1	STATE OF MICHIGAN
2	COUNTY OF OTTAWA
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4	IN RE: SEVEY DRAIN
5	BOARD OF DETERMINATION
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8	Proceedings commenced at 10:00 a.m., on Tuesday, July
9	27, 2021, at the Ceglarek Fine Arts Center, Allendale High
10	School, Allendale, Michigan, held before Marjorie A. Covey,
11	CSR-2616, RPR, Certified Shorthand Reporter and Notary
12	Public.
13	
14	APPEARANCES:
15	Mr. Joe Bush, Ottawa County Water Resources Commissioner
16	Mr. Josiah Timmermans, Chief Deputy to Water Resources Comm. Ms. Sara Hirts, Secretary
17	Mrs. Dich Mandard lak Doord Chairman
18	Mr. Rich VanderKlok, Board Chairman Mr. Ken Souter, Board Secretary Mr. Larry Bryggers, Board Mombor
19	Mr. Larry Bruursema, Board Member
20	Mr. Dan Fredricks, P.E., LRE
21	Ms. Megan Connelly, P.E. LRE
22	Mr. Jerry Olman, Ottawa County Road Commission
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1	Allendale, Michigan
2	July 27, 2021 - 10:00 a.m.
3	PROCEEDINGS
4	WATER RESOURCES COMM. JOE BUSH: Well good morning,
5	everyone. Can everybody hear me okay? Hopefully it's not
6	too loud.
7	I'm Joe Bush, the Ottawa County Water Resources
8	Commissioner, also known as the drain commissioner. We
9	changed the name back in 2013 when I got elected, same
10	department, same staff, as far as what we do, and again, we
11	just changed the name.
12	This is one function of my job duties is to hold a
13	public hearing or a Board of Determination so we do
14	appreciate you coming.
15	We'll go ahead and get this public hearing started
16	on the Sevey Drain. Again, I appreciate your time coming
17	this morning.
18	A lot of people ask why do you have it in the
19	morning and afternoons and not at night. This is actually a
20	legal public hearing according to Drain Code so it is state
21	law I have to hold these.
22	Typically at night they don't work so well, I'll
23	get more pushback and yelling at at night because I interrupt
24	the people's schedules at night, supper time, sports. And

again it's a legal thing that I have to do according to Drain

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Code, which is state law.

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So this is why you're here because I got a petition from Allendale Township. A petition means that there was a request put in to add a branch or add some drains or do maintenance on the drain known as the Sevey.

So we're here today because in the township petition there is a request from numerous property owners to the east of the Sevey Drain, and everybody got a map.

Any time you add lands, make a district bigger, add drains, I have to hold a public hearing like we're doing today, a Board of Determination.

The other reason we have a petition, not today, but typically is if you -- I'm only allowed to spend \$5,000 per mile, per year, per drain. I have about 1100, 1200 drains right now in Ottawa County. I'm only allowed to spend, like I said, \$5,000 per mile, per drain, per year. So \$5,000 in 2021 doesn't get you very far.

But that's not why we have a petition today. It's because there has been a request to add some properties to the said Sevey Drain.

So to do that, again I have to hold a public hearing. We picked today in this location, we weren't sure, there is a big drain district if you look at your map. It's a big watershed. A drain district is a watershed.

I'm thinking, boy, how many people, will we have

10, 20, a hundred? I've had them where 500 people showed up.

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So you never know, so thanks to Allendale for having us here. I wasn't sure if the township would hold enough people, but obviously we could have made it. But again, we're here today so thank you.

So the process of having a Board of Determination,

I have to pick a three-panel board. That three-panel board
has nothing to do with Allendale Township board, or planning
commission or anything to do with Allendale Township.

I pick three panel board members who actually have been doing these BODs for a long time. They have a lot of experience. They understand Drain Code. They understand drainage. They understand why we're here today.

So today, their job is to say, is there a project necessary? We don't have a project. We don't really know a lot about it. They never have been out there. They don't know anything about this area because we don't want to give them a heads-up because really they're here to hear testimony from the people.

This is about you guys in this room. This isn't about what Joe wants, what they want, what the engineer wants or even Allendale Township. This is about who the people are today having the issues or concerns of the Sevey Drain or another drain district that might want to attach to the Sevey Drain for an outlet.

So again these three panel board members have been doing these for me since I got elected. They're very experienced. And again they have no properties in the drain district or Allendale Township. And again they've been running these meetings for quite some time.

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I'll go ahead and do introductions, we'll start from the right and go left.

Ken Souter, he has 30-plus years, he's retired from the road commission. He was an engineer there. I came from the road commission, he retired about when I started so that's been a couple years ago. But Ken has been -- he was there I think it was 40 years maybe.

BOARD MEMBER KEN SOUTER: Close.

WATER RESOURCES COMM. JOE BUSH: Close to 40 years but he's retired. He's done a lot of these, he understands drainage, obviously.

Rich VanderKlok, he's from the Georgetown Township area. He's been a Georgetown Township board member for quite a few years. And he's been the chair of these meetings for a long time.

And then we have Larry Bruursema who also was on the township board for Georgetown at one time, and served many, many years at the road commission on the road commission board. And he understands drainage and what the purpose is here.

Again, we don't have a project, we don't have a cost. This is the very beginning stages of the petition process.

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So if you ask, well what's the cost? We're not going to have one.

Well why not? We don't even know if these three board members think it's necessary to even have a drain project.

Sounds kind of crazy, right? They're voting on something we really don't know about as far as is there -- all their job is is to say, Joe, move forward; or Joe, we don't deem it necessary.

They'll make a motion at the end of the meeting based on testimony today on, do we see a need or not. That's strictly all it is.

Some people say, well what kind of assessment is it? We don't even have a project yet. But we do have LRE, Dan, and his assistant is here from Land and Resource. They'll do a presentation.

And something else I've been doing that's not required by law but I do it anyway because it's been very helpful over the past, going on nine years, Margie is here, and she's a court reporter. Instead of having a secretary write down something and forget it or miss it, we hire a court reporter. And everything is recorded word for word,

whatever you or I say from the time we start to the time we end, or public testimony, the engineer, these three panel board members.

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You can always go to MIOttawa.org, look under Water Resources Commissioner and you'll see petitions. And if you go in there you'll find the minutes for every Board of Determination meeting I've had since I've been elected.

The reason we do that is for your safety and mine, if something got said, or we were confused on something, we'll go back and read those minutes that Margie -- and Margie has been doing these for basically since I've been elected so she's done guite a few of these for me.

She gets it down and writes it and types it so we know what we said, or if something happens down the road where we got confused. Well wait a minute, who said what, what property owner was it? It's so nice to go back and read it word for word. We might miss it, so she'll capture it for us. So Margie is here.

So when you give public testimony, make sure you state your name, address, speak loudly, I'll put the mic back up here. Don't be afraid because basically this is for that board's information on making a decision today.

And then my staff, you might have met Josiah, my chief deputy when you walked in to sign in, and then Sara, she's my secretary. So I have two staff with me today.

And then Jerry Olman from the road commission is here. And Jerry and I have been working -- we worked together at the road commission several years ago and we've also collaborated on several projects. They also try to show up and give testimony on the project -- or not the project but to the Board of Determination.

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And then I don't think I'm missing anything so -- I don't see anybody in from the township board. Sometimes we do have somebody from the township and I don't see anybody here today, yet.

So what happens from here, I'll give the oath and once these three gentlemen get the oath, they'll sit down and then they'll -- they'll actually run the meeting.

Any questions, all questions are to those guys.

Again, I'm neutral, so unless they ask me, I'm not involved at all. It's totally up to those three gentlemen to run the meeting, they'll pick a chair, a secretary and move forwards.

So if there is any comments, they'll probably go one aisle at a time, but again I think with this crowd it will go pretty quickly and pretty smoothly. At least there is not 500 people in here.

So again if you have any comments, concerns, be sure to speak up. This is the time that this board needs to hear your comments or your questions.

1	Gentlemen, please rise. Raise your right hand.
2	Do you each solemnly swear that you will faithfully
3	perform and discharge the duties imposed upon you as required
4	by law, as members of the Board of Determination, appointed
5	by the Ottawa County Water Resources Commissioner, to
6	determine necessity and locate, establish and construct the
7	proposed Sevey Drain located in Allendale Township in said
8	county? Gentlemen?
9	BOARD MEMBER RICH VANDER KLOK: Yes.
10	BOARD MEMBER KEN SOUTER: Yes.
11	BOARD MEMBER LARRY BRUURSEMA: Yes.
12	WATER RESOURCES COMM. JOE BUSH: Thank you.
13	BOARD MEMBER KEN SOUTER: I'd like to make a motion
14	that Rich serve as chairman of this board.
15	BOARD MEMBER LARRY BRUURSEMA: I'll support that.
16	BOARD MEMBER RICH VANDER KLOK: Motion has been
17	made that Rich serve as chairman, and it was seconded by
18	Larry.
19	All those in favor, say aye.
20	BOARD MEMBER KEN SOUTER: Aye.
21	BOARD MEMBER RICH VANDER KLOK: Aye.
22	BOARD MEMBER LARRY BRUURSEMA: Aye.
23	I'll make a motion that Ken Souter be the
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24	secretary.

1	that motion.
2	Motion is made that Ken Souter serve as secretary,
3	seconded by Rich.
4	All those in favor, say aye.
5	BOARD MEMBER KEN SOUTER: Aye.
6	BOARD CHAIR RICH VANDER KLOK: Aye.
7	BOARD MEMBER LARRY BRUURSEMA: Aye.
8	BOARD CHAIR RICH VANDER KLOK: And that is carried.
9	One of the things that we now need to do is rules
10	of public comment. And we will have opportunity for you to
11	make public comment as you desire, a three-minute time limit.
12	All we ask is that you give us your name and your address,
13	and then make your comment.
14	And so I'll make a motion that we have public
15	comment, not no exceed three minutes per person.
16	Is there support?
17	BOARD SECRETARY KEN SOUTER: I'll support that.
18	BOARD CHAIR RICH VANDER KLOK: And it's supported.
19	Motion made by Rich, supported by Ken, that we have
20	public comment, three-minute time limit for those who would
21	like to speak.
22	We've already talked about the role and function of
23	the board, Joe explained that very thoroughly. And also in
24	terms of the history.
2.5	And so our next item is engineer report, and Dan

Fredricks is going to give us that.

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And you can see it up on the screen. And so don't take offense if we turn our backs on you because we're going to look at it too.

ENGINEER DAN FREDRICKS: All right. Well thank you everybody for being here.

Again my name is Dan Fredricks with Land and Resource Engineering. I'm also joined by Megan Connelly. Megan is another one of our engineers that did a lot of the field work.

As Joe alluded to we kind of went out and did a very preliminary walk-through of the drain, met with a couple of property owners that were having drain issues, and gave a very preliminary report here.

We haven't gone into scope of the project or design analysis or anything like that. It's kind of just really some photographs and some visual evidence of some potential drain issues that we found out in the field.

So the overview of the presentation I'm going to give, we're going to talk about, building on what Joe said why we're here today, I'll give a brief overview of the drain and the associated watershed or drainage district with that.

We'll go into the history of the drain, some of the work that's been done throughout time. And then we'll go into the drainage issues that we have here that we have

found. And then most importantly after that we'll talk about what happens next and open it up to comments from the public here to voice either your concerns either pro or con against the potential drain project.

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So as Joe alluded to, his office received a petition from Allendale Township for maintenance or improvements to the Sevey Drain. The Michigan Drain Code mandates that as part of the process a drain commissioner, in this case the Water Resources Commissioner, holds this Board of Determination. The Board of Determination is going to hear testimony from everybody here today, and then determine whether the project is necessary based on public health, welfare or convenience.

I apologize, this map is a little bit blurry, but the Sevey Drain is a tributary to the Little Bass Creek drain. The downstream terminus is just west of 78th Street. So this is 78th Street right here, just to give everybody an orientation.

You have Lake Michigan Drive, or M-45 at the north, and you have Pierce Street on the south.

So the Sevey starts just west, the downstream end is just west of 78th Street and the confluence with the Little Bass Creek drain. And it continues upstream for about three miles, across 68th Street, across 64th Street to just shy of -- the legal terminus of the drain stops just west of

60th.

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And then at 60th it actually goes into about a 48-inch storm sewer, and it parallels -- and then that goes north along 60th Street.

And then to the east of 60th you have some developments that have happened in the last 30 years or so, such as the Woodcrest Estates Drain, which was established through the process of the Drain Code known as Section 433, where they do a development and then they construct a drain and then turn it over to the drain commissioner to maintain.

There has been some flooding issues up in these areas that we'll talk about as well.

But, yeah, in general here, you know, this area historically was agricultural. Everybody knows there is a lot of development going on here. So in the last 30, 50 years there has been some pretty significant changes within the land use and the watershed.

This is another map. This blue area right here -- let me go to one thing, sorry, I forgot one thing.

So this is a map of the drainage district. The drainage district basically is the watershed associated with the drain. This dashed like you can see her that kind of goes around the perimeter of the area right here, that is that drainage district boundary, that watershed line. That means that if a drop of water falls up here by M-45, it's

going to make its way down to the Sevey Drain. The Sevey Drain being this line that kind of goes right through the middle there.

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So as of 1982, again, they had looked at how has the land use changed, what properties were draining into it more or not. That would be if this petition was found necessary, that would be something we'd do is to make sure that this map is accurate and that the people are being assessed who are actually contributing to the watershed.

But as of the 1982 map there was about 970 acres more or less in the drainage district.

This is another map, it's a more recent map. It's the map that you guys have here. You picked it up in front. Which has all the modern developments on the map with that old 1982 drainage district boundary.

So everything in blue on this, that is for the historic district, lands that are in the drainage district in the watershed. We would review that if a petition was determined necessary. Some lands might get added, some lands might get removed. We have a lot more highly detailed contour maps that we can use now days so we can really refine what that watershed boundary is based on the technology.

So that's something we would look at if a petition was determined necessary.

A couple other points we'll talk about throughout

this process is in 1991 they constructed the Sevey Detention
Basin here near the outlet near just east of 78th Street.

That was done as part of a Chapter 20 petition which means that the cost of maintaining that are going to be assessed to basically the municipalities, and not necessarily the property owners within the district themselves.

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And then the other area we're going to talk about is this Woodcrest Estates Drain which was established back in 1998. So it's within the watershed, but it is -- but there is a gap basically between where the Sevey Drain starts and where the Woodcrest Estates Drain stops, and that's something we'd look at as to how connect that into one water course, if the petition were to go forward.

So the original drain was established back in 1886, so it's been around for almost 150 years almost now. There were clean-outs. There were petitioned projects and associated clean-outs in 1954 and in 1982. There was this Chapter 20 petition that I talked about there in '91 where they constructed that detention basin just east of 8th.

Since then there has been some branches that have been added and some culverts that have been replaced by the road commission and other developments in there along the drain. And there has been general maintenance done, but no extensive petition process since -- really along the main drain itself since the '80s.

And then as I stated before, that Woodcrest Estates

Drain was established back in 1998.

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So as we've talked about before, the drain -- the Board of Determination is going to look at this and determine if the petition is necessary based on public health, welfare, convenience.

Some of the drainage issues that we saw out there is, one, in the last 30 to 50 years there has been a pretty significant change in the landscape going from agricultural to now residential, subdivisions and developments.

The good news is that generally when you go from a more agricultural or undeveloped to a more developed, highly impervious urban state, you generally get more runoff because that water can't infiltrate in the ground. The development standards in Ottawa County, thankfully, have been pretty good over the last few years. A lot of those developments will have detention basins associated with them to try to curb some of that adverse effect that we get by having that increased urbanization and impervious surfaces.

But again, as the watershed changes, culverts might be undersized, they might not be big enough to handle the amount of storm water, so that's something that would have to be looked at in further analysis.

We investigated the detention basin and there are a few maintenance issues that could be conducted as a part of

the project if it was determined necessary.

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In general, within the drain, we noticed that there are areas of sediment buildup in the drain, where if the channel fills up with sediment, it's not going to have the capacity it needs to convey those flows and creates localized flooding.

Same thing, we saw a lot of excessive vegetation growing in the debris. If you get a lot of -- or growing -- a lot of vegetation growing in the drain. If you get a lot of vegetation growing, that will block and impede flow through the drain as well and could create potential flooding issues.

Another item we saw were obstructions in the drains. There could be -- we found a couple of abandoned culverts, some manmade pallets thrown out in there, log jams, things of that nature that again can backup the water and create localized flooding.

And then within the Woodcrest Estates Drain itself there on the upstream end, east of 60th, there were a lot of complaints about backyard flooding, nuisance flooding, ponding of water, creating breeding grounds for mosquitoes that spread disease, concerns of that nature.

We'll go into a little more detail and try to show you what we seen from our investigation.

This is really hard to see, I apologize, but we

have a map from 1999 on the left and 2021 on the right. And I guess really what I wanted to highlight here is you have M-45 on this north side, you have Pierce on the south.

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And really between this area of 78th and 68th Street right here, really closer to 78th Street, that area has developed a lot within the last 30 years.

The good thing to note, like I talked about before, is that most of these subdivisions, I'd say all of them, have some level of detention.

So again, that's going to kind of help to attenuate some of those peak flows and not put so much burden on the channel itself to have to convey all of that additional runoff from the more impervious surfaces.

And then also east of 60th in this photo right here, the Woodcrest Estates development was just being constructed in 1999. You can see the road, no houses have been built at that time.

So obviously there has been some land use changes. That's probably something that's going to continue in the future. And as the land use changes we have to look at, does the drain have the capacity that we need to convey the flow that's being supplied to it without creating flooding.

Then going to -- this is the starting of the downstream end so 78th Street on the left here. Same thing. You have a photograph on the left of the aerial photo of the

detention basin from 2021. And then the right is construction drawings from 1991.

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A couple things to note is that this is Waterpoint
Drive right here. This is a culvert that comes under that
into the detention basin. It's kind of hard to see right
here, but there is a little bit of sediment deposition coming
in from that culvert area there. And then the main Sevey
Drain is flowing in from here and there is, again, some
sediment deposition in through that area as well.

These are some photographs of the pond itself.

There is -- here are some areas where you can see we are starting to get some sediment deposition in those areas. And then there is a substantial amount of aquatic vegetative growth growing within the pond itself.

Which again the drain commissioner is going to be more focused on conveying water versus water quality. But kind of throughout this whole drain, it makes sense with the agricultural and residential areas and lack of buffers that there is a high nutrient loading going into the drain which kind of propagates the amount of vegetation that's growing.

As we get up into the drain channel itself a little bit of vegetation that can impede flow through the drain.

This is the culvert that's coming from the Sevey

Drain into the detention basin. According to the property

owner, it appears to be potentially undersized and it really

just jets out and creates some erosion issues as it does that, so that's a bit of an area of concern.

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This is the outlet structure, control structure from the detention pond that would then go across this box culvert that goes under 78th.

There was some undermining of the concrete spillway. Again, just some minor structural issues kind of associated with that. And then some of the smaller rip wrap by the culvert was getting pushed around. But these are pretty minimal areas here. Just some kind of minor maintenance issues there.

As we went further upstream it's kind of hard to see in these photographs here but there is some areas of bank erosion, kind of up near the pond area.

And then as we get closer to, this is 68th right here, again the channel itself, this is just one example where you have really a lot of aquatic vegetation in here kind of choking up the channel. And you have a little bit of it looks like a little bank erosion kind of going on there.

And as we get closer to the upstream terminus, closer to 60th, you'll see some sediment deposits here within the drain channel itself, indicating that there could be some sediment buildup in the drain that should be removed.

Obstructions in the drain, again here we're basically between 78th and 60th, here in the wooded area,

it's kind of hard to see again, but these are basically some log jams in the channel itself.

As we get closer to 64th here, you can see just the amount -- there is really no type of riparian buffer or anything like that against the drain itself. In the drain it's just this one huge kind of vegetative mess. So, again, that can restrict the flow through the drain.

Example, like some trash pallets thrown in the drain, more aquatic vegetation, more woody debris here. And this, I believe is an abandoned culvert.

Do you know, Megan?

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ENGINEER MEGAN CONNELLY: Yes.

ENGINEER DAN FREDRICKS: An abandoned culvert that's sticking out that's not serving any function, just obstructing flow.

Then one of the original complaints that the drain office received was from property owners within the Woodcrest Estates Drain. So that's a separate drain from Sevey, but as we said before, the Sevey stops just west of 60th, and this drain picks up just east of 60th.

And as part of this project potentially we could combine and extend the Sevey and have that go all the way up to the Woodcrest Estates.

So in 1988 the developer signed this 433 agreement with the drain commissioner to say, we're going to build this

infrastructure, storm water, and you're going to take over. 1 2 So within the development there is storm sewer. 3 Storm -- there is also a small detention basin right here 4 where I'm pointing to, kind of in the southern central end of 5 the property. 6 There is a large wetland complex that also does 7 have some drainage conveyance, kind of between the backyards 8 of the houses. 9 This hatched area right here, that's all easement 10 It was identified as a wetland easement at that time. area. 11 And then there is a drainage easement that would basically connect to the 60th Avenue storm sewer at the 12 13 downstream end right here (indicating). 14 And then once it gets to 60th, it goes into a 15 48-inch pipe which goes south of 60th and then east to the --16 west I should say. 17 But property owners were complaining about ponding 18 water, flooded backyards. These were some of the examples. 19 This was actually last spring when we were out 2.0 So almost a year ago when we first looked at this. there. 2.1 This is kind of that wetland complex area that 22 we're talking about, kind of water there. And these are a 23 couple properties within that drainage area, flooded 24 backyards, nuisance flooding, and ponding of water.

We did go out here and we did a survey, basically

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from 60th Avenue up through the Woodcrest Estates through the drainage outlets, and then going up kind of along this natural swale through the wetland complex area.

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What we did notice is I think the existing detention basin is right around this area here. But if you look at, this is a profile of the survey we took. So this profile starts at -- this right here is the big 48-inch culvert that's going south from 60th Street. And then there is a little 24-inch stub out that collects the water from, that would be from Woodcrest Estates.

And this is the channel bottom. So you have the top of the banks here and the channel bottom right here. And you'll notice it's pretty much dead flat, and then actually the channel bottom raises several feet right about in this area.

So a lot of these homes are complaining about inadequate drainage and there is definitely a significant sediment upper barrier that creates -- that doesn't allow for the proper flow of drainage between these houses.

And that's something else to look at too is just how high this culvert is set, and the inlet from this area could probably be lowered a little bit so we could probably get a little bit better gradient through that area.

We did do some -- that was the level of field work, we did that last year even before we had the petition to look

and see what we could do for Woodcrest Estates, so I figured I'd share that as well.

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So that's kind of what we've seen so far in the field. Again, we really want to hear from public testimony and hear some of your concerns.

But the next move right here is going to be open to public testimony, and then ultimately the Board of Determination is going to make a decision on whether a project is necessary or not.

If it's not determined necessary, then no petition on the Sevey Drain can be heard again for at least another year.

If it is determined necessary, then we go through, go out there and complete the engineering design. We do additional survey along the Sevey Drain. Potentially if we're kind of filling in the gap between the Sevey and Woodcrest Estates, we may have to go out there and obtain some easements. Potentially we may have to apply for permits from the state of Michigan to do some of this work here.

And then ultimately once we have a design project together, we'll put together construction drawings and specifications and bid it to qualified contractors. And then the lowest qualified contractor is generally awarded the project.

At that point then the drain commissioner knows

what the total project cost is going to be and can assess 1 2 that out. 3 The assessment will go to, there will be MDOT 4 because there is M-45, they will pay a portion of it. 5 Allendale will pay a portion of it. The county-at-large is going to pay a portion of it. And then the remainder is 6 7 going to be spread amongst those 970 acres, plus or minus, and the individuals that live within there. 8 9 So once we know the cost and they put together the assessment roll, then there would be a day of review and that 10 11 would give everybody the opportunity to look at what their 12 potential assessment is and voice any concerns at that time. 13 And once we get through that process, then we 14 physically construct the job. 15 So with that I appreciate everybody's time and I'm 16 happy to answer any questions that the board may have. 17 BOARD CHAIR RICH VANDER KLOK: Okay. Thanks, Dan. 18 I just wonder if Ken or Larry have any comments or 19 questions for Dan. 2.0 You might want to hang onto that in case they do. 2.1 BOARD SECRETARY KEN SOUTER: I'm a little confused. 22

In looking at your drawings very quickly, your drawings go through the little lake there. It's kind of hard to split a lake in half and not be in a drainage district or out of a drainage district.

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1	ENGINEER DAN FREDRICKS: So that's a great point.
2	Now this drainage district has not been updated since 1882.
3	BOARD SECRETARY KEN SOUTER: Okay.
4	ENGINEER DAN FREDRICKS: And those developments are
5	a lot newer than that, so that's one of the things that would
6	have to happen as part of this.
7	BOARD SECRETARY KEN SOUTER: It isn't only the
8	upstream end here that isn't in the drain district, but some
9	of the areas up here?
10	ENGINEER DAN FREDRICKS: Yeah. Actually even the
11	Woodcrest right now, the upstream areas, a lot of that
12	Woodcrest Estates is actually (inaudible) the historic
13	district.
14	But you make a great point right there that that
15	map is not accurate, and will have to be updated prior to
16	doing the assessment.
17	BOARD CHAIR RICH VANDER KLOK: Larry, do you have
18	any?
19	BOARD MEMBER LARRY BRUURSEMA: No, I'll wait for
20	the public comments.
21	BOARD CHAIR RICH VANDER KLOK: Okay. Jerry, do you
22	have anything that you'd like to share?
23	Jerry is from the Ottawa County Road Commission.
24	ROAD COMMISSION JERRY OLMAN: My only comment is
25	the gap as far as our road drainage goes, I'm not aware of

any issues that the road commission has.

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But it's been brought to our attention that there is a gap between the upper end of the Sevey and the, for example, Woodcrest Estates.

So I looked up the plans for the 60th Avenue storm sewer. That was installed in the early '90s as part of a -- in cooperation with Allendale Township when they installed sanitary sewer in the road as well. So I was kind of surprised that that wasn't already part of the Sevey.

But the road commission would be in favor of extending the Sevey Drain to include that storm sewer under 60th, so it's under the Water Resources Commissioner's control.

BOARD CHAIR RICH VANDER KLOK: Okay, thank you, Jerry.

Is there a representative from Allendale Township here that has any comments or wants to speak to this at this time?

I see no one from the township here to speak to it, unless, did I miss someone? No. It doesn't look as if there is.

So then we'll go to our public testimony time.

If you would like to make comment, please feel free to do so. We ask that you stand and give your name and your address and we will have a microphone for you available.

1	So you may want to come to the microphone in order
2	that we may hear you.
3	So if you'd like public comment and I'm going to
4	start in the front row here and ask if you want to make
5	public comment, and then I'll just go down each row.
6	And if you'd like to, please feel free to come
7	forward.
8	The gentleman here, do you have a public comment,
9	sir?
10	If you'd give us your name and your address.
11	MR. RYAN RANGER: Sure, my name is Ryan Ranger. My
12	address is 10703 Winnie Lane. I'm in one of the newer
13	subdivisions, Hidden Shores West which is on 78th Street.
14	And there is multiple houses that have drainage
15	issues so I just wanted to state that comment.
16	BOARD SECRETARY KEN SOUTER: So you're at the very
17	end almost to where it outlets into Little Bass?
18	MR. RYAN RANGER: Correct.
19	BOARD CHAIR RICH VANDER KLOK: Can you be a bit
20	more specific in terms of when you said "multiple drainage
21	issues," can you be a bit more specific as to what those
22	issues might be?
23	MR. RYAN RANGER: Sure. My backyard and other
24	neighbor's backyards on Winnie Lane have just general
25	drainage issues.

1	BOARD CHAIR RICH VANDER KLOK: Standing water?
2	MR. RYAN RANGER: Standing water, yes, along the
3	back of the property lines.
4	BOARD CHAIR RICH VANDER KLOK: Thank you, Ryan.
5	I think what we're going to do for public comment,
6	Joe, would you be willing to take the mic to the people so
7	that they don't have to come down?
8	So I'm going to go right over here, these two
9	gentlemen, if you have a comment.
10	Give us your name and your address, please.
11	MR. PHIL FALSTROM: My name is Phil Falstrom. I
12	live at 7712 Stepping Stone Drive. And we're on the Sevey
13	Detention Basin there. I've been around that basin probably
14	20 years.
15	I've noticed since the new construction of the
16	school, the subdivision behind us, I don't know if it is silt
17	fenced properly or what, but we're getting a lot of sand that
18	goes down that drain, the Sevey Drain, and just fills in that
19	pond. So it's real shallow.
20	So whenever it rains even a little bit, we're up at
21	least six inches of water.
22	BOARD CHAIR RICH VANDER KLOK: Okay, thank you.
23	MR. MARSHALL CHASE: Marshall Chase, 7754 Stepping
24	Stone Drive.
25	Where the Sevey basin is, I own the majority of

that property.

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Can you bring that picture back up where you showed the house? Right there.

Now that island that's in there, if you look on the other side, the island was not constructed to be put in there. What they did when they were digging on the south side, they hit sand, but when they hit clay they started piling it up there and we lost some of our pond.

That little tip that's sticking out of the one end there, to the north, that's not supposed to be there. Same thing, clay.

Now we've been getting a lot of sand coming down through there for the last years, I've talked to Joe about it. The pond is doing what it's supposed to do, it holds the water. It has a control system to let it back down Little Bass Creek. But we're getting so much sediment in there that it's starting to fill the whole pond in.

Now to the drain coming out of the Hidden Shores

Lake to the east, where he showed that to you, that drain was
only supposed to be used for lake water of Hidden Shores into
our pond. So it kept the water flow going, kept the pond
filled up.

Then the developer turned around and he started putting backyard drains in there, then hooked the church on to it. That's just to the north of that little island there.

So we got a bunch of stuff coming in there that we shouldn't have.

2.0

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Before we think about adding anything to it, we should fix what we got, before you even think about bringing more water. That's already destroying and eroding all the banks there.

We lost probably eight feet around our lake already that has caved back in. I've lost trees. And when that water comes through that, like the young man said, it's way undersized. It causes, on the west end, it causes a circular motion, and that will go on for days until that drain empties itself out.

Before we go on any further, let's fix that where it stops at before we add to it.

BOARD CHAIR RICH VANDER KLOK: Okay, thank you.

And then let's just go down the next row.

MR. DONALD BOERINGA: My name is Don Boeringa. I live at 7041 Sunset Drive. And I have what Allendale and Ottawa County drain commission consider an orphan sewer.

But every time it rains, I have some pictures of a severe storm, but any time it rains, we end up with standing water in our backyards and it runs through. And actually there is a grade problem with it because it's higher in the center and it's supposed to drain through. But a lot of times I have standing water.

And in June when we had the heavy rain, I had water 1 2 in there up to my knees that I walked through, in my 3 backyard. 4 BOARD CHAIR RICH VANDER KLOK: Excuse me, John, 5 what subdivision do you live in again? Your address is what? 6 MR. DONALD BOERINGA: 7041 Sunset Drive. Right 7 across the street. 8 BOARD CHAIR RICH VANDER KLOK: Okay, thank you. 9 MR. KEVIN CROWE: My name is Kevin Crowe. I live 10 at 10411 68th Avenue. 11 I guess my concern is who pays for this? Are you 12 talking about the commission pays for it, the road 13 commission, MDOT? 14 You talked about all 970 acres -- the last time I 15 came to one of these meetings was when you guys were 16 determining whether or not the storm drains in the subdivision behind my house, Meadowbrook and whatever the 17 18 other one is. 19 And I don't know if the commissioner misspoke to me 2.0 then because I asked specifically after the meeting that if 21 he didn't hookup to these drains, would you have to pay for 22 it. 23 I was told no. 24 Well that wasn't true. I was assessed, I don't 25 know, 4000 bucks and change, that was put on my taxes.

I'm just real curious why you want to hookup these two drains? Why can't Woodcrest take care of their own stuff and pay for it? Why do we have to pay for their drainage problems?

I understand like Marshall was talking about, the stuff that's within the drains, let's fix the stuff that's going on. They were talking about the stuff by the schools, sounds like there is enough problem with the drainage system that's going on now without hooking somebody else up to it and making us pay for it.

Thank you.

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BOARD CHAIR RICH VANDER KLOK: Thank you.

MS. JULIE DeVRIES: Julie DeVries, 10848 60th Avenue.

I am right on the corner of 60th and Lynn Drive, which is (inaudible) the very new development, for you people on the board that aren't from Allendale, all those homes in there are no older than two years old. So they just kind of extended that street.

And it used to be, you know, acres of woods back there, hundreds of trees. And so when you take all those trees out of there with all those roots, I still think that that's got to be challenging to drain things properly and then put the roads in.

And somebody said that in that area that they were

having a little bit of trouble, and what I noticed is the drains are so very plugged, mainly with leaves, debris and a lot of sand due to the fact that it's a new housing development.

The question I have is who is supposed to keep those sewer drains clean, who is responsible for that? Is it the road commission or, you know, who cleans those? Because they were so badly plugged for a while there when we had rain it's no wonder so many of the roads and so many places were, you know, filling up with water in that area, because it couldn't continue to get down into the sewer where it was supposed to so it was kind of on top on the roads.

So I mean that's something I think that they have to think of too to try to improve on that.

Thank you.

2.0

BOARD CHAIR RICH VANDER KLOK: Okay, thanks.

Joe, do you want to speak to that in terms of --

MS. JULIE DeVRIES: Yeah, like who is responsible to clean that?

WATER RESOURCES COMM. JOE BUSH: Yeah, it gets kind of complicated when you get a new construction site.

Usually there is silt sacks in the streets that are left there until there is vegetation for all the new homes and yards. Sometimes that's in the front, sometimes it's in the street -- I mean the backyards, in the street. Sometimes

it's the road commission. 1 2 A county drain, everybody thinks every drain is a 3 county drain. A county drain is a legal body that has a 4 watershed as a beginning and it has an end. 5 This gentleman made a good point, well if you're 6 going to tap into other subdivisions upstream, why are we all 7 paying for it. The only way I can, per Drain Code per state law is assess based on contribution and benefit. 8 If you 9 contribute to the project or if you benefit from the project, 10 I can -- my department can assess for it. I don't know the scenario of what happened back 11 12 I think that was probably before my time. then. 13 MR. KEVIN CROWE: You were the one that told me. 14 WATER RESOURCES COMM. JOE BUSH: I don't quite 15 remember that, but it would be in the minutes. 16 Yeah, the only way I can assess is basically if you contribute or benefit. Obviously there was something done 17 18 that you contributed from --MR. KEVIN CROWE: 19 I have a question on that --2.0 BOARD CHAIR RICH VANDER KLOK: Excuse me. 2.1 Joe, do you want to finish? And then we'll 22 continue on, please. 23 WATER RESOURCES COMM. JOE BUSH: I'll finish. 2.4 So I'm not sure of that scenario, that might be for 25 a later time.

But that's the only way we can assess is basically on benefit and contribution.

2.0

And the answer to your question, it would be we do the soil erosion, and in my department we have a soil erosion agent and inspector that goes out everyday and inspects them.

But again, a drain has a beginning and an end, sometime they're in the street. Again, this gentleman brought up an orphan.

There is a lot of orphans in Allendale Township and through the county that I don't have legal jurisdiction over that I can't touch without an easement and a legal right to be on people's property and have a route and course.

So it depends whether the road commission has jurisdiction or myself and my department.

But I do know construction sites get ugly for awhile. The silt sacks get full and then we inspect those. And then we make the contractor go out and either put new silt sacks in in the catch basin, or if they don't put new ones in, they have to cleans the ones that are there, make sure the roads aren't plugged up.

The rain events lately have been pretty intense in the past two years, actually three years, that are different than what we normally see. So these roads will flood for quite a long time until the water recedes in the roads and drains.

1 BOARD CHAIR RICH VANDER KLOK: Okay, thanks, Joe. 2 The next row? 3 MR. JASON HOLTHOF: Jason Holthof, 10554 60th 4 Avenue. 5 I'm from the other end of the spectrum, east, near 6 Woodcrest Estates. Some of the pictures were actually my 7 backyard that were flooded out there. I'm pretty much the one that has done all that 8 9 maintenance in the drain for probably the last 20 years plus. 10 I represent kind of a (inaudible) trust where the 11 drainage that came in, grandpa has since passed, but that 12 ditch has been there way before he was a young child. 13 doesn't show on the map here. 14 I've talked (inaudible) with Sara last summer, I 15 believe it was, because it showed that the drain stopped just 16 west of 60th. As far as grandpa told me, it had been gone through there his entire life. The ditch comes around and 17 18 goes to the back of Woodcrest Estates, and stops right at 19 their north property line. 2.0 That retention pond that is on the back side of 2.1 that Woodcrest Estates, since that -- since that went in 22 there it has -- we've had a lot of flooding issues. 23 It was bad a little bit to begin with because it is 24 a wetland, but that retention pond is pretty much part of the

wetland which is backing up into our yard as well.

I've had issues with the drain that goes under 60th right there. I've cleaned it out myself many times from bricks and concrete. We've had -- Allendale Township pulled a tree out of there, a giant tree that was backed up -- probably 15, 18 years ago because it backed up so bad.

2.0

Also one day the waters were supposed to be receding and I went in there because the waters were suddenly flooding our backyards. And some kids from the development had plugged it, and it was coming back. This is days and days after a hard rain. So just tons of water in our backyard.

We've got ducks coming in here all the time swimming in our backyard with so much water.

I go in with my chainsaw and clear out the drainage, it's pretty much chuck full of trees, leaves and what not.

And then where it goes under 60th, I've removed tons of concrete, asphalt. I don't know where it's coming from, but I've taken a lot out of there. And I'm sure a lot of it has gone in the drain system that is under 60th right now. It's full of who knows what's in there. It's getting worse and worse as we go on here.

I think part of that drain, a piece of it right there from that development, but also that ditch doesn't even show, even with the map that he showed, it kind of hooks up

going to the northeast into Woodcrest, the ditch. There is a 1 2 ditch that's been there forever from what grandpa had said, 3 that comes all the way through there and that is plugged 4 right shut, which pretty much backs up all our properties. 5 So excessive amounts of water in there for weeks on 6 end, not just a couple days and out, it's weeks on end. 7 So I'd just -- like I said, the pictures were part of my backyard, and this is going back from many, many, many 8 9 years that that ditch has been there. I'm not sure why it 10 doesn't even show on there, but it has been there for a long 11 time. BOARD CHAIR RICH VANDER KLOK: Okay. 12 Thank you, 13 Jason. 14 MS. CHERYL ADAMS: I'm Cheryl Adams, 10564 60th, 15 and Jason has been great at maintaining this. 16 I will say one thing. That ditch that he's talking about does run behind people's homes in that Woodcrest 17 18 Estates. I feel those people should be the ones responsible 19 to keep that clean. 2.0 Jason and us, we live three or four houses down and 2.1 for him, out of the goodness of his heart to go down and 22 maintain that, because it does back up on our property. 23 And one of the houses that butts up to it is a 24 rental property, it has four families living in it.

again those people in Woodcrest, it's on the back of their

property, they should be the ones that maintain that.

2.0

Also, usually every spring with the runoffs of rain and snow, we have woods behind us, half of our property is woods.

It gets rain, snow runoff, and as I said to my husband, after we moved in 22 years ago, Woodcrest was just beginning, I said to him one morning, look, we have lakefront property, because the water had been so far up into our yard that we had ducks floating around back there, which is fine, I guess.

But the mosquitoes are horrible. And we end up with, we've lost trees that have died because with the water for weeks on end, that have just ruined the root system and that.

And, you know, our children are now full grown but when we had grandchildren, they couldn't even go out back because the mosquitos were so bad. And it continues with the rain.

This is the first spring that we did not have water back there because we didn't get the monsoon. But when we did get them a few weeks ago, now we have the mosquitos as I'm sure many of you have.

This gentleman down here lives on Sunset and we had spoken out in the outer area and he said he can't let his grand-kids go out because the mosquitos are so bad. So it

has been an ongoing problem for years and that. 1 2 Wayne Visser (ph) is the one that was originally on 3 the property who owned our property and that, and it's just 4 ongoing. 5 And what I am a little bit disappointed with with 6 the township is why this meeting was not held in the evening. 7 My husband wanted to attend but he works full time. think we would have had more of a turnout if this had been in 8 9 the evening and that. 10 So I had no idea that this drain went all the way 11 to 78th Street. I thought it was just in our neighborhood. 12 So I just really hope that something gets done. I 13 think if it does, it's going to take a long process with so 14 many different agencies involved. 15 Yes, unfortunately, there will be probably some 16 expense moved onto us like any other project, and that. 17 I hope a minimal cost, and then I hope there are grants and that available to kind of help cut any costs. 18 19 So we're all here because there is obviously a 2.0 problem that affects all of us, otherwise we wouldn't have 2.1 taken our time out. 22 BOARD CHAIR RICH VANDER KLOK: Thank you, Cheryl. 23 The next row? 2.4 The next row? 25 MS. NANCY GOODEN: My name is Nancy Gooden.

at 10881 60th Avenue. I live just west apparently of this yellow area that includes the drainage area.

2.0

So being just across the street from it but apparently not part of it, I guess my question is, I know that there is a big development proposed to go in right behind us. So I was just wondering why we got the notice.

Was it because of this development coming in or is it because we're so close to the Woodcrest Estate area that is having trouble?

I did agree with Ms. DeVries when she said that a lot of the drains are plugged. I do a lot of walking for exercise. I go down 60th and I happened to see on 60th a lot of the storm drains are plugged up with dirt and grass even growing, you know, creating like sod over the drains.

And as I was walking I tried to kick it off with my feet, but it would take a shovel it was so thick.

So I was just wondering, you know, who takes care of those drains to make sure the runoff is able to do its purpose.

But I guess that was my main question, if we're technically outside of that drain area, are we going to be assessed too?

BOARD CHAIR RICH VANDER KLOK: Thank you, Nancy.

MR. MITCHELL JOHNSON: Chairman Bush, honorable members of the Board, good morning.

My name is Mitch Johnson, I live at 7773 Hawkins 1 2 Street in the Hidden Shores West subdivision. 3 My primary area of concern is the drain portion 4 that runs behind my property on a west to east line along the 5 north side of our properties, of all of us who live on the 6 north side of Hawkins Street. 7 BOARD SECRETARY KEN SOUTER: I don't know where --BOARD CHAIR RICH VANDER KLOK: Where exactly in 8 9 relationship to like 78th or --10 BOARD SECRETARY KEN SOUTER: Where is Hawkins 11 Street? 12 MR. MITCHELL JOHNSON: Hawkins Street comes off of 78th Street, south of M-45. 13 14 BOARD CHAIR RICH VANDER KLOK: Thank you, that's 15 helpful. 16 MR. MITCHELL JOHNSON: I don't know the last time 17 this portion of the drain was cleaned out. It's very 18 overgrown with vegetation and silt. 19 Some of my neighbors have kind of thoughtlessly put 2.0 grass into that portion of the drain, thinking it's just a 2.1 ditch and not knowing that it contributes to the drainage. 22 All of our yards run downhill, across a flat and down into 23 the drain. And all of our sumps discharge into this portion 24 of the drain.

I did talk with Chris Machiela from the

commissioner's office, and my understanding is he went out and looked at this area and he thought that something could be done to clean it out, but he was looking into easements and engineering to see what ability he had to do that. And I have not heard from him to date.

I have put in some landscaping behind my house just on the edge of the drain so we didn't have to look at all that back there. None of my neighbors have done that yet but this may be an opportunity before that happens to clean out this portion of the drain to make sure that it functions going forward.

Thank you for your time.

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BOARD CHAIR RICH VANDER KLOK: Thank you, Mitch.

MR. JOHN BERNS: Hello. My name is John Berns.

15 | And I'm from 5947 Lynn Drive, that's Woodcrest Estates.

Our neighborhood is under massive development, as

Julie DeVries mentioned. The developers have the drains

actually plugged with a black tarp. So when it rains a lot,

we have a lot of water in the backyards and a lot of

flooding. And I know some of my neighbors have actually gone

out there in the rain storm and pulled the black tarp off

that's holding the water from flooding.

And I think I have a question. Maybe, Joe, you can answer that, how do we, as neighbors, try to control all the water that's coming through there? Because it's flooding all

of our yards and eroding away our lawns and things like that.

But I think it's more a product of the development going on and the fact that those drains are plugged.

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BOARD CHAIR RICH VANDER KLOK: Joe, do you want to speak to that?

WATER RESOURCES COMM. JOE BUSH: Yeah. This is one of those things where we would reevaluate it with Dan. I'm assuming you're talking about the new developments in the area.

We would have Dan -- every development gets reviewed through my department. They all have to be required through the Ottawa County development standards as far as hundred year detention. There is a whole list of things that we won't go into for this meeting, but there is standards that every development has to follow.

We will review that and make sure that those are done.

Again, the soil erosion is required by law to have those black tarps, they're called silt sacks or silt vents.

And all that's required. We'll take that back today to my agent and make sure that that gets looked at and reviewed either today or tomorrow, and have the staff go out and make sure that's good.

Those are the two things. I know they're a headache. When you have new developments, there is growing

pains because there is a lot more water, there is undisturbed soils, there is sediment that moves into drains.

2.0

So there is the bad side of development, you know. When it comes to open vegetation, it's just dirt moving. So we try to prevent anything from going down the street by all the preventive measures that every development is required to do.

So we'll look into that, Mr. Chair, and put it in the minutes that I'll have my staff go out, reevaluate the neighboring developments to make sure they're all -- I know they get reviewed weekly, but again with the rain events we've had lately, you know, we will go ahead and review that since you brought it up today.

BOARD CHAIR RICH VANDER KLOK: Thank you.

MR. JOHN BERNS: Just one thing more.

My son also lives in the subdivision. And I know a few weeks ago behind their house there was water over knee deep. And the neighbors went out and lifted that heavy drain out and then pulled that sediment sack off of it.

If my son hadn't been there, and a neighbor hadn't been there to see it, I'm not so sure that their houses wouldn't have all been flooded.

And so, you know, what they're using right now is not working. And we're just trying to figure out what to do about it because we can not just watch our houses and

(inaudible) drains out with water two, three feet deep. 1 2 BOARD CHAIR RICH VANDER KLOK: Okay, thank you. 3 The next gentleman? 4 MR. JIM KELLANDER: My name is Jim Kellander. Ι 5 live in Oak View Estates which is the development directly across the street from here off 68th Avenue. My address is 6 7 10745 Blackcherry Drive. 8 My concern is in looking at your map where the 9 Sevey Drain heads west of 68th Street, your map is showing it 10 going directly toward the holding pond on the school 11 property. 12 In actuality that drain turns slightly north and follows the boundary line of our subdivision, then turns 13 14 directly south down the school property and into the holding 15 pond. 16 My concern is that several years ago when the property was developed as a school and the ball fields were 17 put in, neighbors along the south edge of our subdivision 18 19 began having water problems in their basement because the 2.0 topography of that ground was raised and leveled for the ball 21 fields. 22 My concern is my house is only one house away from 23 the people that have a problem. Now I can't speak for them 24 because I don't see any of them here today, and that took

place several years ago when the ball fields were built.

But my concern is we're adding to this drainage 1 2 coming through that property, and it's already a problem. 3 want to make sure that that's adequately addressed to handle 4 the additional flow. 5 I can sympathize with people upstream that have 6 flooding problems, and I don't think we should prevent 7 helping them. But in doing so, we need to ensure the people that are downstream aren't inheriting their problem. 8 9 BOARD CHAIR RICH VANDER KLOK: Sure. Thank you, 10 Jim. I appreciate that. 11 And the next gentleman? MR. TERRY SMECKERT: Good morning. 12 My name is 13 Terry Smeckert, 7343 Watermark Drive. It's a condominium of 14 properties on the south side of Hidden Lake. 15 Where I live now, apparently I'm not in this drain 16 district according to this map. And my concern is if I'm 17 going to be assessed, then how does this map get redrawn correctly to incorporate all the residents that would live in 18 19 this drainage district then? I'm obviously in a different 2.0 drainage district, but it cuts across the lake as you pointed 21 out. 22 So how do you assess all these people if they're 23 not even in the drainage district? 24 BOARD CHAIR RICH VANDER KLOK: Thank you, Terry.

That would be a determination, obviously, that would be made

if this board determines that the project should go ahead. 1 2 Then I think the engineer made the comment earlier 3 that this -- the map that we see here is not totally correct, 4 and so if that is the determination, then obviously they will 5 reevaluate and reassess in terms of who would be in the 6 drainage district, who would not be, who would be -- who 7 would then be assessed as the project would move forward. So that would be the -- that would be the outcome 8 9 for you in terms of your question. 10 Is there anyone else that has not spoken that now 11 would like to make a comment, who did not? 12 Then I make a motion that this portion of the 13 public comment be closed. 14 BOARD SECRETARY KEN SOUTER: I second it. 15 BOARD CHAIR RICH VANDER KLOK: Motion is made by 16 Rich, seconded by Ken, that public comment now be closed. 17 And now I'd like to ask the board to make their 18 comments, based on what they've heard, and so either Larry or 19 Ken, if you gentlemen -- Ken, do you want to go first? 2.0 BOARD SECRETARY KEN SOUTER: Yeah. I hear comments 2.1 on this, on the downstream end, quite a few comments on the 22 downstream end where they're catching all the water and it's 23 not getting away, it's adding up there. I see problems 24 there.

I also see problems up at the Woodcrest end which

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would be, it must be the piece of property that's to the east
 1
 2
     of 60th.
 3
               Is that correct, Joe?
 4
               WATER RESOURCES COMM. JOE BUSH: Yes.
 5
               BOARD SECRETARY KEN SOUTER: That's correct.
 6
               My biggest question is that property to the east of
 7
     60th Avenue, that is shown as being part of the Sevey Drain,
     right? It was handled differently --
 8
9
               BOARD CHAIR RICH VANDER KLOK: Is that -- is that
10
     right, Dan?
11
               ENGINEER DAN FREDRICKS:
                                        That's correct, yes.
               BOARD SECRETARY KEN SOUTER:
12
                                            Okay.
13
               ENGINEER DAN FREDRICKS: So it's in the Sevey Drain
14
     drainage district, yes.
15
               BOARD SECRETARY KEN SOUTER: It's always been
16
     there.
17
               ENGINEER DAN FREDRICKS: It's always been there.
18
     Because if you look at this map, this yellow map that you see
19
     there, that boundary of the drainage district, that's from
2.0
     1982.
            And the Woodcrest Estates was not developed until
     1998.
2.1
22
               So it made sense that that drainage would actually
23
     -- because it always went in the Sevey.
24
               BOARD SECRETARY KEN SOUTER: It's always been in
25
     the drainage district, it's just the Sevey Drain wasn't
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extended up there to it? So that water always went that way? 1 2 ENGINEER DAN FREDRICKS: Yes. And it goes that way now, yes. It always has. So it's really a legalistic term, 3 4 because if you look at that heavy blue line on your maps, you 5 can see that the Sevey Drain stops, legally established, just west of 60th Avenue; but then it turns into a 48-inch storm 6 7 sewer, which potentially the drain commissioner would 8 takeover, and then the associated drainage easements within 9 Woodcrest. 10 BOARD SECRETARY KEN SOUTER: So we're not really 11 saying that that area needs to be taken into the drainage 12 district, it was always in the drainage district? 13 ENGINEER DAN FREDRICKS: That's a great point. 14 really aren't adding any additional water to the drain, it's 15 always been there. 16 BOARD SECRETARY KEN SOUTER: You may be adding 17 water because of the development, but that shouldn't have 18 been handled through --19 ENGINEER DAN FREDRICKS: Right. And that 2.0 development is happening all throughout the drainage 2.1 district. There is developments going on all over. 22 BOARD SECRETARY KEN SOUTER: That was the clarity 23 that I really wanted to know, and it's shown on the map as

being in the drainage district, it was being said that it was

added, and that's not the case.

24

1	ENGINEER DAN FREDRICKS: Correct.
2	BOARD SECRETARY KEN SOUTER: Other than that, as
3	far as I'm concerned, I hear problems at the upper end, I
4	hear problems at the lower end, and people are having
5	problems in the middle where they want to make sure that if
6	we do clean out one area, we're not talking about just the
7	upper area or the lower area, we're talking about the whole
8	drain.
9	ENGINEER DAN FREDRICKS: Right.
10	BOARD SECRETARY KEN SOUTER: And I hear enough
11	problems both upper, lower and middle that I'm in favor of
12	having it done.
13	BOARD CHAIR RICH VANDER KLOK: Okay. Thank you.
14	Larry, do you have any probably want to get
15	that
16	BOARD MEMBER LARRY BRUURSEMA: Yeah, I'm concerned
17	about I think all I've heard was it's just one big problem
18	of a drain that is not carrying the water out. And it's a
19	big maintenance problem, is that correct?
20	ENGINEER DAN FREDRICKS: I'd say that's a fair
21	assessment.
22	BOARD MEMBER LARRY BRUURSEMA: Okay. So that's
23	really all I have.
24	BOARD CHAIR RICH VANDER KLOK: Okay. Well picking
25	up on what Ken commented on and some of your comments, and I

```
appreciate the comment, I think it was Marshall who made the
 1
 2
     comment that we should fix what we have. And obviously
 3
     that's what we would intend, if this would go forward.
 4
     would be the -- that would be the impetus for the engineer
 5
     and the water resource commission office, the road
     commission, all of those entities to determine what will be
 6
 7
     the scope of the project.
               And all of that cannot be determined unless the
 8
9
     Board of Determination sees that there is a need in order to
10
     move forward.
11
               And so I would make the motion that the proposed
     maintenance and improvement of the Sevey Drain, as petitioned
12
13
     on March 22, 2021, is necessary and conducive to the public
14
     health, convenience and welfare of the public.
15
               And so I make that motion.
16
               Is that supported?
17
               BOARD MEMBER LARRY BRUURSEMA:
                                               I'll support it.
18
               BOARD CHAIR RICH VANDER KLOK:
                                               Made by Rich
19
     VanderKlok and supported by Larry Bruursema.
2.0
               Any further discussion on that motion?
               All those in favor, say aye.
2.1
22
               BOARD SECRETARY KEN SOUTER:
23
               BOARD CHAIR RICH VANDER KLOK:
                                               Aye.
2.4
               BOARD MEMBER LARRY BRUURSEMA:
                                               Aye.
25
               BOARD CHAIR RICH VANDER KLOK:
                                               That is carried.
```

And now, thank you all for being here, but I'm going to turn it over to Joe again, and he will describe for you the appeal process, and perhaps address a few of the other issues that you brought up in your comments.

2.0

WATER RESOURCES COMM. JOE BUSH: Yeah, I just want to take a few minutes to thank everybody for coming out this morning.

You can appeal today's decision at circuit court within ten days from today. So you can appeal it, the decision, or the BOD today. But again that's through circuit court. It's not through my department, not through probate, but through circuit. So you can appeal it.

The other one is for the minutes, I'll follow up with the gentleman that apparently there must have been a project with another assessment that I must have said something, so I'll follow up with him after the meeting to make clarification on that.

And then there was some other questions on who is responsible for, I believe the lady who walks, that there is some catch basins on the side of the road that are filled up, and not just with the black tarp or black silt sack, just because those are plugged.

Those are definitely -- either call my department, call the Water Resources Commissioner. Again we collaborate with the road commission on a daily basis.

It's a lot of work when you look at Ottawa County, there is a lot of roads, there is a lot of drains, my staff is very limited, I will say that for the record, because everybody thinks we have all kinds of staff and we can get to them on a daily basis.

2.0

2.1

But when you have a thousand plus drains, and developments going crazy, there is a lot of work out there and my staff is very limited. So we deal with what we can. But if there is issues and you see them, make sure you report them.

A lot of the storm sewers, the basins are getting full, grass starts growing in them, leaves, and before you know it, they become plugged. By all means either call the road commission, you can go online to the road commission and fill out a request. Or you can call Sara here, she usually answers the phone, and we put reports in and we handle those accordingly and pretty quickly too.

Some of the comments were that you haven't heard from Chris Machiela who works for me, we were waiting on today's decision to figure out do we add that as part of the project. Because when you have a petition like this, this is kind of an open end to take care of a lot of problems with one petition, and go, have the engineering firm go look at it and figure out what solutions are.

Again that boundary could change. Some people got

the notice because you live nearby. That doesn't mean you're in or out. We just try to notify everybody by law that you could be; and if you're not, good for you. If you're in, it's that adjustment.

2.0

2.1

Per drain code I try to mail even the neighboring people who are in that, because again it changes. That's an old drainage district that's been around for a long time.

A lot of these drains per the minutes have been around since 1800s. So I haven't been around that long, but these drains have been and they're hard to upkeep.

They are a utility, whether it's drinking water, sanitary, storm water. In today's environment it's very critical because your house could get flooded, the water quality, the impacts, just your livelihood, and mosquito breeding grounds, you name it.

So again storm sewers and storm water is about as critical as anything anymore, and we take it very seriously in our department.

So if there is any issues, be sure to reach out.

Dan will stick around after the meeting.

Again if you want to read the minutes, usually it takes her about four to eight weeks, depending on how busy Margie is to get those to me. We do post them on the website, everybody can read them.

If you need a hard copy because you don't have

1	internet or anything, reach out to Sara in my department and
2	we're more than happy to mail you a copy of them. It's all
3	legal and it's all court reported.
4	That's all I have.
5	BOARD CHAIR RICH VANDER KLOK: Thank you, Joe.
6	Seeing there is no other business, I will make the
7	motion to adjourn.
8	BOARD MEMBER LARRY BRUURSEMA: So move.
9	BOARD CHAIR RICH VANDER KLOK: And it's supported
10	by Larry.
11	Motion made by Rich, supported by Larry.
12	All those in favor to adjourn, say aye.
13	BOARD SECRETARY KEN SOUTER: Aye.
14	BOARD CHAIR RICH VANDER KLOK: Aye.
15	BOARD MEMBER LARRY BRUURSEMA: Aye.
16	BOARD CHAIR RICH VANDER KLOK: That's carried. We
17	are adjourned.
18	Thank you all for coming.
19	(Board of Determination concluded at 11:20 a.m.)
20	
21	
22	
23	
24	
25	

1	CERTIFICATION OF COURT REPORTER AND NOTARY PUBLIC
2	
3	
4	STATE OF MICHIGAN )
5	) SS
6	COUNTY OF MUSKEGON )
7	
8	I certify that this transcript, consisting of 58
9	pages, is a complete, true and correct record of the Board of
10	Determination, to the best of my ability, on July 27, 2021.
11	I also certify that prior to taking this deposition
12	
13	
14	DATE: July 30, 2021
15	Mayoue Cours
16	
17	MARJORIE A. COVEY Michigan License CSR-2616
18	Washington License 20109173 Oregon License 20-0468
19	Illinois License 084-004911
20	Notary Public Expires: October 14, 2021, Muskegon
21	County, Michigan/Acting in the State of Michigan
22	
23	
24	
25	

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