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STATE OF MICHIGAN  
COUNTY OF OTTAWA

.....  
In the Matter of: .  
BRIDLEPATH DRAIN .  
BOARD OF DETERMINATION .  
.....

T R A N S C R I P T

of the proceedings had on Tuesday, April 26th, 2016,  
commencing at 10:00 AM, at 102 West Exchange Street,  
Spring Lake, Michigan, before David R. Walley, Certified  
Shorthand Reporter, and Notary Public in and for the County  
of Muskegon and State of Michigan, acting in the County of  
Ottawa.

APPEARANCES:

MR. JOE BUSH, Ottawa County Water  
Resources Commissioner;  
Jen Vandenberg, Secretary to Mr. Bush;

LARRY BRUURSEMA, Board Chairman;  
GLENN NYKAMP, Board Member; and  
RON BRINK, Board Member.

Present:

RYAN C. McENHILL, P.E., Senior Engineer

David R. Walley, CSR

1                   MR. BUSH: Well, good morning, everyone.  
2                   Welcome to the Barber School here in Spring Lake. So I  
3                   just want to say thanks for taking the opportunity to  
4                   come and listen to the process today of what we're  
5                   explaining in the Bridlepath drain public hearing today  
6                   and why we're here, what started it, and what my  
7                   involvement is, and why we have a public hearing. So  
8                   we'll kind of go through those steps. Everybody got an  
9                   agenda, I hope, and everybody signed in as well just so  
10                  we know that you are here.

11                  So my name is Joe Bush and I am your water  
12                  resources commissioner, used to be the drain  
13                  commissioner. In 2012, I changed the name to water  
14                  resources and this is just one of my jobs that I do.  
15                  This is one of the hats I wear when it comes to  
16                  enforcing a drain system or a BOD, which is a board of  
17                  determination, or a public hearing. This is one of the  
18                  many hats that drain commissioners or water resources  
19                  commissioners wear.

20                  So again I'm Joe Bush, and we'll do some  
21                  introductions, and then we'll go from there of what else  
22                  we have got going on. So we have Jen. She's my  
23                  secretary that works in my office. We do have some  
24                  Spring Lake Township board members. Do you want to  
25                  introduce--

1                   MR. HOMAN: I'm Rick Homan, one of the board  
2 members.

3                   MR. BUSH: One of the Spring Lake Township  
4 board members. We have got one in the back?

5                   MR. MIERLE: Larry Mierle, Spring Lake board  
6 member.

7                   MR. BUSH: Spring Lake board member. I  
8 appreciate your township board being involved. That's a  
9 very important process. That's who we received the  
10 petition from and that's how we move forward with an  
11 orphan drain system. We'll talk about orphan drains  
12 later, but in order for me to have what I'm doing today  
13 is a petition, and it came from your township board, and  
14 we'll explain that process later, and then the road  
15 commission is not here. They are normally here at every  
16 BOD, but he's in another meeting, but the road  
17 commission is usually here.

18                   Gordon Gallagher has been at the last previous  
19 BODs. He's your township manager. He also attends  
20 these and is very aware of the process; and then with  
21 the petition coming in, I appoint a 3-panel board, and  
22 these three gentlemen have nothing to do with Spring  
23 Lake Township or the properties that we're talking about  
24 today, and the three panel is people that I pick per  
25 drain code.

1                   So it's in state statute, and that's how I  
2                   operate a public hearing, and these three gentlemen are  
3                   very, I say, informed. They either sit on the township  
4                   board. They are involved in the road commission in the  
5                   past. They understand drainage and it's important that  
6                   they understand drain code and how to run a meeting and  
7                   the process. So that's why I picked these three panel,  
8                   and it's not always the same people that I pick for  
9                   every board, and I have these BODs all around the  
10                  county.

11                  I have 17 townships and Spring Lake is just  
12                  one of them. So -- and I have these BODs about every  
13                  week now all over the county, so at least somewhere. So  
14                  these 3-panel board, actually these men, like again,  
15                  have no affiliation with Bridlepath or any properties  
16                  nearby. So they are basically here to hear your  
17                  comments. So speak loudly, give your name and address  
18                  when it is time for -- when they open the public hearing  
19                  and for public comment because everything is court  
20                  recorded so it's word for word.

21                  So if you want to look at those minutes later,  
22                  give the gentleman, Dave, a few weeks and they will be  
23                  on my website at [miottawa.org](http://miottawa.org) or, if you don't have a  
24                  computer or any way to get the Internet, you can call my  
25                  office and I would be more than happy to mail you a hard

1 copy of the minutes of today's meeting as well. So  
2 again Dave is our Court Reporter and it's word for word.

3 We'll start introducing the 3-panel board from  
4 right to left. We have got Glenn Nykamp. He's from  
5 Zeeland Township. In the middle is Larry Bruursema.  
6 He's from Georgetown Township; and to your left is Ron  
7 Brink. He is from Zeeland Township as well. So these  
8 three men are affiliated with drainage. They know drain  
9 code and they know the process and the legal process why  
10 we're holding a public hearing today.

11 So we'll go back a little bit. This isn't to  
12 determine what the project is. This is to determine  
13 whether these three gentlemen see a need to establish  
14 this orphan drain, they call it, and we'll talk about  
15 orphans. Either Ryan McEnhill, who is from ENG, he's  
16 the engineer on this and he will talk about orphan  
17 drains or maybe why it didn't get established when that  
18 plat was developed.

19 Now a days we have a 433 agreement between the  
20 townships and myself or the developer and that 433 means  
21 it's a county drain. It's under my jurisdiction. For  
22 future maintenance or future problems, you would call me  
23 or the township or whatever arises, you would definitely  
24 get ahold of the water resources commissioner. We would  
25 come out and fix the problem.

1                   Right now, it's an orphan, and there's issues  
2                   out there that we know of, and who do you call? It's  
3                   not the township, it's not the road commission, and it's  
4                   not mine because it's an orphan, and that's why we're  
5                   here today. So in order to process that, we start out  
6                   by having a petition, and then the BOD, which we are  
7                   here today, and then from here, we might have a project.

8                   So today is not to determine the scope of the  
9                   project, the cost of the project. We don't know that  
10                  yet. Right now, it's an orphan until these three  
11                  gentlemen, after today's hearing, will make a motion  
12                  later and determine that necessity. I'm neutral. I  
13                  can't say hey, board, I need this to be a county drain  
14                  or not a county drain. That's not for me to determine.  
15                  It's this 3-panel board.

16                 So hopefully that clears it up on why you are  
17                 here and why there's a process, a legal process. So  
18                 once I give these three gentlemen the oath, they will  
19                 pick a chair and secretary, and then they will run the  
20                 meeting from that point on, and then any questions will  
21                 be directed to them, and then if they have any  
22                 questions, they will ask me or the engineer, and then we  
23                 can hopefully answer the questions for you.

24                 So I just want to get clear today isn't about  
25                 how much is it going to cost or what is the project.

1 Right now it's an orphan and they are just here to  
2 determine whether it's a necessity to move forward and  
3 establish it as another county drain, which right now  
4 I'm over 900 county drains in Ottawa County. So to give  
5 you an idea of how many there is, there's a lot.

6 These orphan drains are all over, like I  
7 mentioned earlier. So right now in Holland Township,  
8 they have 90 of these that they are establishing. So we  
9 have been having a lot of meetings, a lot of BODs to  
10 establish an orphan drain and have it under the  
11 jurisdiction of the county. That way, you have somebody  
12 to call when your basement floods or your street's  
13 flooding or something malfunctions. You can call me and  
14 then we have the easement and the ability to go in and  
15 fix it.

16 So hopefully that clears up orphan drains and  
17 we'll give more detail between the engineer and I what  
18 an orphan drain possibly is because of the Bridlepath.  
19 He will give a presentation. So at this time, I will go  
20 ahead and swear in my three men, and then they will go  
21 ahead and run the meeting, and be sure to state your  
22 name, address, and speak clearly and loudly for the  
23 court recorder so he can get it if you have public  
24 comments. Thank you.

25 Gentlemen, please rise. Do each of you

1 solemnly swear to faithfully perform and discharge the  
2 duties imposed upon you as members of the board of  
3 determination appointed by the water resources  
4 commissioner of Ottawa County to determine the necessity  
5 of drainage improvements in a certain drain to be known  
6 as and designated as the Bridlepath in the Township of  
7 Spring Lake and said county as required by law?

8 Gentlemen?

9 MR. NYKAMP: I do.

10 MR. BRUURSEMA: I do.

11 MR. BRINK: I do.

12 MR. BUSH: Thank you.

13 MR. NYKAMP: I suppose we'll have to have an  
14 election. First we elect a chairperson. I make a  
15 motion we appoint Larry Bruursema for chairperson. Is  
16 there a second to that?

17 MR. BRINK: Support.

18 MR. BRUURSEMA: All in favor say aye.

19 MR. NYKAMP: Aye.

20 MR. BRINK: Aye.

21 MR. BRUURSEMA: Opposed, same sign. Clearly.

22 OK. We have to have a secretary.

23 MR. BRINK: I will make a motion that we  
24 appoint Glenn Nykamp as secretary.

25 MR. BRUURSEMA: I would second that. All



1           those in favor signify by saying aye.

2                       MR. BRINK:  Aye.

3                       MR. NYKAMP:  Aye.

4                       MR. BRUURSEMA:  Motion carried.  All right.

5           With that, we got the board established.  Now we have to  
6           find out what we're here for.  So I think first of all,  
7           we'll have the engineer explain the territory, the  
8           project, whatever we're here for.  Ryan?

9                       MR. McENHILL:  Well, good morning, everybody.  
10           My name is Ryan McEnhill with ENG Engineers, and Joe  
11           brought me on late last year to respond to a couple  
12           drainage complaints that came in, and then more recently  
13           took a little bit of a closer look at the system.  I  
14           walked it, took a look at some of the issues that were  
15           going on out there.

16                      Just a little bit about our firm.  We do  
17           drainage work all across lower Michigan for drain  
18           commissioners, water resource commissioners.  So we're  
19           very familiar with drainage issues, with drain code  
20           itself.  Our firm is based out of Lansing, although I  
21           actually live here locally in West Michigan, actually  
22           five or 10 minutes from here.  So I'm familiar with the  
23           area.  I think that helps a little bit.  I kind of  
24           understand what's going on here.

25                      So I'm just going to go through a short

1 presentation mostly because these board members have  
2 never been out there, aren't familiar. So I just want  
3 to get familiar. I know most of you probably already  
4 are. We'll go through some of the things that I found  
5 out there, hopefully give them a better understanding.  
6 So I think Joe kind of went through this already a  
7 little bit about the board to determine overview, why  
8 we're here today.

9 I guess I would just reiterate that from an  
10 engineering perspective, we kind of took a look at what  
11 the potential issues are. We haven't put or thought  
12 about, I guess, what the design outcomes would be to  
13 kind of solve those issues at this point until this  
14 board determines that the project is necessary or, if  
15 not, then we don't go any further. So I won't go too  
16 much into that. I think Joe covered that pretty well.

17 Some of the things that we did do, kind of  
18 went into the Ottawa County office, reviewed all the  
19 files. There was kind of a history of development and  
20 obviously I wanted to look at the Bridlepath drawings  
21 for how that development was built, the basic design for  
22 it. I also looked at some of the other subdivisions  
23 that went in to the east that could potentially be  
24 contributing or have drainage issues themselves as well.  
25 So I kind of took a look at all those things.

1                   The one thing that's nice about Ottawa County  
2                   is they do have kind of quite a bit of information  
3                   available through the GIS system that we were able to  
4                   get, topography, aerial images, those sorts of things  
5                   which certainly helped, and then I went out in the field  
6                   kind of walking. Some of you may have seen me out  
7                   there, but just to try to get my feet on the ground, see  
8                   what's going on, try to come up with a feel for what the  
9                   drainage issues are, and then obviously the goal was to  
10                  report on those today for the board members.

11                  I know that some of you contacted the water  
12                  resources commissioner's office and I talked to a few of  
13                  you as well about: OK. Well, how do you delineate  
14                  these drainage districts? How did you come up with that  
15                  purple line that signifies the drainage district  
16                  boundary? And like I said, we do have contour  
17                  information available to us which basically a watershed  
18                  for the most part, you are trying to figure out all the  
19                  area that contributes to the outlet point. In this  
20                  case, that outlet point is under 168th Avenue, which  
21                  ultimately goes to Spring Lake.

22                  So we're trying to find the watershed boundary  
23                  that discharges to that point. We were able to use  
24                  culvert information. How does water get from one side  
25                  of the road to the other or where does it all go? And

1 eventually what we come up with is that purple line and,  
2 if you are within that purple line, all your water that  
3 drains on your property is ultimately heading down to  
4 this culvert which exists on 168th Avenue; and for the  
5 most part, 90 percent, roughly, of the area in the  
6 district is within Spring Lake Township with a little  
7 bit in the City of Ferrysburg and just under about 100  
8 properties involved in the district itself.

9 So just to give you an idea of the drainage  
10 system, the blue lines-- I think all of you got a copy  
11 of the exhibit. --those are all kind of natural water  
12 courses that exist within the district. Even more so,  
13 there's actually on the blueberry fields north of Van  
14 Wagoner, they have kind of drainage ditches on both the  
15 east and west sides of their property, too, that all  
16 kind of flow down towards Van Wagoner Road, and then  
17 obviously there's the culvert which eventually makes its  
18 way to the bayou and out to Spring Lake.

19 So I think we're probably going to talk a  
20 little bit about that culvert, obviously, under 168th.  
21 You can't see it right now. It's been submerged. You  
22 know, I've been out there last year all the way to this  
23 year. It's been submerged pretty much the entire time  
24 that I have been out there. It was replaced in 2002.  
25 One of the things that I did was try to get ahold of the

1 MDEQ permit which they are required to get when they  
2 install new culverts to try to evaluate what was done.

3 I guess the one issue that came up -- and it's  
4 hard to evaluate the condition of it because we can't  
5 access it. Obviously it's underwater all the time.  
6 There is no way for us to get down and say: OK. What's  
7 going on with this thing? I will talk a little bit more  
8 about that here in a little bit. On the east side of  
9 168th, all of that is within the 100-year flood plain  
10 area up to a certain elevation, and then the issues with  
11 Bridlepath themselves-- I should have a schematic here  
12 coming up. --is that they actually rely on all their--  
13 Most people have sump pumps in Bridlepath that actually  
14 have gravity footing drains which drain out to the storm  
15 sewers.

16 So it's a little bit odd in that sense because  
17 most people have a sump pump and the schematic that I  
18 will show you will kind of hopefully give you a better  
19 understanding how that affects drainage in Bridlepath  
20 itself; and then also obviously we had a very wet  
21 spring, and so there's some localized flooding happening  
22 upstream, and I guess we hope to hear some of your  
23 comments, positive or negative, about your feelings on  
24 how some of that localized flooding affects you and your  
25 property as well.

1                   AUDIENCE MEMBER:  What does "100-year flood  
2                   plain" mean?

3                   MR. McENHILL:  So 100-year flood plain,  
4                   basically 100-year storm, every year, there's a  
5                   one-percent chance that a 100-year storm could happen,  
6                   and when you get that big rainfall event, they are  
7                   saying that the water elevation is going to come up to  
8                   that point in a 100-year event.  So they actually set an  
9                   elevation on that and they do that primarily so that if  
10                  you were to buy a home in that area, that your lowest  
11                  floor elevation would at least be one foot above that  
12                  elevation so you wouldn't be impacted by that flood  
13                  plain elevation.

14                  So this is the area around 168th and around  
15                  Bridlepath.  Like I said, the picture on the left  
16                  actually indicates where that culvert is at, obviously  
17                  submerged, and the picture on the right kind of  
18                  indicates that 18-inch outlet that comes from Bridlepath  
19                  Drive and outlets into this end of this wetland system.  
20                  OK.  So this is the schematic that I kind of wanted to  
21                  show you because I always feel like--  We'll take  
22                  questions right after I'm done.

23                  I always feel like a picture helps to try to  
24                  help people visualize what's going on out there.  So in  
25                  Bridlepath Drive, we have an existing storm sewer

1 system. Some of it, especially on the lower end as you  
2 get closer to 168th, is underneath that or below that  
3 100-year flood plain elevation that I mentioned before,  
4 and where that gets a little bit tricky is that a lot of  
5 these homes or what was dictated actually in the deed  
6 documents for the subdivision itself was that everybody  
7 had to hook into these gravity footing drains. So some  
8 of you may, in other parts of the district, may have a  
9 sump pump which pumps water up and out.

10 In Bridlepath, these people have gravity  
11 footing drains. So if that pipe in Bridlepath Drive, if  
12 the water in that wetland rises a significant amount,  
13 these gravity footing drains, ultimately it gives it the  
14 opportunity to back up and back up and back up. So you  
15 can actually get water to surcharge back into people's  
16 basements because of these gravity footing drains. So  
17 people have questions on how that system all works. I  
18 will gladly do that after I finish up.

19 Then I just want to go through some of the  
20 other localized flooding areas that I found when I was  
21 out there. Again I completely understand that this is  
22 springtime. You are going to get some higher volume of  
23 rain and runoff. These pictures show some of the areas  
24 just to the east of the blueberry fields with some  
25 standing water, and then actually these are some of the

1           backyards in Willow Drive, too, and this may be  
2           commonplace for, you know, maybe a yearly thing every  
3           spring for these folks, and maybe it's not an issue, but  
4           I just wanted to show these photos so people get an  
5           understanding of kind of what was happening, and these  
6           pictures were actually taken within the last three  
7           weeks;

8                           And then another area -- and this is up  
9           towards Hardwood Lane where there's a series of existing  
10          ponds, and these ponds, based on all the research that I  
11          was able to do at the water resource commissioner's  
12          office, is they are kind of -- they are not really set  
13          up to be retention ponds. They are kind of more  
14          dictated by ground water levels. They do have  
15          equalization pipes that go between the two ponds and  
16          then ultimately they discharge to the north and then  
17          west, discharging obviously down to the wetland complex  
18          near 168th.

19                           There was some easements that were granted to  
20          the drain office at the time. The problem with those  
21          easements is that there was never a district  
22          established. So you basically have an easement in  
23          place, but you don't have a funding mechanism to  
24          maintain or do anything with it and that's one of the  
25          things, obviously, that if the board found it necessary,



1 the project necessary, that Joe would now have a funding  
2 mechanism to be able to actually do work on some those  
3 if it's warranted.

4 Just a couple more photos of the same area.  
5 The ponds were obviously up and discharging water to all  
6 of those cross culverts when I was out there in the last  
7 couple weeks. A little bit of standing water. These  
8 are all near Hardwood Lane. A couple photos near the  
9 blueberry fields where I did actually talk to that  
10 property owner and this is one of the problem areas that  
11 he had on the west side of his property. So that's just  
12 a little glimpse and kind of the existing conditions and  
13 I would qualify that these were all taken in the last  
14 couple weeks where obviously we had a lot of rain.

15 So just to give you an idea of the next steps,  
16 obviously the board is going to listen to all your  
17 testimony. I guess I would encourage everybody to make  
18 a comment, positive or negative. If you don't have a  
19 problem, if you do have a problem, I think all of that  
20 information is crucial for the board to make their  
21 decision. If they find this project not necessary,  
22 basically everything -- that means nothing is done from  
23 that standpoint. If a project is found necessary, then  
24 we would get in to evaluate what the big problem areas  
25 are, how do we solve them and kind of determine the

1 scope from that point.

2 So up until now, we haven't done that because  
3 this board needs to make a decision. So with that, I  
4 will turn it back over to the board. If the board wants  
5 me to answer any questions from -- if the board has  
6 questions or any of the residents have questions, I  
7 would be happy to do that, too.

8 MR. BRUURSEMA: Thanks, Ryan. You did a great  
9 job. Pictures tell us a lot. Is there anybody here  
10 from the township that wants to make a comment? Do you  
11 want a make a comment about anything regarding this?

12 MR. HOMAN: No, thank you.

13 MR. BRUURSEMA: OK. Then I will open it up to  
14 the public.

15 MR. NYKAMP: I got a couple questions I want  
16 to-- I got a question. We're talking about Hardwood  
17 Lane and that. Where about is that located?

18 MR. BRINK: The same thing with Willow. Where  
19 is Willow?

20 MR. NYKAMP: I see West Willow, but I don't  
21 see a Hardwood Lane on there anyplace. So I have no  
22 idea where we're talking.

23 MR. McENHILL: So this would be Hardwood Lane  
24 up there. This would be--

25 MR. NYKAMP: Up in this area here then.

1                   MR. McENHILL: And then Willow is up here and  
2 they are adjacent to the--

3                   MR. NYKAMP: Thanks, Ryan.

4                   MR. McENHILL: There's a stream here that  
5 interconnects these two and then there's pipes that  
6 discharge to this natural drainage course.

7                   MR. BRINK: Thank you.

8                   MR. NYKAMP: A question to Joe. Who  
9 petitioned this to start with? Was it neighbors?

10                  MR. BUSH: The township.

11                  MR. NYKAMP: Township did?

12                  MR. BUSH: But there's property owners who  
13 have been having flooding problems and they ended up --  
14 the township felt that there was a need for a petition  
15 and they sent it to me and start the process.

16                  MR. McENHILL: I was just going to indicate to  
17 the audience those areas.

18                  MR. BRUURSEMA: Go ahead.

19                  MR. McENHILL: OK. So this is Willow, the  
20 Willow Court that I mentioned up here, and then Hardwood  
21 Lane would be down off Spring Lake close to Heather  
22 Court, and then there's a Hardwood Lane on a dead end  
23 cul-de-sac, and these are those two ponds that I was  
24 referencing later in the presentation.

25                  MR. BRUURSEMA: OK. Thanks. Is there any

1 correspondence regarding--

2 MR. NYKAMP: None.

3 MR. BRUURSEMA: OK. None. All right. With  
4 that, I will open it up to the public now and, if you  
5 will, give us your name and address so that we know  
6 where you are and explain your problem.

7 MR. FOUCHEA: Hi. Steve Fouchea.

8 MR. BRUURSEMA: Excuse me. He was first. Go  
9 ahead.

10 MR. FOUCHEA: 16431 West Willow. On the drain  
11 on 168th Street, what's the typical maintenance schedule  
12 on that? When has that last been cleaned out? Like I  
13 did drive down there earlier this week. You can tell  
14 all the cattails and everything is kind of totally  
15 overgrown in that area. I just was wondering when it  
16 has last been maintained.

17 MR. BRUURSEMA: Can you answer that, Ryan?

18 MR. McENHILL: Well, the only thing I can tell  
19 you is that was -- the culvert was originally replaced  
20 by the City of Ferrysburg. So whether or not the city  
21 has done anything up to this point, I have no idea.

22 MR. FOUCHEA: OK. It just seems like that  
23 would be a logical starting point before we get into  
24 this whole project of maybe at least looking when was it  
25 last maintained and then trying to clean it out first.

1                   MR. BUSH: Mr. Chairman, what we have is these  
2 orphan drains. I mean, that's why we're here today, but  
3 usually when it's an orphan, the road commission, if it  
4 was a road commission issue or the city, if the road  
5 isn't flooding, they don't usually maintain roadside  
6 ditches. They always say if our road is flooding, we'll  
7 maintain it. If it's not, they usually leave it. So  
8 that's kind of the road commission's standard as far as  
9 county wide.

10                   The city might be similar like they don't do  
11 routine maintenance. I would love to be more proactive  
12 on this stuff and clean them out or routine, you know,  
13 keep the cattails out and the invasive species; and  
14 then being an orphan, nobody really owns anything  
15 outside of the road right-of-way. So these other things  
16 that could be easily maintained, now if this board  
17 chooses to go that direction, then I would probably do  
18 some routine maintenance in there and that might solve a  
19 lot of the problems, but right now, we can't because  
20 there's no ownership.

21                   MR. BRUURSEMA: So what we're really doing  
22 here, Joe, is we're not here to do a project or to  
23 establish a project.

24                   MR. BUSH: Right. Yes.

25                   MR. BRUURSEMA: We're here to put it under the

1 control of the water resources.

2 MR. BUSH: Yes; and then I would probably  
3 have Ryan go out and we would re-evaluate that and do  
4 exactly what you are talking, use a common sense  
5 approach and say what do we have, and let's look at when  
6 it's been maintained since the development, and we'll go  
7 from there. So--

8 MR. BRUURSEMA: So that's why this board will  
9 hear your problems to determine whether it should be  
10 turned over to Joe so that things can be done. I don't  
11 know how it's handled now. How is your problems handled  
12 now in the township regarding water?

13 MR. HOMAN: I don't have a clue.

14 MR. BRUURSEMA: Just let it rain?

15 MR. HOMAN: Probably.

16 MR. BUSH: Well, they will call me, usually,  
17 which is fine. That's what I'm here for. I am your  
18 water resources commissioner.

19 MR. BRUURSEMA: You can still call Joe.  
20 That's all right.

21 MR. NYKAMP: One more question. Is this  
22 entire -- inside this red line, you might say, is  
23 everything in there an orphan drain at this point or is  
24 there--

25 MR. BUSH: Yes.

1 MR. NYKAMP: OK.

2 MR. BUSH: No. There's nothing established.

3 MR. NYKAMP: Because sometimes we get--

4 MR. BUSH: Sometimes there's 443 agreements in  
5 between. Some of these go in phases. You might have  
6 three phases in one development. One phase could have  
7 gotten established and then the other ones couldn't, but  
8 there's no establishment beyond the red line.

9 MR. NYKAMP: OK, Joe.

10 MR. BUSH: Would that be a correct statement,  
11 Ryan?

12 MR. McENHILL: Yes.

13 MR. BRUURSEMA: He's been trying to say  
14 something for a long time.

15 MR. OLSON: Tom Olson, 16794 Bridlepath. I  
16 keep hearing this orphan drain down Bridlepath, but I  
17 know that when that plat was developed, it was built to  
18 county specs given over to the county. So as far as I  
19 knew when I built there, it was adopted by the county --  
20 not an orphan anymore, that storm drain. Nobody's been  
21 -- maintained it. Nobody's checked the catch basins.  
22 Where it discharges out on 168th about 80 feet north of  
23 Bridlepath, there's been no maintenance.

24 The neighbor kid and I went in there and  
25 actually lowered the water coming out of the storm drain

1 by nine inches by taking a couple machetes and cutting  
2 some roots out of there. The township told us they  
3 couldn't do it because it was MDEQ. We went to Louis  
4 Aldivia at an earlier meeting. They asked him and he  
5 never got back with us. So the subdivision is basically  
6 cutting roots out of there now and making sure that  
7 water flows out of there, but I know there's a lot of  
8 sand and siltation in those catch basins and everything  
9 else and wondering why nobody has checked them;

10 And the other thing is the flood plain  
11 elevation of 584.8. Now, correct me if I am wrong, but  
12 that's the flood plain elevation of Lake Michigan  
13 because there is no flood plain up until you get around  
14 the bend on the Grand River. So on 168th, the drain  
15 actually acts as a dam because the water can't get  
16 across there fast enough, and we brought that to  
17 everyone's attention before the bike path went in, and  
18 here we are now with the bike path, and it's going to be  
19 very expensive to increase that culvert;

20 And we also have blueberry farmers that don't  
21 want their fields drained. You know, they need water  
22 for their blueberries.

23 MR. BUSH: For sure.

24 MR. OLSON: So we're kind of a Catch-22 here.  
25 So thank you.



1                   MR. BRUURSEMA: Thank you. Anyone else? Yes,  
2 back there?

3                   MR. BRYE: Jim Brye, 16757 Bridlepath. I'm  
4 the east side of the road and I have the big flow behind  
5 and in front of my house. So I flooded the last three  
6 years. This year was barely anything. Three years ago,  
7 I took 600 gallons out of my basement before I quit.  
8 You could just stand on my deck and look in the field in  
9 the back, which you can see very nice because they cut  
10 all the trees down recently so you can see very clearly  
11 now, you can see it was like a lake. You couldn't even  
12 see anything.

13                   So you go down to 168th and the water is at  
14 least two feet higher on one side than it is on the  
15 other. Now, I have driven 168th for 30 years because I  
16 work at Herman Miller, used to work at Meridian. There  
17 used to be a dip in the road, but that used to flood  
18 across whenever there was a big rain. So they filled it  
19 all in and they put a drain in there. I didn't live  
20 there then, but I moved here in 2009, and I flood every  
21 year because that water comes up, and it keeps coming  
22 up, and it doesn't go out into the lake, and you can  
23 walk down there, and Tom has walked down there. Tom and  
24 I are neighbors.

25                   If it's-- When it's draining, about 10 feet

1 out on the north side, you can just see a little swirl  
2 going on and there's cattails just kind of floating  
3 around in there. On the other side about 10 feet out,  
4 you can see it just churning just a little bit, but the  
5 water isn't going through. I mean, it's coming up.  
6 It's going out my basement. It's going in other  
7 people's, but there's so much flow coming from the north  
8 of us, and my house is right in the middle;

9 That myself and Wahlberg have our houses right  
10 in the middle, and we have water on each side of our  
11 house, and it's just flowing down past us and going down  
12 and stopping; and I understand how you are trying to  
13 get the water out of there and if there's something else  
14 you can do, but that drain isn't doing it. So--

15 MR. BRUURSEMA: Thank you. The one right  
16 behind, I think, or right in front.

17 MR. LADD: Yes. Mike Ladd, 16411 West Willow.  
18 So during Ryan's presentation, he had a slide of three  
19 pre-existing conditions, one of which was in West  
20 Willow. So I just want to make a statement about that.  
21 Yes, typically March as the snow is melting, rainfall  
22 begins, we get standing water. My property, it's a day  
23 or two and it is on the far west end of my property. It  
24 has never been a problem with flooding in my residence,  
25 and so I just struggle, being so far from the Bridlepath

1 drain, why my property is included, and I know I speak  
2 for, I think, all the other West Willow homeowners here,  
3 why were -- why our properties are included in this  
4 drainage district.

5 MR. BRUURSEMA: Well, we have got two people  
6 that can answer that.

7 MR. BUSH: Well, Ryan has been out there, but  
8 can you show us on the map, sir, which--

9 MR. LADD: Which one's mine? Sure.

10 MR. BUSH: I guess we can show the board, too,  
11 as well.

12 MR. LADD: OK. So I would be-- Let's see.  
13 I'm going to be one of these two somewhere -- one of  
14 these houses right in here.

15 MR. BRINK: When you say-- None of these  
16 are--

17 MR. LADD: Well, I mean, they can speak for  
18 themselves. I think everyone is here except for maybe  
19 only two homeowners.

20 AUDIENCE MEMBER: You took a picture of one of  
21 the homeowners. That was one of the properties in  
22 there, but ours is-- Where do you see that? Here we  
23 go. So here is the picture that he took that he's on  
24 there. Steve Fochea lives here and this is our  
25 property. I'm 100 percent with Mike. We do not have

1 water issues except for maybe when the weather is a  
2 little bit--

3 MR. LADD: When the snow melts, and then it's  
4 a day or two, and it's gone, and it's never affected our  
5 residence in terms of flooding. So Chris lives there.  
6 Steve lives there. So I would be this house right here.

7 AUDIENCE MEMBER: It's the entire street. I  
8 think we all have a similar issue. No. That's it.

9 MR. McENHILL: Do you want me to address that?

10 MR. BRUURSEMA: Yes, you can, Ryan.

11 MR. McENHILL: Are you done or did you have  
12 some more you wanted to--

13 MR. LADD: No. No. That's it.

14 MR. McENHILL: All right. So I have actually  
15 walked that entire stretch, obviously, because it was an  
16 area where it isn't obvious. The one thing that was  
17 helpful for me to delineate it and put the boundary  
18 location where I had it was because at the time, it was  
19 very easy to see water and where it was ultimately  
20 ending up because it was a rainy period and it all  
21 looked like it was hydraulically connected to the  
22 blueberry field ditch along what would be the east side.  
23 So that's why it is where it is.

24 If you were able to-- I mean, we have done  
25 this several times where people don't think that their

1 property is in the district. If you are able to-- I  
2 mean, we can set up a time after the meeting to, if you  
3 are able to give compelling evidence, something that  
4 would indicate that it's not in the district, we can  
5 certainly omit it, but based on what I saw, I felt that  
6 all those areas at least from the back of the home was  
7 all going to the west and into that -- hydraulically  
8 connected to that ditch along the west -- or the east  
9 side of the blueberry field, the west side of your  
10 property.

11 MS. BURNS: Kelly Burns, 16453 West Willow. I  
12 should have--

13 MR. BRUURSEMA: Wait. Excuse me. Wait until  
14 you are addressed.

15 MS. BURNS: Sure. Sorry. Kelly Burns, 16453  
16 West Willow. Can you define for me what "compelling  
17 evidence" is?

18 MR. McENHILL: So there's actually drainage  
19 courses that develop when you have that much rain and  
20 it's that wet to where you can actually see water  
21 flowing during those periods. So there was nothing that  
22 indicated that it was going to the east. Obviously the  
23 road is -- on Willow is well above the basements of your  
24 homes. So to me, it all looked like it was going to the  
25 west into that blueberry field ditch.

1 MR. BRUURSEMA: OK. Yes, sir?

2 MR. FOCHEA: Hi again. Steve Fouchea, 16431  
3 West Willow. I'm with you, but Ryan, when our  
4 neighborhood was built as part of a planned urban  
5 development, we were required to have a retention pond.  
6 So all the water from our neighborhood, basically, you  
7 know, when we changed the footprint of the land for our  
8 neighborhood, for all the water that would normally hit  
9 your house or a driveway where it can't saturate right  
10 into the land, it was designed and approved by the  
11 township so that water went to the retention pond.

12 What you are seeing -- and that was my  
13 backyard in that picture -- is basically where the  
14 blueberry fields are kind of meeting and there is some  
15 water back there, but to make a point, it's probably two  
16 to three weeks and it's gone. It's usually after winter  
17 when it first starts to rain like this time of year.  
18 Then it eventually dries up and is clear the rest of the  
19 year.

20 MR. BRUURSEMA: Thank you. Yes, sir?

21 MR. KELLY: Adam Kelly, 16441 Hardwood Lane.  
22 I think we can all remember photos in the Grand Rapids  
23 Press of two or three years ago with fish and ducks  
24 swimming by buildings in downtown Grand Rapids. It  
25 seems like that approach to a 50- or 100-year sort of

1 flood plain that year, why now? Why the urgency now?  
2 Can you tell us what's changing about the area or the  
3 hydrology to have a sense of urgency right now?

4 MR. BRUURSEMA: Can you answer that, Ryan?

5 MR. McENHILL: Are you directing that towards  
6 me to answer?

7 MR. KELLY: Anybody that wants to answer.

8 MR. BRUURSEMA: Why it's different now than it  
9 was two or three years ago. I can say a few words on  
10 that one and that is because population density causes a  
11 lot of water--

12 MR. KELLY: Future population density, maybe?

13 MR. BRUURSEMA: Yes. Yes.

14 MR. KELLY: So it's--

15 MR. BRUURSEMA: I think the people that are  
16 living on that-- What court is that they are talking  
17 about that they are high and dry? I think Ryan said  
18 that, too, that their water has to go somewhere. They  
19 have got the roofs, they have got the driveways, the  
20 streets, the grass. It all has to go somewhere. So  
21 that's why the lower parts, you are going to have a  
22 whole lot more water than you did 25, 30 years ago.

23 MR. McENHILL: Just one other thing to add to  
24 that is the 100-year storm event, we just started  
25 updating the rain data and it's now like an inch more of

1 rain over 24 hours than the records that they used to  
2 have. So before, a 100-year rain event used to be like  
3 5-1/2 inches. I think it's now like 7-1/2 inches. So  
4 that certainly affects or would have an effect on the  
5 100-year flood plain, but also to that point, too,  
6 anytime you have development, you are going to increase  
7 impervious area. It's going to have an effect on water  
8 levels downstream if there's no detention.

9 MR. BUSH: And Mr. Chairman, I think from my  
10 understanding, there have been problems here for a  
11 while. So your address like oh, why now, well, I think  
12 it's been a problem for quite a while. I think people's  
13 hands have been tied and haven't been able to help the  
14 people and I see a few heads nodding. So I don't think  
15 this is a new issue like why now.

16 I think this issue, from my understanding and  
17 the phone calls I have taken, these people want  
18 something done. They want something fixed and I tell  
19 them well, I can't. Well, that's not good customer  
20 service and there is a way. Through drain code, through  
21 the hearing, through the petition process with the  
22 township, there is a way and a process to do it legally  
23 and that's why we're here today.

24 So I don't know what's changed. I think  
25 there's been problems here for quite a while, it's my



1 understanding. So that's what I understand from people  
2 who call me. So I can't-- I don't live there. You  
3 guys are the ones that live there and that's why we hold  
4 a public hearing and testimony to--

5 And then people say well, my yard doesn't flow  
6 that way. People forget that the ground freezes, and  
7 when the ground is froze and you get a rain, your water  
8 runs somewhere. It doesn't stay there on your backyard  
9 when the ground is frozen. It's going to run somewhere  
10 and you are either contributing to a drain or you are  
11 benefiting from it -- one way or the other. Your water  
12 runs somewhere, especially when the ground water is  
13 high.

14 Hydrologywise, your water does end up  
15 somewhere. So--

16 MR. BRUURSEMA: Next gentleman. I think this  
17 fellow in the second row was, then the one behind him.

18 MR. POEL: I'm Steve Poel, 18325 West Spring  
19 Lake Road. Not very much of a public speaker, but we  
20 are the blueberry farm next to most of you. This is my  
21 father, Ron. Some history. We started that field in  
22 1975. We had to dig ditches before we could even clear  
23 the land. Sometimes we were in as much as two feet of  
24 mud until the ditches were in. We tried to be good  
25 neighbors with everybody.

1                   When West Willow was started, they dewatered  
2                   that 24 hours a day for weeks from DeWind and Hollard.  
3                   While we tried to conserve our water, they put water  
4                   down our ditches to get rid of it. They filled for the  
5                   road probably four feet above the level of the ground.  
6                   There's homes all over that area where they filled in  
7                   swamps. There's several of them right on the corner of  
8                   Van Wagoner and West Spring Lake Road, case in point  
9                   where there was a foot of water before they started.

10                   My own house is on a sand hill probably 10  
11                   feet high that water does nothing to me. The south 25  
12                   percent of the field that you are talking about is  
13                   terribly wet most of the time. The county ditch does  
14                   very little to take any of that away for us and, what it  
15                   does take away, it goes across several neighbors'  
16                   property. It doesn't even go into the road ditch. It  
17                   can't even get down the ditch.

18                   When we asked the county in the past to clean  
19                   it, like somebody says, as long as the road is good, we  
20                   are not cleaning it. My sister went to probably a  
21                   hearing like this when West Willow was being started and  
22                   said sometimes there's a foot of water in there in the  
23                   spring and there's ditches that people dug by hand 100  
24                   years ago, and some guy on the board says well, just  
25                   because somebody dug a ditch 100 years ago doesn't make

1           it wetlands. Well, why would somebody dig a ditch with  
2           a shovel if there wasn't a problem?

3                        There is a problem. I don't know that  
4           everything there is going to fix us because some of it  
5           gets very dry in the summertime, but the part that stays  
6           wet, the bushes aren't even growing anymore. I just  
7           told my dad a couple days ago we should take out that  
8           third of the field and start over because we're wasting  
9           our time. Something does need to be done.

10                      I don't know if fixing Bridlepath would take  
11           any more of our water other than what naturally goes  
12           through the soil. I don't think it's going to, you  
13           know, take the ditch water. It might get some of it,  
14           but it's not going to get a lot of it.

15                      MR. BRUURSEMA: Thank you. OK. The fellow  
16           right behind you.

17                      MR. BURDO: David Burdo, 16381 West Willow.  
18           It's my understanding-- Correct me if I'm wrong.  
19           --that for the entire district, any assessment is also  
20           considered based on your perceived benefit, perceived  
21           use. Right? It's not a universal across the board for  
22           all the properties or did I misunderstand all of that?

23                      MR. BUSH: There's formulas that I use. So  
24           it's things that contribute to drainage. Could be  
25           multiple different things. We go through that and we do

1 an assessment role that's very challenging, but we try  
2 to be fair and effective. So it's not like one flat  
3 rate for every single property.

4 MR. BURDO: You are looking at--

5 MR. BUSH: Your backyard is obviously not your  
6 whole property. It will be just whatever would be in  
7 the district. Whatever you are contributing to the  
8 drainage would be possibly the assessment. Yes.

9 MR. BURDO: And how is that formula developed,  
10 just out of curiosity?

11 MR. BUSH: Well, we have a spread sheet we go  
12 through and figure out what's the square footage of your  
13 backyard and how much-- We do a runoff factor for how  
14 much water we calculate, how much water runs off your  
15 property, and it's all through spread sheets  
16 mathematically for every property owner, if that makes  
17 sense. I know it's kind of confusing, but--

18 MR. BURDO: I understand what you are saying.  
19 I just--

20 MR. BRUURSEMA: That's all negotiable at the  
21 time of the assessment as well. Correct?

22 MR. BUSH: Well, somewhat.

23 MR. BURRUSEMA: If the work is to be done, an  
24 assessment is set up, then you can challenge the  
25 assessment. You have that right.

1                   MR. BUSH: You can appeal your assessment.  
2                   There's different legal things to do. You can appeal  
3                   your assessment if you don't feel that it's right or why  
4                   we are talking about assessments even though we're not  
5                   even there yet.

6                   MR. BURDO: Because I think it's an underlying  
7                   issue here. That's what I'm hearing. It can be  
8                   discussed.

9                   MR. BUSH: Right. It could be an assessment  
10                  if there's a major project and the township isn't here  
11                  to speak on that, but they might be willing to pay for a  
12                  smaller amount of the project, if it's 5000. I can't  
13                  speak for the township, but in previous townships around  
14                  the county, if it's a smaller enough project, there  
15                  won't be-- You know, they will pay at large. The road  
16                  commission will pay and the county, myself, will pay.  
17                  So we can talk about that later.

18                  I want to make sure we get through the public  
19                  hearing and comments and it might not even be necessary  
20                  to have the question if this 3-panel board says we don't  
21                  see it being an issue or a necessity. So--

22                  MR. BRUURSEMA: OK. Thank you. Anyone else?  
23                  OK. He was about the first in the door.

24                  MR. BULINGER: Yes. I'm John and Jen  
25                  Bulinger, Hardwood Lane, 16383, and this is our pond,

1 and I want to thank you people for being here to take a  
2 look at the issues that we probably all have and are  
3 concerned about. We bought this property in '03, and  
4 it's a beautiful area, and Kevin, my neighbor, has got  
5 the next pond, and we're very concerned about the flow  
6 of that water moving into the Bridlepath drain, and I  
7 know they are going to be putting another 100-some  
8 houses or 50-some houses in this area here right on the  
9 corner of 168th and West Spring Lake Road, and I would  
10 like to know what that's going to do for our watershed.

11 I know we're concerned about what's it going  
12 to cost, but we don't want water in our basements. We  
13 don't want it in our backyards. The young man who's got  
14 this blueberry field, he's a great speaker. You done a  
15 great job; and we want to do what's best for all of us  
16 because we got quite an investment in all this property,  
17 and I know this water from our two ponds flows over  
18 towards that big church, and it backs into that  
19 Bridlepath area, and whatever it takes to keep that  
20 water moving, we're all for that.

21 MR. BRUURSEMA: Thank you.

22 MR. BULINGER: I thank all the families, the  
23 West Willows, for their concerns. They are all young  
24 families and, if this is our watershed area, we want to  
25 protect it and make sure that we're all safe and

1 somewhat dry, but I know the springs are tough, and  
2 Kevin and I work very closely on our ponds to make sure  
3 we clean out that little divot that we have between us  
4 that the water continues to flow.

5 I'm very concerned about our little blue line  
6 where that ends up and I know that your team here knows  
7 that area and have studied it well, but I thank you for  
8 being here, being a team, and maybe somebody from  
9 Ferrysburg or Spring Lake should be on this team of  
10 three members. I think you are all in the area or from  
11 Zeeland. Maybe we need somebody from--

12 MR. BUSH: Well, I can't. Per drain code, I  
13 can't have anybody that would be on the board or near  
14 because then it would be like their decision may be  
15 based on because they live there.

16 MR. BULINGER: OK. Well, the neighbors do  
17 talk and they are concerned. They work hard to make  
18 sure we're good neighbors to each other and that water  
19 moves where we want it to go; and the other thing I  
20 wanted to ask is we own four properties in this area and  
21 we only got one invitation. So I'm surprised that-- I  
22 don't know if everyone got an invitation to this  
23 meeting, but--

24 MR. BUSH: We sent out mailings to whoever is  
25 in that red line. My secretary mails out all the

1 mailings.

2 MS. VANDENBERG: You just received one so you  
3 don't get four envelopes.

4 MR. BULINGER: I didn't know that, ma'am,  
5 anything other than I'm representing my sons who are  
6 working and they can't be here. They have got  
7 properties.

8 MR. BRUURSEMA: All right. Very good. Thank  
9 you. You had something?

10 MR. SCARPINO: Sure. My name is Tim Scarpino.  
11 I live at 17761 Bayberry in Ferrysburg and this line  
12 cuts right through the center of the two wooded acres  
13 that my family lives on. I served on the Ferrysburg  
14 city council from 2001 to 2008 and remember clearly the  
15 vote to approve the replacement of that drain. There's  
16 a lot to unpack at this meeting from what I'm hearing.

17 My concern, obviously, is that we live in a  
18 swamp and I don't think there's much to be argued with  
19 that assessment. This is almost-- Virtually all of  
20 Bridlepath, if you go to the Spring Lake Township  
21 website under a map that says resources and natural  
22 features, shows most of Bridlepath as wetlands. Why the  
23 township would approve a site plan that allowed for the  
24 construction of basements that required a substantial  
25 amount of fill to raise homes up in an area that the



1 township itself designated as a wetland is beyond me.

2 It sounds to me like a lot of the problem that  
3 is looking to be resolved is some flooding in basements.  
4 It also sounds like the system approved by the township  
5 for the construction of these homes to take water away  
6 from those homes wasn't the best. So I have concerns  
7 that the City of Ferrysburg is not represented or is not  
8 included here in any material way because this is the  
9 City of Ferrysburg/Spring Lake Township border right  
10 there. So there are a number of city parcels, mine  
11 included, that are in that.

12 I pay about \$1500 a year more in property  
13 taxes on a comparable home than the people do in the  
14 township. That is a choice my family makes for the  
15 services provided by the city. We have a nice drainage  
16 system that takes water away from our home down Bayberry  
17 Street and into Spring Lake, but let's be clear about  
18 something. We live in a swamp and the fact that we can  
19 build more and more homes on these parcels doesn't  
20 negate the fact that we still live in a swamp.

21 There are significant challenges to deal with  
22 the water level around there and, as we all know for the  
23 last 10 years, water levels for the lake have been  
24 pretty low. I remember people fishing here. We lived  
25 here 20 years, seeing muck through here. Not anymore.

1           The lake is approaching-- Lake Michigan is approaching  
2           a pretty significant high water level.

3                         So I mean, we can talk about assessments and  
4           trying to solve water courses and things like that, but  
5           as the gentleman said, there's another subdivision that  
6           Spring Lake Township has looked at and has approved to  
7           be put in here, and I'm just wondering why it is the  
8           township is able to approve these developments in this  
9           watershed and then basically take a hands-off approach  
10          to solving the problems that those developments created,  
11          and why it should fall on my wallet to help solve a  
12          problem that I had no hand in creating because I have no  
13          vote in Spring Lake Township. Thank you.

14                        MR. HOMAN: For corrective measures, that is  
15          not an approved site for building at this point.

16                        MR. BUSH: I believe, if I may, Mr. Chairman--

17                        MR. BRUURSEMA: Sure.

18                        MR. BUSH: --the DEQ permits are still  
19          withholding and I do know I'm in contact with the DEQ  
20          because I had concerns as well. So I do know that and I  
21          won't speak for the board, but they have already spoken  
22          on. It's not been approved. There's a lot of hiccups  
23          in this thing. So I -- but anyway--

24                        MR. BRUURSEMA: Can I ask the township do you  
25          have an ordinance where they are prohibited to build the

1 basement lower than a certain amount of footage of the  
2 100-year flood plain?

3 MR. HOMAN: I would have to ask Larry who's  
4 been on the board--

5 MR. BRUURSEMA: Do you have an ordinance to  
6 that effect -- they cannot put in a basement lower than  
7 the 100-year flood? For instance, in Georgetown, they  
8 cannot build unless it's three foot above the 100-year  
9 flood plain, the basement floor.

10 MR. MIERLE: I'm not sure about the height.  
11 You are talking about three foot, but I know you cannot  
12 build a basement lower than the 100-year flood plain,  
13 but I don't know if there's a footage -- foot, two foot,  
14 whatever -- I do not know that, but I know that we do  
15 have an ordinance that says you can't build lower than  
16 the 100-year flood plain. Rick was right. That  
17 subdivision that he was talking about has not been  
18 approved.

19 There's -- and Tim, you are right. We live in  
20 a swamp, the whole area, and it's-- We have a jewel  
21 here in the tri-city area, and more people want to move  
22 in, and basically all the good building sites are gone,  
23 and what's happening now is developers are coming in,  
24 and they are picking up some of the -- I will call it  
25 trash properties and developing them so that they can be

1 built on.

2 Now, the wetland part, we have a wetland  
3 ordinance. I'm not sure about if Bridlepath, I don't  
4 know how old that subdivision is.

5 MR. OLSON: 20 years old, 1995.

6 MR. MIERLE: We did not have a wetlands  
7 ordinance here 20 years ago.

8 MR. OLSON: That was 20 years ago.

9 MR. MIERLE: The township, I don't think, had  
10 a wetlands ordinance 20 years ago.

11 MR. OLSON: No. I'm just-- The plat was--  
12 Bridlepath was developed--

13 MR. BRUURSEMA: Excuse me. Just so we do not  
14 have a dialogue amongst you, can you meet afterwards? I  
15 don't know what you have.

16 MR. OLSON: This is the restrictive covenant  
17 for Bridlepath.

18 MR. MIERLE: I will tell you the covenants,  
19 the township does not regulate covenants. The covenants  
20 is amongst the subdivision itself.

21 MR. OLSON: That's right.

22 MR. MIERLE: You regulate them yourselves, but  
23 yes. It's-- We do live in a swamp land.

24 MR. BRUURSEMA: OK. Thank you. Is there any  
25 other comments that we haven't heard? We'll get back to

1                   him again. I got you. Go ahead.

2                   MR. CHITTENDEN: I live at-- Doug Chittenden.  
3                   I live at 16700 Van Wagoner Road and all I could say is,  
4                   you know, yes, it's a very wet area. When it rains, I  
5                   have a drain that comes across the road on both sides of  
6                   my property. Do I get a lot of water in there? Yes.  
7                   Within a couple of days, it's gone. So I don't really  
8                   see a problem.

9                   Have I had a wet basement? Yes. I live in a  
10                  low area. Do I think, if that development got approved,  
11                  it could be a problem for me? Yes. Do I think that's a  
12                  problem for the drain commission? No. I think that's a  
13                  problem for the township. They either need to cut down  
14                  on the amount of homes that are there or figure out a  
15                  better way to drain stuff and not tax other people  
16                  because of a poor design.

17                 MR. BRUURSEMA: Thank you. Yes, sir?

18                 AUDIENCE MEMBER: No. He summed it up.

19                 MR. BRUURSEMA: He did it. OK. Is there any  
20                 other comments? I don't want to miss anyone. You have  
21                 been a very good audience. I will say that. So last  
22                 call.

23                 MR. JOHNSON: Ken Johnson, 17746 168th. That's  
24                 not the only drain. There's another drain that goes  
25                 back through my property, and it comes right across

1 Tim's house at the end of Thornapple, and there's a pond  
2 back there, and it drains there, and there is a culvert  
3 under the road, and I have never had a problem with it,  
4 but anyway, there is another drain there.

5 I don't know how this is going to affect that.  
6 Now, another question I got is if this board says that  
7 something has to be done, will it be done? Is that  
8 official or can you just say forget about it?

9 MR. BRUURSEMA: No. This board here is  
10 sitting here to determine whether these properties  
11 within that purple line should be an established legal  
12 drain district. Then anyone within that district has a  
13 problem, then they call Mr. Bush and he will take it  
14 from there. Whether a project should be established or  
15 not, there will be more hearings for that. So we're  
16 here to determine whether this property should be in a  
17 legal document establishment of a district.

18 MR. JOHNSON: So this isn't the end of the  
19 road then. If you say it's got to be done--

20 MR. BRUURSEMA: This is not the end of the  
21 road.

22 MR. JOHNSON: --it doesn't have to be done?

23 MR. BRUURSEMA: We are just adopting this.  
24 That's an orphan drain and the board is going to  
25 determine whether it should be adopted into the drain

1 district.

2 MR. JOHNSON: I think Joe knows where I'm  
3 coming from out on Lincoln Street.

4 MR. BUSH: For sure.

5 MR. JOHNSON: That group there said that this  
6 had to be done. The surveyor said if they say it's got  
7 to be done, it's going to be done. Well, you know how  
8 long ago that's been.

9 MR. BUSH: Right; and we know we can. We're  
10 going to go out, depending on what the board comes up  
11 with, with the engineer and look at the people who are  
12 flooding because that's why we're here and see and, like  
13 you said, there is -- it's a swamp, number one. Number  
14 two, there's a balance of, you know, the blueberry  
15 growers, they don't like their feet wet long, either,  
16 because their plants will die. They like their water  
17 table about 18 to 24 inches below the surface.

18 So I don't want to sit here and try to drain  
19 the area, make the culverts three feet lower, and then  
20 everybody's happy, but then I took the business grower  
21 out of business, you know. That's not what we try to  
22 do. We try to do a fair balance and try to say the  
23 blueberry growers were there a long time ago. They dug  
24 their own ditches. That's why we have the drain  
25 commissioners in Michigan for the ditches because we all

1           were a swamp at one time.

2                       So I just want to make it clear that is there  
3           a project? Well, we don't-- Number one, they have got  
4           to determine whether to even establish it as a county  
5           drainage system. Number two, what are we going to do?  
6           We don't know yet. It could be common sense, cleaning  
7           out the roadside ditch, cleaning out some backyard  
8           drainage swales and then get things flowing. That might  
9           be our number one step. That could be the project.  
10          Could be.

11                      I try to keep a common sense approach and keep  
12          it affordable and not having this big  
13          multimillion-dollar project. That's not what we're  
14          about. We are about fixing people's flooding problems  
15          at a convenience and what that means is possibly getting  
16          this easement and possibly redigging some ditches that  
17          are already there that haven't been maintained for 20  
18          years and maybe that will be enough to get water away  
19          from them, from the people who are having problems, to  
20          get their sump pumps to pump water somewhere instead of  
21          just sitting here recycling it for the first two months  
22          of spring.

23                      I don't know. Like I said, I don't know what  
24          the extent will be, but I can say that Ryan and I will  
25          probably go out and do some walking, meeting the people



1 who are having problems. I know not everybody has a  
2 problem. Some people are on the higher end, built a  
3 little higher. Their grading plan is a little different  
4 according to the grading plan we have. In my office, I  
5 have all the documentation of a grading plan most of the  
6 time.

7 That's not always what you get when you go out  
8 in the field and look at what the grading plan was  
9 supposed-- Their backyards weren't graded per the piece  
10 of paper that I have. You go out there and every  
11 builder is different. Everybody wants their yard a  
12 certain way. Landscaping is set a certain way. Then  
13 over the years, you get new homeowners. People fill in  
14 drains because they don't like it because you get dry  
15 years.

16 There's been years, maybe three, four years,  
17 nobody had a problem. Water table drops. Everything  
18 was great. Blueberry farmers were probably pumping  
19 water irrigating their blueberries because they had no  
20 water. Then all of a sudden, you get years like now.  
21 The water table comes up and, boom, now you got water  
22 problems. Sump pumps are running again. So water  
23 tables fluctuate all the time.

24 Park Township, to give an example, that water  
25 table fluctuates every couple years six to eight feet. Try

1 to get that one to adjust and get people who have water  
2 problems. So you know, you live near Spring Lake. You  
3 live near Lake Michigan. Everything is going to change.  
4 So a project, I'm not sure what that would be, but I  
5 think using a common sense approach, I will hit that  
6 again.

7 It's all about common sense, redigging some of  
8 these roadside ditches out, possibly, maybe redigging  
9 some of the little swales in people's backyards that  
10 probably were there at one time, but over time, people  
11 fill them in because they can't mow it or they make it  
12 higher than their neighbor about six inches. It only  
13 takes six inches and then it becomes their neighbor's  
14 problem.

15 So you keep doing that down your backyards,  
16 pretty soon the neighbor downstream is having a problem  
17 because now, you pushed that water all the way down  
18 there. So that's just what I'm thinking out loud.

19 AUDIENCE MEMBER: Joe, if this does not become  
20 a project, then everything says status quo?

21 MR. BUSH: Yes. That's right.

22 AUDIENCE MEMBER: Things don't get cleaned,  
23 culverts don't get fixed, nothing. Right?

24 MR. BUSH: Right

25 AUDIENCE MEMBER: So it's as if this meeting

1 never occurred.

2 MR. BUSH: Right. We can go in there and say  
3 it's a swamp and no matter what we do, we can't really  
4 have a solution that's going to benefit, because there's  
5 got to be a benefit for people. Then we might have to  
6 look at it and scratch our heads and go, I don't know,  
7 it's a swamp. I mean, we've got to be careful of that.  
8 So I have to look at that very carefully when we move  
9 forward or whatever.

10 MR. BRUURSEMA: OK. We have about three  
11 people. I hope it's something new. First the blueberry  
12 farmer. He was first.

13 MR. POEL: Steve Poel again. There's several  
14 things here. At least under our fields, there's  
15 tremendous hard pan within a foot or two feet down.  
16 When we were developing it, we used to blow dynamite in  
17 holes where we planted the bushes to crack it. So the  
18 drainage doesn't really go down very good. This is  
19 pretty much a surface water problem, I think, but it  
20 sounds like the culvert by Bridlepath is their problem.

21 Our problem would be the county cleaning the  
22 ditch along Van Wagoner more than just our property, but  
23 several to the west. That would help drain all of West  
24 Willow, all of West Spring Lake Road into -- from Taft  
25 south, just about. If that ditch was lowered six inches

1 or so, it would help a lot. Furthermore, we don't  
2 irrigate any more than we need to because by August, we  
3 run out of water and we don't-- When we run out of  
4 water, we're dead, sort of. I have watched bushes dry  
5 up. When it's wet, it's real wet. When it's dry, it's  
6 real dry. So--

7 MR. BRUURSEMA: That's good information.  
8 Thank you. Behind.

9 MR. BURNS: Chris Burns, West Willow, 16453,  
10 and I have lived there about eight years now, closer to  
11 the rest of them, and I haven't seen anything different  
12 on my property in eight years. The water level is  
13 almost the same at the same time of year every year, and  
14 I have a sump pump, and it has never ever run. So we  
15 just don't have any issues there.

16 MR. BRUURSEMA: Thank you.

17 AUDIENCE MEMBER: I second that.

18 MR. BRINK: Excuse me. What was your address,  
19 sir, on Willow?

20 MR. BURNS: Yes. West Willow.

21 MR. BRUURSEMA: There was one on this end.

22 MR. JONES: Rich Jones, 16769 Bridlepath, and  
23 I think just in the last 10 minutes when you're talking  
24 about maintenance and preventative maintenance, you have  
25 hit it right on the head. I live on Bridlepath with the

1 creek right behind me. It flows all the time and, when  
2 it's not flowing, you can see it's -- something is  
3 blocking it at 168th and I don't have a sump pump. We  
4 have a walk-out basement. We have always been dry.  
5 So--

6 MR. BRUURSEMA: Thank you. Now, I don't want  
7 to miss anyone. Well--

8 MR. SCARPINO: Just one more quick comment.  
9 Again the question before you is whether to make --  
10 whether or not to make this a county responsibility. My  
11 suggestion would be not to make it a county  
12 responsibility. Put the responsibility back on the two  
13 municipalities that are involved here. 168th is a city  
14 street in the City of Ferrysburg on one side. On the  
15 other side, it's a county road, but Spring Lake Township  
16 has some responsibility for this.

17 I mean, I can see where they simply want to  
18 turn responsibility over to the property owners and the  
19 county not have to deal with it anymore because they are  
20 first in line to get the complaints from the residents,  
21 but really I wouldn't make it a county drain. I would  
22 just remand it back to the township and the City of  
23 Ferrysburg to deal with it.

24 MR. BRUURSEMA: Thank you. OK. We have heard  
25 an awful lot here, folks, and if that's it, I will

1 declare-- Oh, one more.

2 AUDIENCE MEMBER: I want to -- because I heard  
3 someone say surface water. I really like the sound of  
4 that. Three years-- My worst flood was three years  
5 ago. Probably the water table was lower, but it was a  
6 big spring rain and runoff and everything like that. I  
7 could see the water out there. This year was -- it  
8 wasn't as bad at all. It was better than it's ever  
9 been.

10 I still had a little problem, but I think it  
11 has to do with surface water because, you know, still  
12 the ground was froze and everything three years ago. It  
13 was a long winter and a lot of thawing and a lot of  
14 stuff and you could see the water on it. This year, I  
15 don't think the ground froze as hard and everything was  
16 just moving down, and so I think this year was a better  
17 year because someone mentioned surface water, and I  
18 think that's -- because you are saying that the table is  
19 higher than it ever has, and this has been my best year  
20 out of three years.

21 MR. BUSH: Well, I'm not saying ever has. I'm  
22 just saying it's higher.

23 AUDIENCE MEMBER: Higher than the past few  
24 years. It's coming up more and I don't see that, you  
25 know. I just see the surface water and maybe that's

1 part of the problem.

2 MR. BRUURSEMA: Thank you.

3 MR. KELLY: Sorry. One last comment. Just so  
4 we're all looking forward-- Again Adam Kelly on  
5 Hardwood Lane. If there were a favorable determination  
6 to go forward and start doing work, whether it be common  
7 sense work or more invasive and more involved work,  
8 would that create conditions more favorable for the  
9 development of 50-plus new houses? I think that's-- We  
10 all need to think forward on that and I wanted to pose  
11 that question.

12 MR. BRUURSEMA: Is that-- You are posing that  
13 to Joe?

14 MR. KELLY: Sure.

15 MR. BUSH: Well, I mean, you know, I looked at  
16 that site. They would have to pay for any improvements  
17 for drainage on their own development. So any  
18 improvements, they would have to take care of that as  
19 part of the development review.

20 MR. KELLY: As 50 sites or as one undeveloped  
21 parcel?

22 MR. BUSH: As whatever. I mean, if the  
23 township moves forward and the DEQ thinks it's OK, then  
24 that's something that we would restrict. We would have  
25 to say the development would have to take care of their

1 water concerns and not flood you people out who live  
2 there now. That's one of our objectives -- is not to  
3 create more problems for other people because of more  
4 homes.

5 MR. KELLY: Clearly there's going to be  
6 50-plus residents that all build up and all have runoff.

7 MR. BUSH: They are going to have to create  
8 their own ponds or drainage courses or anything. That  
9 would be on them on that development because we can't  
10 have a new development come in and then flood the  
11 existing homes out, you guys pay for that. That's not  
12 fair.

13 MR. KELLY: Thank you.

14 MR. BRUURSEMA: I would like to hear something  
15 new now. Keep in mind nothing is going to change with  
16 you folks where you live unless you can change the  
17 rainfall, but nothing is going to change unless you got  
18 a real problem and you want it fixed. Then you go to  
19 Joe, and he will look at it, and the township will look  
20 at it, and they will say yes, something has to be done,  
21 and then they will hold a hearing whether it will be  
22 done.

23 So keep in mind that nothing is going to  
24 change from this. We're not making any decision for  
25 that. Yes, sir. One more question.



1                   MR. BUSH: You got a couple more. You have  
2 got a lady in back that hasn't spoke yet.

3                   MR. BRUURSEMA: Who wants to talk?

4                   MS. CARLSON: I will address you about  
5 something after the meeting, Joe.

6                   MR. BRUURSEMA: Do you want to stand up and  
7 say who you are?

8                   MS. CARLSON: Sorry. Rhonda Carlson,  
9 Bridlepath. I just had a concern to express to Joe. I  
10 will talk to him after the meeting.

11                  MR. OLSON: Tom Olson from Bridlepath again.  
12 Ryan, you talked about the 36-inch culvert across 168th  
13 and there was no real way to check it. In your opinion  
14 as an engineer, is a 36-inch culvert adequate enough to  
15 drain that entire area? And the development that they  
16 are proposing, they can spend all the money they want to  
17 on drain, the drainage of surface water, but a retention  
18 pond is not going to do anything if it's full of surface  
19 water.

20                  MR. BUSH: Correct.

21                  MR. OLSON: And if it all makes it down to the  
22 dam at 168th and can't get under the road, it doesn't  
23 matter what they do in that new plat. Just like what we  
24 did, everything ends up at 168th. At first, it seems to  
25 me like before we do anything, we should determine the

1 condition of that culvert and if the construction of the  
2 bike path or anything odd shaped it or flattened it or  
3 anything, because if you look at it after a rain,  
4 there's definite elevation difference between both sides  
5 of the road.

6 MR. BUSH: I just want to make something  
7 clear. I know one of the statements was to turn it back  
8 over to the City of Ferrysburg and Spring Lake Township,  
9 and if that happens, this board determines that, just so  
10 people know, it's on the record that at that point, I  
11 don't have anything to do with it anymore. So you  
12 wouldn't be calling me and I think they petitioned me  
13 for that reason to have it under my jurisdiction as far  
14 as then I got the -- I'm the point source to either call  
15 and be upset with or have a problem.

16 So I just wanted to make that clear that I  
17 don't know what the township and the City of Ferrysburg  
18 would do with it. I'm dealing with Ferrysburg, you  
19 know. I deal with all the issues. So that's why you  
20 have a water resources commissioner.

21 So then the culvert issue, that, you know, we  
22 can sit here and say you need to look at that and that's  
23 great, but we still haven't got a determination yet  
24 whether it's even under my jurisdiction. So I don't  
25 want to jump the gun, I guess, but I understand what you

1 are saying. We will look at the culvert.

2 If there's a new development and we feel that  
3 I need to upsize that because of the new development,  
4 then you guys aren't going to pay for it. Neither is  
5 the township, neither is the City of Ferrysburg. It  
6 would be the developer because he wants to put that  
7 development in. He has got to upsize that culvert to  
8 make sure you guys don't flood out. You know what I  
9 mean?

10 That's part of the review process and we can  
11 talk about that later. That's not what we're here to  
12 talk about, whether that new development has a new  
13 culvert or, you know, that's a whole another separate,  
14 but I understand. I want to make it clear that I  
15 understand that everybody is worried about that new  
16 development and what it could do to impact people.

17 MR. BRUURSEMA: OK. Thank you.

18 MR. BUSH: So I would comment a minute.

19 MR. BRUURSEMA: This board is not here to  
20 determine whether maintenance should be done or should  
21 not be done. This board is here to determine the  
22 district. That's all. I want that clear. You're  
23 bringing up all kinds of problems and maintenance  
24 problems and so on. We know you have problems and we  
25 have to determine whether you have problems. We have to

1 determine to make this a drain district. So unless I  
2 hear something new-- Someone's going to give me  
3 something new? OK.

4 MR. JONES: Rich Jones again. I've got  
5 something new. On the southwest -- or yes -- southwest  
6 corner of West Spring Lake Road and Van Wagoner, there  
7 were three nice new homes that were built there in the  
8 last few years. That was all full of water at the time.  
9 They dug a pond behind that. I go by there and it  
10 doesn't look like there's any water in it. Have you  
11 been out there at all?

12 MR. McENHILL: Those folks are not in the  
13 district.

14 MR. JONES: They aren't?

15 MR. McENHILL: No.

16 AUDIENCE MEMBER: Spring Lake Road and what?

17 MR. McENHILL: Spring Lake Road and Van  
18 Wagoner. Those folks are not in the district.

19 MR. JONES: Well, I was just wondering about  
20 that because they dug that pond back there west of--

21 MR. BRUURSEMA: They could be in another  
22 district.

23 MR. BUSH: They probably are in another  
24 district.

25 MR. BRUURSEMA: They probably are in another

1 district.

2 AUDIENCE MEMBER: That's not true. Only the  
3 corner house is not in your zone. The next two homes to  
4 the south are definitely in that grade or that purple  
5 area.

6 MR. BRUURSEMA: I'm sure Joe will hear  
7 comments regarding the district afterwards, too, and get  
8 with the engineer.

9 MR. BRINK: Where is the southwest corner?

10 (Colloquy off the record.)

11 MR. BRUURSEMA: Let's call the meeting back to  
12 order, please. All right. Again unless I hear nothing  
13 new, I'm going to close this hearing. You have been a  
14 good audience. We have heard a lot of things. So I'm  
15 declaring the hearing closed. If you have further  
16 comments or questions, Joe will be happy to answer them.  
17 Your township people will help you. The engineer will  
18 help you. I'm sure everybody has different kind of  
19 questions. So be free to ask those folks anything.

20 Don't ask us anything about fixing the drain  
21 or anything. We are here to determine whether you  
22 should be in a district. OK. So the hearing is closed.  
23 What's the pleasure of the board?

24 MR. BRINK: I would like to discuss it. I  
25 have a few questions.

1                   MR. BRUURSEMA: Do you want to make a motion  
2 first? Then any discussion.

3                   MR. BRINK: We'll discuss it among this board  
4 now. That's all I'm-- I have a-- It seems like from  
5 the audience, some of the problems are with cleaning out  
6 this one drain. He said clean out the drain with the  
7 willows and things and the water drops nine inches. I  
8 don't know who said it, but somebody in the audience  
9 did; and there's several other things, but these things  
10 are not going to get fixed without giving Joe the  
11 latitude to do it, in my mind.

12                   Most of these things are maintenance things  
13 and it seems to be, like the farmer -- the blueberry  
14 farmer, he's got problems with the ditches and they got  
15 the problem with the drain. I don't know if that drain  
16 dropping nine inches is going to help people's basements  
17 or not. OK. The only problem I have is all the people  
18 on Willow don't seem to have a problem. OK. I don't--  
19 I will defer to you, Ryan, sort of. I don't know.

20                   MR. BRUURSEMA: OK. Thank you. You got  
21 anything, Glenn?

22                   MR. NYKAMP: As with any other drain, there's  
23 multiple issues. There's one with too much water, one  
24 with not enough water. This one doesn't bother me.  
25 This does bother me. When does it? When doesn't it?

1           So there's not a different issue here than anyplace else  
2           that we have sat in a board of determination to a  
3           certain extent of what has happened.

4                       I think the people on Willow probably don't  
5           have much problem. Thank goodness for that. The good  
6           part of it is that you don't get the water in your  
7           basement, but it's possible, I'm going to ask Joe, if  
8           there's a portion there that has to be changed a little  
9           bit, it could be changed a little bit or can it from  
10          what we're hearing in here?

11                      MR. BUSH: That would a Ryan thing. We would  
12          have to go out in the field and get with property  
13          owners. I would be more than happy to do that. We do  
14          that every week here.

15                      MR. NYKAMP: So we're just assuming now it's  
16          part and, instead of 30 people trying to decide whether  
17          it's part or not part, we'll have Joe and the engineers  
18          do that stuff for you. What I'm hearing, there is  
19          definitely a need for a number of people that without  
20          this, we are never going to get the opportunity to fix  
21          the problem because there's nobody that's really going  
22          to be in charge, including two units of government,  
23          boards, committees, whatever.

24                      So I think there's a need for it and to be  
25          determined how much need and who gets the value, that's

1 going to have to be determined by Joe and water  
2 resources. Thank you. One more thing. I want to  
3 apologize for my phone not being off here sitting here.  
4 So it's a little embarrassing when you sit in that  
5 meeting, and you say would everybody please turn off  
6 your phone, and you don't do it yourself.

7 MR. BRUURSEMA: Well, yes. I have heard a  
8 lot, too, and I'm looking at all you folks, but there is  
9 a water problem. We know that. Some do and some don't,  
10 like Glenn said, but we can't only look at the present.  
11 Things are happening. Over here, he mentioned there's  
12 potential development. You mentioned potentially  
13 development, but all those people have to be involved,  
14 too. They are going to have problems with water.

15 Every time you put up a house, that's less  
16 area for water to percolate. So I see a problem and I  
17 think it's for the benefit of all those in that district  
18 to become a drain district so things within the district  
19 can be taken care of in the proper procedure. OK. Do  
20 you have any more comments?

21 MR. BRINK: Well, like Joe said, that line for  
22 this Willow can be adjusted. If we are approving this,  
23 we are approving the Willow subdivision.

24 MR. BUSH: We'll make a motion-- You guys  
25 will make a motion to add or delete lands.



1 MR. NYKAMP: Right.

2 MR. BRINK: OK.

3 MR. BRUURSEMA: OK. Have we discussed it  
4 enough?

5 MR. BRINK: I think so.

6 MR. BRUURSEMA: Then I'm open for a motion,  
7 guys.

8 MR. NYKAMP: I will make a motion that we  
9 consider this necessary to be conducive of public health  
10 and the convenience and welfare of this section of  
11 property that we're looking at as the district for  
12 Spring Lake Township.

13 MR. BRINK: I will support that motion.

14 MR. BRUURSEMA: It's been moved and supported  
15 to declare this as a necessity to have this drainage  
16 district established. That's what you said. Right?

17 MR. NYKAMP: Right.

18 MR. BRUURSEMA: All those in favor signify by  
19 saying aye.

20 MR. NYKAMP: Aye.

21 MR. BRINK: Aye.

22 MR. BRUURSEMA: Aye. Motion carried. OK. Do  
23 you have other motions?

24 MR. NYKAMP: The motions have changed. The  
25 paper work has changed.

1 MR. BUSH: Which is per the state.

2 MR. NYKAMP: So now we're going to do the  
3 decision to at-large assessment. OK. Bear with me  
4 because this is-- I've done this before, but these are  
5 just new forms that we have. They worded it a little  
6 differently.

7 MR. BUSH: Not from me, by the way. The  
8 state.

9 MR. NYKAMP: Right now, there's a decision as  
10 to at-large assessments for municipalities, establish  
11 construction of the Bridlepath drain is or is not  
12 necessary for the protection and the public health of  
13 the following municipalities in that a portion of the  
14 cost shall be apportioned to the following  
15 municipalities at large, which is Spring Lake Township.  
16 Any support for that?

17 MR. BRINK: I will support that.

18 MR. BRUURSEMA: It's been moved and supported.  
19 Any comments? If not, all those in favor signify by  
20 saying aye.

21 MR. NYKAMP: Aye.

22 MR. BRINK: Aye.

23 MR. BRUURSEMA: Motion carried. Do we have  
24 any other motions?

25 MR. BUSH: I would add the one for adding,

1 deleting lands.

2 MR. NYKAMP: I'm looking for that one. It's  
3 here.

4 MR. BUSH: You don't have that one in the--

5 MR. NYKAMP: It was in the apportion  
6 someplace, but we do want to make that a motion that  
7 they do have the opportunity, even after we determine  
8 that the district is approved, there can be some  
9 variations made, but that would be done by Joe and the  
10 engineers, and Willow would probably be a good example,  
11 of yay or nay or other. So I will make a motion that we  
12 add that to the list of motions.

13 MR. BRUURSEMA: So the motion is that we can  
14 adjust the boundaries?

15 MR. NYKAMP: Correct.

16 MR. BRUURSEMA: That's enough?

17 MR. BUSH: Yes. Adding or deleting lands to  
18 the district.

19 MR. BRUURSEMA: You want to support that, Ron?

20 MR. BRINK: Yes. Support it.

21 MR. BRUURSEMA: It's supported. Any comments?  
22 All those in favor signify by saying aye.

23 MR. NYKAMP: Aye.

24 MR. BRINK: Aye.

25 MR. BRUURSEMA: Motion carried. Is that it?

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That is it. Closing comments, Joe, anything?

MR. BUSH: I just want to thank everybody for taking their morning to come and listen and I appreciate you being a good audience and have a good rest of the day. Thank you.

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STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF MUSKEGON )

I, David R. Walley, Certified Shorthand Reporter (CSR-2718), County of Muskegon, State of Michigan, do hereby certify that the foregoing Pages 1 through 68, inclusive, comprise a full, true, and accurate transcript of the proceedings taken in the matter of Bridlepath Drain Board of Determination, on April 26, 2016.

\_\_\_\_\_  
David R. Walley  
Certified Shorthand Reporter

April 28, 2016