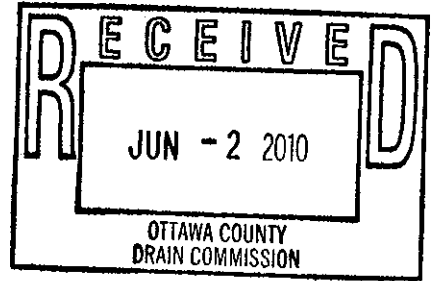


STATE OF MICHIGAN

COUNTY OF OTTAWA

TOWNSHIP OF GRAND HAVEN

TOWNSHIP OF PORT SHELDON



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IN RE: HIAWATHA DRAIN (Proposed)
BOARD OF DETERMINATION

COPY

Proceedings commenced at 10:05 a.m. on
 May 13, 2010 at 13300 168th Street, Grand Haven
 Charter Township Hall, Grand Haven, Michigan - In
 Re: Hiawatha Drain, Board of Determination -
 Public Hearing held before Nancy A. Spykman,
 Certified Shorthand Reporter No. 525 and Notary
 Public for Ottawa County, Michigan.

APPEARANCES:

Paul Geerlings, Drain Commissioner
 Linda Brown, Chief Dep. Drain Com.
 Michelle L. Wittingen, Assistant

David Busman, Chairman
 Stu Visser, Secretary
 Jerry Alkema, Board Member

Steve VanHoeven, Ottawa Co. Road Com.
 Kevin Kieft - Prein & Newhof - Engineer

1 Grand Haven, Michigan

2 May 13, 2010

3 Commencing at 10:00 a.m.

4 PROCEEDINGS:

08:52:06 5 DRAIN COM. PAUL GEERLINGS: Good morning,
08:52:10 6 Everyone. It's 10:00. So, at this time, I will call
08:52:14 7 the Board of Determination meeting to order.

08:52:18 8 First, there is just a few things that I would
08:52:20 9 like to go over -- introduce some of the folks, here.
08:52:24 10 My name is Paul Geerlings, the Ottawa County Drain
08:52:28 11 Commissioner. Because we were presented with a petition
08:52:30 12 for drain improvement consideration, it's then my duty
08:52:36 13 to convene this Board.

08:52:38 14 I have chosen three people that have no personal
08:52:42 15 or financial interest in the area. First off, on the
08:52:46 16 left is Jerry Alkema from Allendale Township, and we
08:52:50 17 have Dave Busman from Polkton Township, and Stu Visser,
08:52:54 18 who resides down in Park Township. At that point, we
08:52:56 19 have Nancy Spykman, who is a Court Reporter, by trade.
08:53:02 20 She will take down every syllable said here today, so we
08:53:06 21 have a very accurate, permanent record.

08:53:10 22 The Engineer that I have chosen to speak to you
08:53:14 23 on what he believes the causes or relief could be and
08:53:18 24 the price tag for that is Kevin Kieft from Prein &
08:53:18 25 Newhof.

08:53:22 1 From my office, I have my Chief Deputy, Linda
08:53:26 2 Brown. Michelle Wittingen, our legal process -- our
08:53:32 3 person who takes care of stuff like this, and we have
08:53:34 4 Theresa Conrad, who is actually off from work today and
08:53:38 5 she has a day off and decided to be here part of the
08:53:42 6 festivities, if you will. We have Bill Cargo, your
08:53:50 7 Township Manager, as well in the back, as well as Mark
08:53:50 8 Verberkmoes, and Steve VanHoeven from the Ottawa County
08:53:54 9 Road Commission, in case we have questions for him.

08:53:58 10 At this time, I'll introduce -- I'm sorry. I'll
08:54:04 11 read the oath of office for the Board Members. From
08:54:06 12 that time on, they will be in charge of the meeting.
08:54:10 13 The first thing they will do is hold an election to
08:54:14 14 determine who is to act as chair, and who is to act as
08:54:18 15 the secretary for the meeting.

08:54:20 16 Then they will ask you, during the public comment
08:54:24 17 period, to make statements to determine whether or not
08:54:30 18 drainage is necessary in this area. This meeting is not
08:54:34 19 to determine how the drain is built, but it is really to
08:54:40 20 get information, and find out where the problem areas
08:54:44 21 are, and so the Engineer has some background on what
08:54:50 22 issues to deal with.

08:54:50 23 So, at this time, if the Board Members will rise
08:54:56 24 and repeat after me, and if you agree with what I have
08:55:00 25 asked, answer I will.

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(Board Members duly sworn and responded I will.)
MEM. DAVID BUSMAN: The first thing we need to do
is elect some officers.
MEM. STU VISSER: I'll get us started and I will
nominate Dave Busman for chair.
MEM. JERRY ALKEMA: I support.
MEM. DAVID BUSMAN: There is a nomination and
support for Chairman, Dave Busman. Discussion? None.
Vote?
(All Members voted aye.)
MEM. JERRY ALKEMA: I'll nominate Stu Visser as
secretary.
CHAIRMAN DAVE BUSMAN: I'll second that.
(All Members voted aye.)
CHAIRMAN DAVE BUSMAN: Next item on the agenda is
for any comments from the Township. So, Bill, that
would be your time.
GRAND HAVEN TWP. MANAGER BILL CARGO: I
appreciate the opportunity to address the Board of
Determination. Grand Haven Charter Township would
recognize there is no drainage district in this area,
and that there is no outlet in this area.
The water seems to flow westward over towards
Lakeshore, and at that point many of the homes in that
area have had significant flooding problems last year.

08:56:56 1 We have made some emergency repairs, basically, a dam
08:57:00 2 with an overflow to slow down some of the water. It
08:57:04 3 would not have prevented the flooding from a larger
08:57:08 4 incident. As large, hopefully, as an incident, such as
08:57:12 5 today, it's sufficient to stop the flow.

08:57:14 6 Grand Haven Charter Township is also willing and
08:57:18 7 supports the apportion of the cost of any drainage
08:57:20 8 district that is put into the place, the 15% or 25% that
08:57:24 9 goes to the local units, we are in support of that, and
08:57:28 10 we are willing to pay that fair share.

08:57:30 11 CHAIRMAN DAVE BUSMAN: I also notice that the
08:57:34 12 township is the petitioner for the petition.

08:57:36 13 GRAND HAVEN TWP. MANAGER BILL CARGO: We were
08:57:36 14 asked to be the petitioner by a number of residents.
08:57:38 15 They were collecting petitions by the residents, and it
08:57:40 16 was more -- we could do it more rapidly than they could,
08:57:44 17 and so we agreed to, on their behalf, to pass a
08:57:48 18 resolution at a Board level.

08:57:50 19 CHAIRMAN DAVE BUSMAN: Thank you, Bill.

08:57:56 20 At this time, Kevin, for the presentation from
08:57:58 21 the Engineer on the proposed project.

08:58:10 22 ENG. KEVIN KIEFT: From Prein & Newhof. We have
08:58:12 23 done some preliminary work in this area, the Hiawatha
08:58:16 24 Drain, and the adjacent Cooper Drain District.

08:58:20 25 Some of you along the area, in this area, may

08:58:22 1 have been invited to the Board of Determination for that
08:58:26 2 district last August. During the meeting we found
08:58:34 3 several areas of concerns for property owners in this
08:58:38 4 area, and also to the south in conjunction with the
08:58:44 5 known fact that there was flooding issues in the
08:58:48 6 Hiawatha/Lakeshore area.

08:58:50 7 Subsequent to the meeting, we did some work as
08:58:54 8 part of the Cooper Drain District to determine -- this
08:58:58 9 is the Cooper Drain District, over here, to determine if
08:59:00 10 we could provide some relief to property owners in this
08:59:06 11 area adjacent to that, and once we did the survey work
08:59:10 12 in there, we found that elevations of these properties
08:59:12 13 are two to three foot lower than the drain, and the
08:59:16 14 outlet along Cooper Drain that runs along 160th Avenue.

08:59:22 15 So, we discussed that with the Drain
08:59:24 16 Commissioner's Office. Since then, that petition for
08:59:26 17 Hiawatha has been brought forward. So, we began a
08:59:30 18 preliminary layout of the district for the determination
08:59:34 19 area that is set up. And as a part of that process, we
08:59:40 20 reviewed topographic surveys, and aerial mapping of the
08:59:44 21 area, and came up with this, the yellow exterior line
08:59:48 22 there, as the notification area.

08:59:50 23 You can see a lot of these follow the property
08:59:54 24 lines where the actual contours of the area may split
08:59:58 25 off corners and that, but in order to have everybody

09:00:00 1 notified and have them have the opportunity to present
09:00:06 2 their concerns at the meeting, that district gets
09:00:10 3 expanded outward, and that will be reviewed once the
09:00:14 4 final project -- that moves forward.

09:00:16 5 So, some areas, you may know, if you own a
09:00:20 6 property here, the corner may be cut off. The water may
09:00:24 7 drain to the opposite location.

09:00:28 8 Following that, we put together a review of the
09:00:30 9 contours and that, and our information that the Drain
09:00:34 10 Office provided from our previous Cooper Drain meeting,
09:00:38 11 a proposed route and a course for the drain that was
09:00:42 12 published with notification, and we are looking at an
09:00:46 13 outlet to the north of Pierce Street in the Little
09:00:50 14 Pigeon River area that provides an outlet for the area
09:00:56 15 we have significant flooding in Hiawatha -- in that
09:01:00 16 area.

09:01:00 17 Following along across 168th, there was flooding
09:01:04 18 of that road there, and also in this area that provides
09:01:08 19 relief to these areas along there. We also put together
09:01:12 20 a cost estimate for that -- for that preliminary route,
09:01:16 21 which can change, based on once we do more survey work
09:01:22 22 and gather utility information, and discussions with
09:01:26 23 property owners.

09:01:28 24 That does not have -- that does not have to be
09:01:30 25 the set route. But based on that, we put together cost

09:01:34 1 estimates. The costs estimates are \$515,000 for that
09:01:40 2 work. The area that covers is, approximately, 1300
09:01:46 3 acres in that district, and that includes a combination
09:01:54 4 of open drain -- the majority of it being open drain.

09:01:58 5 We do have some areas where contours and that
09:02:02 6 will require us to do -- have some enclosed systems.
09:02:06 7 The majority of it would be open drain, though, and
09:02:08 8 looking to provide the maximum benefit to that area for
09:02:14 9 the best price in that area.

09:02:18 10 A couple of other items that I wanted to -- a
09:02:30 11 couple of other items that I wanted to mention is in one
09:02:34 12 of the areas that we have there is a 60-inch water main
09:02:36 13 that goes along Fillmore Street, which is one of the
09:02:40 14 limitations for the depth of the drain that is up in
09:02:42 15 this area. It crosses through there.

09:02:44 16 So, that will limit the depth we can go to the
09:02:50 17 south, but we'll gain additional information once it's
09:02:54 18 determined to move forward.

09:03:00 19 As far as the history, I think we are going to
09:03:04 20 rely on residents to go over the areas where there were
09:03:12 21 concerns. I'll give the Board kind of an update.

09:03:16 22 In 2008 December, we had heavy rains, large
09:03:20 23 snowfall, late December 2008. Heavy rains following
09:03:26 24 that. That caused some areas of concern in this area,
09:03:30 25 and that it was April of 2009. I believe the residents,

09:03:34 1 I'm sure, will have the specific dates, but that is when
09:03:38 2 we found the flooding occurred in the Hiawatha/Lakeshore
09:03:42 3 area, and up over the streets, in people's basements,
09:03:46 4 and then the berm was constructed shortly after that.

09:03:48 5 I was not involved in the berm. Mark, is there
09:03:52 6 additional improvements to that following the initial
09:03:56 7 berm condition that were complete in March?

09:04:00 8 GRAND HAVEN TWP. MARK VERBERMOES: We built an
09:04:02 9 emergency berm with no outlet based on the height of the
09:04:06 10 water in relationship to the surrounding property, so,
09:04:08 11 as not to flood the properties north or south of the
09:04:12 12 emergency berm. We determined an elevation for the
09:04:16 13 overflow, and the berm was moved further to the east to
09:04:20 14 make sure it was on public land, and an overflow was
09:04:26 15 constructed based on the elevation that we determined at
09:04:30 16 the time of flooding, and, then, the berm was moved back
09:04:34 17 and topsoil was seeded, and what is there is what was
09:04:40 18 left there was a berm that was reconstructed further to
09:04:44 19 the east to ensure it was on public property.

09:04:48 20 ENG. KEVIN KIEFT: For the Board, the County owns
09:04:50 21 a large portion of this property in this area, 168th
09:04:56 22 along to 160th, and we have had initial discussions
09:05:02 23 looking at the possibility of a regional area in here to
09:05:06 24 detain water, create some wetland on the park property.
09:05:12 25 They were open to that. So, that was just preliminary

09:05:16 1 discussions, and they would entertain those thoughts if
09:05:22 2 the project would move forward. That would help reduce
09:05:26 3 the costs of improvements in that area. We'll be able
09:05:30 4 to limit the size of the downstream piping.

09:05:40 5 CHAIRMAN DAVE BUSMAN: Thank you. All right.
09:05:42 6 The next item that we are going to begin, after I
09:05:46 7 explain some of the procedures, is the public comment
09:05:50 8 portion, and the process that we will use -- we'll
09:05:52 9 basically start with the front row and just work our way
09:05:56 10 back, and that will give everyone the opportunity to
09:06:00 11 speak.

09:06:00 12 If you speak, every time you speak, give us your
09:06:04 13 name and address. It may sound redundant. We need to
09:06:06 14 have it recorded. We also ask that you, we have a
09:06:12 15 fairly large crowd, to limit your comments.

09:06:14 16 So, at this point, I'll open the public comment
09:06:18 17 session. I will begin it, though, by reading three
09:06:22 18 letters that were received, and I apologize if I say the
09:06:26 19 individual's or resident's name incorrectly, because I'm
09:06:28 20 not certain how to pronounce some of the last names.

09:06:28 21 *****

09:06:30 22 The first one is from Dave Tibbe, 17060 Donahue
09:06:38 23 Woods Drive in West Olive. This letter was to Paul
09:06:44 24 Geerlings, the Drain Commissioner.

09:06:44 25 Pursuant to the notice that I received on the

09:06:48 1 above matter last week, please be prepared to answer the
09:06:48 2 following questions at the Board of Determination
09:06:48 3 Meeting on Thursday May 13, 2010 at 10:00 AM at the
09:06:48 4 Grand Haven Township Hall:

09:06:58 5 No. 1: What person or persons or entity filed
09:07:00 6 the petition requesting establishment and construction
09:07:00 7 of the Hiawatha Drain? How many parties signed the
09:07:00 8 petition?

09:07:08 9 No. 2: How much money has been spent thus far in
09:07:10 10 engineering this project?

09:07:12 11 No. 3: What is the total cost of the proposed
09:07:14 12 project?

09:07:16 13 No. 4: How will these costs be allocated among
09:07:16 14 the landowners, over what period of time?

09:07:20 15 Will blueberry farmers, residential homeowners,
09:07:20 16 nursery plant farmers, and developers with vacant land
09:07:20 17 all be assessed at the same rate per acre?

09:07:28 18 Will landowners with property directly abutting
09:07:30 19 the proposed drain line be assessed the same rate per
09:07:32 20 acre as all other land owners whose property does not
09:07:36 21 abut the drain line?

09:07:38 22 No. 5: Will all land owners in the drainage
09:07:40 23 district have an opportunity to vote on this proposal or
09:07:44 24 will the decision made by three nonresidents be final?

09:07:46 25 No. 6: Several homes in Majestic Ridge Estates

1 (Hiawatha/Fillmore/Lakeshore Drive area) have had water
2 damage in their basements in the past year. Will the
3 proposed drain alleviate this problem?

4 No. 7: Majestic Ridge Estates - East has at
5 least one street storm sewer which drains into a pit
6 between lots 9 and 10 on the south side of Donahue Woods
7 Drive. Does this project include plans to connect the
8 existing storm drain (and others like it) to the main
9 drainage system?

10 No. 8: What landowner or group of landowners is
11 expected to benefit most from the proposed drain?

12 According to the map, it appears that approximately
13 70-75% of the land area in the district is comprised of
14 28 farm-size parcels (+ or - 10%) 40 acres or larger,
15 and 230 much smaller residential-size parcels (+ or -
16 10%) comprise the remaining 25-30% of total land area.

17 No. 9: Will you have topographical maps of the
18 proposed drainage district (with elevations) at the
19 meeting? It would be useful to see where the lowest
20 elevations are located.

09:08:46 21 That is a letter that was received at the Drain
09:08:50 22 Commissioner's Office on May 7.

09:08:50 23 *****

09:08:50 24 The next letter was to Mr. Geerlings. It was
09:08:54 25 received on May 11. It was actually faxed in. I

09:08:58 1 believe his name is Peter F-e-d-i-j.

09:09:02 2 Dear Mr. Geerlings,

09:09:04 3 I'm the owner of the lots located at 9926 and
4 9942 Lakeshore Drive. I am opposed to the construction
5 of the Hiawatha County Drain project. The first notice
6 that I received of this project was on 5/1/2010 at which
7 time I was advised that there was going to be a board
8 meeting on 5/13/2010 to determine whether to proceed
9 with the project. I am sure that the petition was
10 submitted by a small number of homeowners who were in
11 some way impacted by flooding. As you are all aware the
12 State of Michigan is in financial trouble and it would
13 be unwise to spend additional public funds at a time
14 when public money is very tight. It is also unfair to
15 impose additional costs onto the majority of property
16 owners that are not directly benefited by the drainage
17 project at a time when money is very tight.

18 I therefore strongly urge that the Board of
19 Determination deny this project as being an unwise
20 expenditure by the County and by private citizens at a
21 time when funds are tight. I am unable to personally
22 attend the 5/13/2010 so please forward this letter to
23 the members of the Board of Determination for their
24 consideration.

25 Peter Fedij

1 Tel. (317) 815-4410 ext. 42245

2 *****

09:10:06 3 The last meeting or letter is received on May 11.

09:10:10 4 It was from Karl Bly at 10166 Hiawatha in West Olive.

09:10:18 5 I live in the area outlined as the Hiawatha Drain

09:10:24 6 Drainage District, but I have to be out of town on

09:10:24 7 business and cannot be at the Board of Determination

09:10:28 8 meeting on Thursday May 13.

09:10:30 9 We live on one of the four properties on Hiawatha

10 that was flooded in the flood of April 2009. This flood

11 has already cost us well in excess of \$25,000 (Not to

12 mention irreplaceable items such as my mother's photo

13 albums dating back to the early 1900s and over 3,000

14 slides of ours) and we have not yet been able to

15 replace/repair all of the damage, and all of this from

16 water over which we have no control as it did not come

17 from our property. It came from County property a half

18 a mile or more away, and ended up on our property when

19 it was blocked by Lakeshore Avenue from following its

20 natural course, at which point it flooded our house (and

21 the houses of three neighbors). I am attaching some

22 pictures of the flood last April as evidence of the

23 necessity of this drain. The first picture shows our

24 yard.

25 It is hard to tell in this picture, but the water

1 is 2 1/2 to 3 feet deep in the middle of the yard. We
2 had to park in the outer drive and wade through the yard
3 to go anywhere or park on Lakeshore Avenue and walk 1/8
4 mile through the woods to get to the car. The second
5 picture shows the amount of water still standing in the
6 area where the proposed drain would be, and this is a
7 full week after the flood.

8 The "lake" extends all the way through the woods,
9 and across 168th Avenue to the county property. The
10 water was still flowing across 168th Avenue at this time
11 a week later. Without this drain, it is only a matter
12 of time until the same thing happens again.

13 Thank you, Karl Bly, 101666 Hiawatha, West Olive,
14 MI 49460

15 *****

09:12:02 16 Those are the only letters that we have received.

17 *****

18 *****

19 IN SUPPORT OF THE PROPOSED HIAWATHA DRAIN WITH
20 CONCERNS OF ASSESSMENT COSTS TO PROPERTY OWNERS
21 Jim and Tracy Neitring 16263 Fillmore St. West
22 Olive, MI 49460

23 It's fair to say that the weather last year was
24 something that has never happened in this area before.
25 We have lived at this address for 11 years and never had

1 such a high water problem. We had high water levels 3
2 times in a 6 month period.

3 In late December the unexpected rain caused the
4 first rise in water. The rain melted all the snow and
5 the water had nowhere to go. Then in January more rain
6 with already higher water just made for more problems
7 because once again the water had nowhere to go. The
8 spring rains with the melting of the last of the snow
9 put the water at extremely high levels inches away from
10 causing major damage for us and unfortunately had
11 already caused damage for several neighbors.

12 It's true this may never happen again or it could
13 happen next year. What could be done to prevent this
14 from happening again? Where could this water go? We
15 need a drainage system that this overflow of water can
16 be directed toward to keep our home and property safe
17 from flooding.

18 Thank you for your time.

19 Jim and Tracy Neitring

20 *****

09:12:06 21 MR. DAVE BUSMAN: So, at this point, we'll begin
09:12:08 22 with the front row, and there is one other item that I
09:12:12 23 would like, when you speak, stand up, would you please
09:12:14 24 come up to the map that is on the table, and point to
09:12:18 25 where your property is, so we can get a sense of where

09:12:20 1 you live in proportion to this overall drainage
09:12:26 2 district. We'll begin with the front row.

09:12:26 3 MRS. MARSHA BLY: (See Letter Above)

09:12:30 4 Good morning. Karl and Marsha Bly, and Karl is
09:12:34 5 my husband, and I took time off from school, so I could
09:12:38 6 be here. I live at 10166 Hiawatha. This lot is mine.
09:12:46 7 It has access off from Hiawatha.

09:12:48 8 When the water flowed, we called 9-1-1, and said
09:12:52 9 we are being flooded, and they said everyone has rising
09:12:58 10 water. And I said, no, we have flowing water, I said,
09:13:00 11 and they hung up on me.

09:13:02 12 Regardless of who caused the flood, whether it
09:13:08 13 was an Act of God, if it was clearing the trees, it
09:13:12 14 still happened, and it continued to happen, and it's to
09:13:18 15 the detriment of the property owners and the people who
09:13:22 16 live in this area to let it continue to happen.

09:13:26 17 Every time someone's property is devalued due to
09:13:30 18 a flood, everyone's property is devalued. Overall, I
09:13:36 19 don't care who caused it. I no longer care. I want it
09:13:42 20 to not happen any more.

09:13:42 21 My 84-old-year mother-in-law lived with me. I
09:13:48 22 had to ship her out because I was afraid of mold. I
09:13:52 23 raised my two grandchildren alone. I never asked for
09:13:54 24 food stamps. I never asked the County to pay for child
09:13:58 25 support or asked the Government to pay for anything that

09:14:02 1 I could possibly take care of myself.

09:14:04 2 Government is of the people and for the people and
09:14:08 3 by the people, to protect the people. This drain will
09:14:12 4 protect me, and if you vote it down, I'll act to protect
09:14:18 5 myself. I'll build a berm across my yard so the water
09:14:24 6 does not come into my house. I could have done it
09:14:24 7 already.

09:14:26 8 My concern is for all of the people sitting out
09:14:30 9 here and for all of the people who could not attend. As
09:14:32 10 long as we don't address the drainage problem in this
09:14:36 11 area, we will continue to have problems.

09:14:38 12 The solution is expensive, but it's simple. It
09:14:42 13 will continue to get more expensive as time goes on. We
09:14:44 14 need to address the problem now, and prevent further
09:14:50 15 flooding, and I thank you for your consideration.

09:14:54 16 CHAIRMAN DAVE BUSMAN: Second row, the gentleman
09:14:58 17 over here on the right.

09:15:06 18 MR. PAUL ZELENKA: Good morning, Paul Zelenka,
09:15:08 19 and I live at 9394 Lakeshore Drive, which is right
09:15:16 20 there. We own this portion of property, right here, and
09:15:22 21 we also own this parcel, right here.

09:15:28 22 We have no problems over here with water because
09:15:30 23 the elevation is high enough, but this piece over here,
09:15:36 24 what happens is the flow of the water is from the south
09:15:40 25 to the north and, then, of course, it goes to the north.

09:15:44 1 There is a natural high spot where this line is
09:15:48 2 fairly accurate. It flows up to this property here. It
09:15:52 3 can't go to the north to the Little Pigeon. So,
09:15:56 4 naturally, it flows to the west, and from what I
09:16:00 5 understand from Mr. Geerlings when I talked to him a few
09:16:02 6 months ago, that years before Lakeshore was there, there
09:16:08 7 was an old creek bed or something, and the water ran to
09:16:10 8 the west, and there is a gully where I think it flowed
09:16:16 9 into Lake Michigan.

09:16:16 10 Of course, I think that somebody mentioned when
09:16:18 11 Lakeshore was put in, they filled it in with sand, and
09:16:24 12 it can't go west anymore, and it formed a large lake.
09:16:28 13 And this definitely needs to be dug out because there is
09:16:32 14 nothing there now, and, you know, this type of thing
09:16:36 15 will occur, again, in the future, and we all have a lot
09:16:42 16 of problems here. Thank you.

09:16:46 17 CHAIRMAN DAVE BUSMAN: Middle section. The
09:16:50 18 gentleman, do you have any comment?

09:16:56 19 COMMENT: Not right now.

09:16:56 20 CHAIRMAN DAVE BUSMAN: Start back here in the
09:16:56 21 third row.

09:17:14 22 MS. ADA ROSS: Ms. Ada Ross, and I live, if I can
09:17:18 23 read this map, approximately right in this area, in
09:17:22 24 here. I have been there for 30 years.

09:17:26 25 ENG. KEVIN KIEFT: Your address is?

09:17:30 1 MS. ADA ROSS: 9583 Hiawatha Drive. I have lived
09:17:34 2 there for 30-some years, and in all of the years that I
09:17:38 3 have lived there in a low land as it is, but I have
09:17:40 4 never had -- not had any flooding. I have had a full
09:17:44 5 basement. I have pipes that run down in my basement in
09:17:48 6 case of flooding. I never had any water.

09:17:52 7 So, I'm thankful for that, but I can see that
09:17:56 8 there is a problem that is arising. Like, this man,
09:18:00 9 Zelenka said, who is our neighbor, when they closed that
09:18:06 10 all off, they made it so that the water could not
09:18:10 11 disappear, but my land is just so sandy that with all of
09:18:14 12 the rain that we've had today, it's almost gone,
09:18:18 13 already.

09:18:18 14 So, as far as I'm concerned, I have no real
09:18:22 15 problem with it, but I see there are other people --
09:18:24 16 other neighbors that are definitely going to have
09:18:28 17 problems.

09:18:30 18 CHAIRMAN DAVE BUSMAN: Thank you. Ma'am?

09:18:48 19 MS. HEATHER LACEY: 16315 Stanton. My name is
09:18:50 20 Heather Lacey, 16351 Stanton, which is, if I can look at
09:18:58 21 the map, it's part of this area right in here. With my
09:19:02 22 land, I did have -- I had a hole in the ground for a
09:19:06 23 sump pump. I was not pumping before. I do now because
09:19:10 24 I got two inches of water.

09:19:12 25 It's only because of the groundwater raising. I

09:19:16 1 never had problems. After it stopped raining, it was
09:19:22 2 not moving on my ground and in my ditches. I did walk
09:19:26 3 in the woods. There was a low area.

09:19:30 4 My concern is this drainage, where you are going
09:19:34 5 with it -- it's going to go along the back of my
09:19:36 6 property. The cost that I have, I'm going to have to
09:19:38 7 incur -- which I didn't have any problems. Some of my
09:19:42 8 neighbors, which are not here, also agree.

09:19:44 9 Like I say, I never had any problems. I'm
09:19:48 10 concerned for the vegetation on my property, about
09:19:52 11 losing that, because of the drain and depending on how
09:19:56 12 it's constructed and the cost.

09:19:58 13 CHAIRMAN DAVE BUSMAN: Sir?

09:19:58 14 MR. DAVE TIBBE: (See Letter Above.)

09:20:12 15 Dave Tibbe and I live at 17060 Donahue Woods Drive, and
09:20:12 16 I have the first letter that listed my questions, and
09:20:14 17 the questions that I have, I have not had them answered
09:20:14 18 so far.

09:20:18 19 And would you like to do them -- do you want me
09:20:18 20 to read them again, or do you want to just speak to them
09:20:22 21 because that's all I have is a dozen or so questions.

09:20:28 22 CHAIRMAN DAVE BUSMAN: Could you point --
09:20:32 23 could you point out where your home is on the map?

09:20:36 24 MR. DAVE TIBBE: On the map, right about here,
09:20:38 25 Majestic Ridge Estates, the east section.

09:20:42 1 CHAIRMAN DAVE BUSMAN: And do you want me to read
09:20:44 2 the responses or, Paul, do you want to?

09:20:48 3 DRAIN COM. PAUL GEERLINGS: Go ahead.

09:20:50 4 CHAIRMAN DAVE BUSMAN: Okay. I asked what was
09:20:52 5 the -- who wrote the petition, and it was -- the answer
09:20:56 6 is the application -- what establishes the drainage
09:20:58 7 district and the petition to establish the drain were
09:21:02 8 signed by the supervisor and the clerk, authorized by
09:21:04 9 resolution of the Township Board of Grand Haven
09:21:08 10 Township. The drain statute allows that application,
09:21:14 11 Section 280.51, and the petition, too, can be signed by
09:21:18 12 a city, village, or township when duly authorized by its
09:21:20 13 governing body, if the municipality will be liable for a
09:21:26 14 percentage of the total costs of the proposed drain.

09:21:28 15 The second question is: How much money has been
09:21:32 16 spent? As of May 10th, 2010, \$10,311.55 has been paid
09:21:38 17 to Prein & Newhof for surveying and engineering services
09:21:42 18 related to the proposed drain. The drain statutes
09:21:44 19 requires Section 38 52 (sic) when an application for a
09:21:48 20 new drainage district is received, the Drain
09:21:52 21 Commissioner shall immediately cause a survey to be made
09:21:54 22 to determine the drainage district and route and type of
09:21:54 23 drain.

09:21:58 24 Statute also requires Section 53 (sic) that the
09:22:00 25 engineer prepare preliminary plans for the cost

09:22:04 1 estimates for construction.

09:22:04 2 That was my next question, which has been
09:22:04 3 answered: What is the estimated costs for the
09:22:10 4 construction costs, \$515,000 for the drain, as proposed.

09:22:12 5 This is a construction estimate only and does not
09:22:14 6 include engineering, procedure costs, and any costs
09:22:18 7 associated with obtaining easements or financing of the
09:22:20 8 project.

09:22:22 9 MR. DAVE TIBBE: So, this does lead to one other
09:22:24 10 question that I have for the engineer. How much upside
09:22:26 11 can this \$515,000 increase? Just an estimate.

09:22:34 12 ENG. KEVIN KIEFT: I think I was fairly
09:22:34 13 conservative in my estimate. Unless we get, I mean,
09:22:42 14 property relocation, would be the main concern. If we
09:22:48 15 have to add length to avoid a property, more detailed
09:22:54 16 survey work may result in some additional enclosures,
09:22:58 17 which is a lot more than an open drain.

09:23:00 18 So, I would say like 5500 -- and \$15,000, if it
09:23:08 19 went up to 600,000, in that range.

09:23:12 20 MR. DAVE TIBBE: That's what I was looking for,
09:23:14 21 is a ballpark estimate. The next question that I had
09:23:18 22 was: How will these costs be allocated among the land
09:23:20 23 owners and over what period of time?

09:23:22 24 And the answer is each drain project is unique
09:23:24 25 and, therefore, has unique benefit factors that go into

09:23:28 1 determining individual property owner apportionment.
09:23:30 2 Benefit factors that can be used include acreage,
09:23:34 3 zoning, land use, et cetera. Not all property owners
09:23:38 4 will pay the same amount per acre. Proximity to the
09:23:40 5 drain is not considered as a benefit factor in every
09:23:44 6 project.

09:23:48 7 The next question was: Will all land owners in
09:23:50 8 the drainage district have an opportunity to vote on the
09:23:54 9 proposal? The answer is there will not be a vote taken
09:23:56 10 at the public hearing -- a vote taken. The Drain
09:24:00 11 Statute Section 280.73 (sic) states that the Drain
09:24:02 12 Commissioner appoint a Board of Determination, made up
09:24:06 13 of three disinterested property owners, who are
09:24:06 14 residents of the county, but not of the city, township,
09:24:10 15 or village who are affected by the drain.

09:24:10 16 The board will make the decision based on what is
09:24:14 17 heard and presented at the public hearing. Any property
09:24:16 18 owner that feels aggrieved with the decision of the
09:24:20 19 board may file an appeal in the Circuit Court within ten
09:24:22 20 days of the Board of Determination.

09:24:24 21 I have questions specific to my neighborhood,
09:24:26 22 several homes in Majestic Ridge Estates -- homes that
09:24:30 23 had water damage in the basements in the past year.

09:24:32 24 Will the proposed drain alleviate this problem?
09:24:34 25 And the answer is: The intent of the drain project, if

09:24:38 1 it's determined necessary at the hearing, is to provide
09:24:42 2 flood relief. What specific areas will depend on what
09:24:44 3 the final design is and the final drainage district
09:24:48 4 boundary. So that remains, as I understand it, an open
09:24:54 5 question.

09:24:54 6 The next question that I had again was Majestic
09:25:00 7 Ridge Estates, the east section that I live in has at
09:25:02 8 least one storm -- street storm sewer, which drains into
09:25:06 9 lots nine and ten. I own lot ten on the south side of
09:25:06 10 Donahue Woods.

09:25:12 11 Would this project include plans to connect this
09:25:14 12 storm drain and others like it to the main drainage
09:25:20 13 system, and when that development was built, it was site
09:25:22 14 condos. So the street drains into a hard pipe under the
09:25:28 15 street, and, then, they dug a pit between lots nine and
09:25:32 16 ten. That's what I meant by an open pit.

09:25:36 17 The answer to that question is number seven:
09:25:38 18 Final design has not been determined. Connection to the
09:25:42 19 proposed drain would be evaluated based on condition at
09:25:46 20 each location and complaints received. That would
09:25:48 21 explain the need for connection. If there have been
09:25:52 22 flooding problems in Majestic Ridge Estates, that could
09:25:52 23 be alleviated and if the property owner expresses to the
09:25:58 24 Drain Commissioner this area so he could determine if
09:25:58 25 this area could be studied to determine that. I don't

09:26:02 1 believe that any of our neighbors are here.

09:26:02 2 So, I have a question for the engineer. I
09:26:06 3 know there are about seven homes on our side of the
09:26:08 4 eight homes on the cul-de-sac, and at least three of
09:26:12 5 them had water in the basement. One of them had
09:26:14 6 substantial damage, probably in the neighborhood of 15-
09:26:18 7 to \$20,000. I think they didn't put tile in when they
09:26:24 8 had the house built, they didn't put tile around the
09:26:28 9 perimeter of it like the rest of us did.

09:26:28 10

09:26:30 11 With that, when the builder and homeowner did not
09:26:32 12 put a drain tile in, that can be pumped off from around
09:26:36 13 the basement, that is an issue, but the problem that
09:26:40 14 they had been attributed to raising water table or would
09:26:44 15 it be -- because there was not water standing on our
09:26:48 16 lots. I know if you have not seen the property, I don't
09:26:50 17 know if you can answer that.

09:26:54 18 ENG. KEVIN KIEFT: It's more likely attributable
09:26:56 19 to the raising water table, and it may be if he had
09:27:02 20 gutters, and the location of that runoff from
09:27:06 21 surrounding areas.

09:27:08 22 MR. DAVE TIBBE: Okay. That answers that
09:27:10 23 question.

09:27:10 24 Question Number 8: What land owner group or
09:27:12 25 group of land owners is expected to benefit the most

09:27:16 1 from the proposed drain, and I guess their answer was
09:27:22 2 this is not a question that can be answered due to the
09:27:24 3 number of variables determining the benefit.

09:27:26 4 The question is: Will it be primarily for
09:27:30 5 residential owners or will it alleviate drain problems
09:27:32 6 that blueberry farmers and nursery farmers have in that
09:27:36 7 area? I don't have an answer for it.

09:27:40 8 And the last question was: Do you have
09:27:42 9 topographical maps that can be analyzed? I can see that
09:27:46 10 you did bring them. Are there developments on that?

09:27:52 11 DRAIN COM. PAUL GEERLINGS: No.

09:27:54 12 ENG. KEVIN KIEFT: It becomes dark and
09:27:56 13 cloudy.

09:27:58 14 MR. DAVE TIBBE: I guess, I'm taking a
09:28:02 15 neutral position, even though I'm unemployed. I would
09:28:04 16 not like to have my taxes increased, but I also don't
09:28:08 17 like the possibility of home values going down because
09:28:14 18 there is, you know, water damage to the homes and
09:28:20 19 flooding and so forth. So that is the end of my
09:28:22 20 comments.

09:28:28 21 CHAIRMAN DAVE BUSMAN: Right behind him.

09:28:38 22 MR. PAUL NELSON: My name is Paul Nelson. I live
09:28:40 23 at 9335 Reyes Lane, which is basically, right here.
09:28:48 24 Yeah, last year I had a flooded basement, tore out all
09:28:52 25 of my carpeting. A lot of my problems stemmed a little

09:28:56 1 bit from the Cooper Drain where it goes across Stanton
09:29:02 2 Street. There was a little problem area with it back
09:29:06 3 flowing, and it all kind of ended up coming down Reyes
09:29:12 4 Lane, and basically in my backyard, amongst the other
09:29:16 5 neighbors, as well.

09:29:16 6 So, working on the Cooper Drain is definitely
09:29:18 7 going to help some of my issues, but the major part is
09:29:22 8 we are still going to have the high water table, which I
09:29:28 9 think -- what is the big problem, right now, because I
09:29:30 10 can't drain to the Cooper Drain because I'm actually too
09:29:34 11 high or too low to get to Cooper. So, the Hiawatha
09:29:38 12 Drain is definitely going to help me a lot, especially
09:29:42 13 running right down the road in front of my property.

09:29:46 14 My only concern is the depth -- the actual depth
09:29:50 15 of the ditch. You know, if that's really going to be
09:29:54 16 enough because it's in the front half of my property, is
09:29:58 17 it going to help the back half? I'm assuming that all
09:30:02 18 the water will gravitate that way.

09:30:06 19 It's my concern that the depth is going to be
09:30:08 20 good enough to actually drain the water that I have a
09:30:12 21 problem with, which is mainly the back yard.

09:30:14 22 But I definitely approve of the drain. I think
09:30:18 23 it's going to be a big help for that area. I know that
09:30:22 24 the neighbors had a lot of water and lots of issues with
09:30:28 25 flooded basements. So, thank you.

09:30:44 1 MS. MATTIE LaROSE: Hello, my name is Mattie
09:30:46 2 LaRose. I live at 9259 Reyes Lane, which is right here.
09:30:54 3 We did have flooding. Actually, we had it the year
09:30:58 4 before, and it started then with a June rain. My
09:31:04 5 backyard flooded, and, of course, with the extra rain
09:31:08 6 and snowfall that following year, my property actually
09:31:14 7 flooded.

09:31:14 8 I have a walk-out basement -- two inches in the
09:31:18 9 basement. This entire property, here, the acres under
09:31:28 10 water. I went to the back of my property, stepped out
09:31:32 11 maybe five to seven feet, and it was up to my knees
09:31:38 12 already.

09:31:38 13 My concern is I'm -- I'm testifying definitely
09:31:40 14 for it. My concern is not only the property value, but
09:31:46 15 also health issues. Mold -- of course, summer mosquitos
09:31:52 16 -- things like that, that naturally come with it.

09:31:54 17 My questions are for it. It seems that the drain
09:31:58 18 is, right now, coming down Reyes Lane. My interest is
09:32:02 19 what side of the street will it be on? Also, just for
09:32:10 20 personal questions, I'm just kind of curious if that on
09:32:14 21 the east side will help keep it away from me more? I'm
09:32:18 22 not sure, and also how wide will they have to cut
09:32:22 23 through trees to the turkey farm, also?

09:32:26 24 Also, my concern is because it's kind of close
09:32:30 25 to the turkey farms, I really think it needs to be

09:32:32 1 addressed for his business. If you saw it last year --
09:32:38 2 terrible. If it floods, again, will any of that come
09:32:42 3 back to me and kind of contaminate my property? So, I'm
09:32:48 4 concerned about that, and curious to get more
09:32:52 5 information.

09:32:52 6 Also the cost to maintain it, as you talked to
09:32:54 7 Paul, it was blocked, the Cooper Drain. We'll have to
09:33:00 8 maintain that so it does not become overgrown. I'm
09:33:04 9 excited for it, and I'm hoping for it this year, so we
09:33:10 10 don't have to deal with it next year, and what will it
09:33:14 11 do with the water table, and to give you a heads up, I
09:33:20 12 have video, Paul, you have been over to our house a few
09:33:24 13 times, and many phone calls, and anything that I can do
09:33:28 14 to help, I'm excited for. So, thank you.

09:33:36 15 COMMENT: She was mentioning the turkey farm,
09:33:38 16 which abuts to my property. There is, back in there,
09:33:40 17 because I've lived on the property for 26 years, there
09:33:44 18 is three big, large underground turkey pits that are
09:33:48 19 buried over. So, that is a health concern. That is
09:33:52 20 right where --

09:33:58 21 CHAIRMAN DAVE BUSMAN: Your name again is?

09:34:06 22 MS. HEATHER LACEY: 16315 Stanton. I'm opposed
09:34:06 23 because a lot of the issues that we are going to have to
09:34:10 24 deal with are health issues. If I have to pay for it, I
09:34:14 25 don't want to pay for it because I'm a single parent.

09:34:16 1 MS. JONI ORTMAN: 16150 Stanton.

09:34:18 2 CHAIRMAN DAVE BUSMAN: You're the spokesperson?

09:34:22 3 MS. JONI ORTMAN: Yeah. Yeah, I'm the

09:34:30 4 spokesperson. Hi, I'm Joni Ortman, 16150 Stanton

09:34:30 5 Street. We are right here, this big area, that is all

09:34:34 6 of us that your proposed drain is almost going to

09:34:38 7 surround. I can't say we're for it or against it.

09:34:42 8 We're kind of neutral. All of our neighbors had water

09:34:46 9 problems. We have some low areas, in bad rains, we get

09:34:52 10 standing water. It's the first time we had to put in a

09:34:54 11 sump pump in 25 years. We did not have actual water

09:34:58 12 damage, no standing water damage in the house. Our

09:35:02 13 neighbors all did.

09:35:04 14 This will definitely benefit them. We have

09:35:06 15 concerns: Two things: Because of the proposed drain, I

09:35:10 16 know it's not definite. It has taken three sides of our

09:35:14 17 property. How big are the ditches going to be? You are

09:35:18 18 going to have to take out a lot of trees. We like our

09:35:22 19 trees. We're the only ones that have not cleared them,

09:35:24 20 and the cost, you know, because that drain surrounding

09:35:28 21 three sides of our property, we can't afford it. I'm

09:35:34 22 unemployed. I can't afford to pay a lot.

09:35:36 23 How much are our taxes going to go up because of

09:35:40 24 the actual drain? The drain is there. What is that

09:35:42 25 going to do to our property value? Increase, lower it,

09:35:48 1 and we are waiting to get our personal taxes, and, yeah,
09:35:54 2 I said, personally, we have high spots and low spots,
09:35:56 3 and our house happens to be on a high spot. So, the
09:36:00 4 house does not have a problem. We have low spots that
09:36:04 5 have standing water.

09:36:06 6 So, for or against, we're not sure. We are just
09:36:08 7 really concerned about everywhere, the trees and stuff
09:36:12 8 that have to be taken out, the depth of the ditches --
09:36:16 9 what they are going to have to be, and the letter says
09:36:18 10 we're not suppose to learn it today. I think it's a big
09:36:22 11 deal. I think we should be able to learn that.

09:36:26 12 CHAIRMAN DAVE BUSMAN: Kevin, do you have a sense
09:36:28 13 of the average depth and width?

09:36:32 14 ENG. KEVIN KIEFT: In that area, it's pretty
09:36:34 15 shallow. You are probably in the two or three --
09:36:36 16 basically that is the high point in the drain.

09:36:42 17 MS. JONI ORTMAN: Coming off the back is
09:36:44 18 Townline -- the Township cemetery is right there. So,
09:36:50 19 is this ditch going to go on our property or in the
09:36:50 20 cemetery?

09:36:56 21 ENG. KEVIN KIEFT: That is to be determined,
09:36:58 22 based on the survey work, and property lines, and all of
09:37:00 23 that, and we'll look -- I think there is a power line
09:37:04 24 through there, too.

09:37:06 25 COMMENT: There is a power line that leads back

09:37:10 1 to our house.

09:37:12 2 ENG. KEVIN KIEFT: We are open to other routes,
09:37:16 3 if the property owners have a concern.

09:37:18 4 MR. GENE POTTER: My name is Gene Potter, I live
09:37:44 5 at 16498 Stanton, and the location of my property is,
09:37:52 6 right here, I believe -- right here -- this area right
09:38:00 7 in here.

09:38:00 8 I never had no water standing on my land. As far
09:38:04 9 as draining, I don't know how you would ever drain it
09:38:06 10 because my property line is all -- I have a hill, and it
09:38:12 11 all pools down on my property. It does not go across
09:38:16 12 Hiawatha or Stanton.

09:38:18 13 I think the biggest problem you have got along
09:38:22 14 this area here, 160th and Reyes Lane to the north,
09:38:24 15 anywhere from Fillmore south of that is not a problem.
09:38:30 16 It's from Reyes Lane to 160th. If they clean out the
09:38:34 17 ditch along 160th, which they didn't do, or if they put
09:38:40 18 bigger culverts in there to get the water moving, I
09:38:44 19 think it would help.

09:38:46 20 I went to the drain meeting last year. Last year
09:38:48 21 I was not in it. And this year, it seems that you have
09:38:52 22 more people coming into the Drain Commission.

09:38:54 23 Now, I really don't understand your map, and I'll
09:38:58 24 wait on that. As far as water problems, I don't have
09:39:00 25 any problem at all with water. Right today, you'll find

09:39:06 1 no water on it. The water will never be able to run
09:39:08 2 across Stanton or Hiawatha. The people on Lakeshore and
09:39:14 3 Hiawatha, I don't know about the flood they had last
09:39:16 4 year. I was not here. I've lived out here 38 years. I
09:39:20 5 don't go down Hiawatha to check things out.

09:39:22 6 The people that need the relief is Lakeshore and
09:39:26 7 it's blocking this water flow by Zelenka Farm. What's
09:39:32 8 wrong with putting a big culvert under Lakeshore instead
09:39:38 9 of digging ditches around everything else?

09:39:42 10 That's about all I have got to say. But the
09:39:46 11 people that need relief, I understand -- I fought water
09:39:50 12 for 18 years on Stanton. I come to you people and
09:39:54 13 didn't get relief from you people, or the Township. I
09:40:00 14 think that Paul Nelson can back that up. That's all I
09:40:04 15 have to say. Thank you.

09:40:06 16 MICHIGAN MEZNY: My name is Michigan Mezny.
09:40:24 17 17195 Pierce, which is right -- I'm the object of where
09:40:30 18 -- where all the water is going to go to. I have a
09:40:32 19 little bit of concern of where it's going on my
09:40:34 20 property, and also the Consumers Power easement, I use
09:40:38 21 it for a secondary entrance to my house with my
09:40:38 22 brothers.

09:40:42 23 I have a question: Why don't they run it down
09:40:46 24 168th and Little Pigeon Creek is down here. I'm against
09:40:50 25 having a ditch run down through my property. That's all

09:40:54 1 I have to say at the moment.

09:41:06 2 MR. VIRGIL RUSS: Virgil Russ. I live on
09:41:06 3 Fillmore Street, 16301, right here. When we were
09:41:10 4 getting big rains, the water was coming from here and
09:41:14 5 went across my property. I didn't get none in my
09:41:18 6 basement. It flooded out a lot of my land and it was
09:41:22 7 there for months and it wouldn't go nowhere. Thank you.

09:41:28 8 MS. TRACY NEITRING: Tracy Neitring, 16263
09:41:40 9 Fillmore Street. I live right here. We also just had a
09:41:44 10 lot of flooding, and I would like to submit some
09:41:48 11 pictures. That's all I have to say. I'm interested --
09:41:52 12 you said something about working with the County and
09:41:54 13 having some kind of a wetland system. I'm interested in
09:41:58 14 that.

09:42:02 15 CHAIRMAN DAVE BUSMAN: Thank you. Next person.

09:42:20 16 MS. MARY STOCKHILL: My name is Mary Stockhill
09:42:30 17 and I live at 9877 168th, which is right here.

09:42:38 18 CHAIRMAN DAVE BUSMAN: I missed that. Where is
09:42:40 19 that?

09:42:48 20 MS. MARY STOCKHILL: 9877 168th. I'm sorry.
09:42:50 21 I'll point right there. I have lived there with my
09:42:54 22 husband for 20 years, and my parents have owned property
09:42:58 23 there for 50 years, and we have never had a flood
09:43:02 24 problem.

09:43:02 25 Last April, the road washed out on 168th right by

09:43:10 1 our driveway, and I followed the floodwaters, and I went
09:43:14 2 to 160th and Reenders had closed off the road, and said
09:43:20 3 they were digging their ditches. For three days they
09:43:24 4 pumped water off their fields, across the road, and I'm
09:43:28 5 wondering how much of this water made the flood happen?
09:43:42 6 How much of this water made the flood happen?

09:43:50 7 MR. BRAD BURROWS: My name is Brad Burrows, 1611
09:44:00 8 Pineline Drive, which would be right here on the map.
09:44:04 9 And I have some pictures of cement. I will bring them
09:44:10 10 up to you after I explain it, but we have lived on the
09:44:14 11 property since 1993 -- lived there since 1994. Never
09:44:18 12 had a water problem until last year, and the pictures
09:44:24 13 will show that our swing set area that the kids always
09:44:28 14 played in was three feet under water. We have had water
09:44:32 15 there continuously since then.

09:44:36 16 Last summer, it went down, but it never
09:44:40 17 disappeared, and it came back in the fall. We had a
09:44:44 18 skating rink this winter, and the water remains to this
09:44:46 19 day, and I have pictures to substantiate that.

09:44:50 20 Many of our concerns, of course, are the
09:44:52 21 mosquitos and the healthcare issues. We spent most of
09:44:56 22 last summer inside and, of course, the mold -- water got
09:45:00 23 in our basement, and we tore everything out, and had to
09:45:06 24 rebuild.

09:45:06 25 Talking to the engineer who came out to look at

09:45:08 1 the area, we have in this area, a low area where all the
09:45:12 2 surrounding property drains down into it. It's
09:45:16 3 interesting because our water will continue to rise now
09:45:18 4 for two days after this rain, as the water continues to
09:45:22 5 drain to our property. So, I won't know the impact to
09:45:26 6 us of these rains for two more days as the area drains
09:45:32 7 to our property.

09:45:34 8 I guess, other than explaining the pictures, I
09:45:42 9 guess, in a nutshell, it's not real complicated. It's
09:45:46 10 not rocket science. It's water that has nowhere to go.
09:45:50 11 So, it sits there and causes the problems. I will bring
09:45:54 12 you the pictures, and I will be done. Thank you.

09:45:58 13 These two are shots of the play area -- two
09:46:10 14 different angles.

09:46:18 15 CHAIRMAN DAVE BUSMAN: May I keep them?

09:46:20 16 MR. BRAD BURROWS: Those are yours to keep as a
09:46:24 17 gift from me. This is the same photo taken two months
09:46:32 18 later. You can see the water is still -- it's not going
09:46:38 19 anywhere. It's evaporating, as slow as it does.

09:46:42 20 I have been pumping and you can see in the
09:46:44 21 pictures -- you can see all of the lines. You can kind
09:46:48 22 of see this spring, this is after the pump down, to try
09:46:52 23 to knock some of the weeds down, which would prevent
09:46:56 24 insects and such, and I pumped it as far as I could.
09:46:58 25 You can see that area. I was trying to get it to the

09:47:02 1 point where it should have looked like, and you can even
09:47:08 2 see the growth in the water.

09:47:10 3 This was taken this morning in the rain, and it's
09:47:14 4 kind of dark, and I apologize. They are the same. I
09:47:18 5 will just give you the one. That will be higher two
09:47:20 6 days from now. Continuous water, but never water
09:47:26 7 before.

09:47:26 8 MR. DAN SHAW: Good morning. My name is Dan
09:47:48 9 Shaw, 9086 160th. First, I would like to come in and
09:47:52 10 show you my piece of property, which is right there.
09:47:54 11 I'm actually at the beginning point of the Cooper Drain,
09:47:58 12 the current Cooper Drain, not the modified Cooper Drain,
09:48:02 13 which I'm a little curious what this drainage portion
09:48:06 14 does to the proposed Cooper Drain.

09:48:10 15 First, I would like to commend both Townships,
09:48:12 16 Port Sheldon and Grand Haven for taking a more positive
09:48:16 17 approach to this, and not waiting until we have really
09:48:20 18 bad problems. A lot of the people are affected, one way
09:48:22 19 or another, and I can appreciate a lot of people who are
09:48:26 20 unemployed, and single moms, and all those kinds of
09:48:30 21 issues.

09:48:30 22 I think that the question that I have in my
09:48:32 23 mind, and I have owned that piece of property for 25
09:48:36 24 years, I don't think it's a question of "if" we are
09:48:40 25 going to have more water problems. The question is

09:48:44 1 going to be "when." Currently, the water table is
09:48:46 2 extremely high. This rain, right now, I'll go home
09:48:52 3 right after this meeting and double-check my pot. I
09:48:56 4 have a walk-out basement.

09:48:56 5 My wife and I decided we would like to have our
09:49:00 6 master bedroom and bathroom in the lower level because
09:49:04 7 it's cooler in the summertime, but the idea of water
09:49:08 8 coming up through the floor is kind of a scary thought
09:49:10 9 when it come to that.

09:49:12 10 Last year, I had two gas powered pumps pumping
09:49:18 11 8,000 gallons an hour trying to get the property dry and
09:49:22 12 trying to keep the water from coming in the back door.
09:49:26 13 I was successful.

09:49:26 14 So, I get a little concerned. Here are some
09:49:28 15 facts. I'm a weather geek. I listen to the NOAA
09:49:32 16 weather channel. Okay. It's not WOOD Radio. It's not
09:49:36 17 the guys that throw darts. These guys are
09:49:40 18 professionals. They track our weather.

09:49:42 19 In the winters of 2008 and '09, we had 148 inches
09:49:46 20 of snow on the lakeshore. We were very fortunate, thank
09:49:52 21 God, this last winter we had 73. Half as much.

09:49:56 22 Currently, to-date, right now, not including this rain,
09:50:00 23 we're at about two and a half inches below average for
09:50:04 24 water/rain for this season, right now. I'm thankful for
09:50:08 25 that, also.

09:50:08 1 But one good rain, similar to what has been
09:50:12 2 happening south of us, of three or four inches of rain,
09:50:16 3 the people that had water last year, we will have it
09:50:22 4 again.

09:50:22 5 I think one of the issues is the water table is
09:50:26 6 high. The drainage or run off, I think that's what we
09:50:30 7 are talking about, when we get the rain, we want to get
09:50:34 8 the water to Lake Michigan. That's where it wants to go
09:50:36 9 and that's where it needs to go.

09:50:38 10 Currently, right now, the concern that I have --
09:50:40 11 25 years I have been in my house. People have come to
09:50:44 12 my house, my friends and family have come to my house,
09:50:46 13 and commented how good my drinking water is. My well is
09:50:50 14 at the adequate depth of where it's supposed to be
09:50:54 15 according to the regulations of the Township.

09:50:56 16 In the last two months, our water has started to
09:51:00 17 smell. I'm concerned about that. I understand that
09:51:04 18 groundwater and underneath the hard pan, water does
09:51:08 19 interesting things. I think that if we were to look at
09:51:12 20 things that were going on underground -- I get a little
09:51:16 21 concerned about things that are under the ground that
09:51:18 22 people thought were dry -- whether that be turkeys or
09:51:20 23 whatever it is. It's kind of scary, when I think about
09:51:24 24 it. We don't need that stuff.

09:51:26 25 My kids don't live with me anymore, and my

09:51:30 1 grandkids want to come over. I would like to know if
09:51:32 2 they can play outside and not have any problems. I'm
09:51:34 3 encouraged that we are thinking about this and looking
09:51:38 4 at this, and I understand that everything comes with a
09:51:40 5 cost, but if we don't do something, that will cost us --
09:51:46 6 one way or another. Thank you.

09:51:54 7 CHAIRMAN DAVE BUSMAN: Next.

09:52:02 8 MR. CHARLES PECKHAM: My name is Charles Peckham.
09:52:04 9 I live here. 14759 Lincoln, and I own a piece of
09:52:10 10 property, and it's on Red Pine Trail, which I believe
09:52:12 11 runs right through here, and actually this blue line is
09:52:16 12 the northern boundary of my property. I bought it to
09:52:20 13 build on five years ago and, of course, the economy
09:52:24 14 tanked. I'm not able to build anymore.

09:52:26 15 My question is: What is buried there? Is there
09:52:30 16 going to be a study to find out what is buried at the
09:52:34 17 turkey farm and to see what the impact is -- what it's
09:52:40 18 going to do to my property and my property value? Thank
09:52:42 19 you.

09:52:42 20 MR. JOHN MONTANI: My name is John Montani, 9971
09:53:10 21 Hiawatha. I have a parcel right about there. In fact,
09:53:16 22 exactly there. I have a note to give you gentleman:

23 *****

24 May 13, 2010

25 To the Board of Determination

1 Jerry Alkema, Dave Busman, Stu Visser

2
3 Regarding the Hiawatha County Drain:

4 Gentlemen, as a homeowner on Hiawatha in the
5 proposed assessment area I come here today not involved
6 in any legal matters or part of any legal matters on
7 this issue. I come to here as a homeowner and taxpayer
8 of the Grand Haven Township area.

9 As witness but not effected by, flooding that
10 took part in the Hiawatha area, I support the proposed
11 drainage project known as the "Hiawatha County Drain".
12 From my own exploration through the county land and
13 utility right of way at that time, it was my opinion the
14 de-forestation of Ottawa County park land and inadequate
15 rain water drains and basins from the housing project
16 over here on Pierce Street were unable to capture the
17 above normal snow melt.

18 Since the housing development and the harvesting
19 of trees on county park land are of benefit to the
20 entire county, I come here today to give my opinion that
21 the cost of this drain project be shared by the entire
22 county. Over 80% of this drain project will exist on
23 county land, while another 10% bordering commercial
24 agriculture. It is my opinion that this project is of
25 benefit to the entire county by means of sustaining

1 higher tax revenue from the homes in the proposed area,
2 future development of the county park land, the
3 capability of future expansion of agriculture and homes
4 in the proposed area and the prevention of loss of
5 property due to flooding.

6 Like many projects that are proposed in the
7 county and townships like roads, drains and even
8 libraries, they may not be located near everyone in the
9 county or the township but do serve the betterment of
10 the county or township. For this reason, I ask the
11 Board of Determination "IF" possible to consider
12 spreading the cost burden of this project to the entire
13 county. Should an unreasonable burden be placed on home
14 owners in this area which may already be upside down in
15 mortgages, I fear we will see another rise in
16 foreclosures and short sells of homes which will be
17 detrimental to the county's tax revenue and home value
18 stabilization in this area.

19 Thank you for the time to express my opinion.

20 Sincerely, John Montani, 9971 Hiawatha

21 *****

09:56:02 22 That's pretty much it. I do want to make a note
09:56:04 23 when we were tracing -- walking through the county land,
09:56:08 24 I noticed that a lot of this deforestation, and this
09:56:14 25 project here, without the vegetation, it can't hold the

09:56:18 1 water, and we took a lot of vegetation out because of
09:56:22 2 the diseased trees, and they harvested trees on the
09:56:30 3 county park land. We stripped that out. It can't soak
09:56:34 4 it up, and I believe that's where we took a lot of that
09:56:38 5 from.

09:56:42 6 MR. CHUCK SAVAGE: Chuck Savage, 9815 168th
09:57:04 7 Avenue, right here. I built my own house. I was
09:57:14 8 strongly recommended not to put in a full basement by
09:57:18 9 the Ottawa County Road Commission. So, I didn't. I
09:57:22 10 went down about three foot, and I was grateful for that
09:57:24 11 because I noticed that the water table last year was
09:57:28 12 extremely high, and for the first time my sump kicked
09:57:34 13 on, on the three foot level.

09:57:36 14 I talked to my neighbors, quite a few of my
09:57:38 15 neighbors, and they have never seen this in all these
09:57:42 16 years -- 40-50 years, and I know that the weather has
09:57:46 17 not changed that much here. I used to live in the
09:57:48 18 middle of the state, and I came over here so I could
09:57:52 19 take advantage of the snow and the beauty of the area.

09:57:58 20 The trees, now I notice, in the last few years,
09:58:02 21 trees are disappearing. Blueberry farms are going up
09:58:06 22 everywhere. I understand there is a buck to be made.
09:58:10 23 At the same time, I noticed that all the trees are going
09:58:14 24 down around the county park land, and I know -- I
09:58:16 25 strongly feel -- think that has had a strong effect on

09:58:20 1 this water problem.

09:58:22 2 And I strongly agree with the gentleman who just
09:58:26 3 spoke here. I feel the same way. The whole County,
09:58:30 4 everybody that is involved in making those changes to
09:58:32 5 the drain, should be liable also to help defer the costs
09:58:38 6 of this project. Thank you for your time.

09:58:42 7 MR. MIKLOS KOVACH: My name is Miklos Kovach,
09:59:00 8 9760 168th, and my property, we are right here. Now,
09:59:08 9 last year, three quarters of my property was under
09:59:12 10 water. We had water on three sides of our house for
09:59:16 11 four to five weeks. Now, I believe the cause of this
09:59:22 12 was runoff. It's runoff from the county land, here,
09:59:28 13 behind me. It runs from east to west, and goes this
09:59:30 14 direction.

09:59:32 15 My concern today is I'm very much in favor of
09:59:36 16 doing something, here, but my only concern that I have
09:59:40 17 is for addressing runoff in this area of county land
09:59:44 18 here, and how it affects my house, and my neighbor's
09:59:50 19 house. Because, in order for us to get the
09:59:52 20 water out of the yard, I trench -- trenched along the
09:59:56 21 side of my house to the front yard to 168th. That water
10:00:02 22 running down 168th, ran down 168th, and crossed into the
10:00:06 23 Hiawatha area, and went to eventually the area of
10:00:12 24 Hiawatha.

10:00:12 25 I think it's a runoff problem, and I would like

10:00:16 1 to see some changes done here in this area to address
10:00:22 2 some more drainage. Thank you.

10:00:24 3 CHAIRMAN DAVE BUSMAN: I believe we are in the
10:00:30 4 back row.

10:00:32 5 MR. RON SCHEIBACH: Yes. Good morning,
10:00:50 6 Everybody. 9744 168th Avenue. Let's see. Right here.
10:01:02 7 Yeah, I'm just right next to the gentleman who just
10:01:06 8 spoke, too. In talking with the neighbors, too, the
10:01:10 9 proposed drain looks like it dead-ends into Fillmore,
10:01:16 10 this area right here.

10:01:18 11 I have got so much sand in my yard that the weeds
10:01:22 12 won't even grow. So, I have got no problems. I have --
10:01:26 13 I have not had any flooding, and we are wondering about
10:01:30 14 the mosquito problems. We could not go out at night in
10:01:32 15 the last couple of years, because it has been so bad.

10:01:36 16 Is there going to be standing water in this area
10:01:40 17 here because it's basically like a dead end to that
10:01:44 18 ditch?

10:01:44 19 From what we have seen, this area here, which is
10:01:48 20 county land on both sides is where they had to block off
10:01:54 21 the road. They closed the road several times in the
10:01:58 22 last couple of years because of the flooding, and it did
10:02:02 23 -- it went all the way across the road.

10:02:06 24 But I think if that area was drained, that we
10:02:10 25 wouldn't be affected at our end. So, I'm kind of

10:02:12 1 opposed to a dead-end ditch in front of my yard that
10:02:16 2 will contain more water for mosquito breeding.

10:02:20 3 And my other issue is I called the DEQ, and they
10:02:26 4 never got back with me, but I have got pictures here of
10:02:30 5 the bad flood last year, where these turkey coops are,
10:02:34 6 here, were all under water, and it's above -- the
10:02:40 7 turkeys are literally standing in water in the coops,
10:02:44 8 and I'm thinking if you can smell them for two miles
10:02:50 9 away, what has that water done for our drinking water?

10:02:54 10 I think it's very possible, as the gentleman
10:02:58 11 said earlier, that his water tastes funny. Mine has
10:03:04 12 been, too, and I don't treasure the thought of drinking
10:03:08 13 turkey-poop water.

10:03:10 14 So, that is my two things. I am going to give
10:03:14 15 you guys these pictures so you can see them, and, yeah,
10:03:18 16 like I say, I'm really curious what happens to that
10:03:22 17 water when it floods. Obviously, it goes into the
10:03:28 18 ground. It goes into the aquifers. Somebody has to be
10:03:32 19 drinking it.

10:03:32 20 It's a huge concern of mine, as well as the
10:03:38 21 mosquitos -- being on the end of a dead end ditch.
10:03:40 22 Also, Paul, great job on the little monsoon this
10:03:46 23 morning. Nice effect.

10:03:58 24 MR. RON SCHEIBACH: These 12 Canadian geese don't
10:04:02 25 live there year round, now, but they did make nests.

10:04:06 1 The water stayed long enough.

10:04:08 2 These doors are above ground level quite a bit.
10:04:12 3 There are saw dust floors in there, and you can see,
10:04:16 4 it's well above the -- I'll leave them with you because
10:04:16 5 --

10:04:24 6 CHAIRMAN DAVE BUSMAN: We'll keep the pictures
10:04:24 7 for now. Anyone else in the back row?

10:04:30 8 MS. DENA ARNOLD: Hello, my name is Dena Arnold,
10:04:42 9 10128 Hiawatha, and I'm at the -- right there -- right
10:04:56 10 here. I'm definitely for the project.

10:05:02 11 I saw my neighbors get flooded, and the water
10:05:04 12 over Lakeshore is definitely a public safety issue. The
10:05:10 13 standing water was there for a good month. So, another
10:05:16 14 health issue, I think, is I watched little kids play in
10:05:20 15 that water. They would run around in it. Normally,
10:05:24 16 that is open and people run quads or horseback riding
10:05:28 17 back there, and little kids were playing in the standing
10:05:32 18 water. So, I think that could be an issue.

10:05:36 19 CHAIRMAN DAVE BUSMAN: Thank you. Any other
10:05:40 20 comments from the back row? Okay. I am going to come
10:05:44 21 back to the front, sir.

10:05:44 22 MR. VICK NIKKEL: My name is Vick Nikkel and I
10:05:50 23 live at 16367 Stanton Street, right here. We have no
10:05:56 24 water problems there. I was in the other drain, and
10:06:00 25 they had a meeting last year, and we went through the

10:06:04 1 whole thing, again.

10:06:06 2 What it does not show on here, there is a major
10:06:08 3 drain running straight down 160th into the creek, and it
10:06:14 4 does not seem like it's being used in any part of this
10:06:18 5 new drain.

10:06:20 6 And the other thing I would like to know, how the
10:06:22 7 cost of the drain is going to be allocated? A lot of
10:06:26 8 the land we are looking at is owned by the County or by
10:06:30 9 the Township, and I'm wondering if they are going to be
10:06:34 10 paying the same kind of fees/assessment that we would be
10:06:34 11 paying.

10:06:40 12 CHAIRMAN DAVE BUSMAN: Paul, can you address that
10:06:42 13 question?

10:06:44 14 DRAIN COM. PAUL GEERLINGS: Yes. Typically, when
10:06:44 15 we do -- are we on? Okay. Wrong switch. Typically,
10:06:58 16 when we assess properties for drainage benefit, we look
10:07:02 17 at the size of the property, how much water will run
10:07:06 18 off, if the property is over ten acres. Many times it
10:07:10 19 gets a lower factor than ten acres because a house lot
10:07:18 20 has a higher percentage of run-off area.

10:07:24 21 Typically, it takes two full days of
10:07:26 22 communication between the staff in the Drain Office and
10:07:30 23 the Engineer to look at all factors, and come up with a
10:07:34 24 reasonable assessment. The community property would be
10:07:40 25 assessed just like private property. We can talk

10:07:48 1 afterwards. Okay.

10:07:52 2 CHIEF DEP. DRAIN COM. LINDA BROWN: If I may just
10:07:54 3 add, Paul was talking about assessment to private
10:07:58 4 property owners. We assess each of the townships, Grand
10:08:04 5 Haven and Port Sheldon will pay a portion of the cost
10:08:08 6 for public health benefit, the County and Road
10:08:12 7 Commission will pay a portion for runoff for public
10:08:18 8 roadways, and they will weigh it on equal share, and the
10:08:22 9 balance after those amounts come off, get assessed.
10:08:28 10 Each drain project is unique and each area is unique.
10:08:32 11 Each one has typically different factors. It's almost
10:08:38 12 always acreage rather than land use, and, then, there
10:08:40 13 are other considerations depending on the project.

10:08:44 14 MR. VICK NIKKEL: One other question: The turkey
10:08:46 15 farm. It's probably 40 acres and I would say typically
10:08:50 16 those acres are covered by roofs. He has no retention
10:08:54 17 ponds, and you take a subdivision like up on the corner,
10:08:58 18 they have two retention ponds, and it's mostly empty
10:09:04 19 land. Is there anything that you can do to make them
10:09:08 20 hold their water longer?

10:09:10 21 DRAIN COM. PAUL GEERLINGS: A lot of that is in
10:09:12 22 timing. I believe that turkey farm was put in before
10:09:14 23 detention was part of the requirement, but the Drain
10:09:20 24 Commissioner's Office, by law, reviews plats and trailer
10:09:24 25 parks. The Townships do everything else, but in Ottawa

10:09:28 1 County as in recent years, the Townships have said
10:09:32 2 review cite condos and other developments, just like you
10:09:38 3 do a plat or we won't give a building permit until it
10:09:38 4 meets your standards.

10:09:42 5 If that turkey facility was to be put up today,
10:09:46 6 I'm sure it would be required to have detention.

10:09:50 7 MS. HEATHER LACEY: My name is Heather Lacey and
10:09:56 8 I live at 16315 Stanton and I wanted to show everybody
10:09:58 9 where the turkey pits are buried -- the underground
10:10:02 10 ones. There is one right here; one right here, and also
10:10:06 11 one right here.

10:10:08 12 And those, I'm not sure exactly how deep it was,
10:10:12 13 but it had to be at least 20 feet deep, and I'm don't
10:10:16 14 remember -- I kept getting after my dog -- he kept going
10:10:20 15 back there, they are covered, but there are uncovered
10:10:24 16 and they were full from the turkeys.

10:10:32 17 MS. JONI ORTON: Joni Ortman, 16150 Stanton. My
10:10:34 18 other concern is we went to the meeting for the Cooper
10:10:36 19 Drain, and lot of people were concerned the ditches are
10:10:40 20 there, and the drain is there. It's not maintained
10:10:42 21 good. If they put this in, are they going to be better
10:10:44 22 about maintaining it so it works?

10:10:56 23 MR. BRAD BURROWS: 1611 Pineline Drive. Last year
10:10:56 24 the Port Sheldon Township Supervisor, Howard Baumann,
10:11:00 25 got up and said that the Township would bear 25% of the

10:11:04 1 costs of building the Cooper Drain improvement as their
10:11:08 2 contribution to the health, and safety, and welfare of
10:11:08 3 the site.

10:11:14 4 Is there any contributions such as that planned,
10:11:16 5 or promised, or offered for this project from either the
10:11:22 6 two townships involved?

10:11:24 7 CHAIRMAN DAVE BUSMAN: I believe in the initial
10:11:26 8 comments, Bill, you mentioned 25%?

10:11:30 9 GRAND HAVEN TWP. MANAGER BILL CARGO: We'll be
10:11:30 10 willing to pay the public portion, that is anywhere from
10:11:34 11 15 to 25%, and for the County Drain Commissioner, yes,
10:11:40 12 we understand there is a public benefit, and we are
10:11:42 13 willing to pay.

10:11:44 14 The Township last year paid over 90,000 for the
10:11:46 15 reconstruction of 168th, and the emergency mitigation on
10:11:52 16 that berm that we created. So, we have already paid
10:11:56 17 90,000 to deal with the situation, but it was not
10:12:02 18 directly improved, only mitigated.

10:12:08 19 CHAIRMAN DAVE BUSMAN: Any other questions?

10:12:08 20 COMMENT: You are from Grand Haven?

10:12:10 21 GRAND HAVEN TWP. MANAGER BILL CARGO: Yes.

10:12:14 22 COMMENT: Is Port Sheldon still involved?

10:12:20 23 CHIEF DEP. DRAIN COM. LINDA BROWN: Yes, they
10:12:22 24 wanted -- would agree -- they agreed to pick up above
10:12:26 25 and beyond that, is what Howard did on the Cooper.

10:12:30 1 COMMENT: They have not commented on this?

10:12:34 2 CHIEF DEP. DRAIN COM. LINDA BROWN: They have not
10:12:34 3 determined it's necessary, yet.

10:12:38 4 COMMENT: They would step up?

10:12:38 5 CHAIRMAN DAVE BUSMAN: Okay. Yes, sir.

10:12:42 6 MR. DAVE TIBBE: I'm Dave Tibbe, 17060 Donahue
10:12:46 7 Woods Drive. I have been listening to the comments from
10:12:48 8 everyone. I'm wondering if it's appropriate that we ask
10:12:52 9 for a show of hands which people are in favor, which
10:12:56 10 people are opposed, and which people are taking a
10:12:58 11 neutral position, just so that the Board of
10:13:02 12 Determination has some numbers they can put to it.

10:13:04 13 I understand that the whole population is not
10:13:06 14 going to get a chance to vote. I think that you should
10:13:10 15 have that piece of data. Is that reasonable?

10:13:14 16 CHAIRMAN DAVE BUSMAN: I would comment on that.
10:13:14 17 The little maps that we have up here, we have already
10:13:20 18 written neutral, okay, or no problem. So, we have the
10:13:22 19 data, and we know where the people are located, which is
10:13:26 20 helpful in what we do. So I believe we have that data.

10:13:32 21 Any other questions?

10:13:38 22 MR. RICH PURCEL: Yes, sir. Rich Purcel. I live
10:13:40 23 at 16330 Hiawatha. I don't remember -- Lakeshore Drive.
10:13:52 24 Can you show me where that is?

10:13:52 25 I was not going to get up when I heard that

10:13:56 1 neutral, or opposed, or whatever, so I thought I would
10:14:02 2 say something. Right here, I believe, and our ground is
10:14:12 3 high, so that we really don't have the problem, but I
10:14:16 4 certainly have seen it on Hiawatha, and it was terrible,
10:14:20 5 but I'm opposed to doing this mainly for our purpose.
10:14:24 6 Our ground is higher. We didn't have any problem, and
10:14:28 7 I'm not anxious to pay more taxes. Plus, I'm not so
10:14:32 8 sure around these other areas whether they had the water
10:14:36 9 problem, if so -- if not, then why does it not stop in
10:14:42 10 the area of Hiawatha instead of going all the way down
10:14:46 11 to Pierce? That's my question, and if I could eliminate
10:14:52 12 that continuance there, I would like to see it happen.
10:14:58 13 Thank you.

10:15:00 14 MR. MICHIGAN MEZMY: My name is Michigan Mezmy.
10:15:04 15 I would like to make one further comment. I don't know
10:15:06 16 if we'll get a chance to talk to someone on all of the
10:15:10 17 water that is coming to my property, dumping in the
10:15:14 18 creek, running through my property.

10:15:16 19 My grandfather owned the land from the early
10:15:20 20 1900s. I have given up land for the Consumers Power
10:15:22 21 line; Grand Rapids Water Works has part of my property
10:15:26 22 when they put in the filtration plant.

10:15:28 23 I got assessed with a water assessment for
10:15:32 24 Lakeshore Drive, me and my brother, to get water.

10:15:38 25 I want to be kept informed. We had -- we had a

10:15:42 1 hearing and we voted -- I think 168th would be a better
10:15:46 2 idea, even further back of 160th, goes through there.

10:15:50 3 I would like to keep up to date on what happens
10:15:54 4 in regard to the -- when the water comes to my property,
10:15:58 5 and with them talking about turkey water -- I think they
10:16:04 6 are ruining the little creek with the overflow.

10:16:10 7 CHAIRMAN DAVE BUSMAN: I will explain -- once the
10:16:14 8 Public Hearing is closed, I will have the Secretary read
10:16:20 9 motions that we'll be addressing, and if you stay while
10:16:22 10 that is going on, you'll actually know today what the
10:16:26 11 Board of Determination is basing its recommendations on.

10:16:30 12 Is there any further comment? (No response.)

10:16:32 13 Okay. At this point we'll close the public
10:16:36 14 comment portion of the meeting. As I just mentioned the
10:16:42 15 Board will discuss -- I will have the Secretary read the
10:16:44 16 information and motions that we'll be addressing in the
10:16:48 17 next couple of minutes.

10:16:50 18 SEC. STU VISSER: Would you like them read, so
10:16:52 19 everybody -- there are two motions that possibly we'll
10:16:58 20 consider.

10:16:58 21 The first motion would be: It's moved that the
10:17:00 22 drain is -- it's either deemed necessary or not deemed
10:17:00 23 necessary.

10:17:06 24 If it's deemed not necessary, that ends the
10:17:10 25 meeting.

10:17:10 1 Or if it's deemed necessary, then, the second
10:17:14 2 motion would be: That the drain is necessary for the
10:17:14 3 protection of the public health in Grand Haven Charter
10:17:14 4 Township and Port Sheldon Township, and that a portion
10:17:14 5 of the cost shall be apportioned to the municipalities
10:17:28 6 at large.

10:17:28 7 That deals with one of those questions. Those
10:17:32 8 are the two things that the Board of Determination will
10:17:34 9 consider.

10:17:42 10 CHAIRMAN DAVE BUSMAN: The map that I have, there
10:17:44 11 may be some things on the boundaries. That's not my
10:17:46 12 decision.

10:17:48 13 SEC. STU VISSER: That is an engineering
10:17:50 14 question.

10:17:50 15 CHAIRMAN DAVE BUSMAN: You'll see areas that
10:17:52 16 don't have -- appear to have problems, but on the side,
10:17:54 17 there are problems. Clearly there is issues up here.

10:17:58 18 SEC. STU VISSER: Clearly, there is issues.

10:18:02 19 CHAIRMAN DAVE BUSMAN: I have concerns about
10:18:02 20 this, and this, and this area down at the bottom. The
10:18:06 21 Cooper Drain has a lot of issues. There is a couple in
10:18:10 22 here that don't, but this stretch, most everyone did. I
10:18:14 23 think that the pictures are pretty clear.

10:18:20 24 SEC. STU VISSER: The pictures make it pretty
10:18:24 25 clear.

10:18:24 1 MEM. JERRY ALKEMA: I agree. I saw it, too,
10:18:28 2 and it was consistent, you know, problems that were
10:18:32 3 occurring up and down the different areas. I think that
10:18:38 4 the turkey farm is affected. If you don't have drainage
10:18:42 5 to their area, it's probably affected more than anything
10:18:42 6 else.

10:18:48 7 CHAIRMAN DAVE BUSMAN: I'm assuming that will
10:18:52 8 alleviate some of the other concerns of well water, if it's
10:18:56 9 about the drain.

10:18:56 10 SEC. STU VISSER: If you can get the water to run
10:19:00 11 off, it makes sense that would be beneficial.

10:19:06 12 CHAIRMAN DAVE BUSMAN: There is a lot of pictures
10:19:08 13 to indicate there is a lot of issues.

10:19:14 14 SEC. STU VISSER: It's very difficult.

10:19:16 15 MEM. JERRY ALKEMA: It's along Lakeshore. We
10:19:18 16 have subdivisions. Every time they put in a roof, they
10:19:22 17 mention how it has changed. You have more roads. More
10:19:26 18 asphalt. Higher elevations.

10:19:30 19 CHAIRMAN DAVE BUSMAN: But I think the
10:19:32 20 deforestation has contributed.

10:19:34 21 MEM. JERRY ALKEMA: I think it's possible, too.

10:19:38 22 SEC. STU VISSER: Every time you add a rooftop,
10:19:40 23 you have a problem.

10:19:42 24 MEM. JERRY ALKEMA: And paved roads.

10:19:44 25 CHAIRMAN DAVE BUSMAN: What I would certainly

10:19:46 1 encourage and mention is that the County had appeared to
10:19:50 2 be receptive to talk about doing some kind of wetlands,
10:19:52 3 if there is a way to utilize some of this runoff water,
10:19:56 4 and make a wetland in the area, it would be a great
10:20:02 5 plus, and maybe eliminate one of these spurs that we
10:20:02 6 have.

10:20:06 7 SEC. STU VISSER: Those are engineering
10:20:08 8 questions.

10:20:08 9 CHAIRMAN DAVE BUSMAN: Right. Right.

10:20:10 10 SEC. STU VISSER: We can't deal with it at this
10:20:12 11 time. We have to do something or we'll have serious
10:20:24 12 problems.

10:20:26 13 CHAIRMAN DAVE BUSMAN: Do you think we are ready
10:20:28 14 to proceed?

10:20:30 15 MEM. JERRY ALKEMA: Yes.

10:20:30 16 CHAIRMAN DAVE BUSMAN: Are you, Stu?

10:20:34 17 SEC. STU VISSER: I'll move --

10:20:34 18 CHAIRMAN DAVE BUSMAN: If I could have your
10:20:36 19 attention? We're going to go forward with the balance
10:20:38 20 of the meeting, now.

10:20:42 21 SEC. STU VISSER: I'll move that the drain is
10:20:44 22 deemed necessary.

10:20:44 23 MEM. JERRY ALKEMA: I'll support that.

10:20:46 24 CHAIRMAN DAVE BUSMAN: We have a motion and
10:20:50 25 support that the drain is deemed necessary. Any further

10:20:54 1 discussions? All those in favor say aye.

10:20:54 2 (All Board Members responded aye.)

10:20:58 3 Opposed, same sign. (No response.) Motion

10:21:00 4 carries.

10:21:02 5 SEC. STU VISSER: Then, the other motion is:

10:21:02 6 It's necessary -- I move that the drain is necessary for

10:21:06 7 the protection of the public health in Grand Haven

10:21:12 8 Charter Township and Port Sheldon Township and that a

10:21:14 9 portion of the cost shall be apportioned to the

10:21:18 10 municipalities at large.

10:21:20 11 MEM. JERRY ALKEMA: I'll support.

10:21:20 12 CHAIRMAN DAVE BUSMAN: We have a motion to

10:21:22 13 support. That the apportionment on the costs be

10:21:26 14 apportioned to Grand Haven and Port Sheldon. Any

10:21:30 15 further discussion? (No response.) All in favor say

10:21:30 16 aye.

10:21:30 17 (All Board Members responded aye.)

10:21:34 18 Motion is carried. At this point, I'll make a

10:21:38 19 motion that we adjourn.

10:21:38 20 MEM. JERRY ALKEMA: I'll support that.

10:21:40 21 CHAIRMAN DAVE BUSMAN: We have a motion and

10:21:42 22 support to adjourn the meeting. All those in favor, say

10:21:42 23 aye. (All Board Members responded aye.)

10:21:48 24 CHAIRMAN DAVE BUSMAN: Thank you, everyone.

25 (Public Hearing Concluded.)

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I, Nancy A. Spykman, Certified Shorthand Reporter No. 525 and Notary Public do hereby certify that this transcript consisting of 59 pages is a complete, true, and correct transcription of my stenographic notes of the testimony of The Hiawatha Drain Proposed held in this case on May 13, 2010.

I also certify that I am not a relative or employee of or an attorney for a party; or a relative or employee of an attorney for a party; or financially interested in the action.

Date 5/28/10

Nancy A. Spykman
Nancy A. Spykman, CSR 525

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