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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: CORY BISHOP DRAIN
BOARD OF DETERMINATION

Proceedings commenced at 10:00 a.m., on Tuesday,
January 30, 2018, at the Georgetown Charter Township,
1515 Baldwin Street, Jenison, Michigan, held before
Rebecca S. Renzema, CSR-1435, Certified Shorthand
Reporter and Notary Public.

APPEARANCES:

- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Ms. Jennifer Vandenberg, Secretary to Water Resources
Commissioner
- Mr. Bill Cargo, Board Chairman
- Mr. Glenn Nykamp, Board Secretary
- Mr. Ron Brink, Board Member
- Mr. Rod Weersing, Assistant Superintendent for
Georgetown Township
- Mr. Brian J. Cenci, PE, Eng. Engineering & Surveying
- Mr. Jerry Olman, Ottawa County Road Commission

1 Jenison, Michigan

2 January 30, 2018; 10:00 a.m.

3 ***

4 PROCEEDINGS

5 WATER RESOURCES COMM. JOE BUSH: Well, good morning,
6 everyone. It's 10:00 and welcome to Georgetown Township. My
7 name is Joe Bush and I'm the Ottawa County Water Resources
8 Commissioner, also known as Drain Commissioner. I changed the
9 name in 2013 when I got elected because this is just one part
10 of my job that I do and this is part of the drain code and
11 people said, "What does the drain commissioner do?" Well, a
12 lot of people thought we clean out drains, but we actually do
13 a lot more than that.

14 And this is part of the legal process is to have a
15 public hearing and today we're here for the Cory Bishop drain.
16 Most of you got notices and you're probably wondering, "What's
17 a board of determination and why are we here and is there a
18 project and is there an assessment?" Basically your question
19 probably is, "Who's going to pay for it and what does it got
20 to do with me?" Well, you all got the notice because I'm sure
21 you all live in this red drain district.

22 Everybody lives in a drain district or watershed we
23 call it and everybody's water runs somewhere. So everybody in
24 this room, plus 600 others, got a notice and that is that
25 we're going to have a public hearing, board of determination

1 today. Not to determine a project. We don't have a project
2 yet. We don't have a cost. We don't have any of that yet.
3 But by drain code, I have to have a public hearing to get
4 public testimony from you folks and property owners who have
5 had issues, had concerns, flooding or whatever other issues
6 that may arise.

7 This is the time for public comment on the
8 Cory Bishop drain district. This particular drain -- and
9 some of you have been by 22nd and Barry Street and noticed
10 the culvert and the blowout there and all the erosion. Then
11 we've tried to fix that, my office, I believe it was 2009, my
12 predecessor, and then in 2011 tried to fix it, so twice, and
13 it blew out both times. So some of you know that Georgetown
14 Shores has paid on their own dime from their own association
15 and they cleaned out the sediment over by Van Buren Street.
16 Now there's two homes on both sides, but a few years back
17 there was an excavator out there digging and dredging the
18 outlet because all the sediment ended up in Georgetown Shores.

19 So the reason we're here today is I got a
20 petition because drain maintenance, for the water resources
21 commissioner to do maintenance on a drain is limited to \$5,000
22 per mile per drain per year. That's not much money. You
23 don't do a lot with \$5,000, especially when you have these
24 kinds of issues. So in order to move forward with something,
25 I have to hold a board of determination. And that's to send

1 out a notice and have a public hearing and so here we are.

2 In order to do that, I've got to pick a three-panel
3 board, these three gentlemen. It's not my decision. I'm
4 neutral in this. This three-panel board, per drain code, will
5 share their -- listen to your concerns and then they will make
6 a motion later for me to move forward with the project. So
7 as of today, I have no project in mind. I have no costs
8 because we haven't done a thorough evaluation on what the
9 fixes are.

10 Now, we do have some options because MDOT stepped up
11 to the plate about six months ago and said, "Joe, we'll pay
12 for a study because guess what, a lot of our water from M-6
13 and 196 comes down that drain and ends up in Georgetown
14 Shores." So MDOT did pay. I put an RFP out and they paid
15 for me to do a study with an engineering firm who will be
16 presenting today, ENG, and he'll go through a PowerPoint.
17 Some of you got some of the hard copy of it and the pictures
18 and what they saw, because MDOT is part of the, I say, problem
19 and they're part of the solution. They're one of our
20 partners.

21 The township has been awesome. They said, "Joe,
22 we've got concerns with all the residents in that drain
23 district with sediment coming down, water issues down through
24 the drain with erosion and then we got sediment in the lake."
25 So there's multiple things going on and they said, "Well,

1 we'll give you a petition to move forward." So in order to do
2 that, they had to go to the board meeting, get a petition,
3 their board approved it and here we are.

4 So there's a process to all of this and so that's
5 why we're here today. So I do appreciate everybody's time at
6 10:00 in the morning. Some people say, "Well, why don't you
7 have it at night?" Well, a lot of times at night I don't get
8 any more than what I have right now because people have
9 homework, their kids are in sports, it's suppertime, people
10 work second. I get more turnout at 10:00 than I do at night.
11 So I try my best to do what I can do. Because I can't make
12 everybody happy when it comes to the time, so I try. So once
13 the board gets appointed, I get to go. They'll actually run
14 the meeting.

15 By law I don't have to have a court recorder,
16 but I do hire one and that is so that you can go back to
17 miottawa.org later and you can look up the minutes. So I do
18 have a court recorder and everything is word for word. So
19 when you come up and give testimony, whether you don't think a
20 project is necessary or whether you've got issues, be sure to
21 come up, speak your name, address, speak loudly, so she can
22 hear it and make sure you address this board because that's
23 the board that's going to make a decision for me to move
24 forward or not.

25 They can say, "Joe, we don't see it necessary.

1 Don't move forward with anything." Or they might say, "Joe,
2 move forward and figure out what you need to do to fix the
3 problems." That's going to be up to this board. These
4 three gentlemen have no affiliation with Georgetown Shores,
5 properties in Georgetown or basically nothing to do with
6 Georgetown or the Hudsonville or Jenison area.

7 So I picked three people who usually know drainage,
8 they know drain code, and they usually sit on another township
9 board and understand because I've been in their township and
10 they understand the process. So they want to hear everybody's
11 concerns and then they can try to answer those, you know,
12 promptly.

13 So I'll go ahead and do introductions. And, again,
14 I'm Joe Bush. I have my secretary running around making sure
15 everybody's signed in. She's from my office. Then we have
16 Rod. Some of you know Rod. He's from the township. He's the
17 assistant --

18 MR. ROD WEERSING: Superintendent.

19 WATER RESOURCES COMM. JOE BUSH: -- superintendent.
20 And then my three-panel board. From your right is Ron Brink.
21 He's from Zeeland Township. In the center we have Bill Cargo.
22 He's the manager of Grand Haven Township. And then we have
23 Glenn Nykamp, who is the supervisor of Zeeland Township. Now,
24 again, I picked a three-panel board that understands drain
25 code, drainage, and the process.

1 So they understand. So they want to listen to your
2 concerns. They do not say, "Joe, you're going to do a
3 million-dollar project" or "Joe, you're not going to do a
4 one-dollar." They don't have the project scope, cost,
5 anything to do with that. That's not why we're here today.
6 We're just here to hear testimony on the issues and then they
7 decide whether to move forward or not.

8 And then Rebecca is my court recorder today. And
9 then, like I said, everything is court recorded word for word.
10 And that's not by state law, but I do that to protect me and
11 to protect the people who said, "Well, I said this" or "I said
12 that." You can always go back later and look it up once it's
13 on miottawa.org in about four to six weeks it takes to get the
14 transcript.

15 And then Jerry Olman. He's from the road
16 commission. He comes to all these BODs and they're another
17 partner that we partner with and we have a great relationship
18 with the road commission. And then Brian Cenci with ENG.
19 He's been out there. He knows this area very well. Maybe
20 some of you've seen him walking the drains several times.
21 He's making sure that the district is what it is.

22 And MDOT is not here, but they have been a huge
23 partner in this because they want to be a part of the
24 solution, not the problem, because there is a lot of water
25 coming off from upstream and they know that. And Brian will

1 go in detail on that later. And then we have Rich. He's also
2 on the Georgetown Township board.

3 We have a good representation of people here who
4 understand, you know, moving forward if that's so choose --
5 you know, why we're here. So if there's any questions, be
6 sure to address the board. They'll pick a chair and a
7 secretary and they'll do all that when I give them the oath.
8 But be sure to ask any questions. There's never a dumb
9 question or there's never -- you know, don't be afraid to ask
10 and I'm pretty transparent. If it's really -- if I can't
11 answer it, the engineer will. Or at least try to. He'll try
12 his best.

13 So that's why we're here today. Again, thank you
14 for coming. And I'll give the oath. Gentlemen, please rise.
15 Do each of you solemnly swear to faithfully perform and
16 discharge the duties imposed upon you as members of the Board
17 of Determination appointed by the Water Resources Commissioner
18 of Ottawa County to determine the necessity of drainage
19 improvements on a certain drain to be known and designated
20 as the Cory Bishop Drain in the Townships of Georgetown and
21 Jamestown in the said county, as required by law? Gentlemen?

22 MR. BILL CARGO: I shall.

23 MR. GLENN NYKAMP: Yes.

24 BOARD MEMBER RON BRINK: Yes.

25 WATER RESOURCES COMM. JOE BUSH: Thank you.

1 MR. BILL CARGO: The first thing we have to do
2 tonight or this morning, I should say, is elect a secretary
3 and chairperson. Do I have a motion to elect a chairperson?

4 MR. GLENN NYKAMP: Yes.

5 BOARD MEMBER RON BRINK: I will elect Bill as the
6 chairperson.

7 MR. BILL CARGO: Okay. We have a motion from Ron.

8 MR. GLENN NYKAMP: Support.

9 MR. BILL CARGO: And supported by Glenn for
10 appointing me as the chair. And all in favor say aye? Aye.

11 BOARD MEMBER RON BRINK: Aye.

12 MR. GLENN NYKAMP: Aye.

13 BOARD CHAIRMAN BILL CARGO: And so there are no
14 objections to that. And, also, I need a motion to elect a
15 secretary and I would make a motion that Glenn Nykamp be
16 elected as secretary of this.

17 BOARD MEMBER RON BRINK: I will support that.

18 BOARD CHAIRMAN BILL CARGO: So, again, we have a
19 motion on the table by myself, supported by Ron, to elect
20 Glenn Nykamp as the secretary. All in favor say aye?

21 BOARD MEMBER RON BRINK: Aye.

22 MR. GLENN NYKAMP: Aye.

23 BOARD CHAIRMAN BILL CARGO: Aye. And then we're
24 going to just briefly go over the rules for the public
25 hearing, which is the same for most public hearings. We would

1 simply ask that you go to the podium, state your name and
2 address. And then what we're trying to determine here is
3 whether there are problems with this drain that requires some
4 sort of a project. We're not going to determine the scope of
5 the project. That's not our purpose here. But we are going
6 to listen to comments as to whether problems exist with this
7 current county drain.

8 Because of that, we normally put a limit on the time
9 for public comments. Anybody could summarize the novel "War &
10 Peace" in three minutes and that's kind of what we use. We
11 try to limit the public comments to three minutes. So do I
12 have a motion to limit public comments to three minutes per
13 person?

14 BOARD MEMBER RON BRINK: So moved.

15 BOARD CHAIRMAN BILL CARGO: I have a motion from
16 Ron. Do I have support?

17 BOARD SECRETARY GLENN NYKAMP: Support.

18 BOARD CHAIRMAN BILL CARGO: And support from
19 Glenn to limit public comments to three minutes per person.
20 All in favor say aye?

21 BOARD MEMBER RON BRINK: Aye.

22 BOARD SECRETARY GLENN NYKAMP: Aye.

23 BOARD CHAIRMAN BILL CARGO: Aye. And so that is
24 moved forward. And like at any public hearing, we always
25 start with hearing what the local governments want to say

1 about that. Is there anybody here from Jamestown Township
2 that would like to speak first of all? Okay. So there's
3 nobody here from Jamestown Township. You're not an official
4 of the township?

5 UNIDENTIFIED SPEAKER: I'm from Jamestown Township,
6 but I'm in the drain.

7 BOARD CHAIRMAN BILL CARGO: Okay. You'll have a
8 chance for public comments later on then for that. Then we
9 have both Rod and Rich here from Georgetown Township and were
10 you going to take any comments? Rod, again, if you would just
11 give your name, your title, that would be appropriate.

12 MR. ROD WEERSING: Good morning. I'm Rod Weersing,
13 the Assistant Superintendent for Georgetown Township. Just
14 real quick, we've been dealing with issues with this drain for
15 many, many years, going back before Joe's tenure. We've
16 worked with the water resources commissioner and the drain
17 commissioner on issues of sediment build-up in Georgetown
18 Shores. We get lots of calls from residents of Georgetown
19 Shores asking us to help with that issue and have been
20 working, like I said, with Joe's office for many years
21 trying to alleviate those issues.

22 BOARD CHAIRMAN BILL CARGO: Did this come from a
23 public petition or from Georgetown Township's board?

24 MR. ROD WEERSING: From the township board.

25 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate

1 that. Thank you. Anybody else from Georgetown Township want
2 to speak? Okay. Then we're going to begin. Also, we have
3 the Ottawa County Road Commission here. Is there anything
4 that you would like to add? If you do, please just come to
5 the podium.

6 MR. JERRY OLMAN: Not at this time.

7 BOARD CHAIRMAN BILL CARGO: Not at this time? Then
8 we're going to start with the engineer. And I see we have
9 what looks like a 29-page slide show on this. So this is a
10 little bit more than typical. But Brian Cenci, if you could
11 give your presentation, we would appreciate that.

12 ENGINEER BRIAN CENCI: Does everyone have a printout
13 or handout that I printed for you? Just because it's a little
14 easier than looking up here all the time. Okay. Thank you.
15 As Joe said, I'm Brian Cenci.

16 BOARD CHAIRMAN BILL CARGO: Just a moment here.

17 BOARD SECRETARY GLENN NYKAMP: Can you move that
18 back just a little ways so we can see from here?

19 ENGINEER BRIAN CENCI: Oh, is that in your way?
20 Yeah.

21 BOARD CHAIRMAN BILL CARGO: He has a mic here. He
22 can hold it up when he -- yep. Would you like a mic?

23 ENGINEER BRIAN CENCI: Can everyone hear me? I can
24 talk loud. All right. Thanks. I'm Brian Cenci with ENG.
25 We're located in Lansing and also in Grand Haven. I

1 specifically do drain projects for water resources
2 commissioners throughout southern Michigan. And I cover
3 pretty much from Monroe County down in the very corner of the
4 state all the way over to here in Ottawa County. So there's
5 about nine different counties that I work in regularly, so --

6 BOARD CHAIRMAN BILL CARGO: The person behind you.
7 You can come in the room if you'd like to and take a seat.

8 ENGINEER BRIAN CENCI: I've done a lot of these
9 types of meetings and so we try to quickly go through some of
10 the items as part of it. This just tells you the purpose of
11 the engineering review. Again, as Joe explained, they wanted
12 to do a study and the nitty-gritty of it was MDOT offered to
13 pay for it because they wanted to see -- there was a culvert
14 installed, a new one installed under M-6, or excuse me, 196
15 when they put M-6 in. And so they wanted to know if there
16 were changes in the watershed area or changes that they made
17 that might cause this increase in sedimentation out into the
18 lake.

19 So they asked -- Joe asked a couple engineering
20 firms to submit a proposal and we were selected. So we did
21 a review of what we think are the main reasons that they're
22 getting sediment. And there's significant amounts of repair
23 that have been done on this system in the last 30 years.
24 There's been several BODs. There was one that was in 1990
25 actually on this when they made some improvements to the

1 Barry Street culvert. In '99 there were improvements to the
2 culverts on Van Buren and Barry Street.

3 So there's been a lot of work done on this. And a
4 good thing is we were able to go back in history and try to
5 see what changes have been made and occurred. This just tells
6 you the work that we performed. The basic thing was we're
7 trying to find out what are the causes of this and why has it
8 gotten worse or not. There's been fixes, but it hasn't been
9 improved, so --

10 The existing drain district -- and when I say drain
11 district, so on page 4 of your map, that's this red line
12 around here. What that basically means is it's an area of --
13 a watershed area we'll call it, but it means if rain falls
14 inside the red line, so between these two red lines, for
15 example, all the way up, it makes its way one way or another
16 to some part of the drain, which the drain actually begins on
17 the very northwest end of Georgetown Lake here and goes all
18 the way down and stops just on the south side of Barry Street.

19 So this red line we put together from field
20 verification and mostly contour data and then Ottawa County
21 has updated a lot of their maps to actually firm up accurate
22 districts, because up until a few years ago we weren't allowed
23 to change these district lines without having this meeting
24 here and now there's a way to do that and make them accurate
25 so -- the entire district of the contributing watershed area

1 into this drain is just about 1,550 acres. So it's a fairly
2 large drainage district. There's about 600 properties, give
3 or take a few, in the drain district as part of it. And
4 everyone in that district received a notice for the meeting.

5 So this is what we got into a lot with the study.
6 We were trying to take a look at current conditions, current
7 land use conditions, and tried to formulate those with past
8 land use conditions. So one thing that's nice is both Ottawa
9 County on their GIS maps online, they have past aerials and
10 also Google Earth has past aerials in this area that go
11 back to '94 that we could get.

12 But this gives a good representation because this is
13 really to a point where you can just see here, here's 196.
14 There isn't even M-6 in place. So this is really a good
15 representation because it's going to show. The biggest thing
16 that MDOT was concerned about was what have they added into
17 this district and is it making this problem worse, so -- we
18 basically took the land uses and tried to compare them and
19 what we end up getting is when water hits a parking lot,
20 obviously, it runs off more water than an acre of parking lot
21 and an acre of grass or lawn, for example.

22 So when it hits your roof, more of it's going to run
23 off your roof than it would run off your lawn or your yard or
24 would run off into just a wood lot that's inside a district
25 that's not developed. So the biggest thing that we looked at

1 is what impervious areas had been added to the district. In
2 this 1,550 acres, we had a huge increase in development that
3 have made the amount of impervious land significantly rise in
4 acreage and the amount of impervious land come down.

5 What that does is it basically puts more water into
6 the system. So this is just an example. But if you had a
7 hundred gallons, you may have -- 20 of that may run off your
8 lawn, for example, and 80 of it is going to get evaporated,
9 evapotranspired from plants, and then most of it is
10 infiltrated into the ground. Now, if you have a parking lot,
11 you're going to get about 90 percent of that. So about 90
12 gallons of that water. So it's four or five times greater
13 when looking at it. So that's the biggest thing we try to
14 compare and we do that in subsequent years to see what changes
15 have been made and if there was a sticking point of, okay,
16 this finally became a problem and this is what it is.

17 Down at the bottom here, this is what we were trying
18 to get into. This is basically what I was calling the amount
19 of gallons that runs off. Let's say a hundred gallons. So
20 this is roughly saying of a hundred gallons, 47 of it is going
21 to run off when you take this entire watershed area and apply
22 a factor to it, as compared to .26, so about a quarter of it.
23 So 25, 26 gallons out of a hundred. And that's just a rough
24 way to put it. We use these for engineering values to
25 determine the amount of water that goes to different culverts

1 and sizing the culverts and drains, too, as well. So that's a
2 good indication of we may have items that are undersized
3 culverts, undersized parts of the drain or drain system.

4 The other thing -- or excuse me. This was -- the
5 current one is .4. So it's gone up. And then what we do is
6 we take between Jamestown and Georgetown Township, everyone
7 has future land use maps, which are, like, the best available
8 use that they -- the township's put out, so that if all
9 development takes place and they get all the zoning in place,
10 what would it look like in the future. And that could be five
11 years or it could be 20, whatever they set their future plans
12 for. So we then look at that in the future and say, okay,
13 this is going to get a lot worse or are we about at the peak
14 of where we're at, so --

15 This is starting -- so in this -- right here. We're
16 going to start right here at the outlet into Georgetown Lake
17 in here. So we can skip over to page 7. So there has been
18 already -- as Joe mentioned, Georgetown Lake had paid a
19 contractor to essentially dip out the lake. A fancy term,
20 what happens in here we call it sedimentation. Basically it's
21 kind of like the lakes are good bathtubs and when we push a
22 lot of water into them, the heaviest thing in water is
23 typically sediment and that's what settles out if it's not
24 moving very fast.

25 So if it's not moving fast like in a lake, it just

1 drops immediately out and you kind of get this delta out into
2 the lake like this. Everyone remembers the pictures a couple
3 years ago, actually it was two years ago, when the Grand River
4 watershed had the big heavy rains and there was those pictures
5 online of the water going out into the lake like a half a mile
6 where a big sediment plume went out into Lake Michigan there.
7 It was brown water and then blue water. That's the same thing
8 that it does here.

9 So the water is moving down very quickly until it
10 gets to a point where it's not able to be carried enough in
11 the water from the velocity of the water and it settles out
12 and that's what we have in through here. It always had been
13 manageable because there was an area to access this and there
14 is an existing easement over the drain. But the issue is now
15 there's two houses on either side of the drain. So simply
16 cleaning it out is not as simple as what they've done prior
17 because we can't access it off of Van Buren Street to do that
18 now.

19 So this is looking north towards the lake. This is
20 just from Van -- taken place from the Van Buren Street box
21 culvert. This is the crossing that's under Van Buren Street.
22 It's a 7 x 16 box culvert. And like I said, that was actually
23 replaced in '99. Some work that the road commission had done.
24 This is going to be a -- I shot this with my cell phone, so
25 we'll see how good it is, but we actually were able to get the

1 drain in a -- it doesn't want to play. Okay.

2 Well, this was a video that we had taken. It's a
3 little pixilated anyway, but this was just of the Barry Street
4 crossing. Because the main issue that was going on in the
5 south part of the system is a little bit different than when
6 it gets to the lake. I'll explain that in a second. So we
7 were just up here at Van Buren Street crossing. The drain
8 actually stops right here. When we say the drain, you know,
9 people may have gone by here on Barry Street and saying, "Hey,
10 there's a drain going farther south here."

11 That's just kind of a legal term that we use, the
12 drain commissioners and water resources commissioners use.
13 That means what they physically are able to legally work on.
14 Not every ditch is a county drain. Not every creek is a
15 county drain. And it has to have an easement over it. It has
16 to have gone through a process like this to be established as
17 a county drain or to be extended or improved as a county
18 drain.

19 So there's a whole process to do that and this drain
20 actually ends at Barry Street. So what is -- anything
21 upstream of Barry Street is going to be under someone else's
22 jurisdiction, typically road crossings or typically road
23 commissions. In the case of MDOT, they have several culverts
24 and crossings. Those are going to be under theirs. But we
25 kind of have this no man's land between Barry Street and 196

1 in through here that is considered what we would call private.
2 There's no ownership over it. MDOT doesn't have an easement
3 over it. They push water in there since they put in 196 in
4 '71 with a fairly large culvert, but the drain does stop in
5 through here.

6 So the biggest issue -- there's two issues going on
7 in the system and I think they've been pretty evident. We've
8 got a significant amount of bank erosion taking place just
9 about a thousand feet south of Van Buren Street. It gets all
10 the way up and it's pretty consistent all the way to about
11 Barry Street. Just down from the wash-up from Barry Street.
12 And this is typically what we have. There's large sections of
13 the drain that has basically sloughed in.

14 A couple reasons for that. One is the soil.
15 There's different series of loam soils. Usually loam soils,
16 without getting too technical, are leftover glacial deposits.
17 So they usually drain fairly well, but they do have a high
18 silt content. And what that means is when they get built-up
19 of sediment in through here and they get a large rain, that
20 silt, which is super light, will get taken away and that's
21 what erodes the bottom of the drain in through here. So kind
22 of the underside of what we call the toe of the bank, the
23 bottom of it, gets washed out when we get a big rain and
24 that's what causes -- one of the reasons it causes these banks
25 to fold in like this.

1 So sediment has a big thing to do, obviously, with
2 erosion. This is not -- a lot of times we look at these types
3 of drains and typically the problem we have is flooding. So
4 we're trying to take care of a flooding issue or an amount of
5 water that people might get in their basement or something.
6 This is more of an erosion issue and, obviously, what goes out
7 into the lake.

8 The other reason, vegetation. Trees are good and
9 bad. They're good because they help hold the banks in,
10 depending on where they're located. There were a ton of ash
11 trees in here. So, obviously, the Emerald Ash Borer, if they
12 weren't dead, they were going to die as part of it. So
13 that's -- they were subsequently removed over the years.
14 So there, loss of vegetation or tree vegetation and all the
15 roots that help hold in the banks is part of it as well. So
16 that's kind of like a lose-lose situation. They could have
17 waited and maybe some more of these wouldn't have gone down
18 into the drain and have to be fixed as part of this or,
19 eventually, they're going to be having to deal with this part
20 of it, so --

21 This is getting closer to Barry Street crossing.
22 And again, you know, there's some fairly large sections where
23 you're on -- usually on the easthand side here where, you
24 know, here's a 60-foot section of that bank where it's
25 entirely gone because basically, again, that toe is getting

1 worn away at the bottom and that's what starts to slough in.
2 It's the same thing. Like, Lake Michigan is way up. About
3 the highest I'm sure anyone has seen it in the last 25 years.
4 So it's up near the bluff in a lot of areas. I do a lot of
5 work down in Allegan and just south of Saugatuck and Douglas.
6 It's all the way up onto the bluff area and it starts eating
7 away at the bottom of it and you basically get air space
8 underneath it and that's what causes it to slip down.

9 So in the bottom we've got -- in the bottom of the
10 drain, we kind of see remnants. This is actually remnants of
11 a past fix that was done on Barry Street crossing. We do have
12 debris down in there. That's very common. That's usually
13 what is done with maintenance. That type of thing is a lot
14 easier and cheaper to take care of. But as part of that, that
15 does contribute a little bit to the system. What that does
16 is, remember I talked about velocity or how fast the water is
17 moving, it was very important as it relates to erosion and
18 carrying that sediment through the system and not causing it
19 to pull, cause worse erosion? When we have debris, that
20 actually holds back some of the water in through there and it
21 slows it down at different times.

22 And when we get to the Barry Street crossing, that's
23 exactly why there's the big washout on the downstream side of
24 Barry Street crossing because the upstream side acts kind of
25 like a lake or a faucet in the bathtub. It doesn't have a big

1 enough outlet in the bottom of the bathtub at Barry Street to
2 push the water through, so it pulls it way back and kind of
3 squeezed it through even though it's a huge culvert at Barry
4 Street and that's what causes the massive flush-out and
5 undercutting on the north side of Barry Street.

6 We're on page 12 here. Just some more pictures.
7 We get right up to the Barry Street crossing. This has been
8 fixed, as Joe explained, at least twice in recent history and
9 I would say it obviously needs to be fixed again. I don't
10 know if anyone has driven by there and seen, but there's a
11 massive amount of erosion. In some of the pictures you'll see
12 here -- this is a good representation. So this is just
13 standing on the north-hand side of Barry Street here, looking
14 back down south, down the culvert, and you can see this is
15 actually the south side. So this is looking up. This is
16 where we would call the private drain starts from here going
17 south.

18 So you can see there's a fairly -- I call it more of
19 a swale, but there's a large area. Basically, there's no
20 vegetation in the bottom of this ditch. There's a lot of
21 sedimentation again because what's happening is a lot of water
22 is getting held up there and when we hold water, sediment
23 comes down in. And then when we hold a lot of it and we push
24 it through, we increase our velocity and it's picking up all
25 that sediment. Eventually it kind of gets to a tipping point.

1 When you get so much water pushed in through here, it gets a
2 lot of pressure and it starts to do this. Basically it comes
3 through here and there's a five-foot -- this entire toe wall
4 is based -- of this box culvert is all the way undercut as
5 part of it. And what that is is just that the water coming up
6 over the culvert and coming down, because there's so much
7 pressure coming down that it's actually eroding away just on
8 the downturn side.

9 Now, there is a fairly significant elevation drop
10 as you go south -- or north of Barry Street crossing that
11 contributes to part of it, but this is a fairly large box
12 culvert that they had put in in 19 -- originally in 1991 as
13 part of the drain petition at that time. And it hasn't
14 changed, interestingly enough. When we went back, back all
15 the way to '71 on the MDOT plans for 196, this hasn't changed.
16 I think this was a 5 x 11 or 5-1/2 x 11. So about a foot
17 difference on both the height and the width. It does make
18 about a 100 CFS difference and that's just the volume of water
19 that it can push through. But this hasn't changed a lot, you
20 know, over the last 40 years.

21 BOARD CHAIRMAN BILL CARGO: Brian, a quick question.
22 With regard to the area south of Barry Street, you say that is
23 an orphan drain even though it's part of the district?

24 ENGINEER BRIAN CENCI: Yeah.

25 BOARD CHAIRMAN BILL CARGO: Has there been any

1 attempt on the part of the county or township to bring this
2 drain into the county water resources under their control?

3 UNIDENTIFIED SPEAKER: Not that I know of, no.

4 ENGINEER BRIAN CENCI: No. Not anything as of yet.
5 I think it's something that if this proceeds forward we would
6 look at because there's work that would need to be done in
7 through there and then, obviously, these drain petitions are
8 fairly vague in a sense, but they allow adding or extending of
9 the drain and that was something we would look at as part of
10 this.

11 BOARD CHAIRMAN BILL CARGO: Okay. So it's part of
12 the drainage district in terms of the natural drain --

13 ENGINEER BRIAN CENCI: Yes.

14 BOARD CHAIRMAN BILL CARGO: -- but it's not part of
15 the drainage district in terms of the legal responsibility for
16 Ottawa County?

17 ENGINEER BRIAN CENCI: Right.

18 BOARD CHAIRMAN BILL CARGO: Okay. Thank you.

19 ENGINEER BRIAN CENCI: And it kind of plays into
20 this is one of the things that MDOT wanted us to look at, part
21 of it. So this is actually going up in this private drain.
22 We're just to the north of the 196 crossing and we get to
23 this huge 12-foot crossing under 196. You can see what's
24 happening here is this ditch in through here eventually at one
25 time, I'm sure, was a couple feet wide and there was about a

1 four or five feet drop from here all the way down to Barry
2 Street. So that was when it was designed.

3 But what's happened is it's the same thing on the
4 bottom end of this crossing and they have lowered it over the
5 years. The 1971 crossing was about two and a half feet higher
6 than the one that's there now. So they cut down on the grade.
7 And the other thing they had is if they push more water
8 through, it's cutting into the bottom of the ditch and
9 actually carving that out. So that's what you see here
10 through the trees.

11 And this is fairly prevalent all through there.
12 There's a lot of roots and trees way down in the bottom of
13 that ditch, which is normal because it's not a county drain so
14 it's not like someone like Joe has gone in there or some past
15 water resources commissioner cut down the trees or removed
16 those trees as part of that or done maintenance work.
17 They wouldn't be legally allowed to without this petition
18 process.

19 So this is actually two different crossings. We
20 looked at the entire watershed and all the crossings of the
21 MDOT system. We did put together a report. We met with Joe
22 and then some of the residents at Georgetown Lake to go over
23 that. It will be available on, as Joe said, miottawa as well
24 so you can review it. But one of the things we did, too, was
25 we looked at, you know, have these crossings changed over the

1 years? Is MDOT continually putting the same one back in? Are
2 they increasing the size? And we have found, yes, they
3 obviously have increased. Obviously, M-6 in 1974 was the
4 year. So anything in through here, additional roadway,
5 additional road surfaces, an impervious area, that all
6 increases more water into the system.

7 So you can see in the system, we've got a lot of
8 sediment and these are in the private portions of the
9 district. There's a lot of sediment in these crossings.
10 We've got just about a foot of accumulated sediment in one of
11 the walk-throughs we did under the one under 196 and then
12 here's six, eight inches of accumulated sediment. And, again,
13 that's an entire amount sediment that's -- you know, we're
14 talking this amount for 200-and-some feet all the way -- of
15 a 12-foot wide culvert all the way across 196. And for all
16 intents and purposes, this is what gets out into the lake.

17 BOARD CHAIRMAN BILL CARGO: Now, with regard to
18 upstream from this, has MDOT done any work on the private
19 drain itself or is it just responsible for the culvert?

20 ENGINEER BRIAN CENCI: They're just responsible for
21 the culvert. It was kind of something odd in the original
22 plans in 1971 because they had elevations listed all the
23 way down in their maps, which they don't -- they don't go
24 outside their right-of-way unless they're doing work, but they
25 had elevations listed, but it wasn't anything where it showed

1 they did work in through here. And the MDOT representative
2 that we deal with in the drainage department indicated that
3 there was no work done as part of it. They just wanted
4 to make sure they were putting this culvert when it was
5 originally constructed at a good elevation. But that, again,
6 gives us a good representation of, you know, maybe they've
7 lowered it and increased the size and maybe that's impacting
8 it. But nothing down in through here as part of it.

9 So this is kind of a summary in through here.
10 One thing I didn't mention in these slides at least is this
11 private portion of the drain has a significant reduced amount
12 of capacity. Capacity is just the amount of water that can
13 move through the system without flooding over the banks, for
14 example, or flooding onto adjacent property. So in this area
15 we're talking to the likelihood of two and a half to three
16 times more water that can be moved through this section of the
17 ditch if we take a cross-section through here than can be
18 moved in through here. Because this is less of a ditch. It's
19 more of a swale so it's wider. It doesn't have a firm base or
20 a firm slope, say like a 1-to-1 or 2-to-1 slope. It's fairly
21 wide and so the water basically gets pushed out and kind of a
22 little lake in through there.

23 This is just a summary of the overall condition if
24 you want to go through it. I don't like to read slides word
25 for word, so -- so this is some cross-sections. We took

1 survey elevations to determine -- okay. Typically when we
2 deal with flow and we start dealing with sedimentation, we're
3 trying to find an equilibrium of -- there's a couple ways to
4 deal with sediment, but the biggest way is we've got an area,
5 a flat area here in the lake that doesn't move the water. So
6 can we push that? This does proceed forward as one of the
7 ideas we looked at for a solution because that was a part of
8 the study was, is there another area where we can drop that
9 sediment out prior? So there's a lot of ways to do that.
10 Some were pretty expensive, some were fairly cheap, but they
11 don't always work.

12 So one of the things to get to that point is we had
13 to kind of take a cross-section of the drain and see what's
14 our limitation here. Can we handle a ten-year event, which in
15 this case we're talking a little over three and a half inches
16 in this area in a 24-hour period? And that's just a design
17 tool that we use and we looked at different subsequent rain
18 events all the way up to --

19 MS. REPORTER: We look at what? I'm sorry.

20 ENGINEER BRIAN CENCI: Sorry. Subsequent rain
21 events. So we looked at a hundred-year, which was, like, a
22 little over six inches in this area and to see at what point
23 can this not pass that amount of water. Most drains are
24 along a ten-year design. Some rural areas, I work a lot in
25 Livingston County and also in Barry County, they use two-year

1 designs on their ditches. The reason behind that is usually a
2 quarter acre of crops with water in it for two days is not as
3 bad as, you know, a flooded basement for two days. So that's
4 the general premise behind it.

5 So you can see the cross-section. You can go back
6 in through here. It's actually getting a little bit smaller
7 as we go through the system. Now, part of that's due because
8 this was probably getting some interference in through here
9 with the wash-out, but look at this one. We're just upstream
10 and they probably surveyed this right at one of the carve-outs
11 near one of those trees where it kind of cuts way under.

12 Well, you can see in through here much significantly reduced
13 amount of passing. That's what we're dealing with all the way
14 up in that private section.

15 This was a good way to look at the grade, which is
16 basically the slope or the pitch of the bottom of the drain in
17 through here. And you can see. Here's the north side of the
18 196 crossing and that's right now the current elevation. We
19 did tie everything in, elevation, all the way down to the lake
20 with MDOT's elevations that they used. Unfortunately enough,
21 the M-6 when they put it in and merged here with 196, MDOT was
22 in a metric phase, so there was a little more conversion in
23 doing everything, so --

24 There's a large amount of fall in the first thousand
25 feet in through here, but this is where we get this large area

1 that backs up. So we're talking all the way for about three,
2 four hundred feet just south of the Barry Street crossing
3 where we're getting a lot of water backing up and that's
4 what's holding a lot of sediment in the system. And then once
5 it gets to a certain point, you get so much water coming in
6 through here it starts to -- you get so much head pressure,
7 which that basically is the amount of elevation difference
8 between one side of, like, a crossing and the other side of a
9 crossing.

10 BOARD CHAIRMAN BILL CARGO: Brian, am I reading this
11 correctly that within a thousand feet, you're having almost 20
12 feet of fall?

13 ENGINEER BRIAN CENCI: We've got 8 -- or 637 and
14 we're going down to, like, 628. It's like 9. I think it's
15 9 --

16 BOARD CHAIRMAN BILL CARGO: When you go across to
17 Barry Street, though, you have quite a bit of fall there just
18 in the beginning.

19 ENGINEER BRIAN CENCI: Yeah, there are. Yep.

20 BOARD CHAIRMAN BILL CARGO: So from Barry Street
21 north -- well, for a couple hundred feet south or north of
22 Barry Street to the other side is about 20 feet of fall?

23 ENGINEER BRIAN CENCI: These are five-foot
24 increments on through here. So we've got just over -- I think
25 just over ten feet of fall.

1 BOARD CHAIRMAN BILL CARGO: Okay.

2 ENGINEER BRIAN CENCI: Yeah. So those are five-foot
3 increments in between the horizontal lines. But that's still
4 a significant amount only over a couple hundred feet.

5 BOARD CHAIRMAN BILL CARGO: So what I'm looking at
6 is it goes from 638 at the 0 to about 619?

7 ENGINEER BRIAN CENCI: Yeah.

8 BOARD CHAIRMAN BILL CARGO: Okay. So you're --
9 Okay. Thank you.

10 ENGINEER BRIAN CENCI: Yep.

11 BOARD CHAIRMAN BILL CARGO: Is that unusual to have
12 such an amount of fall in such a short area?

13 ENGINEER BRIAN CENCI: Yeah. And that's not
14 something that you aim to have. That's just going to create a
15 lot of problems in the system. Open ditch, we don't like
16 the -- you know, typically a minimal is about a half percent.
17 That's like six inches of fall over a hundred feet. So we
18 have a thousand feet. You know, we might be dealing with,
19 like, five, six feet of fall in through there. But in this
20 case, we don't like to get over about two and a half percent,
21 too. That's when we start getting a lot of scour. And that
22 just depends on the type of soil that's in through there.

23 BOARD MEMBER RON BRINK: Was that created or was
24 that natural over time?

25 ENGINEER BRIAN CENCI: I think it has been just

1 created over time because that was one of the things we tried
2 to look at. I don't -- it's in the report, but I didn't put
3 it in here. We took the '71 profile and kind of reassimulated
4 all the elevations so we're working off the same system here
5 in comparing all of them. So the 1971, the crossing was up
6 here about two and a half feet higher, but the Barry Street
7 crossing they had identified, it was only about four and a
8 half feet of fall in through that system all the way through
9 there.

10 So the grade line was way up in through here. So
11 this has come down. And I think as they've changed this in
12 through here, that's cut a different route in through here.
13 And, also, we have increased the district of the watershed
14 area downstream of that area and the amount of imperviousness
15 is getting into the system. So we've got more water going in
16 through here.

17 BOARD CHAIRMAN BILL CARGO: So typically if you have
18 this amount of scouring occurring now, the scouring will
19 become worse over time, not better, I would think?

20 ENGINEER BRIAN CENCI: Yeah. Unfortunately, mother
21 nature is not very forgiving with erosion. So once it starts,
22 it usually doesn't stop until it's eroded whatever amount of
23 material all the way away. You know, erosion causes, water
24 and wind are the two biggest factors. So, no, once it starts,
25 it's not going to solve itself. You will get some things

1 where, you know, over time you'll get the buildup of sediment
2 in through here. You'll get some of the heavier sediments,
3 rocks, gravel, larger sediments, but anything that's silty,
4 anything that -- again, a loamy series, which the majority of
5 the district is the loamy series, that's got a high silt
6 content in it because it's the bottom of, like, a glacial
7 deposit and that stuff is the lightest thing in any kind of
8 -- when you look at the soil.

9 BOARD CHAIRMAN BILL CARGO: What I'm hearing you say
10 is because of the amount of scouring, nature isn't going to
11 solve it. It would require some manmade intervention.

12 ENGINEER BRIAN CENCI: Yep.

13 BOARD CHAIRMAN BILL CARGO: Okay. Thank you.

14 ENGINEER BRIAN CENCI: So these are just some
15 notable changes in the drain district. Again, the original
16 drain, we actually went back and pulled that permit now that
17 the State DEQ has all their past permits online, but we looked
18 at the permit that they got for when they established the lake
19 because the drain actually went all the way through there and
20 still does, the legal outlet of the drain and where it's
21 described.

22 So 1997 is generally when the expansion of
23 Georgetown Lake began. 1999 to 2017, we got a lot of
24 residential development around the lake. Most of the
25 development in the rest of the district, other than the little

1 on the east side between Van Buren and Barry Street, that was
2 added in that time period. Most of the changes, anything
3 south of 196, has basically been MDOT in the system as part of
4 it.

5 2003, M-6 comes into play. So this is just again --
6 these are those land use maps which we then correlate to the
7 amount of imperviousness, which then correlates to the amount
8 of water that we're dealing with. So we can kind of take the
9 amount of water we're dealing with, how much flow, and that
10 was when we were doing those cross-sections and where that
11 water is going to go to and then we can actually calculate
12 the velocity that's going through there during those types of
13 events. And different soil has release velocity or catchment.
14 So we look at general ranges for different types of soil and
15 we can get a good idea of how much of that is going to get
16 carried into the system and carried down.

17 The USDA has a great tool online. It's used in
18 rural areas, mostly agriculture, but it's a great calculator
19 they use for sedimentation off of agricultural fields, but
20 it actually works very well for these types of things, too.
21 Not in super urban areas like downtown Grand Rapids, it
22 wouldn't work, but this area it would be fine. And we're able
23 to calculate how much sediment would get into the system in
24 any given year. I mean, we're talking hundreds of tons,
25 hundreds, hundreds of tons in this system.

1 So these -- normally at these BODs, we generally
2 present the problem. Because we did do a study, I don't like
3 to ignore some of the things that we came up with. I guess
4 there isn't anything decided at this point. I want to make
5 sure that's very clear. The board isn't here to say, "Do
6 this, do this, do this." Joe at this point is not here to
7 say, "We're going to do this, this, and this."

8 We wanted to present to MDOT really for an idea of
9 what their involvement may be in this. And by involvement, I
10 mean how much are they going to pay for it as part of it, to
11 see some of the things, hey, are there tools that we can use,
12 man-made tools that we can use to mitigate this and greatly
13 reduce it so we don't have this problem continuing on for
14 years and years.

15 BOARD CHAIRMAN BILL CARGO: You know, Brian, one
16 of the things, though, for this meeting, you have a lot of
17 proposed design options and you have some information on
18 those. But because that's well beyond the scope of this board
19 of determination, I'm going to ask that you skip over that
20 portion of the presentation.

21 ENGINEER BRIAN CENCI: Yeah, that's fine.

22 BOARD CHAIRMAN BILL CARGO: I don't feel for us to
23 go through all the proposed design options --

24 (Overlapping and inaudible discussion.)

25 ENGINEER BRIAN CENCI: Yeah. I was actually going

1 to run through and say that without going through each side
2 that there are several things that we can do, tools in the
3 toolbox to take care of this as part of it and that part --

4 (Overlapping and inaudible discussion.)

5 BOARD CHAIRMAN BILL CARGO: And that part I
6 appreciate, yes.

7 ENGINEER BRIAN CENCI: -- MDOT wanted us to look at.
8 So I think that gets us to the end. So does the board have
9 any specific question? I mean, you can ask them later or --

10 BOARD CHAIRMAN BILL CARGO: I think you gave a very
11 good presentation as to the studies that have been done by
12 MDOT and your company's involvement in that. I do appreciate
13 that. At this stage, though, we're really here also to hear
14 from the public, both whether they see that there's a
15 necessity or problems within this drain district or whether
16 they do not believe there is an issue that needs to be
17 addressed and resolved. And that's kind of the scope of what
18 this board does. We're here to either determine there's a
19 problem that needs to be solved or that there is not a problem
20 that needs to be solved. Is that a fair summary?

21 WATER RESOURCES COMM. JOE BUSH: That is.

22 BOARD CHAIRMAN BILL CARGO: And so given that, I'm
23 going to ask that the public be able to talk and I'm going to
24 start from one side of the room, going up the rows, and just
25 ask that you hold your comments, come up to the podium. I ask

1 that you state your name and address, identify whether you
2 have lands within the district.

3 And besides that, I also want to point out that not
4 only are we going to determine whether there needs to be a
5 solution to any problem that may be addressed at this stage,
6 we're also going to address whether those costs should be
7 shared among the municipalities. And so if we do determine
8 that there is necessity for a drain project, we'll also then
9 have a second motion as to whether the cost should be in part
10 passed onto the local units of government.

11 That said, I'm going to start just at the second row
12 to my left, your right. The gentleman in the red shirt, do
13 you have any comments?

14 MS. CINDY HELSEL: I don't think so, other than how
15 would this affect --

16 BOARD CHAIRMAN BILL CARGO: Can you come up to
17 the podium just so that it helps with our hearing the comments
18 and our court reporter hearing? Yes. And, again, your name
19 and address?

20 MS. CINDY HELSEL: Cindy Helsel, H-e-l-s-e-l,
21 2117 Van Buren. The only question I have right now then is,
22 how would this affect individual addresses other than how
23 it's affecting the lake in Georgetown? Would it affect our
24 plumbing at all, drains in our house? We occasionally get a
25 small sewer smell coming into one of our half bathrooms. It's

1 only started recently. I don't know if that would have
2 anything to do with this or not.

3 BOARD CHAIRMAN BILL CARGO: Typically sanitary sewer
4 and storm sewer -- in fact, I know in this area they are
5 separate. So they are a separate system. So if you're having
6 a little bit of sewer smell that's coming into one of your
7 drains, I would talk to the county -- excuse me -- the
8 township about that. Typically that means that one of your
9 S traps has gotten dry and is allowing some sewer scent to
10 come into your house. That's something that's normally easily
11 solved, but talk to the township and they should be able to
12 give you some direction on that.

13 MS. CINDY HELSEL: Okay. Thank you.

14 BOARD MEMBER RON BRINK: How close to this stream
15 are you?

16 MS. CINDY HELSEL: Well, we have a -- we're on
17 Victory Lake. We have a small culvert which comes out
18 directly between our house and the one next door, but I
19 don't -- I don't know. We're right on Van Buren.

20 BOARD MEMBER RON BRINK: Okay. Thank you.

21 BOARD CHAIRMAN BILL CARGO: I'm going to go across
22 the aisle here.

23 MR. TOM PARRISH: My name is Tom Parrish,
24 P-a-r-r-i-s-h, 1512 Ponstein Drive. I am one of the
25 seven elected officials for East George -- East Georgetown

1 Township -- or East Georgetown Shores Association. We
2 represent the 243 residents around the lake, as well as the
3 pond that's on the side of it. We've been actively involved
4 with the drain commission with regards to this. We, the
5 residents and the association, paid for the dredging out
6 at the mouth of the drain and quickly realized it was
7 ineffective because, essentially, what we took out is already
8 redeposited, plus a little more.

9 So at the time of that dredging, the drain
10 commission threw in some boulders and rocks to try to act as
11 weirs to try to precipitate that sediment out before it got to
12 the lake. It's, obviously, not been effective. Essentially
13 the money was wasted because literally in three years it's
14 come back in. I also noticed that based on the presentation,
15 it looks like the amount of water volume is essentially double
16 or will be doubled in the near future from what the drain was
17 initially done for with this calculation.

18 It also looked at the elevation studies that he
19 did and shows that the drain was actually getting narrower and
20 shallower as you go down. Anyone with a hydraulics background
21 knows that that means that that's going to increase the
22 velocity of the water and, therefore, more erosion, which
23 means more sediment in our lakes.

24 We need something done with this. It's a home --
25 two homes were built at that mouth of the drain just recently.

1 So we no longer have that easy access off of Van Buren to
2 make that happen. And so now for us to take any kind of
3 action in the lake we need to get a type of barge. A
4 significant amount of monies that we don't have. So we would
5 ask that that be in consideration to fix this issue so that we
6 continue our quality of life. These are not inexpensive homes
7 and we represent a pretty good volume of people that pay taxes
8 and we'd like to have some action on that part. Thank you.

9 BOARD CHAIRMAN BILL CARGO: I appreciate it. Thank
10 you very much. I'm going to go to the second row, the
11 gentleman at the end. You're good? Okay. I'm going to go
12 immediately behind him on the third row. The gentleman in the
13 cap? Okay. The gentleman next to him.

14 MR. DARLE PONSTEIN: I'm Darle Ponstein. I own the
15 land that's right on Barry Street just to the north. I'm on
16 the east side of the road there.

17 BOARD CHAIRMAN BILL CARGO: Okay.

18 MR. DARLE PONSTEIN: I've farmed that land. In
19 fact, I've farmed the land where Georgetown Lake is my whole
20 life. And from what I see on that life experience, most of
21 the water that causes the problem is with a heavy storm and
22 most of that water comes from the south side of 96 and M-6.
23 And when it comes through there, it comes through in a hurry
24 because it's all pavement and it comes fast. So it's got to
25 be slowed down on the other side in order to make something

1 happen.

2 Now, it's true that right by my brother Ray's
3 house, right there on -- by the culvert right by Barry Street,
4 there's like a five-foot drop right there in an elevation that
5 comes pretty fast. But that five-foot drop is because when
6 that water comes through there, that whole culvert will be
7 full of water. I mean, literally right up to the roof. And
8 that's what's washing it out. They tried putting concrete in
9 there and it will wash it right out. It's had mat in there
10 and it's -- it's washed it right out because it just -- it
11 will fly through there. Literally, you could not be in that
12 creek and survive. You would be down in Georgetown Lake when
13 it comes through there.

14 Now, I own that property there and I have the trees
15 there and I've seen some stuff that makes me think that you're
16 thinking of taking the trees out. That would be a huge
17 mistake. The trees hold that bank. And when you get down to
18 the bottom half toward Van Buren there, they've already taken
19 all the trees out. And what you're seeing -- they show like
20 an eight-foot wall there where all that sediment they think is
21 being washed into the lake and maybe some of it is, but you've
22 got to realize that whole bank is sediment off the bottom of
23 the creek. That's been put there every time it's been dug out
24 and it's -- that bank is sediment off the bottom of the creek.

25 BOARD CHAIRMAN BILL CARGO: Okay.

1 MR. DARLE PONSTEIN: If you take the trees out by
2 me, you will have a ton more sediment in there.

3 BOARD CHAIRMAN BILL CARGO: So as I understand what
4 you're saying is, first of all, you agree that there's a
5 problem with the volume of water that's moving through there
6 and the design, but you are also concerned with what type of
7 solution that the drain commissioner may come up with and --

8 MR. DARLE PONSTEIN: Yeah, I'm very concerned about
9 that because that creek will just get wider.

10 BOARD CHAIRMAN BILL CARGO: And I understand that
11 and I think that's a valid point. Our point, of course, and
12 what we're trying to determine is whether there's a problem.
13 Obviously, you're saying there's a problem, but you're also
14 concerned with the solution.

15 MR. DARLE PONSTEIN: Yeah.

16 BOARD CHAIRMAN BILL CARGO: And all I can do is
17 encourage you, after this public hearing if we determine
18 necessity, is to stay in contact with the drain commissioner,
19 the water resources commissioner, to make sure that your
20 concerns are addressed.

21 MR. DARLE PONSTEIN: I would very much like to be a
22 part of that decision, yes, I would.

23 BOARD CHAIRMAN BILL CARGO: Okay.

24 MR. DARLE PONSTEIN: And, like, right there by Barry
25 Street, there probably needs to be concrete for quite a while

1 because it flies through there. There's a five-foot drop
2 right after that cement culvert that's under Barry Street.

3 BOARD CHAIRMAN BILL CARGO: I understand your
4 concerns.

5 MR. DARLE PONSTEIN: And if you don't put concrete
6 there, it's going down creek. That's where it's going.

7 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate
8 that. Thank you very much.

9 MR. DARLE PONSTEIN: All right. I like the trees.
10 I would like to save the trees. And the trees, you can look
11 at it, but they slow down the water, which is what we have to
12 do.

13 BOARD CHAIRMAN BILL CARGO: That's part of the
14 issue. I agree with that.

15 MR. DARLE PONSTEIN: We used to farm on Barry Street
16 and when I farmed there, I could dig down three feet where the
17 lake is now and there would be water in full scope.

18 BOARD CHAIRMAN BILL CARGO: Yeah.

19 MR. DARLE PONSTEIN: Where I am now on Barry Street,
20 I can dig three feet down and there will be no water in there.
21 The water table has dropped and that's why everything has sped
22 up through there and there's been some erosion. But I think
23 if you look at his pictures from M-6, the culverts that are
24 under there, all the sediment that is in those culverts,
25 that's what comes downstream.

1 BOARD CHAIRMAN BILL CARGO: I'm not disagreeing with
2 that at all.

3 MR. DARLE PONSTEIN: Yeah.

4 BOARD CHAIRMAN BILL CARGO: I've given you more than
5 the three minutes, though, so I'm going to ask for the next
6 person to come on up here.

7 MR. DARLE PONSTEIN: All right. Thank you for
8 listening.

9 BOARD CHAIRMAN BILL CARGO: I appreciate the time.
10 The person at the end of the aisle, on the third aisle there?

11 MR. TOM WALTERS: Good morning. Tom Walters,
12 5010 12th Avenue. We live on the dead-end side of
13 12th Avenue that dead-ends into the Ford, 196. We have
14 about -- I think there are 18 houses on our road. Over
15 90 percent of them all drain south down across 12th Avenue
16 and into a deep something [sic]. And I'm wondering if the
17 engineer can tell me, where does all our water go?

18 ENGINEER BRIAN CENCI: So you're over here?

19 MR. TOM WALTERS: Basically 12th and Jackson.

20 ENGINEER BRIAN CENCI: Sorry. I deal with streets
21 all over. I'm not -- is that right here?

22 MR. TOM WALTERS: No. We're actually -- we'll be
23 east of M-6 --

24 ENGINEER BRIAN CENCI: Oh, you're down here.

25 MR. TOM WALTERS: -- and Jackson.

1 ENGINEER BRIAN CENCI: Okay. Yeah. There's
2 actually a culvert that comes like this underneath 196 and
3 then loops around here and you can actually see these blue
4 lines on slide 4. These are some of the -- currently the
5 private drains in through here, ditches, all the way through,
6 but then there's a culvert under M-6 and then that makes its
7 way back up. And there's another culvert in here and that
8 drains the middle of 196 and the large area between east- and
9 westbound and then the culvert under here. So it actually
10 comes around like this and then back up. (Indicating)

11 BOARD CHAIRMAN BILL CARGO: So, Brian, if I
12 understand, if you're within the red boundaries, your storm
13 water, at least the surface water, is impacting this issue?

14 ENGINEER BRIAN CENCI: Yeah.

15 MR. TOM WALTERS: So we're basically contributing
16 to the cause.

17 BOARD CHAIRMAN BILL CARGO: You're contributing to
18 the issue if you're within the red boundaries.

19 MR. TOM WALTERS: Sorry everybody (inaudible.)

20 BOARD CHAIRMAN BILL CARGO: Okay. Across the aisle
21 in the third row.

22 MR. ROBERT KIEKOVER: I'm Robert Kiekoover. I live
23 at 1930 Edson Drive. I've lived there for 56 years. I never
24 realized we had a problem until I got here now, so I'm not
25 saying there is a problem. But I personally don't realize why

1 when they developed around me and they have a problem, that's
2 my problem. That's my only thing. And maybe this isn't the
3 place to bring that up. I didn't cause the problem. I'm very
4 happy the way things were, you know. There were no lakes
5 there. There was -- we own quite a bit of the land there,
6 also, but we never had a problem with water. The water
7 problem is due to the development and I personally don't feel
8 that's my problem, okay?

9 BOARD CHAIRMAN BILL CARGO: Thank you. I'm going to
10 go to the fourth row, the gentleman from Jamestown? Okay.
11 Next to him. I'm on the fourth row. I'll get to the fifth
12 row after this.

13 MS. STEPHANIE VERWOERT: I'm Stephanie Verwoert,
14 V-e-r-w-o-e-r-t, and I live at 1889 Van Buren. My home is to
15 the right of that first picture you showed and my parents'
16 home is to the left. And I have four pictures on my phone,
17 because that picture looked real pretty. But I have pictures
18 of all the logs that just came shooting through last week. So
19 I don't know if you wanted to look at them.

20 BOARD CHAIRMAN BILL CARGO: We'd be glad to take
21 a look at it and also then you can talk to the engineer.
22 Maybe you can e-mail them to the engineer or to the drain
23 commissioner.

24 MS. STEPHANIE VANWOERT: I took them a week later,
25 so --

1 BOARD CHAIRMAN BILL CARGO: Okay. So those are logs
2 that are coming out there?

3 MS. STEPHANIE VANWOERT: Yeah. Like, some are,
4 like, four feet long.

5 BOARD MEMBER RON BRINK: And this is in the lake --

6 MS. STEPHANIE VANWOERT: That was just taken this
7 week and that was what was spewed out last week into the lake.
8 And we get that a couple times a year.

9 (Inaudible comment made by Mr. Brink.)

10 MS. STEPHANIE VANWOERT: Yep. And it comes rushing
11 through.

12 MS. REPORTER: I didn't hear Mr. -- the comment by
13 Mr. Brink at all.

14 BOARD CHAIRMAN BILL CARGO: He said it wasn't a big
15 rain? Is that what you said?

16 BOARD MEMBER RON BRINK: No. I said when you get a
17 big rain, it comes --

18 BOARD CHAIRMAN BILL CARGO: When you get a big rain.

19 MS. STEPHANIE VERWOERT: Okay. Thanks.

20 BOARD CHAIRMAN BILL CARGO: And you'll want to
21 e-mail those pictures. Talk to Joe after the meeting and he
22 can take those from you. And at the end of the aisle? No?
23 Okay. Across the aisle, fourth row.

24 MR. RON MOELKER: Ron Moelker, 1584 McClelland. I'm
25 right at the top of the hill above all this. I just want to

1 make comments on responsibility. When I heard Brian talk, he
2 talked 40 percent of the time about M-6 changing the world,
3 which they did. I can drive my four-wheeler through that
4 culvert. It's that big. But it's right in this (inaudible.)
5 That wasn't there. The natural resistance of that drain, as
6 the gentleman that talked about living there, always held that
7 water back and created a bathtub. So now it has no place to
8 go but down into that bathtub.

9 BOARD CHAIRMAN BILL CARGO: Okay.

10 MR. RON MOELKER: Ten percent of the time he talked
11 about the ditch, which I think we all know is in dire need.
12 The other 40 percent of the time he talked about the lakeshore
13 community, which is private, which has the problem with
14 sediment. A couple things you should know. Was there an
15 environmental study done to put that in? Yes, there was.
16 They mentioned this. Read the study.

17 The second thing is, the contractor redredged that
18 creek two times before he even finished the job. They knew
19 all along this was going to happen. He was back in there two
20 times -- I watched him do it -- cleaning out that creek mouth
21 as they developed to make this expensive community. It was
22 well-known by those contractors that this was going to happen.
23 This is not a surprise to the local people that live around
24 there.

25 Basically when you remove all that, they dewatered

1 for months. I can't tell you how many wells went down. Those
2 wells never came back. So the water level of all that was
3 lowered so much that everything else forced at a much higher
4 rate to go in that direction. Those wells and the folks that
5 are mentioning this, that water level is way down because that
6 lake was put in there. That affected our community greatly.

7 The folks that live around it that don't live on the
8 lake, again, I don't know how they're impacted as a part of
9 this. The lake people, that's private. It's a private lake.
10 I can't use that lake. They have a problem. They put houses
11 where the drain was. Upstream, M-6, they have a problem.
12 They fed tons of gallons of water down a big pipe down our
13 little drain.

14 BOARD CHAIRMAN BILL CARGO: Okay. And the
15 gentleman, next gentleman in the fourth row.

16 MR. BILL BROUWER: Bill Brouwer, B-r-o-u-w-e-r,
17 1814 Van Buren, but it should be 1790 because I'm east of
18 18th, that dead-end. You see that little peninsula? I'm
19 right across from that, so -- as far as do we have a problem?
20 When I bought in 1980, no, there's no problem because there's
21 no lake. And Ron mentioned it earlier. He said it all. It's
22 a private lake. We can't touch it. But is there a problem?
23 Yeah. Sure, there is a problem. It did water -- did lower
24 the water table immensely. We ran into problems ever since
25 they started digging the lake.

1 As far as the drain, does it benefit me? No,
2 because in 1990 when they redid the road, the drain
3 commissioner came to me and said, "We will not have to put a
4 ditch in by you." I said, "Okay, fine." They start on the
5 road and all of a sudden they come in with a grader and
6 they're digging a ditch on my side of the road. Because I'm
7 at the high point, he said I did not need a ditch. And it's
8 true. Every time it rains I have yet to see water in them
9 ditches because I flow both ways, to the west and to the
10 east.

11 So does this drain benefit me, only me? No. My
12 neighbor next door, yes. Yeah. Is there a problem? There
13 is. But since they did that ditch, I was upset at first, but
14 now I was thankful later because it kept the kids off the
15 road. But anyway, that's the situation I'm in. Does it
16 benefit me? No. It doesn't matter to me one way or another
17 because I have no water in the ditches by me, like I said.
18 But since the lake? Yeah, it is a problem, I guess.

19 BOARD CHAIRMAN BILL CARGO: Appreciate it.

20 MR. BILL BROUWER: Thank you.

21 BOARD CHAIRMAN BILL CARGO: Okay. The next
22 gentleman in the fourth row? And next to him in the blue? At
23 the end of the fourth row on my right-hand side.

24 MR. MICHAEL HANKINSON: Good morning. My name is
25 Michael Hankinson. I live at 1651 Jackson Street on the

1 gravel road that's been gravel forever. We owned a trail
2 horse from 1999 until 2014. I rode that circle between 196
3 and M-6 almost every day with that horse. When they built
4 M-6, it changed the drain program in our whole area there.
5 Everything south of 196 changed. We lost agricultural fields.
6 We had a sand hill out behind our property. It was actually
7 on my neighbor's property where cactus grew. That's totally
8 gone. The whole drainfield out there changed.

9 And so I personally think it's a lot of the M-6 and
10 also, you know, the development. I'm sitting on the top of a
11 hill. I think my elevation is about 700-and-something feet.
12 The drain is not going to affect me. But, again, the
13 development that came in down there, anybody that bought a
14 lot on that lake, and you can tell the lake gets bigger and
15 bigger, I don't see for somebody that's lived there since 1978
16 why all this came about recently.

17 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate it.
18 And I can't answer that question. And one thing I should
19 point out, though, is that if there is a project, if it's
20 determined that this is a necessary project, that something
21 needs to be done to correct a problem that I think most
22 everybody here has acknowledged, the drain commissioner will
23 be responsible to establish what, if any, assessments are
24 applied to different property owners depending on where they
25 live in the district. And so that's something that's a few

1 steps down the line, but I understand your concern and the
2 people who have spoken before you.

3 MR. MICHAEL HANKINSON: Thank you.

4 BOARD CHAIRMAN BILL CARGO: Okay. I'm going to go
5 to the next row, which would be the fifth row back on what is
6 my right.

7 MR. DENNIS SIKKEMA: Good morning. My name is
8 Dennis Sikkema, S-i-k-k-e-m-a, 2041 Cory Drive. I'm on
9 the board of directors for the West Georgetown Shores lake,
10 55 members. And we can see there's a problem there, too. I
11 live in the southeast corner and I can look where the water
12 discharges from the east lake into the west, which ultimately
13 ends up at 22nd and Edson. You can see a plume every time
14 it rains. So it's not only affecting the east lake, it's
15 affecting the west lake as well.

16 It does get through the drain culvert or the
17 connection -- connecting pipe. There was a barrier put in
18 there several years ago because when they pulled those cement
19 pipes probably about 14 years ago, I think it was about a
20 36-inch diameter pipe and about probably less than a foot was
21 open. The rest was completely filled with silt.

22 BOARD CHAIRMAN BILL CARGO: Okay.

23 MR. DENNIS SIKKEMA: And I know there's a barrier,
24 but it's probably going to happen again, so -- we of the west
25 lake do support it.

1 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate your
2 comments. And next to him? No? Okay. Go to the gentleman
3 with a cap.

4 MR. DAVE VICTORY: Dave Victory, 5952 Cory Point
5 Court. I have some photos I'd like to show you.

6 BOARD CHAIRMAN BILL CARGO: Sure. And what are
7 these photos of?

8 MR. DAVE VICTORY: Those photos were taken in 1981.
9 That is the corner of 22nd and Van Buren. And this was
10 prelake. And you can see the water is flowing ovetop of
11 Van Buren Street there.

12 BOARD CHAIRMAN BILL CARGO: Okay.

13 MR. DAVE VICTORY: And Mr. Schut's greenhouses are
14 inside that lake. So what I'm trying to -- my point is that
15 this was before the lake was there. Because our farm used to
16 be where the lake was.

17 BOARD CHAIRMAN BILL CARGO: Okay.

18 MR. DAVE VICTORY: And before that we had heavy
19 rains. Our farm and some of the Kiekover farms would flood,
20 would quickly flood. Since the lake has been dug, now the
21 pressure from the creek is gone so now -- in the five feet of
22 fall which was in the property there, so now it can come down
23 the creek that much faster. What I'm trying to show you in
24 those pictures is that water has been coming for years on the
25 other side of the expressway and it's going to get nothing but

1 worse as they develop it.

2 So you can build all the controls you want down in
3 front of Van Buren. You're never going to stop it unless you
4 slow that water down there and back the water up behind the
5 expressway so it does not release so fast. Because the speed
6 of the water is what's dumping all the garbage into the lake
7 so (inaudible). As you can see, that water was flowing
8 across -- actually, it was flowing through their house.
9 (Indicating) This was before the house was built.

10 UNIDENTIFIED SPEAKER: Yes.

11 UNIDENTIFIED SPEAKER: Ours, though, flooded.

12 BOARD CHAIRMAN BILL CARGO: I appreciate --
13 (Overlapping and inaudible discussion.)

14 MR. DAVE VICTORY: And Mr. Schut's flowers
15 were floating in the greenhouse that was there. That was
16 happening. I'm just showing you, there's a lot of water on
17 the other side of I-96 [sic]. And I do agree since M-6, I
18 think it got worse.

19 BOARD CHAIRMAN BILL CARGO: I appreciate it. Okay.
20 And who is the individual next to him in the end of the fifth
21 row there? Anybody on the aisle, would you like to speak?

22 MR. RAY PONSTEIN: Ray Ponstein, 1919 Barry Street.
23 I own the property right by Barry Street there.

24 MS. REPORTER: Can you speak up a little bit,
25 please?

1 MR. RAY PONSTEIN: Ray Ponstein. And this -- yeah,
2 it's a problem. It's always been a problem. But the problem
3 didn't arise until 96 got in. When you opened up 96, that
4 created that -- stopped the backflow of the water. Before
5 that, the ditch by my house was maybe six, maybe eight foot
6 deep. And when they put 96 in, the water -- like everybody
7 has said, the water just comes so fast that it's just taking
8 the water out. And right by my house now, the ditch is 12 to
9 15 foot deep.

10 BOARD CHAIRMAN BILL CARGO: Okay.

11 MR. RAY PONSTEIN: Ninety percent of the year,
12 there's not anything coming through the creek. It's only when
13 we have a rain event that anything comes through that creek.

14 BOARD CHAIRMAN BILL CARGO: Okay.

15 MR. RAY PONSTEIN: So it's like Mr. Victory said,
16 unless we do something to stop it before it gets past the
17 expressway, I don't see how anything that we do on this
18 north side of Barry Street is going to help without being
19 reconstructed every time we have a rain event.

20 BOARD CHAIRMAN BILL CARGO: Okay. Appreciate it.
21 Thank you. And going across the row, the fifth row back, any
22 comments?

23 MS. SHIRLEY KELLY: Shirley Kelly, 1643 East Shore
24 Court. We are on the corner of East Shore Court and 16th on
25 the lake. And what we've said about what happens off that

1 Van Buren drain is totally accurate. We've been there from
2 the right beginning when that lake opened up. But on our
3 corner, we have another big drain and I'm confused as to
4 whether or not that drain is connected to this. It's a big
5 drain -- I don't know -- 36 inches wide maybe. Do you know,
6 Joe, is this part of that drain system or --

7 WATER RESOURCES COMM. JOE BUSH: I do believe it,
8 yes.

9 MS. SHIRLEY KELLY: Okay. So --

10 BOARD CHAIRMAN BILL CARGO: It sits within the
11 drainage district so that would be part of the -- taking water
12 from some other part of the drainage district, yes.

13 MS. SHIRLEY KELLY: Okay. So now I really get
14 confused because we have a similar situation where the
15 sediment comes in and my husband has been trying to work with
16 it. He's put rocks in. Between us and the neighbors, we
17 tried different things to control that. But we have the same
18 sediment coming out and we have -- our beach is actually now
19 12 feet wider than when we bought the house because of the
20 sediment. It's gone out 12 feet past the drain.

21 And when we asked about that drain, we were told
22 that we needed to extend the drain. One of the options was
23 for us to extend that drain at our cost. So now I'm confused
24 as to why this drain is not part of this whole discussion
25 because you have the same sediment, you have the same issues

1 coming out, only we've always taken care of it ourselves.
2 We've never asked for anybody to come to look at it and say,
3 "What are our options here?" So is this going to be part of
4 the discussion now or are we just looking at this?

5 BOARD CHAIRMAN BILL CARGO: If it is part of the --
6 it is part of the drainage district. And so if you're having
7 a problem with that area, it will be now made part of the
8 official record and when they look at solutions to this as
9 deemed necessary, they should look at the drainage by your
10 house that's coming out and causing sedimentation, also. Is
11 that a fair summary, Joe?

12 WATER RESOURCES COMM. JOE BUSH: That's a fair
13 summary.

14 BOARD CHAIRMAN BILL CARGO: Okay. Thank you.

15 MS. SHIRLEY KELLY: So it got missed in the
16 engineering evaluation --

17 MS. REPORTER: I can't hear you very well.

18 MS. SHIRLEY KELLY: So it got missed in the first --

19 WATER RESOURCES COMM. JOE BUSH: If we didn't know
20 about it, we would have never heard it. We wouldn't have put
21 it in the study.

22 BOARD CHAIRMAN BILL CARGO: It was not part of the
23 study, but that doesn't mean that it cannot be looked at at
24 this time.

25 WATER RESOURCES COMM. JOE BUSH: Correct.

1 MS. SHIRLEY KELLY: Okay. So please ask for the
2 study. And then just for giggles and grins, when we moved on
3 the lake, the lake was about -- my husband has a depth finder
4 on the boat. So it was 22 feet when we moved there 15 years
5 ago, 16 years ago, and it's now 17 feet in 15 years. Just for
6 a headsup. That number didn't come up anyplace on the overall
7 effect on the lake. But 5 feet in 15 years. That's quite a
8 bit. Thank you.

9 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate it.
10 Okay. The gentleman with the cap in the fifth row.

11 MR. KURT VAN OVERLOOP: Good morning. Kurt
12 VanOverloop, V-a-n-O-v-e-r-l-o-o-p, 1900 Jackson. I'm
13 actually -- I live in Jamestown Township. Jackson is the
14 dividing line between Georgetown Township and Jamestown
15 Township. I have a lot of valleys and hills in my backyard
16 and I agree with Mr. Ponstein. A lot of that sediment comes
17 from my property, goes underneath Jackson and underneath 196.

18 And in the last six years, we've had some very big
19 rains and my hayfield absolutely fills up with water, has got
20 to go underneath a culvert on Jackson and it gets backed up,
21 you know, pretty decently. There's a cornfield there, but, I
22 mean, we get flooding. In the last few years, I would say in
23 the last six years, we've had it probably four times where all
24 that sediment ends up in Georgetown Lake. So anyway, that's
25 all I've got to say.

1 BOARD CHAIRMAN BILL CARGO: Okay. Thank you.

2 MR. KURT VAN OVERLOOP: You bet.

3 BOARD CHAIRMAN BILL CARGO: Then I'm going to go to
4 the very back row. That gentleman? Okay. Across the aisle,
5 over to this side, the very back row.

6 MR. LARRY LUCIANI: Larry Luciani, L-u-c-i-a-n-i.
7 Good morning. Thank you for your time today. I live at
8 5790 Nelson Drive on the Georgetown Shores lake. Sediment is
9 an issue. I'd like to see a solution to the problem, but a
10 long-term solution, not something temporary that has to be
11 fixed every time we have a large heavy rain. Thank you.

12 BOARD CHAIRMAN BILL CARGO: I missed the individual
13 -- okay. No comment there. Okay. Next, the back row and the
14 very last person, the very end. Okay. Is there anybody else
15 in the room who has not had an opportunity to speak? In that
16 case, I'm going to close the public comment portion of this
17 hearing and we're going to begin to take some -- have a
18 conversation among ourselves in front of you, of course, about
19 whether there is an issue here that should be addressed by the
20 Ottawa County Water Resources Commissioner. Anybody want to
21 volunteer to go first with their questions or with their
22 comments? Ron, do you have anything you'd like to say?

23 BOARD MEMBER RON BRINK: Well, obviously, they have
24 a problem. I think some of the comments I'm hearing because
25 of the history involved is MDOT, M-6, and that seems to be a

1 large contributor to what the problem is.

2 BOARD CHAIRMAN BILL CARGO: Yes.

3 BOARD MEMBER RON BRINK: From what I'm hearing.

4 What else have I written down here? Long-term solution. I
5 agree with that. They definitely have a problem.

6 BOARD CHAIRMAN BILL CARGO: Okay. Glenn, anything
7 you'd like to add?

8 BOARD SECRETARY GLENN NYKAMP: I agree. It's not
9 just one issue that seems to be a problem here. There's a
10 number of issues. The lake has issues. The people that
11 live away from the lake have issues, but I agree with Ron that
12 basically it's because of the highway that came through there
13 and it's going to take probably quite a bit of effort and work
14 to try to take care of everything that did happen. But it
15 sounds like that's probably where it's going to have to go
16 sooner or later.

17 BOARD CHAIRMAN BILL CARGO: I tend to agree that
18 there is an obvious issue and problem that needs to be
19 addressed by the water resources commissioner, although it's
20 not our decision at this meeting. And one thing I did want
21 to get on the record was I would encourage the property on
22 the other side of the highway that's not part of the Ottawa
23 County drainage district now, it's an orphan drain from what I
24 understand, that that should be brought into the system. It's
25 difficult for you to assess or to address all of the problems

1 if you can't have it part of the overall solution. And being
2 an orphan drain means you can't spend public moneys on that
3 area.

4 Now, much of it is owned by MDOT, I understand that,
5 or is under MDOT's control, but when you just took a look at
6 that loop that goes all the way from one side all the way
7 across and across again the highways, there seems to be a
8 need to extend this drainage district to correspond with the
9 boundaries that exist, the red boundaries that we talked about
10 earlier today. And so I would encourage Georgetown Township
11 or the residents to send a petition to the water resources
12 commissioner to include this orphan drain into the system
13 so that they can be assessed and they can be part of the
14 solution. Would you have any objections to that, Joe, or am I
15 missing something?

16 WATER RESOURCES COMM. JOE BUSH: No. I think
17 you're right on-track. Brian and I looked at that already.
18 So, yeah, we want to add a branch to bring MDOT into it.

19 BOARD CHAIRMAN BILL CARGO: I think that's
20 necessary. Everybody agrees that MDOT is part of the problem,
21 but right now there's not a mechanism to make them part of
22 the solution with regard to the orphan drain portion of this
23 problem. So I'm also in agreement that this is necessary and
24 so you can have -- I'm sorry. I'm going to open the public
25 hearing for a moment because I forgot to take the written

1 comments. So unless there's objection to me --

2 BOARD MEMBER RON BRINK: I have one more thing to
3 add here, okay --

4 BOARD CHAIRMAN BILL CARGO: Okay.

5 BOARD MEMBER RON BRINK: -- on our part. Everybody
6 seems to think this has got to be a long-term solution. This
7 can't be something, dig the ditch out, clear it out and it
8 will be okay.

9 BOARD CHAIRMAN BILL CARGO: Yes.

10 BOARD MEMBER RON BRINK: Just for the record, okay?

11 BOARD CHAIRMAN BILL CARGO: And I agree with you.

12 So I'm going to, for the purposes of taking written comments,
13 open the public hearing again. And, Glenn, you had an e-mail
14 from somebody?

15 BOARD SECRETARY GLENN NYKAMP: Correct. This
16 came from Ken Bergwerff from Jamestown Township and he's
17 saying that, "While I was not able to attend the board of
18 determination meeting, I'm in support of it. If you need
19 an official letter to that effect, please let me know." So
20 this is -- the township supervisor from Jamestown is also in
21 accordance with everybody else. We need to fix the problem,
22 so --

23 BOARD CHAIRMAN BILL CARGO: And we have no other
24 written comments, correct?

25 BOARD SECRETARY GLENN NYKAMP: No, that's it.

1 BOARD CHAIRMAN BILL CARGO: So, again, I'm going to
2 close the public comment portion of this hearing since we've
3 taken all the written comments, also. Glenn, thank you for
4 reminding me of that. And that said, I think that I'm going
5 to make a motion that the drain is deemed necessary. In other
6 words, there is a problem that should be addressed. Do I have
7 support for that motion?

8 BOARD MEMBER RON BRINK: Yes, supported.

9 BOARD CHAIRMAN BILL CARGO: So the motion has been
10 made by Cargo and supported by Brink that the drain is deemed
11 necessary. Any other questions or comments on the motion?

12 BOARD SECRETARY GLENN NYKAMP: No.

13 BOARD CHAIRMAN BILL CARGO: Then all in favor say
14 aye. Aye.

15 BOARD MEMBER RON BRINK: Aye.

16 BOARD SECRETARY GLENN NYKAMP: Aye.

17 BOARD CHAIRMAN BILL CARGO: Opposed? And so that
18 motion carries. Now, as I had talked to the public earlier,
19 there's going to be some follow-up motions. One of them is
20 I'm going to make a motion that the drain is deemed necessary
21 for the protection of the public health in both Georgetown and
22 Jamestown Charter Townships and that a portion of the cost
23 shall be apportioned to the municipalities at large. In other
24 words, we are saying that they are also responsible. Do I
25 have support for that motion?

1 BOARD SECRETARY GLENN NYKAMP: I'll support that.

2 BOARD CHAIRMAN BILL CARGO: So the motion was made
3 and supported. Motion by Cargo, supported by Nykamp. Any
4 discussion on that?

5 BOARD SECRETARY GLENN NYKAMP: No.

6 BOARD CHAIRMAN BILL CARGO: All in favor say aye?

7 BOARD MEMBER RON BRINK: Aye.

8 BOARD SECRETARY GLENN NYKAMP: Aye.

9 BOARD CHAIRMAN BILL CARGO: Aye. And so that is
10 also approved. And, finally, I'm going to make a motion that
11 the drainage district boundary be adjusted as necessary and
12 lands be added and deleted as determined by the water
13 resources commissioner as recommended by the engineer. This
14 allows for some adjustments to be made to the boundaries to
15 make sure that everybody is involved in this. Do I have
16 support for my motion?

17 BOARD SECRETARY GLENN NYKAMP: Support.

18 BOARD MEMBER RON BRINK: Support.

19 BOARD CHAIRMAN BILL CARGO: Since you guys said it
20 simultaneously, I'm going to give that support to Brink over
21 here, Ron. So motion has been made and supported. Is there
22 any questions or comments from the board members on this?
23 None? So all in favor say aye?

24 BOARD MEMBER RON BRINK: Aye.

25 BOARD SECRETARY GLENN NYKAMP: Aye.

1 BOARD CHAIRMAN BILL CARGO: Aye. And at that stage
2 that motion is also approved even without objection. At this
3 stage I'm going to ask for the water resources commissioner to
4 speak briefly on the appeal process and also make your closing
5 comments. Joe, do you want to make some comments?

6 WATER RESOURCES COMM. JOE BUSH: Yeah. So the
7 appeal process on the agenda, what that means is, you know, we
8 have a project and then there's a cost that comes out and you
9 don't think the cost is fair or equitable, then you can appeal
10 the process. And that's down the road. That's not in the
11 near future. But just letting you know that you can appeal
12 your assessment down the road. We don't know what that is
13 right now. That's all in drain code.

14 You can go to miottawa.org. If you don't know what
15 drain code is, there's a link on there. You can -- for your
16 reading entertainment, it's a book about maybe that thick and
17 that's State law. That's what I go by. So that's just the
18 appeal process. Now, I just want to make it clear and for the
19 record that I did approach MDOT because I knew that to be part
20 of the problem. If I didn't do the study before this hearing,
21 you all would have looked at me and said, "Well, why didn't
22 you do a study before we had the hearing for MDOT?"

23 So MDOT did pay for that. There was no cost to the
24 township or the county or the township or road commission.
25 MDOT funded that a hundred percent and had me hire ENG to get

1 some of the facts out there. And MDOT has stepped up to the
2 plate and they are going to be sharing the cost. And what
3 that is right now, we don't have a project, but I think
4 they're willing to contribute quite a bit of the cost because
5 they know they are part of the problem.

6 When it gets to the lake people -- I've been hearing
7 this, right? You've got the lake people and you've got the
8 nonlake people. And it's the lake people -- you know, yeah,
9 it is private, but they have cleaned it out. They spent
10 \$50,000-plus a couple years ago and had it cleaned out.
11 Nobody got charged for that except for people on the lake.

12 Are they looking for a free clean-out? I don't
13 think that's what they're looking for. I think what they're
14 looking for is some kind of a solution to say there's a
15 problem. "If we go and clean this and clean it out again,
16 Joe, are we back in two years again cleaning it out again?"
17 So I think they're willing to work with me on figuring out how
18 do we fix the problem upstream.

19 UNIDENTIFIED SPEAKER: We agree with that.

20 WATER RESOURCES COMM. JOE BUSH: What's that?

21 UNIDENTIFIED SPEAKER: We agree with that.

22 WATER RESOURCES COMM. JOE BUSH: So it's not like
23 the lake people want a free clean-up. That's what I'm
24 hearing. So on my end, I have to deal with the whole
25 district. I just don't deal with one or the other. I deal

1 with the whole community and I've got over 900 county drains,
2 almost a thousand now. So I've got a lot of maintenance to do
3 on all these issues.

4 And I've heard some people say, "Well, it's not my
5 problem" or -- you know, I'd love to speak to you and make
6 sure you should be in the drain district because maybe there's
7 errors that we make. The engineers could reevaluate that.
8 That's why the last motion whether or not you're (inaudible.)
9 If you feel that you shouldn't be a part of it or your land
10 doesn't drain to it, then I'm more than happy to have that
11 discussion with the engineer. If you're not in it, you're not
12 in it. There is -- there is errors.

13 BOARD CHAIRMAN BILL CARGO: And, Joe, just as a
14 final comment to bring this to a close, Jerry, from the road
15 commission, Jerry, did you have any other thing -- I came to
16 you earlier, but the road commission hasn't actually given any
17 official position on this. Do you have any questions or
18 comments?

19 MR. JERRY OLMAN: Well, it just looks to me like
20 there is a couple of different issues with the drain and we
21 would be in favor of something, some kind of a solution.

22 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate
23 that.

24 WATER RESOURCES COMM. JOE BUSH: So I will follow
25 up quickly with the assessment portion of it, whatever MDOT

1 covers, which I think will be a big amount, and then it will
2 be the county, the road commission, the township, Jamestown
3 Township. When I say township, Jamestown is part of this,
4 too, and he has agreed to be in favor of it, and Georgetown
5 Township as well.

6 So there's a lot of people, a lot of players in this
7 working together to try to come up with a solution. Because I
8 don't want it to be a temporary and come back to you people in
9 five years and go, "Well, that didn't work." Because we know
10 what we put in there, it did not work. And we know that
11 there's an issue. So, anyway, feel free to see me afterwards
12 and then we can go ahead and finish up.

13 BOARD SECRETARY GLENN NYKAMP: Motion to adjourn.

14 BOARD CHAIRMAN BILL CARGO: We have a motion to
15 adjourn. Is there support?

16 BOARD MEMBER RON BRINK: Support.

17 BOARD CHAIRMAN BILL CARGO: There always is for this
18 motion. So all in favor say aye?

19 BOARD SECRETARY GLENN NYKAMP: Aye.

20 BOARD MEMBER RON BRINK: Aye.

21 BOARD CHAIRMAN BILL CARGO: And we are adjourned at
22 this time.

23 (Meeting adjourned at 11:35 a.m.)

24 * * *

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