:1 58:24	points 13:12
operating 17:10	owned 21:22		piece 65:9	Polkton 13:17,19 15:1 24:24 53:6,12, 13 56:20 67:21 75:15
	owner 24:2		piecemeal 36:14	pollution 68:24
	owners 20:5 24:9,18 25:23 36:11 59:3,23 60:1		pieces 39:3	pond 28:16 29:23,24,25 30:4,7 45:11, 13 46:10
	owns 49:20 50:6		Pine 38:24	
	<hr/> P <hr/>		pipe 14:3 18:1 19:13 43:22 57:9,11 61:6	
	package 71:5		pipe-- 46:11	
	Pages 79:10		pipes 14:9	

48:19 49:3 54:5,18,20,24 55:6,8,10 56:2	price 38:1	17,20 67:7 72:20 75:4,6	provide 67:25	77:9
pond's 54:5	primarily 11:19 13:8 18:24 51:14	projects 27:6	provided 73:8	quick 15:3 68:8
ponds 12:15	private 15:6 19:19 20:3	properly 19:23	public 20:14 67:6 75:1,14 78:4,6	<hr/> R <hr/>
popped 12:17 16:10,15 17:3 18:14,20 19:25	privilege 52:23	properties 13:20 45:15 53:9 60:19 70:14,15,17 71:10 72:18	pull 48:7	rain 16:18 19:3,5 25:19 28:12 29:14, 18 45:3 46:8 68:7
pops 17:23	proactive 46:15	property 13:2 14:11 20:5 21:22 22:8 24:2,9,18 25:23 36:11 49:2,3,20 50:23 53:24 54:14 55:22 59:3,23 60:1 62:14 65:18, 20 66:10,18, 19 70:6 72:7 74:12	pump 48:23 55:19	rainfall 43:25 66:11
portion 13:24 51:16 69:5,10, 21 75:16 76:10	problem 25:18 37:19, 21 40:20,21 46:24 53:4,13 61:14 64:4,15 66:13,15,20 70:11,20,22, 24 74:14,19, 20,21	proportion 51:12	pumps 55:18	raise 69:4
pose 16:4	problems 25:20,22 36:24 40:10, 21 43:1 48:22, 23 49:25 50:17 52:21 57:19 58:14	Proposal 53:21 55:15 60:6	purchased 70:5	re-engineer 14:16
possibility 62:2	proceed 33:19,21 75:4, 6	proposed 11:20 14:15 19:16 38:25 49:20 50:17 67:1,23 68:5, 6,14,22 69:1, 5,11,12,13,16, 22	purchasing 70:6	reactive 46:15
possibly 18:19	proceedings 79:12	proposing 21:23 39:19 59:11,12	purple 13:6	read 59:8,16 65:6 71:11 76:5
potential 11:21 19:25 45:19 52:10	process 11:17 38:6 40:1	Proposed 50:18	purpose 12:2 50:21 65:20	ready 63:25
power 22:23	professional 11:14	protect 49:8 68:1	push 27:22	real 28:12 32:22 50:21
practices 69:17	program 57:14,19	protection 75:14	put 19:13 21:9 28:8 30:19 36:16 37:4 41:10,17 44:12 45:8,22 46:21 47:7,8 57:9 61:5 70:23 71:18 74:8,11	reality 29:13 37:12 38:7 74:4,7
predevelopm ent 44:15	project 12:3, 4,5,6 20:15, 16,20,21,22, 23 23:14,17 24:14 26:5 32:20 33:18 35:21 36:1,4, 5,13,17 37:6, 8,24 38:13,17, 18 39:6,12,23, 24 59:22 61:2,	protest 66:2	putting 44:5 45:11 72:17	rear 18:21,25 27:9,11,18
predominantl y 18:23	professional 11:14	protests 40:7	<hr/> Q <hr/>	reason 18:7 59:24
Prein 71:7	proceedings 79:12	proves 25:2	quality 45:25	received 12:9 65:11 66:24
preliminary 39:19	process 11:17 38:6 40:1		question 11:3 21:17 25:5,9 26:10,12,15 27:21 33:10 34:1,2,8,9 35:10 36:22 41:6 42:24 44:19,25 46:9, 20 48:10 51:17 57:24 59:4,17 60:5 78:4	recently 16:8, 20,21 19:12
presence 69:7,9	proceedings 79:12		questions 11:2 25:6 32:7 41:24 47:10	reconstruct 63:3
preserved 15:20	proceedings 79:12			record 41:10, 14
pretty 24:22 27:10 32:21 46:5 48:21 55:10	proceedings 79:12			red 35:12
prevent 28:11 45:24	proceedings 79:12			Redge 51:15
previously 51:23	proceedings 79:12			redone 43:18
	proceedings 79:12			Redtail 48:19 68:3

reeds 54:20	42:10	roads 57:15	scope 12:4 39:17	Shoemaker 64:14
referring 30:7	responsibilit y 22:15 42:11 44:9 49:25 58:7 73:25	roadway 14:6 26:24	screen 30:24	short 44:22
regional 67:11	responsible 25:10 42:2,24 57:13	Rob 55:11	seasonal 69:3	Shorthand 79:8,17
registered 11:14	responsible-- 47:4	Rob's 55:22	Secondarily 12:16	show 15:13 31:1 55:24 60:7
regulated 69:9,23	restrict 18:2	Robert 64:14	seconded 76:7	showed 30:12
regulatory 69:4,7	restricted 44:14	Roger 67:10	secretary 21:9	showing 77:1
relating 65:25	restriction 17:24,25 18:3, 4	role 22:24,25 23:1,2,3	section 45:8 47:24 51:3 52:17 67:7 69:15	shows 65:17 66:15
remove 48:6	retention 28:16 46:10 48:19	roots 57:11	sector 67:6	shut 37:7
removed 18:4	review 13:14 17:9 18:14 38:4 39:18 45:16	rough 39:20	sediment 16:14 68:9	side 13:25 14:5 15:18 17:11,12,18 19:14,20 50:5, 9,12,13,22 51:12 52:1 58:22
replace 64:8	reviewed 12:12 44:11	routines 34:22	Sedimentary 68:10	sides 64:22
reply 34:3,6	reviews 45:17 68:20	row 21:12,14 28:2 32:4	sedimentatio n 16:22 52:4 69:18	sign 77:16,17
report 18:16	revisit 36:13	run 13:3 21:25 52:24 54:16 55:10	select 61:21	sign-up 77:15
Reporter 79:9,17	revolving 53:8	runoff 16:6 18:11,24 19:9 23:16 44:5,12, 15 55:1,3 68:7	semi 71:24	significant 68:7,10 69:2 71:13
represent 50:4	Ridge 14:1 15:5,19 16:2 19:10,18 38:24 50:6,10, 13 51:12 52:1 55:14,17 57:6, 12 64:23 65:14,21,24 67:1,4,23 68:18 79:12	runs 14:5 16:13 22:8 31:11,18 49:2 51:10	sense 64:6,7	signify 75:10, 21 76:18
representativ e 15:17	required 69:18	rutting 20:9	serve 44:1 67:14	silt 54:3 55:10
representing 43:10	requirement 11:25	Ryan 11:13 21:7 30:4 35:23 39:8 51:19 52:14 77:10,23	service 67:18 77:4	similar 61:3
request 48:3	research 12:10 20:25	<hr/> S <hr/>	serving 69:2	sir 30:21 48:17 57:22
require 67:25	resided 67:4	sacred 65:1	set 41:20	sit 27:18 38:20
required 69:18	residents 17:4 24:11,23 25:3 35:17,19 56:14	sat 72:4	sets 24:19	site 11:1,22 17:19 22:9 44:10 60:19
requirement 11:25	Ridge's 51:15 66:20	saturated 19:12,21	sewage 70:18	sites 45:12
research 12:10 20:25	right-- 30:5	scale 36:13	sewer 26:21, 43:24	sits 16:2,5 31:24
resided 67:4	river 73:16	scheduled 53:11	shallow 56:1, 2	sitting 57:1 64:2 72:12
residents 17:4 24:11,23 25:3 35:17,19 56:14	road 19:15 23:25 31:11 43:18	school 34:21 45:8	share 23:4 24:2 60:1	situation 68:12
resolve 73:4, 9,20			sheet 77:15	
resource 17:21 67:9			shirt 53:18 59:20	
resources				

skipped 35:6	special 24:16	status 69:4	15:5 16:3,24 17:11,15 18:13 19:10, 18 44:12 47:23	system 14:16 16:13 19:15, 19 20:3 26:24 27:12,24,25 29:22 44:3 67:22 68:15 69:23
slide 15:13	specific 15:5 19:4 21:5	statutory 11:25		systems 26:25 67:24
slope 27:17 70:9	spend 35:25 37:3 38:16,17 41:11 59:25	stays 61:11		<hr/> T <hr/>
slopes 16:11 18:25	spending 36:22 73:6	steam 69:23	subdivisions 44:11 73:12	
small 36:13 46:16 64:24 70:15	spent 35:13, 23	step 65:5	subsequent 69:19	
smells 70:17	spoke 71:4	steps 20:13, 24	substantially 68:5	
snow 29:18 46:7	sponge 19:6	sticking 41:9	sudden 25:20	table 48:24 68:18
So-- 29:6 57:20 62:12	spongy 62:4	stopover 69:3	suggest 69:10	tables 25:19
soccer 34:19	sporting 34:18	storage 68:15	suggestions 70:21	tailers 71:25
soil 20:10	spot 30:6	storm 17:13, 16,20 18:10 20:2 26:15, 28:24 43:23, 24 44:1 45:2,5 67:11,22,25 68:2,16	suggests 69:6,8	taking 58:6 69:25
soils 18:22 27:17 61:3 69:8	spots 16:25 19:4,7	story 51:9	summer 31:24	talk 14:22 17:7 35:8 62:16
sold 70:15	spring 29:17	straddles 67:20	sump 48:23 55:18	talked 12:7 17:3 32:9 73:14
sole 12:2	squishy 61:12	stream 68:11, 21 69:7	supper 34:15, 16	talking 19:1 51:23 56:24 61:10 76:8 77:7
solid 70:12	SS 79:4	street 14:2 15:11 48:15 49:2,5 53:20 60:19 65:11, 18 66:7 71:3	support 69:1 75:7,8,21 76:14	talks 71:8
solution 56:22 58:12	stand 49:12	stress 77:3	supported 75:9 76:16	Talon 21:15 26:14,16,19, 20 28:4 30:23
solutions 61:18	standard 17:16	stretch 68:25	supposed 46:21	tasking 37:23
solve 25:22 40:10 57:19 64:3	standards 17:21 58:13 69:24	stronger 45:23	supposedly 21:21 60:10	tasks 12:9
sort 17:25 44:16 65:25 71:9	standing 19:3 20:8 70:13,17	structures 31:16 61:5	surface 55:1	tax 35:25 49:7, 9
sounds 55:15	standpoint 12:14,21 19:24	stuck 35:20, 22 54:10	surgery 36:17	taxes 53:7
soup 27:10	start 21:11 53:18 54:13	study 63:9 71:12	surrounded 14:23 18:21	taxpayer 49:25
source 68:24	started 54:11, 12	stuff 28:14,18 31:23 45:25 46:19 63:21 77:17	swale 60:14	technically 57:10
south 19:20 49:3	state 11:15 15:20 16:1 39:17 51:24 67:8 79:4,9	subdivision 12:12 14:1	swamp 64:22, 25	telling 32:18 34:5
space 26:16, 21	statement 39:9 63:12		sweeps 57:15	tens 73:6
speak 25:2 49:13,15			sweet 74:25	Tepaste
speaker 37:8				

28:4,6 29:7, 12,16,25 30:8, 20	71:18	22 24:4,17,19, 23 33:21 36:12 40:4 42:25 47:20 48:5 53:6, 67:13,21 75:15,16	<hr/> U <hr/>	voice 40:1
testimony 20:14 26:2 29:19	tiling 54:11 71:8,14, 72:17 73:14	townships 15:2 23:24 35:18 56:20	ultimately 14:1 18:8 19:11 20:18 39:23	volume 51:21 52:2 68:15
that's-- 47:13	time 16:8 17:16 28:8,11 34:15,25 35:3 36:17 38:3 39:21 46:18 54:11 57:1 64:23 69:25 71:4 72:13,24 77:2,20	tractor 27:20 54:10	understand 35:2 46:17 73:23 74:7,8, 11,18	voting-- 37:7
that-- 38:3 52:25 58:21	times 11:1,22 16:25 27:16, 19 31:10 47:21 55:13	trail 31:19	umpteen 34:12	<hr/> W <hr/>
there-- 50:14	timing 32:8	transcript 79:11	understand 35:2 46:17 73:23 74:7,8, 11,18	wait 59:15 77:18 78:5,6
thick 15:12 58:24	tips 74:9	transitions 69:3	University 67:8	walk 13:11 15:9 19:4 38:8 55:25
thing 12:21 16:10,15 17:8, 23 18:2,14,20 24:7,11 28:22 44:17 47:18 48:24 51:20 52:24 57:3,12 61:15 63:16 64:9 71:13 72:15	tires 71:22	traveling 34:19	uneducated 28:18	walked 15:9 16:25 29:5 58:22,23
things 13:14 14:24 19:25 20:16 27:22 38:23 40:13 50:15 52:19 56:12 57:2 73:9	to-- 43:20 46:22 73:4	treated 69:12, 22 72:10	unlike 69:11	Walker 67:14, 15
thinking 28:19 33:8,11 36:3 49:6 57:2	today 11:19 12:1 16:5 20:20 25:21 26:2 29:4,19 35:25 37:5, 40:8 41:12,13 42:14 47:25 53:7 56:12,23 64:6 71:15 77:1,6	tree 47:25 48:1 63:21	upper 52:19	walley 79:8, 16
this-- 37:7	toilet 73:17	trees 54:20 64:24	upset 35:11 36:15,19,20	want-- 72:8
thought 49:10 58:25	told 55:5	tremendousl y 56:5	upsized 58:17 59:5	wanted 17:7 49:6,9 56:21 64:19
thousands 73:6,7	Tomorrow 29:16	trenches 71:18	upstream 59:3 68:23 69:15	was-- 29:23
threat 16:4	ton 61:10	trend 71:15	U niversity 59:3 68:23 69:15	Wash 66:21 70:2
throw 23:7 39:11	Toogood 53:19 71:2,3	true 32:16,17 63:12 79:11	vague 32:21 33:1 46:5	washed 55:12
ties 58:19	top 40:19	turn 11:10 21:4,8	vagueness 41:4	watched 67:21
tile 70:24	total 13:20	turned 20:20	Valley 67:8	water 13:1 14:13 15:16 16:12 17:21 18:3,13 19:3, 18,22 20:2,8 23:20 25:18, 19 26:18 27:1, 16,18,22,24 28:7,12,21,24 29:2,23 30:19 31:10 40:16, 18 42:10 45:12,14,25 47:12,24 48:22,24 49:4, 22 50:5,12 51:2,6,10,13, 21 52:2,24
tiled 16:21 50:8 51:5 72:4,5	totally 35:2	turns 18:24	valuable 77:21	
tiles 28:8 66:19 70:12	towards-- 42:22	types 15:4 19:24	Van's 70:8	
	township 13:18 22:20,	typically 15:22 17:24 39:11,16 43:20 44:11	varies 26:1	
			vegetation 15:14	
			verify 12:17	
			visits 12:16	

53:22 54:13,
25 55:3, 56:19
58:8 59:2,10,
11,12 61:10
62:4 64:13,16,
18 65:1,17,20,
21,23 66:9,12,
13,16,17 67:7,
9,11,22,25
68:9,16 70:7,
10,13,16,17
72:2,3,17
74:8,11

**water/
flooding** 68:3

watershed
13:8 44:3 67:7

watersheds
74:7

waterway
68:23

we-- 21:11

website 34:10

weeds 31:24

weeks 48:1

WEICK 65:9
66:6,24 74:4
75:5,12,20,23
76:4,21

west 15:12
17:11,12 18:9,
12,16 31:19
55:23 58:22

wet 53:25 54:9
55:3 72:6

wetland
15:20 51:24
52:5,23 53:1,
2,3 69:8,23
72:10,14

wetlands
50:15 54:2
69:9

wherever
73:16

white 59:20

wildlife 30:2

Williams
56:10

win 35:4

window 64:6

witnessed
68:13

wondered
27:23 47:3
62:13

word 59:1

words 43:17
63:3

work 11:16
21:12 22:9
32:13,24
38:22 39:16
43:11,17
56:22 60:20
63:24

work-up
33:23

worked 38:23
40:11

working 64:9

Wright 13:17
15:1 24:23
36:11 56:20
75:16

write 35:6,7

writing 66:8

written 59:7

Wurm 41:23
42:13,15,21
43:4,8,13,16
44:4,8,19 45:6
46:9,13,17,20
47:3,7,17

Y

yard 18:22,25
27:9,11,18
66:15,16

year 24:20
25:16 29:14,
22,23 31:15

34:21 45:7
47:22 53:9

years 22:1,11,
12,14 25:10,
11,15,17,24
28:7,19 34:12
40:5 43:9,17
44:20, 45:21
46:7 48:8,20
49:21 53:5,8
54:6 55:9 70:6
71:20

yellow 53:18

yesterday
19:9

young 32:10,
11 34:14,22
48:17 62:23