STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
ENVIRONMENTAL STEWARDSHIP DIVISION

IN THE MATTER OF:
ALLEGAN AND OTTAWA COUNTY DRAINAGE
VIRGINIA PARK PINE HOLLOW BRANCH
INTERCOUNTY DRAIN
___________________________________/

HEARING TO DETERMINE NECESSITY

Public Hearing on the 23rd day of March, 2011, at the
Laketown Township Hall, A-4338 Beeline Road, Holland, Michigan
49423 at 8:06 p.m.

APPEARANCES

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ALSO PRESENT: Arne Larson, P.E., Driesenga & Associates

Recorded By: Bonnie L. Rozema, CLVS, CER-5571
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EXHIBITS:

Notice of Meeting of Board of Determination
Agenda
Attendance Sheets
Speaker Cards
Resolution
Petition
Description
Map
Holland, Michigan
Wednesday, March 23, 2011 - 8:06 p.m.

PROCEEDINGS

MR. GREGG: Let's call to order then the Virginia Park Intercounty Drain drainage board. And I have prepared an agenda. This one is a yellow one, sort of bright yellow. They were available at the back table, if you need one we can get an additional agenda to you. We do have speaker cards that we will be using for the purposes of the public comment period, so if you have one, please get that to Mr. Harrington or Mr. Pomp.

And speaking of which, let's do introductions. My name is Mike Gregg, I'm with the Michigan Department of Agriculture and Rural Development. I represent the director of the department, Mr. Keith Creagh. The Michigan Drain Code requires the director of agriculture to serve as the chairperson of all intercounty drains, and this drain involves the counties of Allegan and Ottawa County.

On my right, your left, is Ms. Becky Rininger, the Allegan County Drain Commissioner, and my left, your right, Mr. Paul Geerlings, the Ottawa County Drain Commissioner. The three of us are the drainage board for the Virginia Park Intercounty Drain, and as such, we operate by majority vote, and the first item of action, commissioners, is to elect a secretary.
MS. RININGER: I move that Ottawa County be secretary.

MR. GEERLINGS: I'll support that.

MR. GREGG: Motion has been made and supported for Allegan County -- or Ottawa County to serve as secretary. Those in favor state "aye."

MR. GEERLINGS: Aye.

MS. RININGER: Aye.

MR. GREGG: And Paul, would you like to introduce your staff?

MR. GEERLINGS: Yes, I have Teresa Conrad from the Ottawa County Drain Office staff here to assist me tonight.

MR. GREGG: Very well. And Becky?

MS. RININGER: With me I have Glenn Pomp, Allegan County Civil Engineer, and also the Laketown Township Manager, Al Meshkin.

MR. GREGG: Very well. And also with us tonight, Brady Harrington from the Department of Agriculture on my staff, and Arne Larsen and Becky Page from Driesenga & Associates.

The petition that we are here to consider with this meeting, and for those of you who have sat through the two previous ones, my apologies for having to listen to me again, but we are required to keep a separate record and
proceedings for each of these procedural steps, and this one concerns a petition that was submitted by property owners for improvements to drainage in the Pine Hollow Subdivision area, and this petition was submitted back in 2009 and actually received by the Allegan County Drain Commissioner on May 13th, 2009. I am going to read that petition, to enter that into the record, and then explain the procedure that we would be able to undertake tonight. There is on the back of the agenda a written description, a brief one, of the process as well.

But first the petition that actually initiated this proceedings and gives jurisdiction to the drainage board to undertake this meeting.

It is, "To the County Drain Commissioner of the County of Allegan. The following petitioners hereby petition for the cleaning out, relocating, widening, deepening, straightening, tiling, extending, relocating along a highway or requires structures or mechanical devices that will properly purify or improve the flow of the drain or pumping equipment necessary to assist or relieve the flow of the drain, or needs supplementing by the construction of one or more relief drains which may consist of new drains or extensions, enlargements, or connections to existing drains, or needs one or more branches added thereto, as may be required for the
maintenance and improvement of the drain known and
designated as the Virginia Park Intercounty Drain, located
and established in the Townships of Laketown and Park and
the Counties of Allegan and Ottawa, and State of Michigan.

Your petitioners respectfully declare that they
constitute a number of freeholders in said drainage
district whose lands would be liable to an assessment for
benefits equal to or greater than fifty percent of the
number of freeholders whose lands would be traversed by the
drain petitioned for, or abut on the part of any highway,
between the point where said drain enters such highway and
the point where it leaves such highway or street.

Your petitioners further show that said drain
needs one or more of the following: Cleaning out,
widening, deepening, straightening, tiling, extending,
relocating along a highway, requires structures or
mechanical devices that will properly purify or improve the
flow of the drain, or pumping equipment necessary to assist
or relieve the flow of the drain, or needs supplementing by
the construction of one or more relief drains which may
consist of new drains or extensions, enlargements or
connections to existing drains, or needs one or more
branches added thereto, commencing approximately at:" And
this is starting with the reference "starting at the angle
point of the existing Virginia Park Intercounty Drain
located just southwest of Ottogan Street and 64th Street in Allegan County, then proceeding in a southerly direction following an existing watercourse that's westerly along the south edge of Pine Hollow Subdivision and extending to an upper terminus at: Just south of the southwest corner of Lot 8 of Pine Hollow Subdivision, Section 3, Laketown Township, Allegan County."

That petition was signed by eight property owners and was determined to be valid and sufficient to convey jurisdiction for these proceedings.

Just a note about all of the cleaning out, widening, deepening, straightening language. Those are required by statute to be in this petition, but they are not a command that we shall do all of those, but merely an outline of the possible remedies that an engineer could consider to address the problems of the petitioners.

We held the first public meeting regarding that petition back in July, actually July 30th of 2009 here in this township hall, and at that time received testimony from property owners and affected interests by the County Road Commission too, I believe, at the time, and determined that there were indeed problems that were possible to address by this petition, that there was support and evidence of a significant number of drainage issues that were desired to be addressed with engineering analysis and
recommendations for improvement.

This drainage board, in response to that petition and that determination, employed the engineering consulting firm of Driesenga & Associates and have met, I'm going to guess six or eight times, perhaps, in that intervening time, maybe more, to interact with Driesenga and the various options and information that they were able to derive by survey and investigations and engineering analysis which we will present here very shortly.

We are at a point tonight where we believe we have sufficient information to make a decision one way or another, is it necessary or not necessary. Part of that investigation revealed that the outlet conditions of the main Virginia Park Drain were not adequate to accept the flows of a new Branch Drain to serve the Pine Hollow subdivision area. When that was determined, we held a public information meeting again here in this hall back in June, end of June I believe it was, of last year.

MS. RININGER: Uh-huh.

MR. GREGG: Sent notice out to all of the property owners in the area, and explained at that time that the petition we had for the Branch Drain for Pine Hollow Subdivision was not sufficient to give us jurisdiction to undertake the improvements to the main drain, and that we would need to have a new and separate
petition for the main drain. That petition was forthcoming
by resolution of the Laketown Township board in December,
and for those of you who have been present since four
o'clock this afternoon, we have determined that petition
both practical and necessary to construct those
improvements to the main Virginia Park Drain.

Having made that determination, it is now
possible to consider improvements to the Pine Hollow
Subdivision branch, or however we may ultimately call it,
and that brings us to this meeting and the decision before
us at this time, is it necessary or not necessary to
construct those Pine Hollow Branch improvements.

As was discussed in the previous petition, we
will be required in this case, because this is a new drain,
to acquire new easements in those portions of the drain
that may be located on private property. Mr. Larsen will
explain potential route and courses here momentarily, and
to the extent that those would exist in county road
right-of-way, easements may not be required for those
sections, but if there are private properties affected, we
will be required to obtain those easements, and that would
be the next step after a decision of necessity tonight. If
it's determined not necessary, obviously we will go no
further with that, but I'm making, for the sake of
presentation here, so that you understand the procedure,
that that easement requirement step is going to be one that
could be time consuming.

In the meantime, final engineering design will
also occur, and once the easements are secured for the land
route and course, the drainage board will undertake a bid
letting process to advertise and receive sealed bid
proposals from contractors to actually construct the drain.
At that time the lowest responsible bidder will reveal the
true cost of the construction.

Arne, I believe you are prepared with a
construction cost estimate this evening, but it is just an
engineer's estimate of cost at this time.

Once the true cost of the construction is known,
the drainage board adds the costs of the proceedings for
legal and publication, for engineering, and a grand total
project cost is derived and summarized in a computation of
cost. One of the considerations that the drainage board
must make before we proceed with the assessments is an
apportionment between the counties, and that will apportion
certain percentages to each County of the total project
cost. Each drain commissioner then is responsible for
levying the special assessments to the property owners and
public corporations in their jurisdiction. That is not a
drainage board activity.

Once those assessments are considered at a day
of review of apportionments where you receive notice and have the opportunity to communicate with your drain commissioner as to the amount and the method that it was determined by, and if there is a disagreement with the commissioner, you have the right to appeal their determination in the probate court in the county in which you reside.

So it's not until that point in the process. It's really the end of the process that you actually know what the individual special assessment would be. The drainage board does have the ability to finance these costs with tax exempt notes or bonds, and with that goes the opportunity to apportion those costs over multiple years to reduce the annual impact financially to both property owners and public corporations. Once that financing has been secured, then the contractor would be authorized to proceed with the actual construction, and once the construction is completed, this board will retain jurisdiction for the future maintenance and operation of the system, and probably in this case a system that would, should have, according to the design approach that is being recommended, a long service life, so this is hopefully a decision that will result if we do decide to construct some improvements in a system that will have lasting service and benefit.
But that's the decision tonight, do we or don't we, should we or shouldn't we construct these improvements.

And so with that may be enough about the process and procedure. Paul, Becky, any additional comments?

MS. RININGER: No. I think you explained it good.

MR. GREGG: Let's move on then to Mr. Larsen for a presentation.

MR. LARSEN: All right. Here we are, we've been presenting them just for a while today, but also previously a number of times, and I appreciate your patience. I'm just the engineer, but we normally get calls from the residents, want updates and whatnot, but we've been trying to stay involved with this project. And since the summer of 2009 we've had a chance to investigate a lot of matters, and in the end we found out it wasn't as easy of a fix as we thought it would be since we first got involved with this Branch Drain project here.

So Pine Hollow Street, you guys are all very familiar where it is on the left-and side of the sheet here, or the screen, but it's an issue that we observed from the south, this wooded area here. There's a lot of saturation of the soils, there's ponds to the east, there's ponds to the west. This red line represents what would be a ridge, a divide. And as the waters come from the south
off the field into the woods, and also the waters in the woods, in 2008, 2009 when we had so much precipitation, there was an abundance of runoff that made its way to the north. So as we started to look at that, and here's that northerly point, and here is that cul-de-sac for Pine Hollow, we saw that the waters are trying to get out onto the street. The street wasn't there to take the waters on. What happens is this area back in here kind of becomes a trapped drainage area. Water is actually coming out of the street, out of these ditches that were established as a way to keep water moving.

There is some storm sewer on the east side of Pine Hollow. You can see right here is a catch basin, and this would be the magenta is the east storm piping network that turns north right in this vicinity, but also has a leg that comes down Pine Hollow. But we know the east piping network system has its own capacity issues, and the waters that are coming from the south and route through here, they have nowhere to go, there is a ridge on the east side, and it becomes a bathtub. The soils are pretty sandy, and for years it functioned as an infiltration basin, I imagine. I didn't investigate it back then, but the way the designs were prepared kind of leads you to believe that there wasn't a lot of concern about water just infiltrating in the ground there. When houses get built, things get
changed a little bit, but for the most part the waters that
would come from the south, they were trapped back here.

So that's what we were really charged with was
what's the best way to get an outlet to that area.

These are the woods to the south. As you can
see, there is a lot of moisture, a lot of debris. There's
not a ditch, there's not a channel, but they are saturated,
and so when the waters come in from the south, they hit
that area, they fall out of the bowl of water to the north,
and it doesn't take long for it to pass through this once
they're all become a standing pond, per se.

So that was something I think that made this
problem become more apparent in 2009, and what you're
seeing today is that the ground water is likely to be
higher now than it was maybe in the 90s or in the early
2000s.

On the east side of the culvert or the
cul-de-sac here this roadside ditch, Pine Hollow was
designed to have roadside ditches along both sides of the
street. You could see the soils are somewhat sandy, good
topsoil there. This is actually an open lot on the north
side, northeast quadrant of this cul-de-sac, and the house
that has a driveway right here, there's actually a furrow
of gravel in here. And what was happening is the water was
coming from the south and it was getting towards this
roadside ditch. It wasn't being contained in the ditch because the ditch couldn't take the water away, and so it was actually spilling out across there. And so somebody made a gravel furrow, and I don't know if that was the Road Commission or if it was a private property.

AUDIENCE MEMBER: It was private property.

MR. LARSEN: So somebody was trying to contain this water through the street, because when we have drainage problems we like to use the streets for conveyance of water. So here is the north end of that ditch, this is a driveway, and this driveway actually slopes downward. There's a 12 inch culvert here, this is enclosed pipe here. We didn't see a whole lot of evidence of roadside ditches on the west side, and the systems on the east side aren't, I'd say they're undersized, and so they do stand in need to have some improvement.

This is looking back to the south now and you can see the waters, you know, obviously there's probably sump pump discharge to see the grass bent over on a sunny day like that and the roads being dry, so there is a ground water being pumped possibly to this area, but this east of the roadside ditch isn't capable of taking all the water from the south down the street.

And once it gets down towards some of these other driveways on the east side, there's some culverts
under those driveways, but water's just not getting through there. And with that low undeveloped lot right here and this driveway on the south side of that lot, there's a -- you can see it better right here actually, it's got a horse-shaped driveway, and then there's a spot right here it goes down. There's a, if this cul-de-sac floods, it will come down that driveway and get into this area.

It also comes through here. This house actually sits pretty high, and there is a definite ridge along the east side. So our first concept was we know there's water from the south that we want to try and intercept, so one of the recurring ideas that you'll see here is off the end of the cul-de-sac, I'd like to put a linear swale on the south side of this last lot on the east side to basically intercept that water from the south, collect it, put it in a shallow swale, and then let's look at how we can get that water through this area.

So originally, before we became aware of all of the issues on Pine -- or on the Virginia Park main drain, it was let's run along the common line here. It's kind of low, people are having problems, maybe they'll work with us on giving us easements and we can prepare drainage soil right through the problem area and tie it right into the Virginia Park Drain, the east piping network.

But then as you know, we discovered there's
issues there with its outlet, so he said, well, that's not

going to be a viable solution.

MR. GREGG: Arne, is that what the petition

language basically said was that route there?

MR. LARSEN: No the petition language actually I

think went along the waterway.

MR. GREGG: Oh.

MR. LARSEN: So the original petition was signed

I believe by these property owners here.

AUDIENCE MEMBER: Yes.

MR. LARSEN: On the west side of 64th.

AUDIENCE MEMBER: Yes.

MR. LARSEN: And it was --

AUDIENCE MEMBER: The east side.

AUDIENCE MEMBER: East side or --

AUDIENCE MEMBER: No, west side of 64th, east

side of Pine Hollow.

AUDIENCE MEMBER: The west side of 64th.

MR. LARSEN: Yeah. And that was kind of this

concept. Before we had all the issues identified in

Virginia Park we had another idea was let's do a backyard

collection system here, let's do a storm sewer through this

berm. This is all wooded in here and there's a ridge, a

natural ridge in there, and by taking a pipe through here,

this is actually a waterway of the east side there, and
there's a couple of culverts under the driveways, and that flows pretty good. I haven't really witnessed it in a really significant rainfall, but when you're out there on a good day, you know, there's a good flow of water and there's actually a little waterfall, a little erosion occurring in this vicinity here.

So the idea of taking water out of the south and run it through there, that was a -- we thought would be a good scenario since there's a waterway there, and then we could still get relief to the backyards.

Well, as you know, we discovered there's issues on the east piping network, so he said, well, that's probably not a good solution because it adds insult to injury over in that area, so let's see what else we have for an idea.

One of our earlier options was take a catch basin out of the east side of Pine Hollow, and instead of going along this waterway to the east, let's still do this interception of water on the south end, there's water main up the east side of Pine Hollow, so storm sewer, we said well, let's go ahead and develop a storm sewer on the west side of the street because of the water, but also because of there's some storm sewer roadside ditching in there right now as some of the property owners have tried to preserve that. So I said well, if this -- if we've lost
that roadside ditching or roadside drainage path on the west side, maybe this is a good opportunity to reinstate that.

By doing this, you know, we looked at east piping network which comes across down Ottogan, 32nd, and then turns north right there. We didn't want to go in this leg right here, but we thought if we put this in deep enough, large enough, and connect up at that junction point there, we can get into the system. But there also it added water to the east piping, so we said, well, it's probably not going to be the best situation.

Then we went one step further and we said, okay, so we have problems in this area here on Pine Hollow. This leg of this east leg was built ten years ago, it's in good condition, there's some size limitations there, so maybe what we should do is look at taking this contribution and let's go down Ottogan, and let's go down Holland Avenue, and get into the drain where it's an open waterway. And this is all south of the interurban culvert.

This actually, over the course of time, became our preferred option. And the reason I liked this one the most is it still, you know, it has its linear interception of this sheet flow of water. By doing this I hoped to take some of this contribution out from this east waterway and lighten the load on the east piping network. We know the
residents here have many issues with sump pumps, people building berms and structures and what-have-you trying to keep the flood waters at bay. So by putting storm sewer down into this area here, we do get some long-term relief by draining that area.

The storm sewer, by running along Ottogan and up towards Holland Avenue, I'm not aware of any significant issues over here from a drainage standpoint during storms, so we have not designed it for contribution along that route, but like I said earlier, if sump pumps were to connect, that's probably not going to hurt it, it's probably not a bad idea.

But when we've looked at our evaluation of what storm threshold can we provide relief to, there's some limitations in the drain itself, and it's not so much what can it handle downstream by the way of pulling a restrictive plate out, but it's more of it has to really deepen the drain, the Virginia Park Drain, to get better slope on the pipes through here, because you've got limitations on a low elevation in the backyard here to an outletting elevation in the drain.

So we struggled with that and we said okay, how do we get the most amount of relief to that area. And by going with 18 inch, 24 inch diameter pipes, we can get that ten year protection. We put it in our studies that we
would recommend a backflow preventer in this area here or up in this structure, so if there is surcharging from the south, it doesn't add additional waters to this area here.

I'll jump ahead to the next slide. This was actually a cheaper option and, you know, we estimated this one here and the one previously to be about $250,000 to build. This one here is about $50,000 less, and you can do that because you're not in the road so much here. Now from this catch basin northerly, it's still very -- it looks very much the same. But the reason I guess we're not recommending this route even though it's cheaper, is you're taking your waters from the south and you're routing them right through the problem area, and you've lost that opportunity to keep the waters up near the street, on the street, moving along in that corridor, and you've brought them into this area here that could surcharge.

With the other option you had the opportunity for a check valve, a backflow preventer, with this one here, all those waters would be running into these backyards, and it becomes more of an issue, you'll see some of that ponding occurring more readily.

So this was the option that we kind of concluded our studies with and said, you know, it does cost a little bit more, but it's the best value from what we estimated it to be for the problems that they're receiving there right
now. And like we said earlier, with the soils here being sandy, there's many years where it functions well as an infiltration system, and it's a matter of how much money do you put to an infrastructure project to make it so it handles each and every storm that you incur. So it's a balance act, because these projects are funded by public and private, and when we were looking at, you know, the fact that it does infiltrate, and during the periods of real wet years and you've got a lot of precipitation, that water could have that draw, that constant draw from that area, by the way of the storm systems that would be back in here. And the pipes would be probably three feet below the ground in the backyard as we've surveyed that area.

So we can get some long-term relief, we can by the way of having the pipe there, obviously when it rains right now it ponds. So with having the pipe there, you've got an area for that ponded water to outlet into.

So in their earlier discussion, their earlier meetings, we knew that there is debris, there's some maintenance that ought to be done on the main drain north of Vans Boulevard, and by doing that, you know, that would improve the amount of waters that we can put into the Virginia Park. The interurban culverts just upstream of this discharge point, by pulling that restrictor plate, you still pass more waters on through.
Increasing the pipes underneath South Shore Drive, that does benefit the Road Commission, it does benefit some of the property owners there I know for sure, and so by adding waters to that drain, it's a good opportunity to fix that, to remedy that situation.

And then the east piping system, to give that some more relief would help that. So we've got an opportunity to, you know, once you take care of all those elements above, you know, our hopes are you get rid of the pond in the back of Pine Hollow on the east side there.

Now by the way of our calculations, and we try to be conservative in our calculations, we're coming up with this is a ten year event that we can provide protection to. Groundwater has a big influence on those calculations, time of concentration has a big influence on those calculations as well, but by the way of our evaluations, we see that you would be getting a long-term benefit, you would have relief for up to the ten year storm, in the event things are flowing quite rapidly through this area and there's saturation. So we're being conservative, but aside from changing the real nature of the drain north of Vans Boulevard, it seems to be the best balance that we were able to come up with.

That's all I have.

MR. GREGG: All right. Commissioners, any
questions of Arne?

MR. GEERLINGS: No.

MR. GREGG: Good job.

MS. RININGER: Uh-huh.

MR. GREGG: I think that lays it out --

MS. RININGER: Uh-huh.

MR. GREGG: -- better than I remembered, actually. Sometimes when we were going back and forth with the alternative designs there so much that I like that idea of the backflow preventer, and would you envision that portion of the east side of the lots on Pine Hollow, that area there being like a perforated pipe or some way to really draw that groundwater down some?

MR. LARSEN: That's a good idea. We definitely could put that into the program. And since it is kind of a, you basically have an opportunity to put a French drain in the bottom of a retention basin, it's a good idea.

MS. RININGER: Yes.

MR. LARSEN: So we'll build that into it.

MS. RININGER: Um-hmm.

MR. GEERLINGS: Do those homes in Pine Hollow have sanitary sewer or septic tank?

AUDIENCE MEMBER: Septic.

MR. GEERLINGS: You have septic? Okay.

MS. RININGER: Because that can be really --
MR. GEERLINGS: In talking with the -- talking with the DPW, I learned an astounding fact. The average home uses 250 gallons of water a day, and if you have a septic tank, where do you think it goes? Right in the groundwater. So when you get a cluster of homes and you get heavy rains, your groundwater rises very rapidly. So perforated outlet there would be I think an added feature that would really be worth the while.

MR. GREGG: Yeah, it adds up.

MR. GEERLINGS: Yes, it does.

MS. RININGER: Yes.

MR. GREGG: Like you say, per day. Most septic tank capacities, what's a typical gallonage?


MS. RININGER: Thousand?

MR. GREGG: Thousand?

MR. LARSEN: Yeah. But usually you would usually have two of them, but they normally sit quite full of liquid, and they -- to allow the affluent to settle out --

MR. GREGG: Right.

MR. LARSEN: -- the solids to settle out and have affluent go into your drain field, so you don't have a thousand storage, so what you put in gets passed on through to the drain field almost immediately.
MR. GREGG: Sure. Yeah, that makes sense.
Okay, well, folks, it's time to hear from you all and what your thoughts are regarding what's proposed, and to reach a decision this evening regarding these improvements. At this point I have one speaker card and I have one card that was submitted previously that that gentleman had to leave and I can read that when we're done with the verbal presentations. So the only card I have at this point, and certainly we'll, there's what, eight of us here, we can -- we can certainly accommodate everybody. So and again Mr. Sha-doe-lee?

MR. SCHADDELEE: Ska-doe-lee.

MR. GREGG: Ska-doe-lee, darn it, yes. Sorry.

MR. SCHADDELEE: Well, okay, just to repeat previous comments. I believe the reason that the pipeline sometimes flows backward is because water entering from Pine Hollow and higher elevation seeks a lower outlet in my backyard. So I would request that when this new line is built that the existing portion and pipe in Pine Hollow be disconnected from the existing drain and connected to the new line.

MR. GREGG: And thank you for --

MS. RININGER: Bearing with us.

MR. GREGG: -- being so patient in repeating that.
And Arne, could you, is that feasible what he's suggesting?

MR. LARSEN: I believe it is. It's right at this junction right here and where we're looking at, and there is a storm sewer on the east side of the road that comes up --

MR. GREGG: Uh-huh.

MR. LARSEN: -- currently, and it goes north.

MR. GREGG: Uh-huh.

MR. LARSEN: Originally I was thinking that I'd have that connection there as a point of redundancy.

MR. GREGG: Oh.

MR. LARSEN: But that's something that, you know, we would look into and say maybe not do a low flow redundancy, maybe do an upper level redundancy point so that if this system is flooded, it could actually jump over by the way of a riser pipe, let's say --

MS. RININGER: Uh-huh.

MR. LARSEN: -- into this structure. But hearing what you're saying.

MR. SCHADDELEE: Just so it doesn't go the other way.

MR. LARSEN: Not vice versa.

MR. GREGG: Yeah.

MR. LARSEN: So I'd have to look at the
elevations. Could we take this road water and tie it into this drain here? It's very likely. There is, it's kind of a deep structure right here, it drops three, four feet below the ditch on the east side, so I'd have to balance the elevations. Now we're getting service to a lower backyard area, I'm pretty sure that we can come through here and be at an elevation appropriate to take that water over. And to go look at the drainage calculations and make sure it's not too harmful, but anything that we can take from the east piping network we know arbitrarily it will benefit that situation quite a bit.

MR. GREGG: Sure.

MS. RININGER: Uh-huh.

MR. GREGG: Well, that's certainly something to look at, and appreciate that.

Well, barring any additional cards, I'll read the gentleman that was here previously that could not stay for this meeting but is a Pine Hollow resident, Chris Kur-men-dul.

AUDIENCE MEMBER: Krim-en-dal.

MR. GREGG: Krimendahl was present, 4739 Pine Hollow. And he was unable, as I said, to be here because of other obligations, but he wanted to go on record as supporting the proposed improvements. So that I wanted to get on the record.
Would anyone else care to testify in support or in opposition to what's proposed here this evening for the Pine Hollow Branch? Speak up or forever hold your peace, as they say.

If not, commissioners, your thoughts regarding what you've heard tonight for the presentation, as well as now almost two years of investigation and analysis and Mr. Larsen's recommendations.

MS. RININGER: I have been in contact with some of the Pine Hollow residents just recently, and they are still wanting us to proceed, they are still having drainage issues where it's impacting their homes, their septic. I'm not hearing anything tonight nor from them that would make me not want to proceed with the petition and determine it necessary.

MR. GREGG: Okay. And Paul?

MR. GEERLINGS: We had the hearing on the Pine Hollow Branch previously, and we planned to go ahead and couldn't because of the limitations downstream. Now that we have made a decision to correct those, I think it would be foolish to forget about the Pine Hollow.

MS. RININGER: I agree, Paul.

MR. KEITH FRENS: Me too. I couldn't resist. Sorry.

MR. GREGG: Can we get your name, please?
MR. KEITH FRENS: I'm Keith Frens. It's my backyard you're talking about putting the drain in. But I couldn't resist, Paul. It's been a while.

MR. GREGG: Well, appreciate the comment. Hopefully Bonnie was able to pick that up. Because our process in each of these, even though we've had three in a row and there was redundancy, each record has to support each decision, so you can appreciate that we're trying to keep that straight.

Well, commissioners, I guess if you have no further thoughts and there is no further testimony, we have reached a point where a motion to determine either it necessary or not necessary would be appropriate.

MR. GEERLINGS: All right, then I will move to find that the petition submitted for the maintenance and improvement in adding a branch to the Virginia Park Intercounty Drain to serve properties of Pine Hollow subdivision as recommended by Driesenga & Associates to be found necessary based upon the testimony received, and that it is necessary for the good of the public health, convenience, or welfare of the drainage district. The final scope of the improvements to be determined after detailed engineering and financial considerations, in addition to obtaining any required permits.

MR. GREGG: That is your motion?
MR. GEERLINGS: That is my motion.

MR. GREGG: Is there support?

MS. RININGER: I'll second that.

MR. GREGG: Motion has been made and supported.

Further discussion on the motion? Those in favor state "aye."

MR. GEERLINGS: Aye.

MS. RININGER: Aye.

MR. GREGG: And opposed?

MR. GEERLINGS: (No verbal response.)

MS. RININGER: (No verbal response.)

MR. GREGG: None. And as to the apportionments for benefits at large for public health, what is your pleasure?

MS. RININGER: I move that the public corporations of Laketown Township, Allegan County and Park Township Ottawa County be liable for a percentage of the cost for reason of public benefit -- public health benefit.

MR. GEERLINGS: I support that motion.

MR. GREGG: Motion has been made and supported.

Discussion?

Those in favor, "aye."

MS. RININGER: Aye.

MR. GEERLINGS: Aye.

MR. GREGG: And opposed?
MR. GEERLINGS: (No verbal response.)

MS. RININGER: (No verbal response.)

MR. GREGG: None.

Folks we've determined it necessary, and as we've previously indicated, you do have or anyone affected has the right to appeal this decision within ten days of today's meeting in the circuit court in the county in which they reside. Surprisingly, no one asked us how soon we could do this, too.

MR. AL MESHKIN: I was about to.

MR. GREGG: So and that will obviously depend a lot on permitting process and right-of-ways. And your thoughts?

MR. AL MESHKIN: My suggestion was that the new Pine Hollow portion is going to take more time to design and to acquire right-of-ways. The part that Laketown petitioned for is relatively simple, and if that were to be moved up sooner than later, I think they could both be going on the same time, and perhaps even the existing drain work could be done possibly even this year while the work is still being churned out for the Pine Hollow portion.

MS. RININGER: Can we do that?

MR. GEERLINGS: We have two --

MR. AL MESHKIN: It is two separate petitions I think.
MR. GEERLINGS: Two different petitions.

MS. RININGER: Well that's true.

MR. GEERLINGS: And we have two different issues to deal with.

MS. RININGER: Uh-huh.

MR. GEERLINGS: The outlet at Lake Macatawa is going to be a Corps of Engineers and DEQ --

MR. AL MESHKIN: Right.

MS. RININGER: Uh-huh.

MR. GEERLINGS: That may take some extra time.

MR. AL MESHKIN: Yes.

MS. RININGER: Uh-huh.

MR. GEERLINGS: On the other hand, the Pine Hollow we've discussed several times how we are definitely going to be going through wetlands and the permitting for that I'm not sure where that stands right now on how quickly that can be obtained.

MR. AL MESHKIN: The Corps might slow things down. Other than that it was an easy project.

MS. RININGER: Uh-huh.

MR. GREGG: Yeah, they're different, but perhaps equally challenging time-wise.

MR. GEERLINGS: Yes.

MS. RININGER: Uh-huh.

MR. GREGG: So I think our commitment to you
though is to expedite it as soon as possible, and ideally we would like to have the improvements constructed by this fall.

MS. RININGER: Uh-huh.

MR. GEERLINGS: Yes.

MR. GREGG: That's not impossible. It is certainly possible --

MS. RININGER: No, it's possible.

MR. GREGG: -- and I think, you know, being at the point of year where we're at, we have a chance to make that happen, and I think I would suggest that the board convene as soon after that ten day appeal period as possible to meet with Driesenga to lay out a Traco path approach to achieving this project in that kind of a time frame. There's a number of different factors that are going to have to be concurrently in process here to make it happen. But we know that the urgency is there. And that would be our goal, and in fact if you wanted to choose a tentative calendar date to do that, I would be prepared to do that as well. I think. I think I would.

First of all, ten days from today would be what date?

MR. GEERLINGS: The 30th is a week. It would be the 4th or 5th of April. 4th of April would be ten days plus.
MR. GREGG: Okay. All right. Well, I would be available 6th, 7th, or 8th. How about --

MR. GEERLINGS: I'm not available the 7th in the evening. I would be available during the day on the --

MR. LARSEN: I'm not available until the following week.

MR. GREGG: The week of the 11th?

MR. LARSEN: Uh-huh.

MR. GREGG: What would be your preferred date, since you will likely host the meeting, or you could.

MR. GEERLINGS: What time of the day are we talking about?

MS. RININGER: What day are you available?

MR. GREGG: Hopefully not 9 o'clock at night.

MR. LARSEN: That next, that following week any day.

MR. GREGG: I'm sorry?

MR. LARSEN: Any day that week of the 11th, so.

MR. GREGG: All right.

MR. GEERLINGS: I have annual report to the board of commissioners at 1:30 the 12th.

MR. GREGG: How about the 13th?

MR. LARSEN: That sounds great.

MR. GREGG: Wednesday the 13th?

MR. GEERLINGS: In the morning is good.
MS. RININGER: I can't. Could you come for me? I have BS and A training that day. Could you come?

MR. POMP: (Nodded head, no verbal response.)

MR. GREGG: 14th would be another option.

MS. RININGER: 14th? 14th I could do.

MR. GREGG: No, I'm sorry. Sorry, I can't.

MS. RININGER: I could do the 15th too.

MR. GREGG: I've got a very long public hearing Thursday night --

MS. RININGER: Okay.

MR. GREGG: -- in Saginaw, so I would not want to commit to -- the 12th was no good?

MR. GEERLINGS: 12th I have --

MR. GREGG: You had a presentation.

MR. GEERLINGS: I have my annual report at the county board of commissioners on the 12th.

MR. GREGG: That's important. Monday afternoon?

MR. GEERLINGS: I'm looking for an excuse to get out of it.

MR. GREGG: Oh, well, how about one from the State of Michigan?

MS. RININGER: I can do Monday afternoon.

MR. LARSEN: I could as well. That will work for me.

MR. GREGG: 1:30?
MR. LARSEN: Uh-huh.

MR. GEERLINGS: The 11th?

MR. GREGG: Yes. 12th.

MS. RININGER: No, I've got the 11th.

MR. GEERLINGS: Monday is the 11th.

MR. GREGG: I'm sorry, you're right.

MS. RININGER: Uh-huh. At your offices then maybe?

MR. LARSEN: Yes, we can do that.

MS. RININGER: Holland office?

MR. LARSEN: Yup.


MS. RININGER: Oh, well, he's going to bring cake. Yes.

MR. GREGG: Yeah, that's the way it works in our office.

MS. RININGER: I thought so. Yes.

MR. GREGG: Yeah, the birthday person brings a treat.

MS. RININGER: That's right.

MR. GEERLINGS: That's the way it works in the office.

MR. GREGG: Bonnie, you aren't recording this, are you?
MR. GEERLINGS: If I take it to the office, there won't be any left.

THE COURT REPORTER: Yes, do you not want it part of -- I can --

MR. GEERLINGS: -- by the time I come here.

MR. GREGG: We have not adjourned yet, so --

MS. RININGER: No, yeah, it should be.

MR. GREGG: I'm sorry. Did I understand that 1:30 April the 11th --

MS. RININGER: Uh-huh.

MR. GREGG: -- is good for everyone?

MS. RININGER: Uh-huh.

MR. GEERLINGS: That's good.

MS. RININGER: Yes.

MR. GREGG: Very well. Drainage board will meet April the 11th at 1:30 p.m. Where?

MR. LARSEN: At our office.

MR. GREGG: Your office?

MR. LARSEN: Yeah.

MR. GREGG: Would be -- would that be most convenient or conducive?

MR. LARSEN: Yeah, is that -- yeah, it would be for me.

MR. GREGG: Well, and that's all I need to know.

So at the offices of Driesenga & Associates, April 11th,
1:30 p.m.

MR. LARSEN: Okay.

MR. GEERLING S: Good.

MS. RININGER: Okay.

MR. GREGG: Is there any further business to come before the drainage board?

MS. RININGER: I move we adjourn.

MR. GEERLING S: Do you want to do the minutes from the last meeting?

MS. RININGER: Oh.

MR. GREGG: We'll do those April the 11th.

MR. GEERLING S: Okay.

MS. RININGER: Okay.

MR. GEERLING S: I support that meeting --

MR. GREGG: Very well.

MR. GEERLING S: -- that motion.

MR. GREGG: A motion to adjourn has been made --

MS. RININGER: Yes.

MR. GREGG: -- and supported. Those in favor, "aye."

MR. GEERLING S: Aye.

MS. RININGER: Aye.

MR. GREGG: And opposed?

MR. GEERLING S: (No verbal response.)

MS. RININGER: (No verbal response.)
MR. GREGG: Ladies and gentlemen, thank you --

MS. RININGER: Thank you for your --

MR. GREGG: -- for your patience.

MS. RININGER: -- yes.

MR. GREGG: And endurance.

(At 8:58 p.m., end of proceedings.)

-ooOoo-
I, Bonnie L. Rozema, CER, CLVS, the officer before whom the foregoing public hearing was taken, do hereby certify that this transcript, consisting of 41 pages, is a complete, true, and accurate transcript of the proceedings and testimony of the meeting of the Intercounty Drainage Board, held on Wednesday, March 23, 2011.

Date ______________________________________________________________________

Bonnie L. Rozema, CLVS, CER-5571
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Notary Public in and for
Kent County, Michigan
My commission expires:
March 26, 2013
Acting in the County of Allegan