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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: CROCKERY LAKE DRAIN
BOARD OF DETERMINATION

Proceedings commenced at 10:00 a.m., on Wednesday,
December 20, 2017, at the Chester Township Hall, 3509 Sehler
Street, Conklin, Michigan, held before Marjorie A. Covey,
CSR-2616, Certified Shorthand Reporter and Notary Public.

APPEARANCES:

- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Ms. Jennifer Vandenberg, Secretary to Water Resources Comm.

- Mr. Ken Souter, Board Chairman
- Mr. Rich VanderKlok, Secretary
- Mr. Glenn Nykamp, Board Member

- Mr. Gary Meerman, Supervisor, Chester Township

- Mr. Ryan C. McEnhill, Engineer, Engineering & Survey

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Conklin, Michigan
December 20, 2017 - 10:00 a.m.

PROCEEDINGS

WATER RESOURCES COMM. JOE BUSH: Well good morning, every one. Welcome to Chester Township for a consolidation petition hearing. It's 10 o'clock so I'd like to get the meeting rolling.

My name is Joe Bush. The Water Resources Commissioner, also known as in the past drain commissioner.

It wasn't too long ago we had a meeting here on the Chester Drain, which is just south of the lake, the very short drain, so some of you were probably in that meeting for that.

And then recently we had another petition from the township for a consolidation petition. And we got five drains, five county drains, I should say, that go into Chester Lake, and it's a pretty good-sized watershed as you can tell from the map there. And you can see all the drains that run into Crockery Lake.

So this consolidation petition is not a project. So when you see project, we don't really have a project scope. But by Drain Code I have to hold a public hearing to let people voice their opinions on whether this should be consolidated, why or why not you feel that way.

So we hold these public hearings to give everybody

1 opportunity to give testimony on whatever the consolidation
2 petition says.

3 So we don't have a project. I heard rumors saying
4 we're going to dredge the lake and it will be very expensive.
5 That's never been talked about.

6 Now it's been talked about dredging some of the
7 outlets where some of the drains go in because it's an issue,
8 so that's been discussed and that's probably on the minutes
9 from the Chester Drain BOD, that we had, the Board of
10 Determination that we had several months ago.

11 Today isn't a scope or a cost. Today is, by the
12 Drain Code, is a way for you folks of Chester Township on
13 Crockery Lake to come here and say we shouldn't consolidate
14 this and have a project in the future because we all benefit
15 or don't benefit, or I don't contribute to the lake, or the
16 lake doesn't benefit me, or my water doesn't run to the lake.
17 This is an opportunity for you, as folks around the lake in
18 that watershed, to voice that opinion.

19 Everything is court recorded, word for word. I do
20 that. That's not required, but I do that so we can go back
21 in the future and we can say, hey, this is what was said in
22 the BOD, the Board of Determination, and this is why we did
23 it. But I court record it so everybody can go back and read
24 it if somebody is new to the area, or somebody misunderstood
25 something later, they can go back and reference the

1 transcripts.

2 Usually about six to eight weeks, the court
3 recorder gets that back to me, and it will be on my website
4 at MIOttawa.org, go under Water Resources, there is a link to
5 the site that talks about board meetings.

6 So that's what today is. It's a process, it's by
7 statute, to hold a BOD.

8 You're probably like, well what is it? Well it's a
9 Board of Determination for these three gentlemen who I pick.
10 I pick that through Drain Code, who have no affiliation with
11 Chester Township or Crockery Lake as far as what we're
12 talking about today.

13 Well who do I pick? I pick people who are usually
14 city managers, township managers, sometimes farmers, retired
15 engineers from the road commission who understand drainage
16 and drain code, township supervisors, or township board
17 members, because they understand drains, Drain Code, possible
18 issues that you guys might discuss in the business today,
19 that's who I pick.

20 So these three gentlemen have nothing to do with
21 this drain district or they don't live on Crockery Lake. So
22 they determine what happens from here moving forward. They
23 don't determine a project, and they don't determine a cost.
24 That's for me later down the road.

25 Today is for these three gentlemen to hear issues

1 that you might have if you live on one of those five drains;
2 or concern that you might have for water quality, because
3 that's one of our bigger concerns today in today's age is we
4 hear a lot about water quality or water quantity or
5 recreational purposes, agricultural, these are all important
6 to the economics of Ottawa County.

7 So I want to hear them too because there is things
8 that I don't know. I have over a thousand county drains, I
9 don't hear all the issues. I hear a lot of them, but when
10 you come up to this area, they could be different than
11 something south in the county. So that's why we're here
12 today.

13 I appreciate everybody taking the time to come at
14 10 o'clock to Chester Township.

15 I know it could be at night, I get more people
16 showing up in the mornings than I do at night. I get more
17 people yelling at me if I have it at night because they have
18 supper, kids, sports, homework, and it's inconvenient.

19 If I have it in the morning, I get more people to
20 show up and give testimony, and that's good. That's what I
21 want is to hear from people.

22 So I'm neutral. I don't decide whether we do this
23 or not. It's this three-panel board who I will swear in and
24 give the oath to in a few minutes.

25 So I'll do introductions. Again, I'm Joe Bush.

1 And if you ever go to MIOttawa.org, you'll see my face and
2 everything I'm up to and Drain Code, and this is just part of
3 the legal statute, part of what I'm doing.

4 Margie is our court reporter today, and she'll be
5 writing it word for word.

6 When you do have testimony, be sure you state your
7 name, address, and speak loudly so she can hear. We're kind
8 of close today, so that's kind of good. But everything will
9 be word for word.

10 The three panel that I have here, I'll get out of
11 the way so all of you can see them.

12 I'll start on the left. We have Glenn Nykamp. He
13 is Zeeland Township Supervisor. He's been doing a lot of
14 these over the years. He understands Drain Code, drainage
15 and possible assessments and how that works and township
16 business.

17 And then in the center we have Ken Souter, he's
18 from Port Sheldon Township but he's retired from the road
19 commission, worked in the engineering department for many,
20 many years. Again he understands drainage, Drain Code and
21 how the process works. But he no longer works at the road
22 commission. Usually we have a representative from the road
23 commission and he's not here today.

24 Then we have Rich from Georgetown Township, a
25 current board member, and again he understands everything

1 that we're talking about today, and he wants to hear your
2 comments and your testimony so they can decide to make a
3 decision whether, yeah, we should not consolidate them and
4 make them one because they all come to one place and there is
5 issues upstream of all these, or concerns that are upstream
6 of all these drains that affect a multiple of things, so
7 that's why we're here, and at least to listen to those.

8 We also have Ryan McEnhill, he's with ENG. He is a
9 local firm, they're out of Lansing, but his office is out of
10 Grand Haven. We've -- ENG has been working with probably 20
11 to 25 different drain commissioners, for engineering, so he
12 understands Drain Code, drainage and what we're trying to
13 accomplish by moving the process forward.

14 And then we have Jen, a lot of you might have
15 talked to her on the phone. She's my legal secretary. And
16 she keeps me in line for the most part and keeps me on track
17 because we're very busy, but she's from my office.

18 And then we have Mr. Meerman, he is the township
19 supervisor of Chester. And we have Diane, she's from the
20 township to listen in -- not Diane, I'm sorry, Jody, her mom
21 is Diane. I get them confused, they look like twins.

22 And then I think that's it today. I hope I didn't
23 miss anybody.

24 But again once I give these three gentlemen the
25 oath, they'll run the meeting; and if there is any questions,

1 they'll forward those questions to me or the engineer and we
2 can answer those to the best of our ability.

3 Again everything is court recorded, speak loudly so
4 she can hear.

5 Gentlemen, please rise and raise your right hand.

6 Do each of you solemnly swear to faithfully
7 perform and discharge the duties imposed upon you as members
8 of the Board of Determination, appointed by the Water
9 Recourses Commissioner of Ottawa County to determine the
10 necessity of drainage improvements in a certain drain to be
11 known and designated as the Crockery Lake Drain in the
12 Township of Chester in said county, as required by law?
13 Gentlemen?

14 BOARD MEMBER KEN SOUTER: I do.

15 BOARD MEMBER GLENN NYKAMP: I do.

16 BOARD MEMBER RICH VANDERKLOK: I do.

17 WATER RESOURCES COMM. JOE BUSH: Thank you.

18 BOARD MEMBER KEN SOUTER: Well the first thing we
19 have to do as a Board is to elect a secretary and a chairman.

20 Do I have a motion to elect a chairman?

21 BOARD MEMBER MR. NYKAMP: So moved.

22 BOARD MEMBER RICH VANDERKLOK: Move to elect Ken
23 Souter.

24 BOARD MEMBER KEN SOUTER: Support?

25 BOARD MEMBER GLENN NYKAMP: Support.

1 BOARD CHAIRMAN KEN SOUTER: Moved and supported to
2 elect myself as chairperson, Ken Souter.

3 We need to also elect a secretary.

4 BOARD MEMBER GLENN NYKAMP: I make a motion that
5 Mr. VanderKlok -- I've only worked with him a couple times
6 here, I'm sorry, to be the secretary.

7 BOARD CHAIRMAN KEN SOUTER: I second that motion.
8 All in favor, say aye.

9 BOARD MEMBER GLENN NYKAMP: Aye.

10 BOARD CHAIRMAN KEN SOUTER: Aye.

11 BOARD MEMBER RICH VANDERKLOK: Okay.

12 BOARD CHAIRMAN KEN SOUTER: And then do I have a,
13 also a motion -- what we like to do is we need to get
14 everybody to be able to talk about this. We like to limit
15 the amount of time you take to about three minutes.
16 Hopefully you can summarize War and Peace in three minutes.

17 So if you could limit your comments to about three
18 minutes. If you've got some real substantial stuff that's of
19 interest to the -- and is necessary, we can let you go over
20 that, but we would like to try to limit comments to three
21 minutes so that we can go through everybody.

22 Do I have a motion for that?

23 BOARD SECRETARY RICH VANDERKLOK: I'll make that
24 motion, Mr. Chairman.

25 BOARD MEMBER GLENN NYKAMP: Support.

1 BOARD CHAIRMAN KEN SOUTER: Move and supported to
2 limit public comment to about three minutes per person.

3 All in favor, say aye.

4 BOARD MEMBER GLENN NYKAMP: Aye.

5 BOARD CHAIRMAN KEN SOUTER: Aye.

6 BOARD SECRETARY RICH VANDERKLOK: Aye.

7 BOARD CHAIRMAN KEN SOUTER: First thing on the
8 agenda, Mr. Meerman, do you have any comments for the Board
9 here?

10 TOWNSHIP SUPERVISOR GARY MEERMAN: Not necessarily,
11 but we feel that we need a comprehensive plan to improve the
12 drainage district as a whole and to preserve the integrity of
13 Crockery Lake.

14 BOARD CHAIRMAN KEN SOUTER: Thank you. Then we'll
15 go right -- first time I met this gentleman. He's Ryan
16 McEnhill from Engineering, he's going to give us a little
17 summary of what he's found on the drainage district.

18 Ryan, take it forward.

19 ENGINEER RYAN McENHILL: Thank you. I'm Ryan
20 McEnhill from ENG. I am a professional engineer in the State
21 of Michigan, and I operate and manage our Grand Haven office
22 location.

23 And we do, as Joe mentioned, we do work for drain
24 commissioners, water resource commissioners all across
25 southern lower Michigan.

1 Some of you may have remembered me from the
2 previous hearing that we did on the Chester Drain. I was
3 here for that one too.

4 So the Crockery Lake consolidated, we looked at
5 this, I guess, as briefly as you can. I mean we went out,
6 there is four additional drains that we looked at. We tried
7 to keep it brief in the fact that if this project for any
8 reason doesn't move forward, we don't want to expend a bunch
9 of costs to the district before that process starts.

10 I think Joe kind of went through an overview of
11 kind of the Board of Determination. This is a statutory
12 required meeting by the Michigan Drain Code. This Board in
13 front of you is basically making a decision based on public
14 health, welfare and convenience. That's, that comes right
15 out of the Drain Code and that's what they make their
16 determination on.

17 So just to give you an idea of the work that we
18 performed up to this point, obviously we had history before
19 on the Chester. We went in to Joe's office and reviewed the
20 files for the four other drains which I'll get into shortly.
21 This district boundary was actually delineated I think within
22 the last two years by another engineering firm due to some
23 maintenance that was done on the lower water course which is
24 Crockery Lake Drain, so there real wasn't anything that we
25 did other than just verify the district boundary, make sure

1 it was accurate and within reason.

2 So that's another task that we did.

3 We did go out and look at all of these drains. In
4 addition to the five county drains that are being
5 consolidated, there is a lot of private water courses out
6 there. I think we calculated almost nine-and-a-half miles of
7 private water courses which would be considered waters of the
8 state, that basically have no funding mechanism, do not
9 really have maintenance, I guess, process for maintenance to
10 be done on them, that all drain into Crockery Lake, and
11 probably about a mile-and-a-half of county drains that are
12 usually at the lower end that are outfalls into the lake. So
13 there is quite a bit of private waterway in there.

14 We went out and obviously did a brief inspection,
15 and then our goal here today is just to give this Board a
16 background on what we saw.

17 Obviously all three of these folks haven't been out
18 there, this is the first time they've taken a look at the
19 condition, so we try to give them as much information as we
20 can, and we're going to do that here today.

21 So just briefly on the district boundary, this is
22 obviously in the drain world a very big district, almost
23 5,000 acres of property and about 423 overall properties.

24 This area has a lot of rolling terrain, so it's
25 actually on the simpler side as far as determining the

1 district boundary.

2 Basically what that means is the top of the
3 district are usually the high points, and all of these areas
4 drain into these five consolidated drains. So that's kind of
5 how we delineate that.

6 So the five drains that we're talking about to be
7 consolidated, the Crockery Lake Drain which is the lower
8 portion, and I'll just grab this map for it. And the Board
9 members all have this map in front of them so I'll kind of
10 show this to the crowd.

11 These orange drains are the five that are looking
12 to be consolidated.

13 The blue drains are the actual private waterways
14 that I talked about which encompass approximately about
15 nine-and-a-half miles.

16 These green ones are also county drains, but these
17 basically have no impact on Crockery Lake itself.

18 So the consolidated we just stuck with the five
19 that we're going to discuss today. And those are the
20 Crockery Lake Drain, which is the downstream (indicating),
21 this one (indicating); Chester Shores, and Chester Drain,
22 which will all obviously drain into the lake as well; and
23 then on the northern side, the Lange Drain which is this one
24 here.

25 And this lake does have a lake level control dam

1 located on the southwest corner of the lake.

2 Other than the areas that are adjacent to the lake,
3 which are obviously residential, the majority of this
4 drainage district is agricultural uses, as you know.

5 So I'm going to get into the conditions that we saw
6 and I'm going to focus on really three of these four areas,
7 but the fourth one is something that in talking with
8 residents is a concern, but the sediment deposition that
9 they're seeing at the outfalls is pretty significant. And
10 actually you can see that in that particular photo which is
11 the Chester Drain.

12 The private water courses obviously have no
13 mechanism or funding mechanism for maintenance. It's
14 basically on the property owners to do any sort of
15 maintenance on those facilities.

16 And then one of the things that we saw quite a bit
17 of was just the amount of grade change that happens from the
18 upper portion of the watershed down to the lake itself, it's
19 pretty significant. I think almost 150 feet of grade change
20 which really, as you'll see further, is just, it causes
21 erosive velocities which brings a lot of the sediment I think
22 that you're seeing in the lake itself.

23 And then the water quality aspect, which visually
24 you can't see, it's something that really requires more
25 testing. And obviously is not something I'm going to talk

1 about too much today, although it is a concern that was
2 brought to our attention.

3 So this is the Lange Drain, and this goes through
4 Grose Park. There is approximately 18 feet of grade change
5 there over a short length. So a lot of this natural water
6 course showed a lot of signs of erosion.

7 We did have, in reviewing the file on this, there
8 was a couple complaint reports that we reviewed that
9 basically homeowners were going down to the outlet and
10 basically clearing the material, the sediment from the
11 outfall themselves, just to try to clean it up a little bit.

12 This is actually north of Hoover, and that was
13 constructed in the late '90s. And it actually, if you go
14 back and look at some of the historical photos, it looked
15 like it was just a wet area, and maybe that particular
16 resident just excavated it out and maybe had it function as a
17 sediment basin. Which in some respects is a good thing.
18 It's just a maintenance -- something that needs to be
19 maintained periodically to get that sediment out of there so
20 it continues to act and perform that function.

21 This is something that really struck me when I
22 started looking at this. This is little Crockery Lake, which
23 is in the northeast corner. I think most of you are probably
24 familiar with it. But this is a 1999 photo, 2008 and 2017,
25 and it just kind of gives you an idea of the amount of

1 sediment deposition that's happened over time.

2 That red line there is basically in all three
3 photos signifies the same location, okay?

4 So you can see how far that sediment continues to
5 expand. And over time, that's just a period of 18 years, I
6 measured this (indicating), probably 100 feet further of
7 sediment deposition is continuing to push into that lake.

8 And this wetland really performs a function as far
9 as water quality before it gets into the main Crockery Lake.
10 So you can see some of that is starting to get really
11 compromised as it continues. And these are all private water
12 courses that are discharging at this location.

13 These are some of the upstream photos that kind of
14 show that area.

15 This is at Centennial Drive, again a lot of grade
16 change causing back erosion, things like that. All of that
17 stuff, once you factor in the amount of drain change in the
18 stream, it's going to find its way down to that lower water
19 course, this being little Crockery -- that one might be
20 Chester Shores.

21 This is in the upper watershed. This is just kind
22 of what I was talking about, about that significant grade
23 change that happens. You can see the ravine that happens
24 here with a lot of fall. Basically at the eastern district
25 boundary line the elevation we're looking at is 864.

1 You just go a short distance of 1800 feet you're
2 all the way down at 770. That's 94 feet of grade change over
3 a distance of 1800 feet. That's over 5 percent.

4 Those are just some things that contributes to very
5 erosive velocities, with that it takes a bunch of cutting of
6 the ravine and eventually produces a lot of sediment.

7 So this is the Chester Drain, and this is one
8 obviously that we talked about a couple months ago.

9 This is the lower end of it. And it's caused
10 problems. People have not been able to get their shore
11 station in because of the amount of sediment that's being
12 produced, kind of restricting their lake access.

13 So I mean this was one of the first locations when
14 I went out there, and it's almost out to the end of the dock
15 there with the sediment deposition that they're seeing.

16 This is further upstream on the Chester. There is
17 actually two culverts there, and I tried to show the other
18 one, but that's all filled in with sediment.

19 You can see that there is some failure there of a
20 retaining wall. So again I know I'm kind of reiterating the
21 sediment factor, but that was kind of the main issue that a
22 lot of people said is the outfalls are getting clogged up
23 with sediment, and that's a real issue.

24 On this you can kind of see the turbid water, the
25 brown water. This is on a private water course that extends

1 from the Chester towards 24th Avenue.

2 This adjacent property owner here basically, there
3 is a lot of agricultural runoff that comes from the east side
4 of the roadway, comes across, and then there is really not a
5 channel here that's capable of taking on that runoff. So
6 there is a lot of flooding that occurs in that particular
7 area.

8 And even further downstream, again, just a sign of
9 a private water course, it doesn't have a maintenance process
10 to be able to stabilize these banks and have a natural system
11 I guess to filter out some of these sediments.

12 And then the other thing is this is, as we know, an
13 agricultural land use for the most part in the upper
14 watershed. And a lot of times the water quality issues,
15 there are certain BMPs that can be utilized for some of these
16 agricultural uses that I'll talk about here next.

17 But vegetative buffer strips, some of these things
18 that when you have tilled land, it actually has a 20-foot
19 area of grass area that can, that water can run through to
20 kind of filter out some of those contaminants and sediment as
21 well.

22 We try to focus on natural channel design
23 techniques because basically natural channels are designed to
24 be self-sustaining, so it's not something you continually
25 have to go back and maintain.

1 So these are -- some of these are like stream
2 meanders. We have a main channel and then we have a little
3 bench here (indicating).

4 When we get big rain events these benches actually
5 provide a location for sediment to deposit and it's just a
6 natural way for that to occur.

7 Right now in the district we basically have, you
8 know, these ravines that are, really have no opportunity for
9 things like this to occur. So that transport just continues
10 to occur all the way down to the lake.

11 Some other things are check dams which are
12 basically just a filter. We're trying to filter that water
13 through a rock. It still allows the water through, but
14 provides something that we can filter out some of that stuff
15 as well.

16 Slope stabilization, obviously bank erosion is
17 another factor and just making sure we get well vegetated
18 banks or things that can resolve some of these things.

19 And then grade stabilization, providing -- I talk
20 about head cutting and that's basically where when you have
21 large grade changes, eventually it continues to eat out and
22 erode the bottoms of those drains. So we have mechanisms
23 that we can use to provide better grade control so that
24 doesn't happen over time.

25 I just wanted to bring these up because the Board

1 last time had asked about, well, are there ways to fix some
2 of these things. So I just wanted to kind of give you some
3 of the tools that we can use to fix some of these things.

4 And we try to do it in a natural way, because a
5 natural water course is a self-sustaining water course, and
6 really over time reduces the maintenance cost.

7 That's pretty much all I had. Obviously, I do a
8 lot of these. And the public testimony is really important
9 for this Board to hear. You all live there. You see it
10 everyday, you see the issues. So let the Board know pros and
11 cons. If you're -- if there is something you don't think is
12 an issue, let them know that. If you do, same thing.

13 This Board will determine the necessity. If they
14 do find the project necessary, then I'll sit down with Joe
15 and talk about, and the township as well to get their
16 thoughts on what's the best course of action to get a project
17 to fruition.

18 And then if it's not, if the project is not found
19 necessary, basically this project ends and nothing further is
20 really done.

21 So that's all I have.

22 If the Board has questions for me at this time, I'm
23 certainly happy to answer them.

24 BOARD CHAIRMAN KEN SOUTER: Since we're pretty new
25 on this particular drain, the main portion of this meeting

1 really is the consolidation of the drains that come into
2 Crockery Lake, and outflow out of Crockery Lake?

3 WATER RESOURCES COMM. JOE BUSH: Correct.

4 ENGINEER RYAN McENHILL: Yes.

5 BOARD CHAIRMAN KEN SOUTER: The outflow is actually
6 a county drain right now?

7 WATER RESOURCES COMM. JOE BUSH: Yes.

8 BOARD CHAIRMAN KEN SOUTER: The inflows, I take it
9 some of them are county drains and some of them are not?

10 WATER RESOURCES COMM. JOE BUSH: Yes.

11 BOARD CHAIRMAN KEN SOUTER: The one that comes in
12 must be into this little lake up on the end of the Crockery
13 Lake, is that the one that the natural water course comes
14 into?

15 ENGINEER RYAN McENHILL: Correct. The photo that I
16 showed you right here, those are actually all private water
17 courses discharging to that particular location.

18 One of the things with the petition is that it
19 gives Joe's office the opportunity to establish some of these
20 private water courses as county drains.

21 BOARD CHAIRMAN KEN SOUTER: So some of these water
22 courses, as of this meeting, will be established as country
23 drains or at a later date?

24 ENGINEER RYAN McENHILL: At a later date. That's
25 something where we'd have to obtain --

1 BOARD CHAIRMAN KEN SOUTER: You'd have to basically
2 have a hearing on those drains. This isn't consolidating any
3 of the drains that are in blue?

4 WATER RESOURCES COMM. JOE BUSH: Correct.

5 BOARD CHAIRMAN KEN SOUTER: So we're looking at the
6 inflows of the existing county drains, and the outflow of
7 Crockery Lake is really what we're looking at today?

8 WATER RESOURCES COMM. JOE BUSH: Correct.

9 BOARD MEMBER GLENN NYKAMP: Where does the outflow
10 go? The very one at the top.

11 WATER RESOURCES COMM. JOE BUSH: Yes.

12 BOARD CHAIRMAN KEN SOUTER: What does that
13 discharge into? It seems like it's going the wrong
14 direction, does it go into the Grand River?

15 WATER RESOURCES COMM. JOE BUSH: It goes into the
16 Grand, it gets there.

17 UNKNOWN SPEAKER: Right in Nunica.

18 BOARD CHAIRMAN KEN SOUTER: Oh, in Nunica?

19 BOARD MEMBER GLENN NYKAMP: The drain which would
20 be 112th --

21 UNKNOWN SPEAKER: Crockery --

22 WATER RESOURCES COMM. JOE BUSH: It's a long water
23 course.

24 BOARD CHAIRMAN KEN SOUTER: All right. Then I
25 think we're going to open the meeting to open public comment.

1 What we want to remind you again is to stand, speak
2 fairly loudly so it can be recorded, state your name,
3 address, identify whether you live in the land or just have
4 lands in the drainage district.

5 Has there been any letters --

6 SECRETARY JEN VANDENBERG: No.

7 BOARD CHAIRMAN KEN SOUTER: No letters? Okay.

8 So I guess what we're just going to do here is I'll
9 point to the people and if you got a comment on this, pro,
10 against, whatever, some information for the Board, we'd like
11 to have that so that we can make a determination whether this
12 makes sense.

13 It always makes sense to me to consolidate things
14 and keep things so that they can be worked on when it's
15 necessary, but we need your input on it.

16 So we're just going to start out here and we'll
17 start out in the first row and I'll pick on you right away
18 for the first person to make comments, if you have comments.

19 Could you stand so everyone can hear?

20 MR. RICHARD HUMPHREY: My name is Richard Humphrey.
21 We're at 2700 VanDyke Street. We're the ones that show the
22 Chester Drain coming through our property there.

23 I wish we had pictures of this because this would
24 really show it too, because we've gained probably --

25 BOARD CHAIRMAN KEN SOUTER: This one?

1 MR. RICHARD HUMPHREY: Yes. The soil content has
2 gone from probably 30, maybe 40 feet from when we first
3 started. Every year I move the sand back in order to get the
4 waterway, I move between 15 and 20 yards every year. And
5 move, move it, move it.

6 MRS. PAULA HUMPHREY: Shovelful by shovelful.

7 MR. RICHARD HUMPHREY: And it moves around. So
8 like the pile that's, that works out there in front of the
9 deck, it is gone come next spring, so it's moving all over.
10 And we're really deep, it's 55 feet, 60 feet deep water out
11 there, so it drops really, really fast, and it's filling in a
12 lot.

13 We've been there now 12 years, and we've had this
14 every year, and it was before us too.

15 UNKNOWN SPEAKER: Were you aware of this when you
16 bought your property?

17 MR. RICHARD HUMPHREY: No, I was not. I didn't
18 realize the impact it would be to shovel that much every
19 year.

20 BOARD CHAIRMAN KEN SOUTER: The lady in red.

21 MRS. PAULA HUMPHREY: I'm Paula Humphrey, I'm
22 Rick's wife, 2700 VanDyke Street.

23 And these pictures I brought last time, so you're
24 welcome to see them.

25 This is on Gooding at 24th Avenue. So this is the

1 north side of Gooding, that's the south side of Gooding
2 (indicating), where the culverts are that go under Gooding
3 Street.

4 And so we have the creek, we have three bridges on
5 our property that go -- so this was the flood in 2011
6 (indicating), and all of this sediment that came down. And
7 then I have 2013 and 2017. So there is several years of the
8 flooding and the impact.

9 BOARD CHAIRMAN KEN SOUTER: They pretty much all
10 show erosion.

11 MRS. PAULA HUMPHREY: Yes.

12 BOARD CHAIRMAN KEN SOUTER: Very, very well they
13 show erosion.

14 The lady in the gray?

15 MS. LINDA LANE: Linda Lane, 2764 Crockery Shores
16 Road.

17 I would just say I'm in favor of the consolidation.
18 The lake is really in trouble, and it seems like it's getting
19 worse with the weather effects we have now with big rains and
20 snows. I think we need it.

21 BOARD CHAIRMAN KEN SOUTER: Okay.

22 Next?

23 MR. FRED SCHAUMBER: I'm Fred Schaumber, I live at
24 2330 Truman Road.

25 The way I see you got this marked out, I don't see

1 how my drain that comes across me has got anything to do with
2 the lake.

3 BOARD CHAIRMAN KEN SOUTER: It doesn't. You're
4 just in the drain district.

5 MR. FRED SCHAUMBER: Well, I got part of it that
6 some water drains on to me I and I can't get rid of it
7 because the Soil Conservation is on my case, it almost got me
8 to where I could go to jail if I clean it out.

9 And it can't go the right way because a big
10 pipeline goes through there so it cannot go to Crockery
11 Creek. And that's east. You don't even have that marked on
12 here.

13 BOARD CHAIRMAN KEN SOUTER: So you're up there on
14 Truman right --

15 MR. FRED SCHAUMBER: Well I live right on Truman,
16 right on the corner of 24th and Truman.

17 ENGINEER RYAN McENHILL: It's in the upper part of
18 the watershed (indicating).

19 BOARD CHAIRMAN KEN SOUTER: It's inside the
20 consolidation because this water drains to here (indicating).
21 And this is the consolidation.

22 BOARD MEMBER GLENN NYKAMP: He lives right there,
23 he's not even in that drain district.

24 MR. FRED SCHAUMBER: And the ditch does go through
25 my place. My neighbor and I dug that fifty years ago because

1 you never get any help from anybody. So we hired a man from
2 Comstock Park to dig it.

3 BOARD CHAIRMAN KEN SOUTER: You're on the northeast
4 corner of 24th and Truman?

5 MR. FRED SCHAUMBER: Well I'm on the south side of
6 Truman.

7 BOARD CHAIRMAN KEN SOUTER: Okay, south side of
8 Truman.

9 MR. FRED SCHAUMBER: Actually my farm, both farms I
10 run the whole mile through except for 40 acres.

11 BOARD CHAIRMAN KEN SOUTER: Okay. So part of your
12 property is in and part of your property is not. Is that
13 correct?

14 WATER RESOURCES COMM. JOE BUSH: That's correct.

15 BOARD MEMBER GLENN NYKAMP: That's what it looks
16 like.

17 BOARD CHAIRMAN KEN SOUTER: Okay. Thank you.

18 MR. FRED SCHAUMBER: I guess my feeling is I don't
19 know why I have to pay for something that don't do me any
20 good.

21 BOARD CHAIRMAN KEN SOUTER: Basically this is a
22 consolidation. You're not being -- it's not a project right
23 now. But if you had a drainage issue, you could talk to the
24 drain commissioner about it.

25 MR. FRED SCHAUMBER: Well I called down there

1 because we already paid, and I called down there and you know
2 what kind of answer I got? From the secretary? I got access
3 to the lake.

4 I don't care nothing about the lake. We couldn't
5 get a boat in on this side unless they took a bulldozer down
6 there and moved something.

7 BOARD CHAIRMAN KEN SOUTER: You're basically, your
8 water doesn't go through the lake.

9 MR. FRED SCHAUMBER: I don't think so. There is no
10 way it can.

11 BOARD CHAIRMAN KEN SOUTER: Right. Not that I
12 understand.

13 Sir?

14 MR. BOB BLAWKAMP: Bob Blawkamp, I live at 2380
15 Crockery Shores on the north and east end of the lake.

16 And I'm strongly in favor of the project because I
17 used to fish down on the east end of the lake where what we
18 call Little Crockery is just filling in like crazy as was
19 pointed out.

20 And I have a two-story house, and from my upstairs,
21 when it rains hard I can just see the black stuff come
22 streaming in from the one that comes in through the park and
23 then from the end, you can just see it as it gradually goes
24 across the whole lake. It looks like a plague is coming
25 across.

1 And then water will be bad for two weeks, if you
2 don't have any more rain before it all settles out again.

3 So we have to do something on it.

4 BOARD CHAIRMAN KEN SOUTER: Okay.

5 MR. BOB BLAWKAMP: And if this helps the folks deal
6 with it and manage it.

7 BOARD CHAIRMAN KEN SOUTER: So much the better?

8 Sir?

9 MR. JACK BOLTON: My name is Jack Bolton and I live
10 on 16th Avenue, 23143, and my property is right next to the
11 little lake there.

12 And we had trouble years ago, someone got after us
13 because we were filling in the little lake. And someone come
14 out and they checked it out and they said that, well I know
15 years ago they run the water from Gooding down from that
16 swamp they had back there, and it runs through the property
17 on the opposite side of 8th Avenue, and they said that's
18 where all the water is coming from and eroding the ditch out
19 so deep.

20 BOARD CHAIRMAN KEN SOUTER: Thank you, sir.

21 Next row? The man?

22 UNKNOWN SPEAKER: No.

23 BOARD CHAIRMAN KEN SOUTER: Next?

24 MR. CHARLES VANDYKE: Charles VanDyke, 2654 VanDyke
25 Street.

1 I live next to my neighbors here, and all that
2 ground is coming off me. The banks are washing down in, and
3 they're getting all that dirt.

4 And the only way I can see this being solved is put
5 in a catch pond or a Weir dam because it's going to keep
6 right on going.

7 BOARD CHAIRMAN KEN SOUTER: Okay. Next?

8 MR. ROBERT HAACK: Rob Haack, 2068 - 24th Avenue.

9 I guess I have more question than comment, and one
10 of which is I'd like to, especially based on your photo, I'd
11 like to understand what has changed so much in the last ten
12 or fifteen or twenty years? It's a pretty small time span in
13 the grand scheme of things.

14 This land has been farmed for the last several
15 hundred years, right, in our case we've been on our farm for
16 forty years.

17 So what's really changed in the last five, ten,
18 fifteen, twenty years that this is now an issue where it
19 wasn't an issue ten or twenty years ago? Is it farming
20 practices, is it just time?

21 But I think that's something to look at, what's
22 really causing it. Rather than just, quote, trying to fix
23 the problem, let's understand what the problem really is.
24 Because these drains didn't just show up in the last ten or
25 twenty years. They've been there since probably before most

1 of us were probably alive, right?

2 So I think that's one thing to consider.

3 And the other thing that's probably unpopular but
4 I'll just say it, if we're really concerned about the health
5 of Crockery Lake, we need to look at Crockery Lake as a whole
6 as a system, not just look at the drainage, but look at other
7 issues that are contributing to the pollution in the lake,
8 whether it be manmade factors, septic systems, water systems,
9 whatever it could be.

10 But if we're truly concerned about Crockery Lake
11 and the health of it, then you need to look at everything and
12 not just, you know, this particular drain or that particular
13 drain that's affecting, you know, your dock or your boat ramp
14 or whatever it might be.

15 BOARD CHAIRMAN KEN SOUTER: Thank you.

16 Next?

17 MR. MICHAEL McINERNEY: Michael McInerney, 21168 -
18 24th Avenue.

19 One aspect that being a fairly large portion of the
20 private water course, the maintenance issue for the
21 individual landowners is significant because soil
22 conservation doesn't want us making any modifications to the
23 water course. So I guess my concern is, one, either the
24 financial impact on those individual landowners that have the
25 frontage or the majority of the frontage of the private water

1 courses when it comes to, you know, splitting up the economic
2 burden of whatever occurs to rectify the drainage issue.

3 So that's a major concern for many individuals I'm
4 sure. Certainly us.

5 And next that raises the question of whether there
6 is going to be a condemnation of those water courses so that
7 modifications can be made, because some of them are the
8 rather significant velocity areas.

9 Those are things that certainly many individuals
10 are concerned about as you go forward with the project
11 overall.

12 Thank you.

13 BOARD CHAIRMAN KEN SOUTER: I guess I got a
14 question as relates to that. Private water courses that are
15 shown on this, at this point of time will stay private water
16 courses, is that correct?

17 WATER RESOURCES COMM. JOE BUSH: That's correct.

18 BOARD CHAIRMAN KEN SOUTER: And the only way
19 they'll become public is if the petition -- people on the
20 private water courses would petition you to --

21 WATER RESOURCES COMM. JOE BUSH: That's not true.
22 The township could petition.

23 BOARD CHAIRMAN KEN SOUTER: The township could
24 petition them also. But it would have to go through a Board
25 of Determination meeting at that time?

1 WATER RESOURCES COMM. JOE BUSH: I could add or
2 delete lands and possibly include that in the consolidation,
3 if we need to see it.

4 And I don't think we're going to take anybody's
5 property to make any modifications, because I won't do that.
6 That's their property.

7 BOARD CHAIRMAN KEN SOUTER: That's their property.

8 WATER RESOURCES COMM. JOE BUSH: So easements are
9 the biggest situation that we run into, getting easements to
10 do the maintenance on those particular properties.

11 And I'll share later once we follow up and get
12 through everybody.

13 BOARD CHAIRMAN KEN SOUTER: Okay.

14 Where are we here? Back row.

15 MR. MIKE MEAD: Right here, Mike Mead, 2667
16 VanDyke.

17 On this particular property here, what kind of --
18 I'm just asking the question as to if you do one of those
19 options that you have laid out earlier on specifically the
20 Chester Drain, what kind of guarantee that you're not going
21 to get this, this sediment here at the end going into the
22 lake? I mean the sediment has -- it's always going to go
23 somewhere, right?

24 ENGINEER RYAN McENHILL: Do you want me to answer
25 that?

1 BOARD CHAIRMAN KEN SOUTER: Yes, please.

2 ENGINEER RYAN McENHILL: There is things upstream
3 that we can do as far as stabilizing the banks, you know.
4 Doing the vegetative buffer strips that I talked about where
5 some of those lands that have large sediment over erosive
6 gradients, if we have something to filter those through,
7 that's going to reduce the amount of sediment that gets in
8 there.

9 And then the natural channel design things that we
10 try to implement also have a big impact on that.

11 Now are they going to guarantee that all the
12 sediment is not going to make its way? Probably not. But
13 you can try to reduce it as much as you can.

14 There is certain things, when you get a 25-year
15 rain event, you're going to get some sediment transport no
16 matter what you do.

17 But it's certainly going to be a significant
18 improvement to what you're seeing today.

19 MR. MIKE MEAD: On average how significant? If
20 you're going to stick a bunch of money into this, it should
21 eliminate most of it.

22 ENGINEER RYAN McENHILL: Well there is certainly a
23 cost-benefit analysis that we go through on every single
24 project. That would be something that we would sit down with
25 Joe, how much do you want to spend on this?

1 Because you can do a Cadillac, or you can do
2 something that's probably going to solve the majority of the
3 issues, but you might have, you're still going to get some
4 sedimentation. So it's something that we discuss after a
5 meeting like this.

6 MR. MIKE MEAD: Thank you.

7 BOARD MEMBER GLENN NYKAMP: What was done, after
8 the couple months ago or whenever we did this earlier, what
9 was done to that Chester Drain to eliminate some of that
10 already? Because that was brought up at that point and it
11 was the idea that something was going to be done to take care
12 of that part of it or at least try to take care of part of
13 it?

14 WATER RESOURCES COMM. JOE BUSH: Well that
15 discussion was held with the township and that's when they
16 decided -- for the folks that don't know, I've been out
17 there, I got on a pontoon and drove around the lake and
18 looked at the outlets. So I didn't just sit at my desk and
19 look at photos.

20 I've been out there and physically walked some of
21 this area where some of the property owners are here today.

22 And the consolidation petition came after we had
23 the other hearing because there is other issues rather than
24 just on the Chester Drain, these other outlets have issues.
25 So we tried to put a project together because it's cost

1 efficient if you do a project and try to solve all those
2 issues at one time, than to handle every single case.

3 So that's why we have the consolidation petition.

4 BOARD MEMBER GLENN NYKAMP: So nothing really
5 happened after the first one?

6 WATER RESOURCES COMM. JOE BUSH: Correct. We
7 looked at it, but it's like why fix that when we still have
8 four other drains with issues.

9 BOARD MEMBER GLENN NYKAMP: That makes sense.

10 BOARD CHAIRMAN KEN SOUTER: Gentleman in red.

11 MR. GEORGE DENHOF: George Denhof, 23220 Truman
12 Road.

13 And if this consolidation goes through, is there
14 funding for this? Or is that going to fall upon the farmers
15 and the people that live in the city or from the state if
16 they do some work on this?

17 WATER RESOURCES COMM. JOE BUSH: You want me to
18 answer?

19 BOARD CHAIRMAN KEN SOUTER: I guess I can't answer
20 that.

21 WATER RESOURCES COMM. JOE BUSH: All right. I'll
22 stand up for this one so everybody can hear me very clearly
23 because it gets confusing sometimes. I want everybody to
24 understand.

25 The funding comes for drainage from special

1 assessments, that's how we fund drainage throughout the
2 county.

3 Sometimes the township picks up 100 percent, like
4 at Georgetown Township who has a lot of funding and a lot of
5 drains, over 300 in just Georgetown Township.

6 So what usually happens is I assess people, start
7 off with the township. I'm going to throw these numbers out
8 there and it's court recorded, and we can go back and look at
9 them, but these are numbers I'll just throw out for today.
10 Because I don't really know because we don't have a project,
11 we don't have a cost.

12 But the township could pay 20 percent of our
13 project, and then the road commission might pay 10 percent
14 based on 14 A calculations. So whatever the right-of-way is,
15 whatever their roads flow into the Crockery Lake or in to the
16 drains. So they might pay 10 percent.

17 The county, me, because the road commission and the
18 county me is different, I will match the road commission. So
19 we always share costs. So I might pay another 10 percent.

20 So you're looking at 20 percent township, 10
21 percent and a 10 percent, so 40 percent of whatever the cost
22 is will be paid up front.

23 Anything beyond that, I will assess property
24 owners. We have formulas, we have, I guess a spreadsheet
25 that I use, a BS&A software.

1 And what that does is I plug in the numbers and it
2 will tell me -- we base it on contribution to the project or
3 benefit.

4 Some people will say, well I don't benefit; some
5 say, I don't contribute.

6 Well that's where this red lines comes from, the
7 drain district. So anybody living in this watershed will
8 either benefit or contribute to the project.

9 So now the only portion that I wouldn't do is
10 anything above the dam on the Weir, I probably wouldn't
11 assess those folks, if I'm doing the work everything in the
12 lake and upstream. I probably wouldn't assess anybody below
13 that Weir, that control structure because they're not
14 benefiting from it or contributing.

15 Now if I do work on the other one. Then I might
16 just assess that area. But I assess based on special
17 assessments which could include land size, homes, impervious
18 and again, how much you benefit, or how much you contribute
19 to it.

20 So I want to make it clear for agriculture people
21 because they're like, well I can't afford a \$20,000 bill or a
22 \$50,000 bill, because I have fifty acres.

23 If a single property owner is paying a thousand
24 dollars say on the lake, and they're all pretty similar size,
25 acreage size, and everybody pays a thousand to share the cost

1 of the project on the lake, and you got a farmer who has a
2 hundred acres, I don't assess the farmer a hundred times
3 that.

4 We usually give an acreage factor. So the more
5 acres you have, the less per the acre you will pay. So if
6 you have a hundred acres, you might pay 5,000 for a hundred
7 acres because there has to be a formula because otherwise you
8 can't afford it. It has to be affordable.

9 I would never put a project out here that's not
10 going to be affordable. If it's too costly, and the costs
11 and the benefit doesn't balance, then we'll scale it down.

12 We always look at that. I do anyway, as a
13 commissioner, and as you're elected official, I try to make
14 the best decisions I can, and everybody will know what their
15 assessment will be.

16 But right now we don't have the costs, but that's
17 where the funds come from.

18 By consolidating this, I'm hoping that I can get a
19 grant that will help pay, there is no guarantees, but if I
20 consolidate it, we can talk about the water quality issues.
21 And this gentleman was right, the septic thing that's not in
22 this petition, and that has nothing to do with what I'm
23 trying to accomplish with the drainage part of it. If that's
24 an issue, that could be an issue. I'm not saying it is or
25 isn't, I don't live on the lake.

1 But we do try to look at all those alternatives and
2 say, well what are all the issues? Well I can't solve them
3 all, but we're here to solve the drainage part of it because
4 we know that is a problem.

5 And I don't want to sit here and point at
6 agriculture because we have been farming this land for
7 hundreds of years, great granddads. It's been years in the
8 farms, or in the families.

9 But is it the practices? Maybe a little bit. Is
10 it the climate change? Because we do see these storms, we
11 might get two inches in four hours, that impacts things. We
12 don't get the long duration of rain sometimes. We just get
13 them quick and fast and we get several of them at a time
14 which causes erosion.

15 So there is multiple things that we can look at,
16 and there is no guarantee anything we do at, say, Chester
17 because that's the picture that's up there, they know, they
18 bought that house knowing that there could be some sediment
19 there. I don't think they ever dreamed it would be this
20 much.

21 But they know that whatever we do isn't going to be
22 a 100 percent fix, because there is no 100 percent fix with
23 natural water courses. Water is going to do what it's going
24 to do. But we want to do the best practices that we can to
25 help.

1 When you look at the big picture, the long-term
2 goal is to help everybody, even the farm fields.

3 I'm sure you've seen more erosion in some of these
4 fields and ditches over the years because maybe, I hear
5 comments that I called the drain office. I got elected in
6 2013, so I hope my staff didn't -- I hope my secretary didn't
7 answer your question like that, but -- I don't think she
8 would have.

9 But I think our goal is to help everybody because
10 the drain district is everybody, whether you're a farmer,
11 whether you live on the lake, we have to work together
12 because it benefits the whole community in a big way.

13 So that's kind of, hopefully that answers your
14 question on funding.

15 We know there is probably more issues out there
16 than possibly just drainage and the water quality.

17 But we do know that sediment will transfer
18 pollutants in the water, and that's where I come in and help
19 with that. And if I can help with anything else, I'm here to
20 do that.

21 Anyway, hopefully that answers some questions.

22 MR. GEORGE DENHOF: Can I have some time back? He
23 used most of my time.

24 BOARD CHAIRMAN KEN SOUTER: We gave him more than
25 his three minutes.

1 MR. GEORGE DENHOF: I just, you know, too many ifs
2 and maybes for me at this time to say that I want to approve
3 it.

4 I'm just saying I heard them say that they could,
5 if this goes through, the consolidation of it, they could
6 take the other drains and put in it if they wanted to. I
7 heard this gentleman say, well they can do that and
8 everything.

9 So I'm just against it because I heard, well it
10 could happen this, we could get this funding, maybe that
11 funding, maybe we could get some state funding. You know,
12 there is a lot of maybes in there.

13 I kind of like to know how much it's going to cost
14 me if this does go through, so I'm against it.

15 BOARD CHAIRMAN KEN SOUTER: Thank you.

16 Next gentleman here?

17 UNKNOWN SPEAKER: No.

18 BOARD CHAIRMAN KEN SOUTER: Ma'am?

19 UNKNOWN SPEAKER: No.

20 BOARD CHAIRMAN KEN SOUTER: Lady in red?

21 UNKNOWN SPEAKER: No.

22 BOARD CHAIRMAN KEN SOUTER: Okay, lady in green
23 there?

24 UNKNOWN SPEAKER: No.

25 BOARD CHAIRMAN KEN SOUTER: Lady in brown?

1 MS. LYNNE MYSZEK: Lynne Myszek, 2556 Gooding. I
2 live by the two big culverts that go across Gooding Street
3 and go to the lake.

4 I've lived here my whole life, 49 years. My mom
5 lives next door to me, and my biggest concern is flooding if
6 we do do something similar to having the stones where it
7 would catch some of the sediment.

8 I've never noticed the culverts being maintained.
9 I don't think it's my job to maintain the culverts when we
10 built the house, so they've pretty much been there, looked
11 the same. We seen how it drains through one of them and not
12 the other one.

13 If there is a drain issue, I think that's something
14 that should have been maintained through the culverts since
15 they've been there probably since the road has been paved,
16 I'm not sure how long they've been there.

17 The erosion, yeah, I see it, but we can't do
18 anything because once again, if we change the direction or
19 change anything, we get in trouble.

20 So my question is why now again? We do what we can
21 to trim like around it with the weeds and stuff like that.
22 But it's been that way forever, so I don't understand.

23 We built there knowing that we would have to do
24 stuff to the property. We cut trees down to build our house.
25 Why can't people just maintain their own property and go from

1 there? That's why we live there.

2 If we didn't want to maintain it, then I guess
3 move.

4 BOARD CHAIRMAN KEN SOUTER: Next gentleman?

5 MR. BUZZ HALBERT: Buzz Halbert, 2097 VanDyke.

6 I've been on the east end of the Crockery Lake for 27 years.

7 Bob was right, when it rains you see this plume of
8 brown-black crap move across the lake. It's like, get your
9 boat out of the water, you don't go in the water, you don't
10 let your animals in the water because it's basically gross.

11 You can see it. You can sit on our deck and watch
12 it and it's ugly. And I'd appreciate a comprehensive
13 approach. I mean there is a lot of parties involved. Like
14 Rob said, places have been farmed for a couple hundred years.

15 But I think there is some remedies that can be
16 taken to help everybody out. So thank you.

17 BOARD CHAIRMAN KEN SOUTER: The next lady?

18 MS. SHARON REISTER: I have listened -- Sharon
19 Reister, 21665 - 16th Avenue.

20 I've listened to some of the comments here, and I
21 just want to say I'm opposed to this at this point. We are
22 getting a lot of information today, but for you gentlemen to
23 make a determination that sounds final as far as your
24 procedure forward, there are too many things that are not
25 answered here as far as the lake is concerned.

1 So I'm opposed to this.

2 BOARD CHAIRMAN KEN SOUTER: Next?

3 UNKNOWN SPEAKER: No comment, thank you.

4 BOARD CHAIRMAN KEN SOUTER: Next?

5 UNKNOWN SPEAKER: No comment.

6 BOARD CHAIRMAN KEN SOUTER: Next?

7 UNKNOWN SPEAKER: No.

8 BOARD CHAIRMAN KEN SOUTER: Next?

9 MS. PAT WALTERS: I'm Pat Walters, 2442 Crockery
10 Shores Road.

11 And I'm in favor of this drainage and study. And I
12 think it will answer a lot of the questions that people are
13 wondering. But until we have the study, we're not going to
14 know the answers is my opinion.

15 And we will once and for all find out everything
16 that's going on and I think everybody will be much happier.
17 I too, like Buzz said, have watched -- it used to take about
18 three days for the lake to turn brown from the, coming in
19 from the east. And now it takes about three hours.

20 MR. BUZZ HALBERT: Maybe.

21 MS. PAT WALTERS: And sometimes the lake stays
22 brown for the whole entire summer. So there is a lot of
23 sediment obviously coming in.

24 Whether the weather has changed that, drains
25 changed, you know, direction through the years. It's hard to

1 say what's been done in the sixty years that I've been there.
2 I have no idea. But something has changed to make this
3 happen. I'm in favor.

4 BOARD CHAIRMAN KEN SOUTER: Next?

5 MS. CALLEE MELTON: Hi, I'm Callee Melton, I live
6 at 1340 Hoover Road, which is just east -- yeah, east and
7 north of the lake.

8 I use that lake a lot. I take my children to the
9 park a lot. And a couple of things came to my mind as I was
10 listening to every one.

11 Number one, I think property owners especially on
12 the private waterways need more assistance in doing what
13 needs to be done in order to either, A, maintain the
14 waterways on the property or, B, having the county assist
15 them in doing that work because it sounds to me like some of
16 them are between a rock and hard place on jurisdiction and
17 what they can and cannot do, and that needs to be made more
18 clear.

19 Number two, I think the health of the lake is
20 really important. The sediment thing, I can see how that
21 would affect property owners; but I think the most important
22 thing to me as I think about this is that sediment probably
23 contains pollution to some degree. And we need to find out
24 if there is pollution in the water and what we can do to
25 mitigate that pollution. Because people that live on the

1 lake, I'm sure the water gets into their wells. We're seeing
2 a lot of that stuff right now.

3 And my children swim in that lake almost daily
4 during that summer time. And I love the lake, I enjoy the
5 park a lot. So making sure that it stays clean and the
6 waterways are protected is important.

7 So those are my thoughts.

8 BOARD CHAIRMAN KEN SOUTER: Thank you.

9 Next?

10 UNKNOWN SPEAKER: No comment.

11 BOARD CHAIRMAN KEN SOUTER: I guess I got to
12 point --

13 UNKNOWN SPEAKER: No comment.

14 BOARD CHAIRMAN KEN SOUTER: The next --

15 UNKNOWN SPEAKER: No.

16 BOARD CHAIRMAN KEN SOUTER: Gentleman in the back
17 corner back there?

18 MR. BRIAN ABBOTT: I'm Brian Abbott. I live at
19 13367 Laketon in Ravenna; but I own ground in the drain
20 district and I own a cottage on the lake.

21 And a lot of that issue with the drainage that, the
22 picture you got showing there, is when they built them houses
23 at the end, when Harold Vogel and Kapinski built, they
24 cleaned that ditch out. It was all cattails and shit when I
25 was a kid, and we didn't have any problem. But we fished in

1 cattails. We didn't have a nice place to go out and put our
2 dock and our shore station in.

3 If you would have had a shore station, then you
4 would have had to go through the cattails.

5 So a lot of this stuff is because they cleaned the
6 ditch out when they built all them houses down there. That's
7 what it's all about on that Chester Drain. So that's my
8 comment. I'm not for the drain.

9 BOARD CHAIRMAN KEN SOUTER: Next gentleman?

10 UNKNOWN SPEAKER: I'll pass.

11 BOARD CHAIRMAN KEN SOUTER: Give anybody one last
12 shot at it as far as if you have anything new?

13 MR. ROBERT HAACK: Rob Haack. Not to put Joe on
14 the spot but just for the, I guess I'll say the education of
15 all the folks here, would you mind sharing with the group?
16 You gave me an example when I talked to you a couple months
17 back after the original BOD about some other township, I
18 don't know if it was in this county, where they were having a
19 lot of pollution issues in the lake and they were all
20 convinced where the source of that was. And they actually
21 did some DNA testing, I believe you said, and found it wasn't
22 actually from all the drainage issues and the farmers, but it
23 was rather from a few, I'll say, suspect septic systems that
24 were on the lake that were the main contributors. Would you
25 mind sharing with folks?

1 WATER RESOURCES COMM. JOE BUSH: Yeah, that was in
2 Georgetown Township on Maplewood Lake. They were doing
3 testing on that lake and they came to find out that there
4 could have been some faulty septic systems.

5 And by any means I'm not saying that's on this lake
6 because I don't know that. I'm just saying what was studied
7 on Maplewood Lake in Georgetown Township, a lot of people
8 were pointing fingers at agriculture at one time, and just
9 with the growth and over the years, not everybody inspects
10 their septic systems or does routine maintenance on them. We
11 just -- we forget or we lose track of that.

12 But anyway, that was an issue. It's not throwing
13 me under the bus, it's public information. That could have
14 been septic -- DNA was found in the water testing.

15 So but again, I'm not stating that this has that
16 issue, and that's not for me to determine that.

17 So, yeah, that's what I know.

18 MR. ROBERT HAACK: I think it's important like the
19 gentleman in back said to understand what's changed, right?
20 Because as we said before, we've been farming the land for
21 several hundred years. Some of the drains have changed, some
22 have not; some farming practices have changed, some have not.

23 But it's important to understand, I think, what has
24 changed to contribute to the problems, whether it be culverts
25 not being maintained or whatever it could be. But I think

1 that's important when you're going to look at a problem like
2 this.

3 WATER RESOURCES COMM. JOE BUSH: We can talk about
4 maintenance a little bit because I was only elected in 2013.
5 My predecessor was there, and I'm not throwing him under the
6 bus, he was there 12 years prior to me; and another one who
7 served 12 years before that. And then Roscoe DeVries, some
8 of you might remember Roscoe, he served for 28 years.

9 So during that time I've heard on the Chester Drain
10 BOD that people called my office, the drain office, and
11 couldn't get any help, property owners couldn't get any
12 help.

13 Well I said in the Chester Drain BOD and I'll say
14 it today, that's why I'm here. I'm here to listen and help.
15 And these natural water courses I'm willing to help people
16 understand the best practices because maybe they don't
17 understand.

18 Sometimes we think we're trying to help, maybe were
19 hurting it. Some of the maintenance in the culvert, the road
20 commission maybe didn't do maintenance on those over the
21 years because for whatever reason. Maybe it's just missed.
22 If nobody calls it in, it's never a problem until it's a
23 problem.

24 And now that we know these issues, we've only spent
25 a little bit of money on this whole thing. It's not like we

1 did a study and figured out what the issues are, because this
2 Board today could say, Joe, we don't see it necessary, we're
3 not going to move forward.

4 Well then how am I supposed to go on any
5 information? But I don't want to spend a lot of money and
6 then tell him, I can't pay you. You did all that work, the
7 Board said no, and now I can't pay you. Well he's going to
8 get paid. I got to pay him.

9 But it's happened, these boards have said no. And
10 then I don't want to have a big cost lingering out there
11 without having this Board -- once it moves forward, then I
12 can actually have him do more engineering study to figure out
13 those facts, because there is a lot of what-ifs.

14 I don't know if I can get grants or not. Nobody
15 knows in today's world. I can try. I've gotten over four
16 million dollars in grants in Ottawa since I've been elected.
17 That's pretty good.

18 Sand Creek, not too far from here, I got a \$600,000
19 grant from the state to improve Sand Creek because that creek
20 is falling apart. Anybody lives up there and has property
21 knows that. \$600,000 I got a grant, took me two years, but I
22 worked hard for it, I lobbied for it. It's not easy to get
23 grants in today's climate in the State of Michigan. It's
24 tough to get them. So I do work for that.

25 BOARD CHAIRMAN KEN SOUTER: Didn't you get a two

1 million dollar one?

2 WATER RESOURCES COMM. JOE BUSH: I got a two
3 million dollar one on Park Township on the Park West Drain.

4 So we can add up all these grants that I gotten,
5 this is since 2013, in four years, I got a pretty good track
6 record.

7 There is no promises. But when I lobby for them, I
8 go to Lansing to fight for grants for my constituents. I try
9 to bring that money back home to Ottawa County, instead of
10 going to any other parts of the state or going to Flint or
11 going anywhere, I try to bring them home to you guys, in
12 every township.

13 Just because you're Chester doesn't mean you're not
14 my constituents and a part of Ottawa County. I know you're
15 up here in the northern part, but I care about you people,
16 and I care about your property values, and I care about your
17 farms, and I care about water quality.

18 So I'm trying to -- so whatever this Board decides,
19 it's up to them. But that's why I'm here, to help property
20 owners, help maintenance issues and improve wetlands, that's
21 important.

22 So if we can improve wetlands, we'll try to do that
23 too.

24 BOARD CHAIRMAN KEN SOUTER: Young lady over here
25 had a comment and then we're going to close this.

1 MS. MARY MEAD: Mary Mead, 2667 VanDyke.

2 I just want to really -- I'm not for this and I'm
3 not against this, but I do want to speak for the lake. It's
4 dying, and it's dying fast. I've been there since 1992, and
5 in the last five years, I don't even want my grand-kids in
6 it, it's nasty.

7 I don't think it's the drain thing, I think that
8 brings in fresh waters, truthfully. I don't know.

9 But, please, this lake needs help.

10 BOARD CHAIRMAN KEN SOUTER: Then if there is no new
11 information, then I'm going to close the --

12 MR. BERNIE HILLARY: My name is Bernie Hillary, I
13 live at 21338 - 24th Avenue.

14 I'd like to speak to the fellow that just spoke.
15 When you do your studies on that lake, I think several
16 comments here have been very good about septic systems. Take
17 a good look at them.

18 This lady just said the lake has changed so much,
19 take a look at the septic systems these people have on this
20 lake, it could be pretty important.

21 BOARD CHAIRMAN KEN SOUTER: Okay. I'm going to
22 close the public portion of this and basically talk to the
23 members.

24 Glenn?

25 BOARD MEMBER GLENN NYKAMP: Well, there is a

1 problem, it's obvious we have a problem, maybe more than one
2 problem.

3 The thing that we have to remember, that nothing
4 will ever get done if we don't try. So I think it's
5 important that we try at least, and maybe figure it out.
6 Maybe it is septic, maybe it's pollution, who knows.

7 But if we don't spend some effort and time and
8 money to do that, we'll be in the same place five years from
9 now as what we are today. We don't know.

10 But we do know things are getting worse.

11 And we've been on enough of these boards that we
12 see that, and it can vary from one thing to the other. We'd
13 like to be able to point our finger and say that's what the
14 problem is, but we don't always get it right the first time.

15 So I would say that without a study, nothing will
16 happen.

17 BOARD CHAIRMAN KEN SOUTER: Rich?

18 BOARD SECRETARY RICH VANDERKLOK: Well I agree with
19 what Glenn said. And one of our mandates is really to
20 determine the necessity based on public health, and we saw it
21 up there, welfare, and/or convenience after hearing your
22 testimony. And I think those pieces are critical.

23 So without some kind of incentive to move forward,
24 as Glenn said, five years from now we'll still have some of
25 the same issues.

1 So I think to answer some of the what-ifs, and if
2 this happens and that happens, as someone said, the only way
3 that that's going to happen -- one of the ways that that's
4 going to happen is to have the county move forward and to
5 evaluate and answer some of those questions.

6 And so I agree.

7 BOARD MEMBER GLENN NYKAMP: When we're talking
8 about doing the study and things like that, it might take a
9 long time, and we might not ever get it 100 percent right
10 here as far as where it's all coming from, because stuff does
11 change with houses and everything else.

12 BOARD CHAIRMAN KEN SOUTER: Well I understand
13 people's -- people don't really like to go ahead with
14 something that they don't know what it's going to cost. But
15 the way I understand drain hearings and drains and projects,
16 people always have the -- they know before the project what
17 it's going to cost, they can bring their objections at that
18 point.

19 Is that not so, Joe?

20 WATER RESOURCES COMM. JOE BUSH: That's right.

21 BOARD CHAIRMAN KEN SOUTER: Yeah. So we're not
22 talking about a project here, we're talking about a
23 consolidation of the drains that enter and exit out of
24 Crockery Lake.

25 To me Crockery Lake, anybody that lives in Chester,

1 their jewel in Chester Township is Crockery Lake. It's a
2 beautiful lake.

3 I've been around the county -- I was with the road
4 commission for 45 years. I've been around this county for a
5 long time, and that's the jewel of Chester Township.

6 I really, in my mind, feel that if this lake is
7 resulting in that much problems, it's a problem for the whole
8 area, it's land values around the lake and in the entire part
9 of Chester Township.

10 So I guess we got some motions here we got to
11 decide on.

12 Do I have a motion -- that's the last one.

13 I need a motion to, that the drain is deemed
14 necessary or not necessary?

15 BOARD SECRETARY RICH VANDERKLOK: I would make the
16 motion, Mr. Chairman, that it be deemed necessary.

17 BOARD CHAIRMAN KEN SOUTER: Do I have support for
18 that motion?

19 BOARD MEMBER GLENN NYKAMP: I agree.

20 BOARD CHAIRMAN KEN SOUTER: Moved and supported
21 that the drain consolidation is necessary.

22 All in favor, say aye.

23 BOARD MEMBER GLENN NYKAMP: Aye.

24 BOARD CHAIRMAN KEN SOUTER: Aye.

25 BOARD SECRETARY RICH VANDERKLOK: Aye.

1 BOARD CHAIRMAN KEN SOUTER: Do I have a motion that
2 the drain is necessary for the protection of the public
3 health in Chester Township, and that a portion of the costs
4 shall be appropriated to the municipalities at large?

5 BOARD SECRETARY RICH VANDERKLOK: I would move
6 that.

7 BOARD CHAIRMAN KEN SOUTER: Do I have support?

8 BOARD MEMBER GLENN NYKAMP: Support.

9 BOARD CHAIRMAN KEN SOUTER: Moved and supported
10 that a proportion of the costs be apportioned to the
11 municipalities at large.

12 All in favor, say aye.

13 BOARD MEMBER GLENN NYKAMP: Aye.

14 BOARD CHAIRMAN KEN SOUTER: Aye.

15 BOARD SECRETARY RICH VANDERKLOK: Aye.

16 BOARD CHAIRMAN KEN SOUTER: Do I have a motion that
17 the drain district be adjusted as necessary, and lands added
18 or deleted as determined by the Water Recourses Commission as
19 recommended by the engineer?

20 BOARD MEMBER GLENN NYKAMP: I think that maybe Joe
21 should explain that to some of the people, how that part
22 works.

23 WATER RESOURCES COMM. JOE BUSH: So if today you
24 go, and you're like, you know, my land isn't in that district
25 or whatever, this motion is to have my engineer go out and

1 meet with you folks, who might not agree with the district,
2 because it does change. He's not -- he does his best with
3 the information that he has.

4 So if you disagree, this motion is to allow me to
5 change that red district, if you feel that your water doesn't
6 drain that way, or if you want him to come out and look at
7 it, we're willing to do that too.

8 But if it's necessary, this is a motion that allows
9 me to add or delete, whether we made an error because we do
10 make mistakes, of course, it's true.

11 So if we do make a mistake, it's that motion that
12 would allow me to do that, by law. Or to add if there is
13 change in that too. Sometimes we miss somebody.

14 So that's what that motion is for.

15 BOARD CHAIRMAN KEN SOUTER: All in favor, say aye.

16 BOARD MEMBER GLENN NYKAMP: Aye.

17 BOARD SECRETARY RICH VANDERKLOK: I don't believe
18 it was moved or seconded.

19 BOARD CHAIRMAN KEN SOUTER: I thought Glenn did.

20 BOARD SECRETARY RICH VANDERKLOK: I don't believe
21 so.

22 BOARD MEMBER GLENN NYKAMP: I'll make a motion to.

23 BOARD CHAIRMAN KEN SOUTER: And I'll second it.

24 All in favor, say aye.

25 BOARD MEMBER GLENN NYKAMP: Aye.

1 BOARD CHAIRMAN KEN SOUTER: Aye.

2 BOARD SECRETARY RICH VANDERKLOK: Aye.

3 BOARD CHAIRMAN KEN SOUTER: What's the appeal
4 process? I don't understand that.

5 WATER RESOURCES COMM. JOE BUSH: We don't -- we're
6 not that far.

7 BOARD CHAIRMAN KEN SOUTER: Okay. Any other
8 closing comments?

9 WATER RESOURCES COMM. JOE BUSH: If there is any
10 further questions for me or my staff or the engineer, you can
11 always go to MIOttawa.org, you'll see the link on there. You
12 can call me, or after the meeting you can get business cards
13 from ENG and you can share with us any other information that
14 might be important.

15 And thanks for coming and spending your morning
16 with us.

17 BOARD CHAIRMAN KEN SOUTER: Thank you.

18 (Board of Determination concluded at 11:20 a.m.)

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