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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: PARK PLACE CIRCLE DRAIN
BOARD OF DETERMINATION

Remote Electronic Meeting Proceedings
Thursday, August 20, 2020
11:33 a.m.

REMOTE APPEARANCES:

- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Mr. Chad Meints, Water Resources Chief Deputy
- Ms. Sara Hirst, Secretary to Water Resources Comm.

- Mr. Bill Cargo, Board Chairman
- Mr. Rich VanderKlok, Board Secretary
- Mr. Larry Bruursema, Board Member

- Mr. Craig Bessinger, Manager, City of Ferrysburg

- Mr. Steve Koski, Attorney
Fahey, Schultz, Burzych, Rhodes, PLC

- Mr. Paul Forton, Engineer
Spicer Group

Reported by Ms. Suzanne Duda, CSR-3199, RPR, CRR

1 Thursday, August 20, 2020

2 11:33 a.m.

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: All
5 right. I'll go ahead and call the Park Place
6 Circle Drain Board of Determination to order.

7 And I want to thank everybody for Zooming
8 in. Typically, these are in person. But being the
9 situation, which Steve Koski, who is with us today,
10 will go into detail of the executive order on why
11 we're via Zoom, but I would much rather have it
12 face-to-face and in person. But this is what we
13 have today.

14 So I appreciate taking the time this
15 morning to learn about Park Place Circle and a
16 little bit about some of the issues from an
17 engineering report that will be later and kind of
18 why we're here today.

19 Again, I'm Joe Bush, the Water Resources
20 Commissioner, also known as the Drain Commissioner.
21 The name got changed in 2013 to Water Resources,
22 which I think it fits the job much better so for
23 what our responsibilities are.

24 This is just a little portion of what I
25 do, and it's having public hearings, which are

1 called Board of Determinations, which was a
2 petition from either the people or the city or
3 municipality. And we received a petition from the
4 City of Ferrysburg for some possible improvements
5 over in this particular area. And that will be in
6 the engineering report later. But I receive a
7 petition. It is my job as the elected official or
8 Water Resources Commissioner to hold a public
9 hearing, and that is what everybody got invited to.

10 Today's determination isn't a cost, it
11 isn't a project, and it isn't really a lot except
12 is there a necessity for me to move forward as your
13 Water Resources Commissioner on a project.

14 Now, that being said, we do overnotice.
15 Some people are going to have some questions.
16 Number one, maybe I'm not in the district. But we
17 didn't redefine the district to a T yet. We
18 overnoticed just in case, legally, we make sure we
19 got everybody. If we go overnotice and you're not
20 in, a bonus; right? But we want to make sure we
21 try to capture everybody who's in the watershed.

22 A drain district is a watershed. If your
23 water runs to a certain area and you benefit or
24 contribute, that's the only way that we have these
25 petitions, basically via drain code, then we invite

1 people for a public hearing.

2 This is the second step for the process.
3 First step is for me to receive it, a petition. We
4 did that from the city. Second thing is hold a
5 public hearing and have testimony from people who
6 either have flooded or have no flooding or just
7 kind of curious what it's about.

8 So today we don't have a cost. We don't
9 have a project. And the Board of Determination has
10 no -- these three board members I picked today,
11 which are appointed by me, they are not on the city
12 council, they have no relationship to any
13 properties in the drain district, nor do they have
14 any -- they don't live in the city of Ferrysburg.
15 So they have no affiliation with this project as
16 far as property owners or pay taxes. And this is
17 why the drain code allows me to appoint a
18 three-panel board that have, again, no affiliation
19 with this area. So that's, again, another part of
20 the process.

21 Once I do introductions, I give an oath,
22 and the three-panel board runs the meeting. I will
23 be here to answer questions, but they'll pick a
24 chair and they will run the meeting. So what that
25 means is I don't have a say in it whether it moves

1 forward or not, which is state law. Which I don't
2 want a decision-making in that. That's why we
3 appoint people to make that decision.

4 These three panel board members have a
5 lot of experience in drainage. They're usually
6 either a township supervisor, a township manager, a
7 road commission maybe engineer. But these three
8 panel members I picked today are very, very
9 familiar with drain code, state law, drainage, and
10 how this process works. That's very important. So
11 they're very experienced in what they're doing
12 today.

13 And, again, I don't go and explain this
14 to the individuals or the board members. This is
15 for public testimony. That's why -- that's why
16 we're having today's board meeting.

17 Also, you know, going into this, make
18 sure you speak -- when you speak up, speak loudly
19 and clearly with a name, address, and your concern
20 because Suzanne, who is on our Zoom, is a court
21 recorder, and I do this for every single Board of
22 Determination meeting I have since I got elected
23 back in 2012 and started in 2013. I court record
24 these every single time. You'd be amazed what
25 comes up later where I can go back and find what I

1 said or what somebody else said. So it's very
2 helpful to have her.

3 That is not required by law, I do that to
4 protect the people and the city and myself and make
5 sure it's court recorded just to make sure that
6 things are legit and not just made up and words are
7 put in that shouldn't be. So we try to be very
8 transparent.

9 The other part is we also -- I'm trying
10 to look on the Zoom here. There's too many windows
11 with too many people on my screen. But I'm sure
12 there will be a representative from the township --
13 or not township. Well, maybe. Spring Lake is in
14 this one too. But City of Ferrysburg, I think
15 Craig Bessinger might be in there as well to give
16 any public comments.

17 So at this time I'm going to go ahead and
18 give the oath and let these three gentlemen raise
19 their right hand. And once they accept the oath,
20 they will be running this meeting. And then if
21 there's any questions, I'll forward those questions
22 to the board, and then they will forward those
23 questions to whoever needs to answer them.

24 So I thank you again for attending this
25 meeting.

1 Well, I guess before you raise your
2 hands, I'll go ahead and give introductions.

3 We have Larry Bruursema, and then we have
4 Bill Cargo, and then we have Rich VanderKlok. And,
5 again, these three gentlemen have no affiliation
6 with this drain district as far as living or
7 properties there or pay taxes there.

8 And then we have Paul Forton. He is from
9 Spicer Group. He is the engineering firm I picked
10 to kind of do the delineation and look over the
11 pictures, look over the site, and kind of give an
12 idea for our presentation today.

13 And then our court recorder is Suzanne.

14 And I'm going to see here if there's
15 anybody else. I got my panel, and I don't know if
16 there's more. Let me go back to the other page.

17 Steve Koski is an attorney. He is with
18 the law firm that we use. So he will be able to
19 answer questions as well. And via Zoom with the
20 executive order I think it's important that --
21 yeah, Steve will give introductions, or an
22 introduction to himself, and why he's involved. So
23 he'll do that shortly.

24 Or, Steve, do you want to do that now
25 before I give the oath?

1 ATTORNEY STEVE KOSKI: Sure. Yeah, I can
2 do that.

3 Again, my name is Steve Koski, and I am
4 an attorney with Fahey, Schultz, Burzych, Rhodes.
5 And, again, welcome to the Board of Determination
6 meeting.

7 This meeting is being held electronically
8 in compliance with the Governor of Michigan's
9 executive orders; there's been several of them.
10 The most recent executive order provides for
11 electronic meetings under the Open Meetings Act
12 during the duration of the public health emergency
13 related to COVID.

14 We will make every effort to ensure full
15 participation and transparency for those in
16 attendance. For each vote we recommend that the
17 board does a roll call vote just to make sure that
18 everybody is clear who's voting which way,
19 especially when there's not a unanimous vote.

20 With respect to those of you from the
21 public that are in attendance, we ask that you
22 remain muted during the meeting. And you may get
23 unmuted by me, especially if you're giving comment.
24 After you give comment, I probably will mute you if
25 you don't do it. We just want to avoid too many

1 open mics on at the same time because they pick up
2 noise, and then it makes it hard for everybody to
3 hear.

4 And, as Joe mentioned, we have a court
5 recorder. So either the court reporter or us will
6 kind of step in if something isn't clear just to
7 make sure that it is in the record and make sure
8 that we fully get what you were trying to say.

9 For the public comment portion, the
10 chairperson or I will facilitate this by calling on
11 each person that would like to speak. And when you
12 do that we ask that you state your name and address
13 for the record. And the board will set rules after
14 they elect their chair and secretary as to what
15 those rules for public participation will be.

16 In order to indicate you would like to
17 comment, if you haven't used Zoom before, or if you
18 have, there's an option to raise your hand. And so
19 if you're on a computer or a device, you can go to
20 either the -- the participant list, to the bottom
21 right of that there is a raise your hand option.
22 Or if you go near your name, scroll over your name
23 on the participant list, you can select raise your
24 hand. And so when you do that there will be a
25 little blue hand that appears on the participant

1 list, so I will know who would like to participate.

2 If you're calling in by telephone, you
3 can also indicate you would like to participate by
4 dialing star 9, and that will raise your hand.

5 Also if you're on your phone you can dial star 6 to
6 mute and unmute yourself. Everybody else has a
7 mute button that you'll see on your computer or
8 device. But, again, it's star 6 if you are on a
9 phone to mute and unmute yourself and star 9 to
10 raise your hand.

11 There also is a chat function that you'll
12 see on the bottom, there's a chat button, and you
13 can only send messages to me, the host. And I
14 welcome you to do that if you're having any issues
15 that I can help you with. But also, when it comes
16 time for public comments, you can, if you don't
17 want to participate by giving your comment, you can
18 place it in there. I would just ask that you put
19 your name and address with your comment.

20 Otherwise, I won't be able to read that into the
21 record.

22 If you experience any connection issues
23 and you're connected by computer or device, we
24 recommend that you just try leaving and
25 reconnecting to the meeting. Usually that solves a

1 lot of issues, either audio or visual issues. And
2 if that still doesn't work, then we would recommend
3 that you call into the meeting using the call-in
4 information.

5 And for the board members, same thing.
6 Obviously, we will -- if somebody drops off, we
7 will pause the meeting and wait for that person to
8 reconnect. And if they still can't reconnect by
9 their device, then they can call into the meeting
10 as well, and so we will be able to proceed that
11 way.

12 And I will go over -- prior to the public
13 comment portion, I will go over the procedures for
14 that, again, of how you can participate.

15 So at this time I will turn it back over
16 to Joe.

17 WATER RESOURCES COMM. JOE BUSH: Thanks a
18 lot, Steve.

19 Just so people know, I did see Rebecca
20 Hopp, the mayor, pop in on one of the windows. So
21 our mayor from City of Ferrysburg, it looks like
22 she's joining us.

23 And then in Larry Bruursema's window, if
24 you're looking, two of my staff are there. Sara
25 Hirst is my secretary, and Chad Meints is my chief

1 deputy if you're wondering who is in the room with
2 Larry who's in my department but in another room.
3 So he's not in here with me, obviously. So just to
4 name a few people who are not -- I want to
5 recognize for the minutes that are here.

6 So, gentlemen, please raise your right
7 hand, and we'll go ahead and give the oath for this
8 Board of Determination.

9 Do you each solemnly swear that you will
10 faithfully perform and discharge the duties imposed
11 upon you as required by law as members of the Board
12 of Determination appointed by the Ottawa County
13 Water Resources Commissioner to determine the
14 necessity of the location, establishment, and
15 construction of the Park Place Circle Drain located
16 in Spring Lake Township and City of Ferrysburg in
17 said county? Gentlemen, what do you say?

18 BOARD MEMBER BILL CARGO: I do.

19 BOARD MEMBER RICH VANDERKLOK: I do.

20 BOARD MEMBER LARRY BRUURSEMA: I do.

21 WATER RESOURCES COMM. JOE BUSH: Thank
22 you.

23 BOARD MEMBER BILL CARGO: Well, the first
24 thing we need to do is we need to elect a secretary
25 and a chairperson.

1 Is there a motion to elect a chairperson
2 for this Board of Determination?

3 BOARD MEMBER RICH VANDERKLOK: I would
4 make a motion that Bill Cargo serve as chair for
5 this Board of Determination.

6 BOARD MEMBER BILL CARGO: Is there
7 support?

8 BOARD MEMBER LARRY BRUURSEMA: Yes.

9 BOARD MEMBER BILL CARGO: We have a
10 motion by Rich supported by Larry that Cargo will
11 be the chair for this Board of Determination.

12 All in favor, say aye. Aye.

13 BOARD MEMBER RICH VANDERKLOK: Aye.

14 BOARD MEMBER LARRY BRUURSEMA: Aye.

15 BOARD MEMBER BILL CARGO: And all opposed
16 say no.

17 And it is passed unanimously.

18 Now, we also need to elect a secretary
19 for this Board of Determination. I'm assuming that
20 we're going to elect Rich, so I will make a motion
21 that Rich be approved -- or be elected the
22 secretary for this Board of Determination.

23 Is there support?

24 BOARD MEMBER LARRY BRUURSEMA: I'll
25 support that.

1 BOARD CHAIRPERSON BILL CARGO: And I have
2 support from Larry.

3 All in favor of Rich being appointed as
4 the secretary for this Board of Determination, say
5 aye.

6 BOARD MEMBER RICH VANDERKLOK: Aye.

7 BOARD CHAIRPERSON BILL CARGO: Aye.

8 BOARD MEMBER LARRY BRUURSEMA: Aye.

9 BOARD CHAIRPERSON BILL CARGO: All
10 opposed say nay.

11 There's no opposition, so it is
12 unanimously approved also.

13 Now, the final thing we do is the rules
14 of public comment is we adopt a rule that limits
15 public comment to three people -- three minutes per
16 person. You can summarize War and Peace in three
17 minutes. And so we want you to be able to express
18 yourself but limit it to three minutes.

19 Is there support for limiting public
20 comments to three minutes per person?

21 BOARD SECRETARY RICH VANDERKLOK: I will
22 support that, Mr. Chairman.

23 BOARD CHAIRPERSON BILL CARGO: Okay.
24 That came from Rich and the motion came from me,
25 Bill Cargo, for limiting public comments to three

1 minutes.

2 All in favor, say aye.

3 BOARD SECRETARY RICH VANDERKLOK: Aye.

4 BOARD CHAIRPERSON BILL CARGO: Aye.

5 BOARD MEMBER LARRY BRUURSEMA: Aye.

6 BOARD CHAIRPERSON BILL CARGO: And,

7 again, that motion -- or all opposed, say no.

8 And, again, that motion is adopted

9 unanimously.

10 At this stage the first thing we're going
11 to do is to have an engineer presentation. The
12 engineer is Paul.

13 Paul, what firm are you with again?

14 ENGINEER PAUL FORTON: I am with Spicer
15 Group. We're an engineering firm, and I am in our
16 Byron Center office.

17 BOARD CHAIRPERSON BILL CARGO: So before
18 we do anything else, I did have one email to me.
19 And perhaps you can help me or somebody can look it
20 up while you're giving your presentation. Is the
21 Heartwood Lodge within the proposed district for
22 the Park Place Circle Drain? If somebody could
23 look that up while Paul does his presentation, I
24 would appreciate it.

25 ENGINEER PAUL FORTON: Super. I am not

1 familiar enough to know exactly where that location
2 is, but I am sure that we can get that answer for
3 you.

4 BOARD CHAIRPERSON BILL CARGO: Okay. And
5 if somebody emails me that, that's what I'm looking
6 for.

7 Okay, Paul, take the meeting, and we'll
8 listen to your presentation.

9 ENGINEER PAUL FORTON: Sounds good.
10 Thank you, Bill.

11 For those of you that don't know me, my
12 name is Paul Forton. And, again, I work for Spicer
13 Group, and we do watershed projects throughout the
14 state.

15 Again, as mentioned earlier, we
16 appreciate your patience in doing this via Zoom.
17 I've had the opportunity to do this many different
18 ways now: In a pavilion with a deejay and now Zoom
19 meetings. And things have been a little bit
20 different here than they have previously. And much
21 like Joe mentioned, we would certainly prefer to do
22 this in person, but we thank you for your patience.

23 And so, Steve, if you could -- and maybe
24 you are -- share the presentation for folks to see?
25 Looks like it's on the screen behind my other

1 screen. So there we go.

2 So we're going to briefly get everybody
3 acquainted with the location of where this
4 particular issue is. We're going to talk about a
5 little bit of the background and history. Joe Bush
6 already mentioned the drainage district boundary.
7 Another name for that is the watershed boundary,
8 and a third name for that is a special assessment
9 district, and we're going to talk a little bit
10 about that.

11 I have a few photos of some of the site
12 conditions from an inspection that we completed,
13 and then I'll be taking any questions that the
14 board may have after that time.

15 So, Steve, if you could go on to the next
16 slide.

17 So our general location map here, you can
18 see the red star. We are on the west side of the
19 city of Ferrysburg north of Grand Haven.

20 And moving on to the next slide, zooming
21 in a little, to discuss the background or history,
22 Joe mentioned that this is an application for a
23 brand-new drain. That's different than an
24 application for a petition to do work on an
25 existing drain.

1 So I know I've worked with several of you
2 board members before. Keep in mind that this is a
3 new drain, so it's a little bit different than a
4 drain that's already been established.

5 Our watershed is approximately 150 acres.
6 I say approximately because we don't have a
7 centerline yet because this is a new drain. We
8 have ideas on where it may go. And with that we've
9 delineated about a 150-acre watershed, but that has
10 yet to be determined.

11 In that watershed there are approximately
12 320 parcels. The land use within this particular
13 district, we have a mixture of residential and then
14 also park ground. And really why we're here today
15 is severe flooding that occurs in Coast Guard Park
16 and then in some of the surrounding neighborhoods.

17 And so moving on, Steve, to the next
18 slide, we have a little bit closer version here.
19 If you're not familiar with the area, Coast Guard
20 Park is the large open grassy space that you see in
21 the trees near the west side of the boundary, and
22 the watershed boundary is shown in red. For those
23 of you not familiar with this type of work, that
24 watershed boundary is basically the edge of the
25 bathtub where, if it rains in land in this

1 particular area, it all drains down to one central
2 point. And so this is the approximate watershed
3 boundary that we feel contributes water to this
4 area during storm events.

5 It's also important to note at this time,
6 if you missed it, Joe mentioned earlier that we did
7 overnotify for this. And so if you're sitting in
8 the audience and listening to this and thinking,
9 well, I'm not even in that boundary, the reason
10 could be that we did overnotice because we don't
11 know exactly where our outlet will be. And because
12 of that we want to bring in more folks to ensure
13 that they're involved in this process.

14 And so moving on to the next slide, in
15 order to determine that watershed boundary we use
16 what's called LiDAR data. And this is basically
17 elevation data that is obtained via flying an
18 airplane over the surface of the earth, and they
19 shoot sensors down, and it sends a beam back,
20 simplistically, and gives the elevation of the
21 earth. And so in our office we are able to take
22 that and kind of ride the ridge lines around.

23 So this is a colorized picture of what
24 the elevation is of the earth in this area. And
25 you'll notice that there's not only colors, but

1 there's contour lines as well. And any time those
2 contour lines are very close, it's an indicator
3 that we have a steeper slope in that location.

4 And so if you find the label for
5 North Shore Drive, it's in the middle of the screen
6 slightly below dead center -- thank you, Steve --
7 that particular area, you can see just north of
8 there along that red line there's a lot of very
9 steep contours. And that is essentially what we're
10 looking for when we define these watershed
11 boundaries and these district boundaries. And
12 basically it's the continental divide per se that
13 surrounds this particular area and delineates what
14 water flows into this area and what water flows
15 out.

16 What's unique about this particular
17 watershed -- and many of the residents listening
18 are familiar with this but for the board's
19 benefit -- this particular watershed drains to
20 Coast Guard Park. And that you can see in the
21 flat -- again, I'll point back to that North Shore
22 Drive call-out for the road. Slightly north of
23 that you can see that the contours are very -- are
24 separated out quite a bit, and that is where the
25 baseball fields are. If you're familiar with

1 Coast Guard Park, in the large flat area, that
2 basically serves as the low point for all the water
3 in this locale to drain to and then it sits. It
4 does not have a gravity outlet.

5 One of the biggest challenges we're
6 facing right now coming into this year especially
7 is the high groundwater table. Not only is Lake
8 Michigan and Huron and the Great Lakes near or at
9 all-time highs, we're also seeing that in our
10 groundwater throughout the state. For many folks
11 if you have a sump pump, for example, it's been
12 running more frequently in general through the last
13 year or so because of these high groundwater
14 tables. What that means, though, for areas like
15 this where historically that water may have had a
16 chance to infiltrate, with the groundwater being
17 up, it cannot do that as quickly. And this has
18 been a chronic problem, as I understand it.

19 I'm sure we'll take public comments as
20 well, but in talking with several folks, this has
21 been a chronic problem over the years where water
22 will collect in this area, and it just stagnates
23 and sits.

24 And so moving on to the next slide, I
25 want to get into some of the pictures that were

1 taken. This is on May 18th on Park Place Circle.
2 And you can see the standing water in the road
3 there.

4 Interestingly enough, as I understand
5 it -- and maybe some residents can confirm this
6 later in public comments -- but there's a catch
7 basin that's in the curb line of the road. And
8 that had been sandbagged shut in hopes, I believe,
9 of storing water in the road because there was so
10 much water in the rear lots -- and we'll see that
11 here in a little bit -- that they were trying to at
12 least keep some of the water in the road area so
13 that it didn't further inundate the rear lots
14 drainage for these folks.

15 And moving on to the next photo, this is
16 a picture behind those same homes around the
17 corner. You can see in the far background there
18 there's standing water below the decks. And this
19 is the beginning of ponding water that occurred
20 throughout this area with that May 18th storm.

21 The inspection that you'll see here in
22 the photos that I have are limited to what I could
23 see from the road. And so I believe there were
24 other photos that were sent to the drain office, or
25 Joe's office, that shows a little bit more flooding

1 out those rear lots. Once again, my photos were
2 limited to primarily windshield tour. But you can
3 see the extent of the flooding behind impacting
4 several of the homes here.

5 Moving on to the next slide, this is a
6 photo of Coast Guard Park. It's generally facing
7 in an easterly direction. And you can see that a
8 significant portion of the park is flooded, the
9 eastern portion of that. This standing flood water
10 extended all the way to those homes off of Park
11 Place Circle, and so quite a large area storing
12 that stormwater. Many times that's a good thing.
13 Unfortunately, with the excess amounts, you know,
14 that stormwater has to go somewhere and we like to
15 store it, but once we're in and near homes like
16 this, it really truly becomes a problem.

17 Moving on from Coast Guard Park on to the
18 next slide, this is a picture of the northeast
19 corner of Parkwood and Mohawk. You can see that
20 this is the parking area that services the
21 buildings there on our left completely inundated
22 with water. There's a pump there to the right of
23 the green chair trying to remove that water and get
24 that out of the system.

25 Again, this is another place that's a low

1 point that collects water, and, unfortunately, it
2 does not have a place to go when that storm -- when
3 the storm is this intense and we get this volume of
4 water.

5 So moving on to the next photo now, this
6 is a picture of the same area coming from the other
7 direction. And you can see not only is it
8 impacting the parking area but also the structures
9 and buildings themselves with standing water up
10 against the building.

11 And so you will -- I'm hopeful that there
12 are folks from the public that might be able to
13 comment about their experience through this
14 particular storm and even prior to that.

15 One thing I would like to note. You
16 know, many people, "Well, what are you going to do?
17 What are you going to do?" And I'd like to just
18 reiterate a comment that Joe made. This is a very
19 preliminary part of the process. We don't even
20 have survey data yet. We have no easements for
21 where this drain is going to go yet. That all
22 comes later on in the process after a determination
23 is made today.

24 And so, I guess, moving on, and kind of a
25 nice segue to the next slide, you know, as far as

1 next steps, it's important to note today is about
2 necessity; whether something is necessary or not.
3 That is what the board will be determining. If
4 they decide that it is not necessary, there will
5 not be a project, at least through the jurisdiction
6 of Joe Bush's office. And the drain code or the
7 law describes the fact that no new petition may be
8 submitted to establish a new drain for a period of
9 one year after a no necessity vote is cast for a
10 Board of Determination.

11 Now, moving on to the next slide, if the
12 project is found necessary, then we do start
13 pursuing the options for or solutions for the
14 problem. So that's when we would get into the
15 survey, which leads to the engineering and the
16 final design of a potential solution. At that
17 point we would approach property owners,
18 potentially, for any easements that we may need in
19 order to implement that design.

20 Presumably, with a project like this, we
21 anticipate that permitting will be necessary. We
22 need to bid the project. It's a public project, so
23 it would go out to bid. And there's quite an
24 extensive process through the drain code and the
25 law that we need to follow in order to do that.

1 After that bidding is complete, then we
2 have what's called a day of review. And many folks
3 will ask, "Well, how do we find out what happened?
4 And what's going to happen? And how much is this
5 going to cost? And what is my portion of that
6 going to be?" And I'd like to address that right
7 now if it's okay with the board. That's the day
8 that you find that out. So your next notice that
9 you would receive for your next meeting would be a
10 notice for a day of review. And that is a time
11 where you can come in and review what your portion
12 of the overall project cost would be and see kind
13 of where that landed. Everything up to that point
14 is really at the jurisdiction of Joe's office. At
15 that point he is the one that will determine the
16 scope. We will work with the city, obviously, and
17 make sure that they are on board with any potential
18 solutions, as well as the landowners.

19 And then after that day of review is
20 complete and that process is finished, then we can
21 finally move on to construction.

22 And so I know that there are a lot of
23 passionate folks when you have flooding like this
24 and would like to see this process move very
25 quickly. With the items detailed here, especially

1 involving, potentially, permits from EGLE and
2 things like that, that process tends to take three
3 to six months in order to complete.

4 It's very important to note that this is
5 not something that's going to happen overnight.
6 The process can start now, but, generally speaking,
7 you're really looking at most likely at least a
8 year before this is complete. And when easements
9 are involved and permitting is involved it many
10 times takes longer. So this is not an
11 instantaneous solution, unfortunately, but it's a
12 start, potentially, down that road.

13 And so at this time I would take any
14 questions that the board may have. I know I've
15 worked, again, with several of you before. And
16 perhaps I've left some pertinent information out.
17 Certainly feel free to ask questions at this time.

18 BOARD CHAIRPERSON BILL CARGO: Are there
19 any questions from the Board of Determination
20 members? I have none.

21 BOARD SECRETARY RICH VANDERKLOK: I have
22 none either.

23 BOARD MEMBER LARRY BRUURSEMA: I have
24 none. You've done a very good job.

25 BOARD CHAIRPERSON BILL CARGO: Again,

1 we're going to begin taking some public testimony,
2 but prior to that, the first thing I want to do is
3 to see if there is anybody from the City of
4 Ferrysburg that wants to make any comments
5 regarding this proposed drainage district.

6 CITY MANAGER CRAIG BESSINGER: Joe, I
7 have no comments, but if anybody has a question,
8 I'd be glad to answer them.

9 BOARD CHAIRPERSON BILL CARGO: That was
10 Craig Bessinger.

11 One of the things I think I need to do
12 and probably everybody needs to do is when we
13 speak, first identify ourselves. It makes it
14 easier for the court reporter, and that would be
15 helpful.

16 Second thing: Is there anybody from the
17 Spring Lake Township who would like to comment as
18 far as the organization?

19 So nobody from Spring Lake Township.

20 At this time, then, I'm going to begin
21 taking public comments.

22 I'm going to ask that Steve Koski kind of
23 control who comes up. I will remind everybody to
24 give your name and address.

25 What we are doing for this Board of

1 Determination is determining necessity; in other
2 words, is there a problem, and is the problem
3 significant enough to affect people's health, their
4 welfare, their property values. And if there is,
5 that's all we're going to determine today, that
6 there is a necessity for something to be done to
7 correct issues that affect people's public health,
8 public welfare, or their properties.

9 At this stage, Steve, could you take over
10 being the gatekeeper and having people step into
11 the public arena for public comments?

12 ATTORNEY STEVE KOSKI: Yes. Thank you,
13 Mr. Chair.

14 Again, just a reminder before we start
15 the public comments. If you would like to indicate
16 you have a comment, please select the raise your
17 hand option which you can find when you select the
18 participants list. You can go -- either hover over
19 your name or select the raise your hand button at
20 the bottom right.

21 Likewise, if you're calling on telephone,
22 you can dial star 9 and that will show me that you
23 would like to make a comment. And if all else
24 fails, you can wave your hands in front of your
25 camera and I will do a scan before we close public

1 comment. And then again, to the chat function, you
2 can submit your public comment to me via chat on
3 here. I just ask that you give your name and
4 address prior -- along with your message. And,
5 again, also, prior to giving your comment, after we
6 call on you, please give your full name and address
7 for the record.

8 BOARD CHAIRPERSON BILL CARGO: Also,
9 because I had commented earlier -- this is Bill
10 Cargo -- because I commented earlier that I
11 received an email directly on my work email, I
12 wanted to bring that up at this time.

13 First of all, the question was whether
14 Heartwood Lodge is part of the proposed drainage
15 district. It looks like the facility itself is
16 outside the drainage district, but a small portion
17 of their vacant property is within the district.
18 And so I wanted to get that on the record to answer
19 that question.

20 The other thing is I have a
21 representative of Heartwood Lodge, Mark Reenders,
22 M-A-R-K, Reenders, R-E-E-N-D-E-R-S, and he has sent
23 an email to me at my work address to simply say
24 that Heartwood Lodge has no water issues or
25 stormwater issues, and we are against this if it's

1 going to cost Heartwood Lodge any money. His
2 concern, of course, is with the -- his assessment.
3 But he did acknowledge that Heartwood Lodge -- the
4 facility is outside of the district, but they do
5 have some vacant property within the district.

6 So I appreciate that forbearance, Steve,
7 and I'll turn it back to you.

8 ATTORNEY STEVE KOSKI: Thank you,
9 Mr. Chair.

10 It should also be noted that the Water
11 Resources Office did receive some correspondence as
12 well which was provided to the board members and
13 that will be part of the official record.

14 It looks like the first comment that we
15 have is from Raymond. That's what the user name
16 is. So, Raymond, if you could introduce yourself
17 and give your address for the record, that would be
18 great.

19 TAMMY RAYMOND: My name is Tammy Raymond,
20 and I live at 17569 Park Place Circle, and I am
21 here on behalf of the Park Place Condo Association.

22 I would like to thank the members of the
23 BOD for this opportunity to convey the importance
24 of Ottawa County taking over the Park Place
25 Drainage District.

1 The past and present water drainage
2 system design has created chronic flooding issues
3 within Park Place for over 20 years, but it has
4 reached a new level of flooding in 2020.

5 Over the years Park Place and the City of
6 Ferrysburg have gone round and round with different
7 engineering firms with proposed drainage solutions
8 and even some implementation of those proposals.

9 But as you noticed in the documentation that was
10 given to you, clearly we are here today because it
11 is still very problematic and an inadequate system.

12 Considering the high lake levels, high
13 groundwater levels, inadequate drainage systems in
14 the surrounding neighborhoods, and the design of
15 Coast Guard Park with no effective drainage system
16 it is very likely that if nothing changes we will
17 once again experience flooding in many units.

18 For example, this past spring, April 29,
19 we had a major rain event of 7 inches in 24 hours,
20 and 12 of our 44 units had water breach their units
21 because of an inadequate drainage system.

22 But then on the weekend of May 16-17 we
23 received another 5 inches with additional water
24 gushing into our small retention pond from the
25 surrounding roads and housing developments on

1 Parkwood due to the easement the city put in place
2 in 2000. Combined with the flooding of Coast Guard
3 Park, whose design allows water to flow into our
4 large retention pond and back property, we were
5 surrounded with water with no place for it to go.
6 So, as a result, 21 of our 44 units were flooded in
7 this event.

8 The residents of Park Place have had to
9 live in a total state of chaos and upheaval in
10 their condos due to this major flooding. They have
11 spent combined amounts of over \$300,000 on
12 significant repairs, replacement of flooring,
13 furnishings and material and even indoor and
14 outdoor structural remedies from all the damage
15 that was done.

16 Considering that most of our residents
17 are in their retirement years with limited income,
18 the financial, physical, and mental toll has been
19 immense, and much of that toll remains today. It
20 is also disconcerting that many of our property
21 values are now in jeopardy.

22 And while this flooding was the straw
23 that broke the camel's back for Park Place, many
24 condo units were suffering water issues well before
25 2020. Therefore, we need immediate action to

1 address the inadequate drainage system all over the
2 neighborhoods surrounding Coast Guard Park and
3 within the park.

4 As an association, we are encouraged by
5 the hope of Joe Bush and the Ottawa County
6 management team taking over Park Place drainage
7 system and tackling this project with long-term
8 solutions. We believe that they will get to the
9 root of the issues surrounding this project and
10 provide the solutions we desperately need. Thank
11 you.

12 BOARD CHAIRPERSON BILL CARGO: Thank you,
13 Tammy. You did that in three minutes and 10
14 seconds. That's a lot of information you shared in
15 a short period of time. I appreciate that.

16 TAMMY RAYMOND: If anyone in -- there's
17 other people that might want to comment, so if
18 Raymond raises their hand again, it will be one of
19 the neighbors.

20 BOARD CHAIRPERSON BILL CARGO: Okay.
21 Appreciate that.

22 Steve, who is next?

23 ATTORNEY STEVE KOSKI: The next comment,
24 the user name Bruhns, B-R-U-H-N-S. If you could
25 unmute yourself and give your name and address for

1 the record, please.

2 CALVIN BRUHN: Hello. My name is Calvin
3 Bruhn. I'm representing the properties at 18100,
4 18102, 18110, 18112, 18120, and 18122 Alpine Court.

5 I appreciate that we have finally started
6 to find the solution to this long-term problem.
7 This is not just a 2020 issue, this is -- we first
8 flooded in 2009, we flooded again in 2013, and then
9 again this -- in April, at the end of April, with
10 the large rainstorm, we had the flooding again.

11 The only time we flood is when there is
12 standing water in Coast Guard Park. The water
13 drains to the stormwater system, but it pools there
14 and it has nowhere to go.

15 Between the three buildings and two units
16 per building that I'm representing today we have
17 spent over \$160,000 this year alone to repair
18 damages and clean up and other things like that.
19 Plus, we still have more costs coming in to repair
20 drywall, replacing drywall, and putting new
21 flooring down.

22 I know residents across Alpine have also
23 flooded, and I know the residents across the street
24 at Mohawk have also flooded.

25 So, again, I just appreciate that the

1 county is looking into this, and we hope that there
2 is a solution coming that will help us keep from
3 flooding again. Thank you.

4 ATTORNEY STEVE KOSKI: Okay. Thank you
5 for your comment.

6 The next comment is from Michael Koert,
7 K-O-E-R-T. If you could unmute yourself, introduce
8 yourself and your address for the record, please.

9 MICHAEL KOERT: Hi. I'm Michael Koert.
10 I live at 17745 North Shore Drive.

11 I am currently the (inaudible) maintainer
12 of the man-made natural creek on the far east side
13 of the map provided by the Park Place Circle. And
14 during every year and every heavy rain a lot of
15 water comes from Dunewood Court, Cherokee Drive,
16 and other parts of those properties that runs off
17 into the woods north of me and then goes into the
18 small creek that I try to maintain. At this point
19 it is only a few inches.

20 And I would like to propose that the map
21 be expanded at least to that drain to better
22 facilitate the drainage from this Parkwood Circle
23 due to the fact that it is mainly water collection
24 north of me that is sitting there preventing
25 drainage for all these places to dry out. And if

1 there is a way to make it dry out and be dryer
2 throughout the year, it would benefit I think all
3 of us and even all the neighbors to the east of me.
4 I've spoken to many of them. They've all spent
5 10-, 20-, some are up to \$30,000 in water
6 prevention systems which just in the end goes back
7 into their house because there is no proper
8 drainage from the north side to the south side of
9 North Shore Drive.

10 So I'm just proposing that the map is
11 expanded to better maintain that creek through some
12 sort of partnership with me and the city or the
13 county to allow that drain to be maintained and
14 better help all the residents.

15 So that's all. Thank you.

16 BOARD CHAIRPERSON BILL CARGO: Thank you.
17 Thank you for your comments.

18 ATTORNEY STEVE KOSKI: It looks like we
19 have another commenter under Raymond. So if you
20 could just unmute yourself on there and introduce
21 yourself for the record, please.

22 STEVE SUPKA: We are Pam and Steve Supka.
23 We live at 17572 Park Place Circle. We live on
24 the small pond Park Place Circle and moved here
25 four years ago.

1 I'm going to start with a documentation
2 from consulting engineers on their analysis of the
3 drain situation to both ponds dated 2007.

4 The Park Place Circle retention ponds
5 receive stormwater runoff from approximately 19
6 acres of land. This area is broken down as
7 follows: Parkwood Drive right-of-way, two acres.
8 Land north of Parkwood Drive, eight acres.
9 Parkwood Place Circle condos, nine acres. Total
10 area is nineteen acres.

11 Originally the connecting pipe of the two
12 ponds was 12 inches in diameter, and on this 2007
13 document the engineer suggested enlarging the
14 12-inch pipe to 36 inches in diameter to relieve
15 the flooding situation. This (inaudible) of the
16 association with flooding still occurring after
17 enlarging the pipe.

18 Fast-forward to 4/29/20 and 5/17/20 when
19 we had unprecedented rainfall causing Coast Guard
20 Park to flood to the point of flood water backing
21 up into the big pond. Which in turn backed up into
22 the small pond. And those 19 acres of water came
23 into the small pond. We kept 14 inches of water
24 from coming into our walkout basement. And I
25 worked out neighbor's walkout basement with a wall

1 of sandbags on the edge of the concrete patio.
2 Then staying up two days and two nights
3 continuously pumping water out of the patios to the
4 other side of the sandbagged wall until the rain
5 stopped.

6 Unfortunately, due to high water table,
7 water came up through the basement floors both
8 condos and all areas of the basement creating
9 removal of carpet, padding, drywall, thereby
10 approximately 15- to \$20,000 damage with no
11 insurance coverage for both condos.

12 We believe the drainage situation in this
13 whole area needs to be updated to accommodate the
14 fact we here on Park Place Circle and surrounding
15 areas live at the bottom of a funnel. And until
16 this drainage system is made to fix the whole area,
17 we never will be free of flooding. Thank you.

18 BOARD CHAIRPERSON BILL CARGO: Thank you.
19 I appreciate that.

20 Steve?

21 ATTORNEY STEVE KOSKI: Okay. Does
22 anybody else there -- while we are on you guys,
23 does anybody else there want to give comment?

24 TAMMY RAYMOND: Nope. We just want it
25 fixed.

1 ATTORNEY STEVE KOSKI: Okay. Great.

2 We have one more comment here from the
3 phone number ending in 4672. You are unmuted. So
4 if you could go ahead and introduce yourself for
5 the record, your name and address.

6 JOE MASVERO: Yes. Joe Masvero. Address
7 is 17557 Park Place.

8 Thank you, Tammy and Steve, neighbors.

9 I was also up that evening -- I live on
10 the opposite side of the street near the -- if you
11 look at the district drainage map that we were
12 mailed, the larger pond that has a cement cutout
13 which was part of the change in how this whole
14 area, or much of it, drains. The solution was very
15 limited in the fact that the city and the engineers
16 just believed that you could just dump water into
17 Coast Guard Park and it would absorb it.

18 Given our current climate, high water
19 table, all of that, higher water temperatures,
20 possible global warming, this problem will not go
21 away unless there is a drain not just for Park
22 Place but really Coast Guard Park. I would say
23 that Coast Guard Park, only way that it drains
24 water out is to Park Place's pond because of that
25 first place view. It took the city, when they

1 finally began pumping, weeks to drain out the park.

2 And the park is a considerable asset that
3 is used not just by this drainage district but
4 people that live way outside of it. And it's not
5 acceptable to have a city asset -- Coast Guard Park
6 is beautiful, that's why we all live here -- to
7 just allow it to have standing water like that.

8 And though I do appreciate the gesture of
9 receiving some American Red Cross cleanup kits and
10 a safety warning letter from the county of the
11 dangers of flood water and standing water, that is
12 really unacceptable for this entire area to have
13 such a great asset known as Coast Guard Park to
14 become a temporary holding pond and be unusable.

15 And thankfully, we had almost the weakest
16 winter last year. So the reason why this is urgent
17 is because if we had maybe a more typical winter
18 along with our spring rain, this is going to be an
19 ongoing problem.

20 And so I do encourage the members of the
21 Board of Determination to deem this as totally
22 necessary. Thank you.

23 ATTORNEY STEVE KOSKI: Okay. Thank you.

24 BOARD CHAIRPERSON BILL CARGO: Steve, do
25 you have any other public comments?

1 ATTORNEY STEVE KOSKI: We have one in the
2 chat. It is from Mike Beahan, B-E-A-H-A-N, and his
3 address is 17464 Dunewood. And he says that it
4 appears the flooding is a result of an inadequate
5 master plan. What recourse is there to hold
6 physically accountable those who approve building
7 permits and on the builders of the properties now
8 experiencing flood issues.

9 BOARD CHAIRPERSON BILL CARGO: Well, one
10 of the things I think that should be made clear to
11 the public is that if this is made into a public
12 drain, the different municipalities, the county,
13 the road commission if necessary, they would all
14 pay a portion of any plan, and that portion and the
15 assessment can be negotiated between Joe Bush and
16 Ferrysburg, Joe Bush and Spring Lake Township. And
17 so they will be taking a look at that. There is
18 a -- if something is wrong here, they are going to
19 have to pay a portion of the cost at large.

20 Is that an accurate statement, Joe?

21 WATER RESOURCES COMM. JOE BUSH: Yep,
22 you're correct, Bill.

23 BOARD CHAIRPERSON BILL CARGO: Okay.
24 And, again, we're not looking at the assessment
25 portion at this public hearing, we're only looking

1 at whether there are problems that are sufficient
2 to say that a project is necessary within this
3 newly created drainage district.

4 Steve, do you have any other questions,
5 or should we make any reference other than the
6 brief reference you made to the emails that have
7 been shared with the Board of Determination
8 members?

9 ATTORNEY STEVE KOSKI: Actually, I have
10 one more comment I see. It's from Todd Kolasa,
11 K-O-L-A-S-A. If you could unmute yourself and
12 identify yourself for the record.

13 TODD KOLASA: Hi. My name is Todd
14 Kolasa. I live at 17595 Park Place Circle. And
15 I'm speaking for myself as well as a couple of my
16 neighbors that are in units adjacent to mine and
17 next to mine.

18 We've all been dealing with
19 groundwater -- we just purchased last April 2019,
20 and we've been dealing with groundwater pretty much
21 since then and pumping out continually.

22 Of course, the previous callers spoke
23 about the storms of this year and the devastating
24 effect they've had. We experienced that as well.
25 Myself and neighbors I've seen have had to replace

1 drywall, flooring, clean out, etc.

2 Our unit in particular, we completely
3 remodeled the basement prior to the flooding, and
4 so we've, effectively, remodeled it twice. We got
5 close to \$30,000 invested in this that I can
6 account for directly, not to mention countless
7 hours pumping as well as dealing with utility bills
8 that are probably at least twice to three times
9 what they should be if we weren't dealing with all
10 the extra electricity being used.

11 And I believe the comments made regarding
12 the Coast Guard Park being an asset that we all
13 enjoy, those and everyone around us would really
14 appreciate that getting back to the glory that it
15 had when we first saw it when it was a dry period.

16 That's it. I appreciate this chance to
17 speak. And thanks for the help.

18 BOARD CHAIRPERSON BILL CARGO: Thank you.

19 Steve, do we have anybody else who has
20 raised their hand electronically that would like to
21 speak?

22 ATTORNEY STEVE KOSKI: Actually, we just
23 did. The user name Hopp 85, if you could unmute
24 yourself and identify yourself for the record,
25 please.

1 MAYOR REBECCA HOPP: Yes. My name is
2 Mayor Hopp, I'm Rebecca Hopp, at the City of
3 Ferrysburg.

4 Just have worked with multiple residents
5 in the Parkwood Circle area, and also I was a
6 volunteer during this major flooding event with
7 Ottawa County Emergency Management, so I was out
8 there personally moving sandbags and personally saw
9 firsthand the amount of flooding and damage that
10 had occurred with those two weekends of rain. I
11 wanted to share that.

12 BOARD CHAIRPERSON BILL CARGO: Thank you
13 very much, Mayor.

14 Steve, any other comments, or anybody
15 raising their hand electronically?

16 ATTORNEY STEVE KOSKI: I don't see
17 anybody else. If anybody out there is having
18 issues raising your hand or anything, you can wave
19 in front of your camera.

20 Mr. Chair, at this time it looks like --
21 it looks like we have allowed everybody to
22 participate that has wanted to.

23 BOARD CHAIRPERSON BILL CARGO: Okay. At
24 this point we will close the public comments
25 portion of this public hearing and there will be a

1 discussion among the Board of Determination
2 members.

3 And first I'll ask Larry, do you have any
4 questions or comments?

5 BOARD MEMBER LARRY BRUURSEMA: Though I
6 don't have a comment, obviously they have a
7 problem, and the property is deteriorating in
8 value, and I see no way out but to approve the
9 drainage system.

10 BOARD CHAIRPERSON BILL CARGO: We
11 appreciate that.

12 Rich, do you have anything you'd like to
13 bring to the table? Anything you'd like to say?

14 BOARD SECRETARY RICH VANDERKLOK: Yes.
15 First of all, I'd like to thank all of the
16 individuals who participated making their comments
17 during that public comment time. Those are very
18 helpful for us to understand the scope of the
19 situation, and so I appreciate those very much.

20 Based on those comments, and looking at
21 the suggestions that were made by some, I'm sure
22 the engineer's ears perked up at some of those
23 things too, which I'm sure they've thought of.

24 But in my opinion, I do see that this
25 petition drain is necessary, and, obviously, even

1 beyond the necessity, but it's also conducive to
2 public health based on some of the comments
3 relative to standing water in many areas, so I'm
4 certainly supportive.

5 BOARD CHAIRPERSON BILL CARGO: I'm going
6 to echo many of the comments that were made for
7 this Board of Determination, we have a very narrow
8 decision to make, and the narrow decision is are
9 there sufficient problems to create, because of
10 necessity, a drainage district.

11 We don't look at what the assessments are
12 going to be, if any. We don't look at what the
13 project is going to be. We just look at whether
14 there are sufficient problems to create the
15 necessity of the Ottawa County Water Resources
16 Commissioner going in there and trying to find a
17 solution.

18 What I would note from public comments is
19 that there have been stormwater management problems
20 as far back as 2007, and based on some of the
21 emails I've read previously, maybe even prior to
22 that. This has, then, of course, become
23 exacerbated by the high groundwater levels and lake
24 levels, and because of that, based on the comments
25 I've received just on the people who spoke, they

1 had over \$460,000 worth of damage that has occurred
2 just this year. This makes my decision very easy
3 is that there is a necessity for a public project
4 or a public drain that can have a project to
5 correct the stormwater issues.

6 And so I will make a motion that the
7 location, establishment, and construction of the
8 Park Place Circle Drain is necessary and conducive
9 to the public health, convenience, or welfare.

10 Is there support?

11 BOARD SECRETARY RICH VANDERKLOK: I
12 support that, Mr. Chairman.

13 BOARD CHAIRPERSON BILL CARGO: I have
14 support from Rich for my motion.

15 Is there any other comments from the
16 Board of Determination members before we call a
17 roll call vote on this?

18 BOARD MEMBER LARRY BRUURSEMA: I'm saying
19 I might have missed it, but did you read any
20 communication by letter?

21 BOARD CHAIRPERSON BILL CARGO: We had
22 emails from the -- let me bring these up. We had
23 emails earlier today from the Water Resources
24 Commission, I believe it's from Chad, and they sent
25 four emails that had contained letters, email, and

1 correspondence.

2 Was that received by all of the Board of
3 Determination members?

4 BOARD SECRETARY RICH VANDERKLOK: Yes, I
5 received them and read them. Thank you.

6 BOARD CHAIRPERSON BILL CARGO: And,
7 Larry, did you receive those and have an
8 opportunity to read those?

9 BOARD MEMBER LARRY BRUURSEMA: Yes, I
10 did.

11 BOARD CHAIRPERSON BILL CARGO: Okay. I
12 have not received anything else other than these
13 four emails that contain multiple letters and
14 correspondence and emails.

15 Is there anything else, Steve, that we
16 should be looking at?

17 ATTORNEY STEVE KOSKI: Not from my
18 understanding.

19 And, Joe, you can correct me, but I
20 believe everything was sent to the board members
21 that Chad and the office received.

22 WATER RESOURCES COMM. JOE BUSH: Yes.
23 This is Joe Bush. And Chad did send everything
24 over with the packets, and we don't have anything
25 further.

1 BOARD CHAIRPERSON BILL CARGO: And those
2 are part of the record for this public hearing;
3 correct, Joe?

4 WATER RESOURCES COMM. JOE BUSH: That is
5 correct.

6 BOARD CHAIRPERSON BILL CARGO: Okay.
7 Thank you.

8 So we have a motion on the floor from
9 Bill supported by Rich regarding the necessity.

10 Rich, as the secretary, will you do a
11 roll call vote on this?

12 BOARD SECRETARY RICH VANDERKLOK: Yes.
13 The secretary, Rich VanderKlok, votes yes.

14 Larry Bruursema?

15 BOARD MEMBER LARRY BRUURSEMA: Yes.

16 BOARD SECRETARY RICH VANDERKLOK: And
17 William Cargo?

18 BOARD CHAIRPERSON BILL CARGO: Yes.

19 BOARD SECRETARY RICH VANDERKLOK: And
20 that is passed unanimously.

21 BOARD CHAIRPERSON BILL CARGO: At this
22 stage I'm going to turn it back over to Joe to
23 briefly talk about what the next steps will be.
24 Let me just make sure I'm not missing anything
25 here. He'll talk about the appeals process and

1 what the next steps will be.

2 Joe, I turn this meeting over to you for
3 discussion.

4 WATER RESOURCES COMM. JOE BUSH: Thanks,
5 Mr. Chair.

6 Yeah, the next process, if somebody
7 wanted to appeal today's public hearing, you may do
8 that with circuit court. And you have ten days as
9 of today if somebody feels that they need to appeal
10 today's public hearing. So by law you can appeal
11 that to circuit court, not our department, if
12 anybody feels it necessary to do that.

13 Also, I want to make a note now that the
14 decision has been made that I was out there as
15 well. So, for the record, with Craig and Mayor
16 Hopp we were out there several times during the
17 rain events. So I just want to make that on the
18 public record, but I didn't want to say it before
19 because I didn't want somebody to think that I'm
20 making the decision for the board.

21 So, again, I want to make sure that it's
22 all transparency and that we were all out there.
23 It was crazy.

24 I want to thank everybody for joining us
25 via Zoom, and thanks for your participation and

1 your time.

2 WATER RESOURCES CHIEF DEPUTY CHAD MEINTS:

3 Joe, Chad Meints, water resources chief deputy.

4 I wanted to add to the appeal process.

5 If that falls on a weekend, it will be extended to
6 the Monday after.

7 WATER RESOURCES COMM. JOE BUSH: Okay.

8 Thanks for clarifying that.

9 BOARD CHAIRPERSON BILL CARGO: Okay,
10 that's --

11 WATER RESOURCES COMM. JOE BUSH: Oh. I
12 got one more, Mr. Chair.

13 Now that it's moving forward, we will
14 redefine that boundary, just to answer Mark
15 Reenders' question, if they're in or out. We will
16 redefine that now that we -- this is moving forward
17 just to make sure that -- you know, we'll
18 double-check it. Make sure it's in or out. So
19 just wanted to verify that.

20 BOARD CHAIRPERSON BILL CARGO: Okay.
21 Appreciate that.

22 Then if there are no objections, I will
23 adjourn the meeting at approximately 12:37.

24 (Record closed at 12:37 p.m.)

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CERTIFICATE OF NOTARY PUBLIC

I certify that this transcript, consisting of 53 pages,
is a complete, true, and correct transcript of the
proceedings had in this case on August 20, 2020.

August 31, 2020



Suzanne Duda, CSR-3199, RPR, CRR
Notary Public, Clinton County, Michigan
My commission expires: May 6, 2025

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