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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: BRIDLEWOOD SOUTH DRAIN
BOARD OF DETERMINATION

Proceedings commenced on Wednesday, July 6, 2022, at
the Jamestown Township Offices, 2380 Riley Street,
Hudsonville, Michigan, held before Marjorie A. Covey,
CSR-2616, Certified Shorthand Reporter and Notary Public.

(PROCEEDINGS TYPED FROM RECORDING.)

APPEARANCES:

- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Mr. Josiah Timmermans, Chief Deputy to Water Resources Comm.
- Ms. Marie Snyder, Secretary

- Mr. Rich VanderKlok, Board Chairman
- Mr. Ken Souter, Board Secretary
- Mr. Bill Cargo, Board Member

- Mr. Paul Forton, P.E., Spicer Group
- Mr. Noah Szott, P.E., Spicer Group

- Mr. Josh Westgate, Wright Township Supervisor

- Mr. Jerry Olman, Ottawa County Road Commission

1 Hudsonville, Michigan

2 July 6, 2022

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: Well again, I
5 apologize for being past the 11 o'clock start, but I wanted
6 to make sure everybody was heard, being that was a neighbor's
7 area, another watershed.

8 I'm Joe Bush, the Ottawa County Water Resources
9 Commissioner, for the people who didn't hear me on the first
10 BOD.

11 We're here because we received a few petitions.
12 And this one is for the Bridlewood South Drain. Again the
13 petition came in because of some concerns in another
14 watershed, next door to the one that we just had a Board of
15 Determination on.

16 And when we get a petition, one of the first things
17 we do is hold a Board of Determination, and then I appoint a
18 three-panel Board that we have before you this morning.

19 And when I appoint a three-panel Board, again,
20 these gentlemen are -- their job today is not to figure out a
21 cost or project. They figure out, does it need to move
22 forward under my jurisdiction, to have a project.

23 So I'm not either in favor of or not in favor of,
24 because, again, they make that determination.

25 When it comes to maintenance limits, we heard about

1 this earlier. When it's maintenance, it's 5,000 per mile,
2 per year, per drain. I don't get free money that's just
3 willing to do that. It's still an assessment whether it
4 comes from the township 100 percent, or the county road
5 commission, or the county me, somebody is paying for it.

6 It could be a special assessment if the township
7 says we don't want to cover that along with the road
8 commission and the county.

9 With that being said, so when people think, oh,
10 there is \$5,000, you got a 20-year development, that means
11 there is a hundred grand in this thing, or whatever, that's
12 not true. It's only 5,000 per year, per mile, per drain and
13 I have a thousand of these county drains.

14 So it's a lot of undertaking on trying to figure it
15 out. But again, that's Drain Code, that's the maximum
16 amount.

17 Without a resolution, I know Paul hit on that
18 earlier, or a petition, again, so we'll get back to why we're
19 here today because we have a petition on both of these
20 watersheds, or drain districts, for a possible project.

21 So again I want everybody to understand to please
22 give testimony, whether you're in favor of, have a problem,
23 or not in favor of.

24 These Board members have not been out there. They
25 don't know location except from the previous Board of

1 Determination. They have a little idea of what's going on
2 out there now.

3 But prior to today they were not called, emailed,
4 they don't know what Paul is going to be talking about, his
5 engineer's presentation.

6 Again, everything is preliminary with the engineer.
7 We haven't done a full-scale project cost or project -- we
8 don't even know the issues, that's why we hold the public
9 testimony.

10 Everything is court recorded. Our court reporter
11 is virtual today but she is -- these will be available
12 usually about four to six weeks after today's hearing.

13 People in the association, I know Facebook is alive
14 and well, and you guys have your own private groups and a lot
15 of messages have been going across, which is good, a lot of
16 good information, but make sure it's accurate.

17 So people are talking about large assessments and
18 the projects and we haven't gotten that far yet. This Board
19 will determine, for the people that saw the last Board, it
20 got turned down.

21 So it's not like -- they're hearing testimony from
22 you guys, not me or the engineer. We just try and help
23 inform, but they're the ones that make the decision.

24 With that being said, I know there is some issues
25 over there. I know Paul has been out there. I know my drain

1 inspector Chris Machiela has been out there.

2 We looked at a few things in order to solve some of
3 these issues that people were talking about was way over the
4 maintenance limit, so that's when a petition comes in. When
5 a petition comes in, I have so many days to hold a
6 determination.

7 Then I appoint a three-panel Board that don't have
8 any affiliation with the township board, Jamestown Township.
9 They don't own properties as far as this township in this
10 location. So they're here to make a decision based on
11 testimony.

12 With that being said, when I appoint a three-panel
13 Board, this is all by Drain Code, I pick people who have been
14 doing these boards for a long time. These three gentlemen
15 have been doing this a long time.

16 I got elected in 2013, most of them have been doing
17 BODs since I've been elected. They understand Drain Code.
18 They understand their purpose today. And they understand how
19 to run a meeting, because most of them have been involved in
20 these situations for their previous job or their current job.
21 They understand what their job and their task is today.

22 With that being said, I'll go ahead and do
23 introductions.

24 We do have Spicer Group, Paul Forton one of the
25 P.E.s, we have Noah over there.

1 We have my staff, Marie in the yellow dress,
2 walking around, that's my secretary. And we have my chief
3 deputy standing here in the center for people to sign in
4 under the Bridlewood South Board of Determination meeting.

5 And then we have Josh Westgate. He is your deputy
6 supervisor for Jamestown Township. And then we also have
7 Jerry Olman from the Ottawa County Road Commission, he's here
8 today too.

9 With that being said, I think most people heard the
10 previous meeting, and then that outcome. Probably heard a
11 lot of the presentation because again we went over, and I
12 apologize for that, but it happens. I want to make sure you
13 guys get enough time too. Take as long as you want because
14 we're here to hear you guy's testimony and issues.

15 So at this time I think I got it all.

16 Gentlemen, please rise, and I'll go ahead and give
17 you the oath and then you will take over the meeting from
18 here.

19 Gentlemen, please raise your right hand.

20 Do you each solemnly swear that you will faithfully
21 perform and discharge the duties imposed upon you, as
22 required by law, as members of the Board of Determination,
23 appointed by the Ottawa County Water Resources Commissioner,
24 to determine the necessity to maintain and improve the
25 Bridlewood South Drain, located in Jamestown Township, in

1 said county, gentlemen?

2 (All replied, "I will.")

3 WATER RESOURCES COMM. JOE BUSH: Thank you.

4 BOARD MEMBER RICH VANDER KLOK: Our first order of
5 business is the election of a chairperson.

6 BOARD MEMBER KEN SOUTER: I'll make a motion that
7 Rich serve as chairman.

8 BOARD MEMBER BILL CARGO: Second and support.

9 BOARD MEMBER RICH VANDER KLOK: Motion has been
10 made and supported that Rich VanderKlok serve as chair.

11 All those in favor, say aye.

12 (All replied, "Aye.")

13 BOARD CHAIR RICH VANDER KLOK: And then we have a
14 motion for secretary.

15 BOARD MEMBER BILL CARGO: I'll make a motion that
16 Ken be named as the secretary for this Board of
17 Determination.

18 BOARD CHAIR RICH VANDER KLOK: I'll support that.

19 Moved and supported that Ken Souter be the
20 secretary.

21 All those in favor, say aye.

22 (All replied, "Aye.")

23 BOARD CHAIR RICH VANDER KLOK: That is also
24 approved.

25 And then the rules of public comment, and that will

1 be I'll make a motion that public comment be limited to three
2 minutes per person, if they want to speak.

3 And is that supported?

4 BOARD SECRETARY KEN SOUTER: Supported.

5 BOARD CHAIR RICH VANDER KLOK: Moved and supported
6 that public comment be limited to three minutes per person.

7 All those in favor, say aye.

8 (All replied, "Aye.")

9 BOARD CHAIR RICH VANDER KLOK: Carried.

10 Then we've already talked about the role and
11 function of the Board, Joe Bush has mentioned that, the
12 procedural history.

13 And then I'm going to turn it over to Paul to give
14 an engineer report.

15 ENGINEER PAUL FORTON: Excellent. Thank you, Rich.

16 In a little bit of a fun spot because we've already
17 covered a lot of ground in the previous presentation, but I
18 also understand that many of you weren't here right at 11
19 o'clock. So there might still be some questions.

20 I will try to address those as quickly as I can for
21 the sake of time because we are behind.

22 But we'll be able to go a little bit faster, things
23 like location. You guys already know where we're going to
24 be.

25 And so we'll talk about the location, the

1 background, and history, and the statistics. We'll look at
2 that drainage district boundary again for those folks in the
3 room.

4 We do have some photographs we've taken of the
5 system. We can talk about some observations that we made
6 based on our inspection, and then talk about next steps.

7 As Joe mentioned, we have not done a thorough
8 engineering design study and report of this. We've simply
9 done a windshield tour. You folks live there. So if you
10 know something I don't, please address it in public comment.
11 That would be fantastic.

12 Some of the other things that are extremely
13 important for us, I'm aware of saturated surface conditions,
14 saturated sod, wet areas.

15 I've heard tell of basements that have flooded. I
16 would like to confirm that, if your basement has flooded or
17 if you know of someone's basement that has flooded. That
18 would be helpful.

19 In that though, it's very important to know whether
20 it was surface water, like the water ponded up in my yard and
21 it came through my slider or it came through a walkout; or
22 did you have a downspout gutter that slipped off and made
23 your basement wet; or maybe a sump pump that failed.

24 As an engineer, you know, one of the most important
25 questions to answer is if a basement flooded, why? Did it

1 come up through the cracks? Or did it come through an
2 opening.

3 So as we get into the public comments, we can't fix
4 what we don't know. So please feel free to address your
5 comments during public comment.

6 As far as the location, just for everybody that's
7 here probably lives there so they know, Board, we're just
8 south of the drainage district we looked at earlier this
9 morning. Much like the Bridlewood Drain, this was a 433
10 Agreement that was established through the development of the
11 neighborhood.

12 Bridlewood South, in this particular area, was
13 2002, and then several phases in the years afterward.

14 The watershed is about 35 acres as it sits today.
15 There is 57 parcels or so, so 57 landowners within this
16 particular watershed.

17 And the length of the drain, as you add up the
18 pipes, is about 1.6 miles.

19 So as Joe talked about maintenance, it rounds up so
20 there would be two maintenance miles available to do
21 maintenance out there. So the maximum that Joe could spend,
22 at least the way the law is written at this time, would be
23 \$10,000 under maintenance without the need of a petition.

24 And then the land use, that just refers to how is
25 the land being used today. It's a neighborhood, so it's all

1 residential, with a little bit of green space mixed in.

2 The picture that you see here is the current
3 drainage district boundary, as it was drafted by the
4 developer for the 433 Agreement.

5 As we talked about this morning, here are some flow
6 arrows that we can slap on there. In general, the system
7 drains from the northeast corner to the southwest corner.

8 There are areas that we identified during our
9 inspection, specifically on Stable Drive, where we can see
10 that the storm sewer was installed to actually take that
11 water north into Bridlewood, we covered that a little this
12 morning.

13 So if this were a boundary that we wanted to clean
14 up, and have it not be based on the 433 Agreement, or the
15 development boundary, we would look at LiDAR data and the
16 storm sewer information here, and make a determination on
17 what the watershed boundary would be.

18 That watershed boundary is really important. So
19 for those that weren't here this morning, that watershed
20 boundary is what the drain office uses to determine the
21 special assessment.

22 So that watershed boundary can be called a special
23 assessment district, again I'm referring to it as a watershed
24 boundary. But in general, when it rains, any water that
25 falls inside of that zone, that drains through the systems in

1 the pipes to this basin in the southwest corner, and then
2 out, those would be the folks that would have what we call
3 derived benefit to any improvements or work that is done on
4 this drain.

5 There have been a lot of questions about, well if I
6 don't have an issue, but I'm in that district, do I have to
7 pay for work that's done? Yes. You're all in one watershed,
8 and that's the means and the mechanism that Joe's office has
9 to generate a special assessment district, to bring in the
10 funds for maintenance and improvement of this drain.

11 It's always fun to do two of these back to back
12 because it's like, what have I said in the previous
13 presentation, and what am I missing now that would be
14 pertinent to you folks. So please do feel free to ask
15 questions during public comments because I want to make sure
16 everybody has a solid understanding what we're doing here.

17 Board, for your benefit, we talked about a lot of
18 basins before. I've got some photos of the basin here, but
19 there is primarily one basin.

20 There is a couple different flow paths and drainage
21 areas, but you've got sheet flow that comes down through this
22 area here. You got a little bit of a linear wetland here
23 before it crosses the road and gets to the other side.

24 In the southwest corner, for Margie's benefit if
25 she's still on there, there is a basin here that's used to

1 store water and release it slowly. So the primary outlet and
2 the primary basin is primarily here in the southwest corner.

3 We spent a lot of time this morning talking about
4 the green space in the middle area here. And while I'm on
5 that note, the bulk of the complaints we received in going
6 out to do the inspections, and the primary purpose of the
7 petition being circulated is related to saturated soils in
8 the south end of that basin.

9 And I'm going to correct that and say primarily the
10 south end of that basin, but as I walked across it when we
11 inspected it, the whole area is juicy at times, saturated
12 sod. You can stand on it and jump on it and it brings the
13 water right up to the top, and it's very, very wet. So that
14 holds true for the entire green space here.

15 I would imagine after the dry spell we've had and a
16 little bit of a lack of rain, we're primarily in that
17 one-and-a-half month window where areas of this might
18 actually be dry and mow-able. In talking to landowners, it
19 sounds like July and the middle of August is about the only
20 time this really dries out. Other than that, it's extremely
21 saturated for most of the year.

22 Moving on into some of the photos, again, for those
23 that weren't with us this morning, I got a location map in
24 the lower left-hand corner. It's that same overview map, and
25 you can watch the red star to see where the photo was taken.

1 I realize it's a little bit small, but it gives you at least
2 an idea as to where the photos were taken.

3 This particular photo is the outlet structure to
4 that basin in the southwest corner. So again, all the water
5 bleeds into this basin, and then it's released through this
6 structure going out to a natural water course to the west.
7 No debris, looks pretty good, functional at this time.

8 This particular photo is of the same basin in the
9 southwest corner of the neighborhood, and it just gives you
10 an idea of how that basin looks. You'll notice that there is
11 some cattails there. We do have some trees that are starting
12 to form, some woody debris, just something to watch.

13 And one of the main maintenance issues, people say,
14 what is drain maintenance? How do you maintenance on a
15 drain?

16 Well if the pipe is plugged with either cattails or
17 sticks and what not, getting that removed, much like the
18 rocks we talked about this morning in the Bridlewood
19 subdivision, getting that impediment out of the way. That's
20 what we typically do when it comes to drain maintenance. If
21 there is a hole in a pipe, we would look to fix that, but
22 usually there is a sink hole present or something to that
23 effect.

24 So when we talk about maintenance, it's fixing,
25 pipes, it's removing obstructions, and keeping the water

1 flowing properly.

2 Moving on, this is a picture of the area on kind of
3 the northeast side of Saddlehorn that I mentioned, where you
4 have the rear lot drainage coming down through the cattails
5 there, and then entering a pipe and crossing the road before
6 it enters the actual storage basin that's utilized in the
7 neighborhood.

8 This particular photo now, we are in that green
9 space area, and this is kind of what I would call that
10 southwest corner of the green space. There is an existing
11 catch basin there, and there is storm sewer on the western
12 edge of this area.

13 And so we've got another photo that we've taken of
14 this structure that we'll look at here in a minute, but there
15 is infrastructure that is supposed to drain that rear lot
16 area.

17 In general, the ground slopes to this location.
18 It's a little flat, but like we talked about this morning, at
19 least it's concave and can get here for the most part. It's
20 not convex like the pond on the east side where that's
21 actually a pond.

22 But there are areas that don't have positive
23 drainage or slope to this spot. So there are a few isolated
24 spots where when it rains, that water will just sit there
25 unless it infiltrates or evaporates. Those are the only two

1 options.

2 So this is a photo of that same catch basin now
3 looking straight down on it. And one of the things I want to
4 point out is all of the little four-inch tiles that are
5 brought in here. This is a pretty challenging set of
6 circumstances here because as you look at this, they're all
7 extremely shallow.

8 Going back to the previous photo, the ground slopes
9 in general up a little bit, but not very much. So these
10 four-inch pipes have very little cover, very little dirt on
11 top of them. That makes them very susceptible to be plugged
12 with roots, even from sod when they're this shallow, and plug
13 off the slots that allow for that drainage that we hope to
14 achieve.

15 We're not here to talk about solutions or fixes,
16 but one of the things that I would recommend, if they could
17 be brought into the basin deeper, and reinstalled, most of
18 these are downspout gutters that are hooked to this, or sump
19 pump outlets, or both.

20 This photo was taken yesterday, and I know that
21 water was flowing through at least two or three of those,
22 trickling through. Again, we did have some rain on the 4th,
23 and some sprinkles this morning, depending on what cloud you
24 were under, but in general it's been fairly dry. So these
25 photos are fairly fresh.

1 As we looked in that catch basin, one of the things
2 we always look for is the storm sewers going out of it. And
3 when we looked at that -- the reason we look at that is if
4 the pipe is full going out, and no water is going, that
5 indicates that there is an issue.

6 In this case, there didn't appear to be an issue.
7 The water that's getting into the basin is going away through
8 the hill and leaving through the storm sewer system.

9 This particular photo here is in the southeast
10 corner of the same green area. So we're a few hundred feet
11 east of the catch basin where we were.

12 I apologize, I can't use a pointer, it doesn't work
13 on a TV screen.

14 But in general, this particular photo is, again,
15 east of the outlet. There is no storm sewer here, there is
16 no county drain here. There is a little pocket you can see
17 by the cattails that catches water, and it just sits and
18 saturates, and it can't go away. So this is one of the
19 isolated pockets where the water is stuck there.

20 Many folks, via Facebook, and then also some of the
21 comments we received this morning, "that's a private
22 landowner issue, just fix it yourself. I've spent thousands
23 of dollars fixing my own problem, why should I spend dollars
24 to fix somebody else's"?

25 And, guys, I don't have a dog in this fight. I

1 understand everybody's side of this, okay?

2 This particular area though does not have a public
3 outlet. If you wanted to drain that spot, you'd have to work
4 with either the homeowner's association or the neighbors to
5 get permission to put in a pipe in order to drain this. So
6 this particular spot is a little bit, one of the more
7 challenging spots based on our inspection.

8 So, again, we've got some diminished functionality
9 of the detention basins. When you see the vegetation that's
10 growing there and the trees, you are losing some storage
11 volume; but in general, not a lot. Those plants do provide a
12 benefit because there is filtration through those, and also
13 nutrient uptake and things like that. But in excess, they
14 can become a problem.

15 Do we have major issues out there? Not really.
16 The outlet is functioning properly, the basin looks okay.

17 Again, correct me if I'm wrong, folks, because you
18 live there, we're just doing a windshield tour as we went
19 through here.

20 The second bullet there, saturated yard areas, that
21 seems to me to be the main point of concern for the residents
22 that we talked to. That sod just stays saturated and it
23 won't dry out.

24 And it's not just in areas that are flat. There
25 are areas that -- some of the homes have walkout basins. If

1 you're familiar -- you guys are familiar with building. When
2 you build a walkout basin, typically there is a slope
3 alongside of that home that leads up to the road. It's not
4 just saturated down on the flat and down near the green
5 space, it's saturated up on the slopes too.

6 So when we're up six or eight feet above that flat,
7 and from here to the wall away, in my experience -- we didn't
8 walk in everybody's yards because I don't want to meet
9 everybody's dog, but in general, we were still seeing that
10 saturated zone up high.

11 And again, like we talked about this morning, if
12 you weren't here, when they developed these neighborhoods,
13 many times they strip the topsoil off, shape the clay, get it
14 propped for the roads, sewer and what not, and then place
15 that topsoil back on top of that clay, and have it graded out
16 hopefully to drain.

17 In your particular neighborhood, you're sitting on
18 some very, very hard clay, hard clay. So when you got that
19 clay layer underneath that topsoil, that water can't
20 infiltrate.

21 The folks that live on pure sand have the opposite
22 problems where as soon as it rains, that water wicks right
23 away and it disappears. And then everywhere else in Michigan
24 we have the loamy mix. But in this particular area we got a
25 lot of hard clay which leads to those saturated yard areas.

1 Again, we have heard reports of flooding and issues
2 of standing water in this particular neighborhood. We have
3 not surveyed this, so I cannot tell you what we have for even
4 pipe diameters and sizes, and whether there is an issue or
5 not.

6 Again, from public comment, I would love to hear,
7 how long does the water sit? Does that surface water sit
8 there for five days over the top of the structure that's
9 supposed to carry that water away? Or is it there for five
10 hours? Is the system functioning or not?

11 From an outsider coming in on a windshield tour, it
12 looks like it's functioning pretty well. It looks like
13 saturated yards are the main concern. But again, I'd like to
14 hear more about that because I was not able to go out there
15 after, say, a four or five-inch rain and see how the system
16 behaved, so we're going to rely on public comments for that.

17 So next steps, if the project is found not
18 necessary -- so again, the gentlemen here are not here --
19 again this is based on a lot of comments we received on
20 Facebook and a lot of different thing, so I'll touch briefly
21 on these and let you guys do your things.

22 They're not here to decide the scope of the
23 project. They're not here to decide how much money it's
24 going to cost. They're not here to decide who is going to
25 pay how much and why. They're simply here to decide whether

1 something needs to be done or not.

2 And I know Joe touched on this, but it's important
3 to note that that's their role. The role and function of the
4 Board is is it necessary or is it not.

5 If they determine that it's not necessary, then
6 there will be no large scale project. There might still be
7 maintenance done on the system under the maintenance limits,
8 but there would be no large scale project.

9 And then the law requires that the drain office
10 needs to wait for a period of one year before receiving a new
11 petition on the Bridlewood South Drain.

12 If it is found necessary, then we can dive into
13 looking into the issues that we hear about today. Typically
14 that means surveying the system. So we would send a survey
15 crew out to get elevation data and document what's out there.

16 We would then work toward a design. If we needed
17 easements or property acquisition in order to achieve the
18 goals, we would try to get easements from folks.

19 This is a situation where we can't just put a pipe
20 where we want to, we need to get easements there first.
21 Whether it's a homeowner's association or a private
22 landowner, we can't just go in and put a pipe where we'd like
23 to. We need to get permission to do that.

24 That typically takes a significant amount of time
25 to work through, because easements tend to be one of our

1 larger challenges.

2 Permitting does also, if we get into a situation
3 where we need a permit from the state, that could add some
4 time. Really looking at this watershed, I don't anticipate
5 that being an issue.

6 Then we get into bidding, and then we finally get
7 into a Day of Review. So if you've tuned me out until now,
8 this is where you really want to pay attention, right?
9 Everybody wants to know how much this is going to cost them,
10 what's the bottom line. And that Day of Review is a Day of
11 Review where you can come in and review your assessment.

12 Since we've bid the job, and we know how much
13 construction is going to be, we know how much engineering
14 was, if there was any legal involved, and Joe's staff, all of
15 those are tabulated into a computation of cost. We know the
16 total number, and we know how much the county is going to
17 pay, the township is going to pay, and how much will be left
18 on the residents.

19 So if the only thing that you hear me say is, if
20 it's found necessary, look for a notice of that. You'll
21 receive a notice in the mail of a Day of Review of
22 Apportionment, you might want to pay attention to that.

23 You don't necessarily have to come in. Actually
24 the way the law is written now, this changed a few years ago,
25 the value of your assessment will be on that notice, so that

1 will be described. If you have questions, you can call.

2 But that Day of Review does allow you to come in
3 and review that assessment in person too, if you'd like to do
4 that.

5 From there there is an appeal process. I'm not a
6 lawyer, so I'm not going to play one on TV. But if you feel
7 aggrieved by your assessment, and you don't think it's fair,
8 you can appeal, I believe it's within ten days of that Day of
9 Review, and then it can be heard by a review board.

10 Once that process is complete, then we can finally
11 move to construction.

12 You know, as far as setting expectations, given
13 that we're probably going to need easements to solve any of
14 the issues that we've identified so far, guys, we're a year
15 or two out from shovel into the dirt, at least. If it's
16 found necessary, just mentally plan on that.

17 And so if you got drainage issues on your property,
18 don't -- Joe is not going to be able to come in riding on a
19 white stallion and fix it by the end of this year. This
20 process takes time. We're the government, we have the law to
21 follow, and it's a pretty arduous process to give folks a
22 chance to appeal and to be transparent on what's going on.

23 I don't believe I've missed any of the hot topics.
24 Joe already touched on the one that it's not paid purely by
25 the county. I know some maintenance in other districts,

1 sometimes the county and township do pay a hundred percent at
2 large. If this is a petition project, more likely than not,
3 they'll pay a portion, but the landowners will be paying a
4 portion as well.

5 Again, it will be based on that special assessment
6 district line. If the project is found necessary, that will
7 be a line that would be improved with our modern data. We
8 got better elevation data than we did in 2001. I shouldn't
9 say we, I should say they, because we didn't setup this
10 initial boundary, but we got better data now so we can set
11 that up to be accurate to how the lay of the land is today.

12 And with that, I guess if there is any questions
13 from the Board, I'd be willing to entertain those, and then
14 we'll probably get into a public comment.

15 BOARD CHAIR RICH VANDER KLOK: Thank you.

16 Board?

17 BOARD SECRETARY KEN SOUTER: My only question I've
18 got is that picture that you showed that there is nine
19 different drains coming into one catch basin on top, those
20 are run all across private property? Or are those in some
21 type of easement that is already established?

22 ENGINEER PAUL FORTON: Excellent question. So
23 those are all private drains. Again, from a visual
24 observation, most of those are going towards homes and
25 collect the downspout gutters. Most of the downspout gutters

1 come down and connect to a four-inch tile, and they would
2 then lead out to this and spill in right at the rim of the
3 structure, not down below, but right here in the rim that you
4 can see.

5 So that is all private infrastructure, all on
6 private property. The only exception to that might be if
7 some traverse the green space, and I believe that's owned by
8 the homeowner's association, if I'm not mistaken.

9 So there might be -- there is no public property or
10 no easement that those are in, unless they happen to be in
11 the drain easement that is setup for the drainage pipe
12 leading away from this to the west.

13 So there might be some overlap in our easement, but
14 in general, all these four inches are private.

15 Other questions?

16 BOARD CHAIR RICH VANDER KLOK: Bill?

17 BOARD MEMBER BILL CARGO: No.

18 BOARD CHAIR RICH VANDER KLOK: Okay. Then I'll
19 open it up for public comment.

20 If you'd like to make a comment, we ask that you
21 come to the podium and give us your name and address, and
22 tell us if you have property in the district, or if you live
23 in the district, or have property in the district.

24 And the reason we're asking you to come to the
25 podium is because we're doing this virtually, and it's being

1 recorded with our court clerk -- reporter, rather.

2 So if you have a comment, I'll start in the back
3 row. If you have a comment, come forward and give us your
4 name.

5 Anyone in the back row there?

6 Okay. Then over here? Yes.

7 MS. SARAH FEENSTRA: Hello, I'm Sarah Feenstra.
8 And I live at 4374 Saddlehorn. So I was -- my backyard was
9 actually one of the pictures. I'm in the corner around the
10 curve. I have an odd shape -- I have -- you probably met my
11 dog. Yep.

12 ENGINEER PAUL FORTON: (Inaudible.)

13 MS. SARAH FEENSTRA: I'm right there. So we've all
14 actually been in the neighborhood for about a
15 year-and-a-half. And when we did purchase the house, we did
16 notice that it was saturated as well.

17 But, again, when we did our research, it's the clay
18 base issue. We're on a hill. We have the cattails all
19 around us. We have great drainage but it is that clay.

20 We haven't had water in our basement, just an
21 inconvenience that we have had to deal with, which we've had
22 in other homes that we've lived in other neighborhoods.

23 It's just the area that we live in, it's just very
24 hard clay. We just know that after a good rain, we have
25 teenagers, but they'll hang out in the front yard. And when

1 I talk to other neighbors, it's just the way it is. Others
2 have adjusted their landscaping throughout the street there.

3 We've all had to adjust. It's just the way it is
4 in this area in West Michigan. Clay is very common.

5 And I think too, we have -- I mean I'm surrounded
6 by great drainage and I'm high up, but I still have areas
7 that are saturated, like you said. We've adjusted our
8 sprinkler system to make it beneficial so we can try to do
9 the best we can.

10 But we've been -- we have lots of friends in this
11 neighborhood, and that's why we chose to move here, and
12 they've all kind of said it, that they've all dealt with it.

13 I know some of the people that are concerned, just
14 giving that advice of adjusting your sprinklers, having the
15 kids play in the front yard after a wet rain. But that's
16 just the way it is in this area, and I'm really against any
17 kind of big project that's going to impact the whole
18 neighborhood, when we're all kind of adjusting and making
19 those adjustments.

20 I know some people have, again, changed their
21 landscaping, or added more drainage tiles, but we've all --
22 it's one project to help a few people, is going to make a
23 huge financial burden on everyone. But we're all dealing
24 with it because it's a clay-based issue.

25 I'm not an engineer, that's not my expertise. But

1 the research I've done, and knowing the experience that when
2 we lived in Grand Rapids we had clay. And I had that as a
3 little girl we couldn't play in the backyard after it rained.

4 So I'm just against it right now, especially with
5 how the economy is right now. It's just not a financial that
6 us Jamestown families can handle.

7 And any advice that's just general, like, hey,
8 during these months, cut back on your sprinkling. Or, hey,
9 there are products.

10 But any type of big assessments that's going to be
11 financially burdening, when we're already adjusting, and it's
12 just the clay issue.

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

14 MS. SARAH FEENSTRA: Any questions on my property
15 since I know it's unique?

16 ENGINEER PAUL FORTON: Any surface flooding or does
17 the water seem to go through the cattails and go away?

18 MS. SARAH FEENSTRA: Yeah. And like I said, there
19 is just a little section that's wet.

20 And also, because of the sun, my front yard doesn't
21 have it because of the sun, and I wish I had more.

22 We get a lot of algae in the back on the siding
23 because it is a shaded area, so you're not going to get that
24 evaporated, because it does face an area that gets less sun.
25 So you're not going to get that evaporation because of the

1 clay sitting there.

2 So my front yard doesn't have any issues because it
3 has lots of sun. And same thing, my snow melts awesome
4 because of the sun on the driveway.

5 BOARD CHAIR RICH VANDER KLOK: Thank you.

6 Anyone else in the back there?

7 MR. MATT HOLLINRAKE: Matt Hollinrake, 4326
8 Saddlehorn, right on the east side of Sarah.

9 I understand the presentations mention that he
10 doesn't see any problem. Is there standing water anywhere?
11 Is there an area where -- it seems like you said I know you
12 just drove by, but if anyone else would be one of the first
13 to do it.

14 ENGINEER PAUL FORTON: Great question. So we were
15 out there in March, and then again yesterday. I was not out
16 there yesterday, I know Noah was out there yesterday from our
17 office.

18 But when I was out there in March, there were
19 pockets of, I would say puddles. I wouldn't say pond, that's
20 way too big. But there were definitely saturated zones that
21 were so saturated -- the cattails from those photos, that had
22 some standing water in it, but nothing on a large scale.
23 Everything was mostly subsurface and saturated as you walked
24 on it.

25 And I'm trying to think just off of memory, there

1 might have been some standing water in the ditch at the far
2 north, but not much. That seemed to be getting into the pipe
3 and going away. So limited at most.

4 MR. MATT HOLLINRAKE: I guess my concern is if
5 everybody just has a damp yard after raining -- if the system
6 isn't working, then maybe it's something to look at. But if
7 it's just a damp yard after a rain, and we live on clay, then
8 I don't know that it's a drainage issue.

9 And I understand that you're going to determine if
10 that needs to be engineered to find out if it is. I guess
11 I'm with Sarah, and you'll hear the same thing, and we heard
12 a lot in the first one is that people have just always dealt
13 with it. And there are people that have done maintenance
14 with their own yard with their downspouts and sprinkling, and
15 fixed their own problems. So to put that cost on everybody
16 else, I'm against it.

17 BOARD CHAIR RICH VANDER KLOK: Okay. Next
18 gentleman?

19 MR. TODD CASTOR: So I just moved in a year or so
20 ago. I live at 4323 Saddlehorn there. We're the first --

21 BOARD CHAIR RICH VANDER KLOK: Your name, again,
22 sir?

23 MR. TODD CASTOR: Todd Castor. Sorry.

24 BOARD CHAIR RICH VANDER KLOK: Thank you.

25 MR. TODD CASTOR: We're the first house right next

1 to 22nd, right there.

2 And so first of all I would say that I'm against
3 doing the major project. I would agree with what's already
4 been said, etcetera.

5 I know that that drain -- I actually have more
6 questions. That drain right behind our house there, there is
7 not actually a drain. It's just dug, right? I mean there is
8 not -- there is nothing under the ground?

9 ENGINEER PAUL FORTON: Honestly, I'm not sure of
10 the answer to that. Many time when we -- when the developers
11 do a 433 Agreement, sometimes they'll establish centerline
12 and it will be just swailed for open ditch or open drain
13 drainage.

14 MR. TODD CASTOR: I'm pretty sure it is.

15 ENGINEER PAUL FORTON: I would not be surprised if
16 it was setup. It might just be -- many times the drain
17 commissioners, I don't know about at that time, but certainly
18 now, we do require rear lot drainage. And that's why a lot
19 of times you see these long, skinny lots or what not across
20 that to ensure drainage.

21 MR. TODD CASTOR: So my question is twofold. I
22 know that last summer somebody came out and done some digging
23 there to clean it out a little better, I don't know all the
24 details on that. Somebody in the room might know more than I
25 know on that one.

1 The real question is right across the street, we
2 just saw in the last year twenty some houses get put in over
3 there. If you went in my backyard, you'd see my backyard is
4 a good six, eight, ten feet below the road level. And I see
5 all these houses going in over there, and I'm just wondering
6 how well that drainage is being done, which isn't on either
7 one of these, because, in all honesty, last year, from
8 September all the way through till probably March of this
9 year, I had to tell my grand-kids you couldn't play in the
10 backyard it was so muddy and so bad.

11 Again, obviously clay, etcetera, I understand all
12 those kind of things. I'm just curious about those two
13 things.

14 Is that drain something that could just get dug out
15 a little better, or cleaned out a little better or whatever
16 to work better; and how in the heck is it that all those
17 houses getting put in -- and I know there is probably another
18 twenty houses getting put it right there across the street,
19 along there, how well is that getting drained? Because
20 that's all up higher than our houses down on Saddlehorn.

21 ENGINEER PAUL FORTON: Board, would you like me to
22 address some of those questions?

23 BOARD CHAIR RICH VANDER KLOK: Yes.

24 ENGINEER PAUL FORTON: So the first question, yes,
25 if we have established route and course from the plat, if

1 that's something that needs to be cleaned out or maintained,
2 that is something you would have jurisdiction over.

3 We would probably need to dive into the easements
4 just to make sure everything is, I'll put the lawyer hat on,
5 we want to make sure you have the right to do that.

6 But judging from what we're seeing here, that is an
7 option.

8 MR. TODD CASTOR: It's all on the land that the
9 electric lines go through.

10 ENGINEER PAUL FORTON: Now in saying that, the
11 platted easement is likely all on your side of the line.

12 Now whether it's actually constructed there or not,
13 we don't know because we're -- we weren't there when they
14 developed it. But in general there should be the ability to
15 grade some of this.

16 I do see a swimming pool here, and depending on the
17 landscaping that was done, that's something we would need to
18 look at, but there are options for that.

19 Now regarding the development on the other side, I
20 did not -- it's not my development, I didn't design it. I
21 didn't even do the site plan review on that one.

22 But I do know from looking at some of that
23 elevation data, the LiDAR data, it seems to me the front
24 quarter to a third of that neighborhood would drain to the
25 northeast corner and then go north through Bridlewood. The

1 back two-thirds to three-quarters of that, there is a natural
2 ravine that comes in behind Bridlewood that most likely
3 serves as the outlet for that.

4 Again, I don't know. I haven't looked at the
5 design, but there is really only two ways to take that water.
6 Most of it is likely going east, some of it may be going
7 west.

8 Now I say that, you know, you never know how a
9 developer had that designed. Many times it's to one pond and
10 then released slowly. So I could be wrong in that
11 assumption, but that's how the lay of the land is today.
12 This corner goes north, and then the back part goes
13 northeast.

14 MR. TODD CASTOR: So, yeah, just a little concerned
15 because of all the drainage across the street, and the fact
16 that we're all lower than they are over there.

17 So thank you.

18 BOARD CHAIR RICH VANDER KLOK: Okay, thanks.

19 End of the row? Anyone else in that row?

20 Go ahead, sure.

21 MS. DEE JAKLINSKI: Dee Jaklinski, 4331 Saddlehorn.
22 I'm the second house from the corner.

23 My question is the drainage ditch, yep, on the
24 south side, the water used to flow really well. In the last
25 few years when we get a lot of rain, I will get 12 to 14

1 inches of water sitting in that drainage ditch in the back of
2 the yard. I don't know why it isn't going away, but I need
3 you guys to walk out, check the angle on it, do whatever it
4 is you do and find out.

5 I don't know if it needs servicing, cleaning,
6 mowing, whatever, but something needs to be done. It might
7 help me, and it might help Todd.

8 BOARD CHAIR RICH VANDER KLOK: Okay. Good. Thank
9 you.

10 MR. JON BUSHEN: Jon Bushen, 4338 Saddlehorn. The
11 other side of the street of those houses, the third house in
12 the back of the hill there.

13 We've lived there for eight years. We've had some
14 flooding in the backyard. We did put our own personal kind
15 of drain tile in there to actually relieve some of that, but
16 we still had flooding when the power went out. That gave us
17 about an inch of water in our basement through our back
18 slider, from the hill. But we also know there is a hill
19 there that drains straight down.

20 Our neighbor also to the right of us also put in a
21 separate pump last year to do her own maintenance to try to
22 clean it out.

23 We do still have wet backyards, but I do believe
24 it's because of the clay, I think some of the maintenance
25 that could be done.

1 I cannot address the main space. So those that are
2 here that are in the main space, I know you guys are very wet
3 over there, and I cannot address that.

4 But I can address that no matter where we are in
5 that space, if we're off the hill, we're always going to have
6 drainage down there. So we put something in, but we still
7 have some drainage.

8 But you wanted to know about flooding, we did have
9 some flooding. We have a backup sump pump now, so that we
10 can avoid some of that.

11 But I would not be in favor of putting it on
12 everyone in the neighborhood to fix this. I do think it is a
13 clay issue like many people have said. But I think some
14 maintenance around that area could be looked at to maybe
15 possibly look at why some of it is backing up.

16 Because when we do get rain, we probably will have
17 rain in the backyard for -- I mean if we get a good two,
18 three, four-hour rain, it will be two for two days.

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

20 Next row?

21 MR. STEVE VAN DYKE: Hi, thank you for doing this.
22 My name is Steve VanDyke, and I live at 4452 Saddlehorn,
23 which is in the circle. I'll let you point out where that
24 is.

25 ENGINEER PAUL FORTON: Right here.

1 MR. STEVE VAN DYKE: Yes.

2 ENGINEER PAUL FORTON: I think we spoke on the
3 phone, right here in the corner.

4 And that catch basin there is a photo of, just for
5 clarity, was right here in the corner. And there is a storm
6 sewer that proceeds along those rear lot lines right now and
7 it terminates at a catch basin there at the top, just to get
8 everybody up to speed.

9 MR. STEVE VAN DYKE: So I have a few comments.

10 One of them is on the circle, only those two or
11 three houses that are there can actually drain into the
12 drains. There isn't a drain for the circle for the other
13 houses on the circle to drain into.

14 And so, as was shown, there is that lower north
15 corner that is all cattails, that is actually a little lower
16 behind -- yep. Nope. Not that one, it's actually that one
17 right there. That whole area fills with water.

18 On the association land directly behind my house,
19 there is -- the association 16 or 17 years ago put a French
20 drain in that sits right on top of the county drain. And
21 that's now the tile for that that has surfaced, and there is
22 mice that have opened holes in that. That's starting to
23 fail.

24 And so after -- it used to be before they put in
25 that French drain, which is not really part of the county

1 drain, but drains over to it, it's one of those tiles that
2 goes over into that, you know, octopus of -- with the holes.
3 It used to be that that area would flood for several weeks
4 and just have standing water for several weeks before the
5 association put that French drain in.

6 And that's starting to fail, and I feel that that
7 is an issue for the county to look at because there is all
8 that water that the homeowners in that circle put in, it all
9 tries to flow over to this -- to this south corner. And it
10 can't make it. The elevation and grade just doesn't support
11 that water moving.

12 And so I have a picture that I took, sorry,
13 awhile -- just this spring. And so, I don't know, is it okay
14 if I walk up?

15 BOARD CHAIR RICH VANDER KLOK: Sure.

16 MR. STEVE VAN DYKE: So this is where the drain is
17 over here. And this the is the play set that's actually on
18 the association property (inaudible), and that's actually a
19 different one I was going to show. Sorry about that.

20 And so this water is starting to stand now and just
21 sits there. In fact, there is, in this area, all these
22 houses along this area, they all have their downspouts going
23 into that open area, and it just has no way to flow because
24 there is no way for them to connect too. So it just flows,
25 it doesn't flow appropriately, and it just sits.

1 And then, so that I'm on the recording, then there
2 is another -- there is another video that I will show. So
3 this is that same area, as it sits. And it just --

4 BOARD SECRETARY KEN SOUTER: The water is running.

5 MR. STEVE VAN DYKE: The water is running and there
6 is a tile, and you can see one of those tiles is the tile
7 that kind of goes through. That French drain that goes over
8 to that play set area, it's just like exposed and it's just
9 like -- it just can't keep up.

10 BOARD SECRETARY KEN SOUTER: Um-hum.

11 MR. STEVE VAN DYKE: And it's failing.

12 I don't know if you want to see more of that or
13 not.

14 BOARD SECRETARY KEN SOUTER: That's okay.

15 MR. STEVE VAN DYKE: So yeah, I look at that, and
16 I -- there is that whole center area. And that center area,
17 nobody has any ability to connect to that county drain. It
18 goes into that circle, that circle is wobbly. I think that's
19 where you said it pops up higher.

20 The drainage commission came in seven years ago,
21 they dug a ditch on the north side. And they just -- they
22 stuck the dirt over in the center and just kind of piled it
23 and just spread it a little, created this convex area, and
24 the flow is just terrible in there.

25 So I do think -- and I'm sorry if everybody has to

1 pay something if we, you know, look at this. I don't know
2 how all that works, but I do think that's an issue that needs
3 to be addressed to be correct.

4 Some of the standing water that's behind my
5 property, and the property behind me, I get concerned with
6 mosquitoes. We've got equestrian encephalitis now that's
7 coming to the area with mosquitoes, that's going to be a
8 greater issue that can affect the whole neighborhood with the
9 kids and what not. So I get concerned about that.

10 The house directly to the south of me, or to the
11 north of me, has flooded at least once.

12 I have two sump pumps on my property, and they're
13 both running all the time, whether it's wet, dry, whatever.
14 I have one on each corner of the home.

15 Rick's home before he owned it, that flooded. The
16 water came up, their sump pump couldn't keep up and the water
17 came up through the sump pump.

18 The home directly to the south of me has flooded.
19 Same issue, the water just came up through the sump pump, it
20 couldn't keep up.

21 And so, yeah. You're looking to find out if and
22 how the water has flooded. And so, let me just look at my
23 notes.

24 So I think that's what I would like to say is, you
25 know, to have that center area reviewed and addressed, I

1 think, would create equity within the county drainage system
2 so that, you know, we've got people that you talked about on
3 Saddlehorn going up towards 22nd, they don't seem to have a
4 concern. But they all have a place where they can put their
5 drainage. But the people in the center area, they've got
6 nowhere that they can put their drainage.

7 Now one thing that the association has looked at is
8 whether they want to try and replace that French drain, and
9 that's not going to happen. They said, just let it go back
10 to being a problem until the township -- or until the county
11 looks at it is kind of where they are.

12 They are looking at doing some grading to try to
13 get the grading in that north corner. But even that, I think
14 they're just like cherry picking at small things.

15 I'd much prefer to see that center area, to see
16 equity within the system to see that everybody -- everybody
17 on the east side, they've all got their downspouts going down
18 to tile, and it's all dumping as far as they can, but back
19 into that open area, and it has nowhere to go but to sit and
20 settle and saturate the whole area.

21 So I think that's everything that I wanted to say.
22 I'll go ahead and sit down and take a look at my notes, but
23 if I do see something I missed, I'd like to just come back
24 up.

25 BOARD CHAIR RICH VANDER KLOK: If someone else

1 wants to speak.

2 MR. STEVE VAN DYKE: Sure, thank you.

3 BOARD CHAIR RICH VANDER KLOK: Anyone else in the
4 front row? Ma'am? No?

5 Okay, then back in the back? Yes, you, sir.

6 MR. RICK COWAN: So my name is Rick Cowan. I live
7 at 4464 Saddlehorn. So I actually live directly north of the
8 house where Mr. VanDyke that just spoke.

9 I've been there since 2012. And when I first moved
10 in I did have some water -- I would say not standing, more
11 like puddles, but it was clay and in Jamestown you get clay
12 and you get issues like that.

13 I did invest several thousand dollars in the last
14 couple years to put in my own drain tile and downspouts and
15 it connects to the sewer lines. I haven't had any flooding
16 in the ten years I've lived there. And it seems like the
17 drain tile I've installed has seemed to address my issues.

18 And I'm actually against any sort of overall
19 neighborhood assessment that has to be done. Because while I
20 understand the frustration of some of the areas, I don't know
21 how putting in some new drain tile is actually going to have
22 an impact on the clay that we all live in.

23 So, thank you.

24 BOARD CHAIR RICH VANDER KLOK: Thank you.

25 The lady -- I'm sorry, there was another. Sorry.

1 MS. PATTI SELVIUS: My name is Patti Selvius and I
2 live at 4486 Saddlehorn Drive.

3 My husband and I, we are just in favor of just
4 maybe if some more maintenance can be looked at. We're not
5 really in favor of a huge assessment on everyone.

6 We have the same thing, we've lived in our house
7 for 16 years, and we've always dealt with the saturated lawn.

8 We have done some of our own work in tiling into
9 the drainage tiles. But just if maybe the, someone could
10 come and look with maybe some maintenance and just look at
11 that and not the whole huge assessment on everyone.

12 BOARD CHAIR RICH VANDER KLOK: Okay. Thank you.

13 Yes, ma'am?

14 MS. DORIS FELTON: Hello, my name is Doris Felton
15 and I live at 4450 Stable Drive.

16 My problem with this whole thing is I don't go in
17 and buy a new car without knowing the price. And you keep
18 talking about the project and the cost and whatever, and it
19 sounds like we're not going to know the cost until it's
20 already a done deal.

21 And I don't feel that's fair on anybody. I'm
22 not -- my land is wet, as that was the first thing we noticed
23 when we even came and looked at the house. I've only been
24 there like eight months.

25 But my question for the whole thing is how can you

1 approve a project without a cost, without knowing an
2 approximate cost? I mean it sounded like from what this
3 gentleman said, we're all the way to the bottom of the list
4 before there is even any indication of what it's going to
5 cost.

6 I don't do business like that, and I don't think
7 it's fair for anybody else to have an assessment put on them,
8 or the project started, if that's the case, without knowing
9 the cost.

10 I think that's very unfair, and I think that's an
11 unfair business practice, that there should not be just a
12 blank check.

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

14 Is there any comment to that?

15 BOARD MEMBER BILL CARGO: Really it's something we
16 talked about before. This is state law. We're seeing
17 whether there is a problem. And then it's up to the drain
18 commissioner to see if there is the necessity of an issue to
19 be corrected for him to come up to a solution. And he
20 doesn't do that now because if he did, all of those costs
21 would be assessed on you, all the engineering and everything
22 else before there was even a determination of a problem.

23 So I understand your frustration. It is unusual.
24 But there are a lot of assessments that kind of go that
25 direction. If you were having a road paved, they don't give

1 you a final cost. They can give you a better estimate there
2 because it's easier --

3 MS. DORIS FELTON: But I'm not hearing any kind of
4 estimate.

5 BOARD MEMBER BILL CARGO: It's not the purpose of
6 this hearing. So you're right about that.

7 MS. DORIS FELTON: Okay, thank you.

8 BOARD CHAIR RICH VANDER KLOK: Yes, sir.

9 MR. DON SNIDER: My name is Don Snider. I'm at
10 4347 Saddlehorn. I'm just to the west of that pool that was
11 referenced earlier. And -- yeah.

12 Last year, the commission came out, the drain
13 commission came out and dredged behind my house and also
14 behind the pool. And for some reason, we weren't notified by
15 the drain commission in advance that this was going to take
16 place, which I thought was unprofessional.

17 And furthermore, they just dredged that --
18 between -- behind our two houses, and it just created a pond.
19 So that the water was getting hung up just to the west side
20 of my property. Therefore, it just created a pond and
21 encouraged the cattails to grow faster.

22 And I called Chris at the commission and asked him
23 why they decided to just dredge behind our two houses, and
24 not go all the way down, all the way down to the drain in the
25 southwest corner. Yes. And I never got an answer.

1 And I called him back, and I asked what the price
2 was to have those -- those two properties -- or two -- the
3 drains behind those two properties dredged and not go all the
4 way down. And, again, I never got an answer as to why they
5 just did those two properties.

6 So, anyway, I would recommend, if you do decide to
7 do something with that ditch, that you do the whole ditch all
8 the way down.

9 I've come to the conclusion that water in our area
10 is a fact of life and there is not a whole lot you can do
11 with it. I tried to weed whack the ditches half a dozen
12 times a year. Last year I couldn't do that because it was
13 filled with water almost the entire year. And the water
14 could not escape due to the dredging.

15 I'm opposed to having everybody pay for this
16 project, a major project. But if you decide to go forward
17 with a major project, I would like to see the whole entire
18 ditch dredged. And if that makes sense, that's it.

19 I thank you for your time.

20 BOARD CHAIR RICH VANDER KLOK: Thank you.

21 In the front row, right here, comment?

22 Comment?

23 Is there anyone who has not had a chance to make
24 public comment?

25 MR. MATT HOLLINRAKE: Can I ask a follow-up?

1 BOARD CHAIR RICH VANDER KLOK: If you come forward
2 and give us your name and address again.

3 MR. MATT HOLLINRAKE: Matt Hollinrake, 4362
4 Saddlehorn.

5 The south section of Saddlehorn, the east-west
6 section, on either side of those, those drain directly to the
7 southwest, correct?

8 ENGINEER PAUL FORTON: Whereabouts are you now?

9 MR. MATT HOLLINRAKE: On the north side, so this
10 drain goes in here, right?

11 ENGINEER PAUL FORTON: Yes.

12 MR. MATT HOLLINRAKE: And this goes here.

13 ENGINEER PAUL FORTON: Yes.

14 MR. MATT HOLLINRAKE: So that's correct?

15 ENGINEER PAUL FORTON: Yes.

16 MR. MATT HOLLINRAKE: When you talked about derived
17 benefit, I get that if the rain that falls on my property
18 doesn't affect the people in the center, why are we part of
19 that drain easement? Does that make sense?

20 ENGINEER PAUL FORTON: Great question. And we get
21 this a lot, especially when there is a lot of branches.

22 So just to make sure I'm on the same page, if your
23 water comes through this branch of the system to the pond,
24 and yet others come here, why would you be on the hook for
25 any improvements done here, because your water doesn't flow

1 through that part of the system.

2 Is that the core of the question?

3 MR. MATT HOLLINRAKE: Yeah, pretty much.

4 ENGINEER PAUL FORTON: Perfect. The answer to that
5 is because it all flows through one concentrated point, and
6 it's all the same watershed. There isn't a distinction made
7 for that.

8 Now that being said, we do assessment rolls all the
9 time, and I am not going to promise anything from Mr. Bush,
10 but the possibility exists where if work were done only on
11 your branch or another branch, the factors could be weighted
12 such that that branch either pays more, or all of the cost
13 associated with that work. I'm not promising that, I'm just
14 saying it is taken into account occasionally.

15 We also have situations where maybe work is done in
16 an upstream portion of the watershed and none of it is done
17 in the lower portion, those folks in that upper watershed
18 might pay more or all of the costs as well, if that's makes
19 sense.

20 We call that a proximity factor, where are you in
21 proximity to the work that was completed. Does your parcel
22 utilize that improvement or not. So that can be applied to
23 the assessment roll when we do that.

24 And I didn't talk a lot about assessment rolls
25 earlier, I kind of flew over that. But in general it's based

1 on acres, how many acres you contribute, but also your land
2 use. We might have a little drainage, for example, that
3 comes from the south. I don't know for sure, I'd have to
4 look at the LiDAR, but open space would probably be charged
5 less per acre than developed space.

6 When we get into larger watersheds, commercial
7 tends to pay more than residential, pays more than ag, and
8 more than like parks and such.

9 So, no, good question. It really does get tough,
10 guys, because the cost needs to be recuperated. You are all
11 one entity.

12 Somebody explained it this way, you're all in a
13 boat, and if there is a hole in the boat anywhere, it's going
14 to sink. And obviously if the boat sinks, that draws
15 property values down. And there is arguments that can be
16 made to both sides.

17 And I totally understand your point if an
18 improvement is made to a part of the system that your
19 property doesn't drain through, it does get very challenging
20 to set up those assessment rolls in a fair way. Does that
21 make sense?

22 MR. MATT HOLLINRAKE: I feel like using your
23 analogy, there is two different boats here, and their boat
24 has a hole in it.

25 ENGINEER PAUL FORTON: And that's the challenge,

1 because this drainage district, this is a legal entity. So
2 the Bridlewood South Drain is its own legal entity, and, you
3 know, the costs that are born to that have to be paid by it.

4 But, no, we understand your point. I'm not trying
5 to argue against you for sure, because we understand where
6 you're coming from.

7 BOARD CHAIR RICH VANDER KLOK: Thank you. I will
8 move the public portion be --

9 MR. JOE BUSH: Mr. Chair, can I have one?

10 So I just want to make a statement from the
11 gentleman before the last speaker with Chris. I'm not sure
12 why we didn't clean out the whole area behind you, I can't
13 answer that today. But we're going to make sure we get back
14 with you and Chris will be figuring that out.

15 The only thing I can think of is in that area, I'm
16 not a hundred percent sure by looking at it today, we might
17 not have all the easements behind all those property owners.
18 This was platted in 2002, I believe, so they didn't always
19 get the easements in 2002, so I have to get them today -- not
20 today, but in today's world, in 2022.

21 So Chris might have only had easements -- and I
22 think that's Consumers Power as well, and that may even be
23 your green space by looking at the property line.

24 So I'm not sure what happened there, but I just
25 want to make sure that -- when we do notice for drain

1 maintenance, we're required by law to give two notices. So
2 we typically mail out those notices not once, but twice, to
3 property owners to let them know we're going to be somewhat
4 trespassing. That's what the easement is for, but we want to
5 let people know we're going to be there.

6 So my apologies from my department if we didn't do
7 a good job of that.

8 Now that being said, Chris might have just had a
9 couple property owner's permission, because we don't have
10 easements, and that's how that might have happened. But I
11 can't speak on that without digging into more detail.

12 But I want a clarification that that happens in
13 these 2002 plats that were developed, there is no easement to
14 go all the way to the end.

15 I would love that in today's world, but we don't
16 have that in all these older developments, but we'll look
17 into that. I just wanted to clarify.

18 BOARD CHAIR RICH VANDER KLOK: Thank you.

19 UNKNOWN SPEAKER: May I speak?

20 BOARD CHAIR RICH VANDER KLOK: Then I'll move that
21 the public comment portion be closed.

22 UNKNOWN SPEAKER: Just one --

23 BOARD MEMBER BILL CARGO: Everybody has had a
24 chance to speak, and it was over three minutes. So we've
25 been very generous on that. And we're not going to get a

1 debate. We have the information that we need at this time.

2 BOARD CHAIR RICH VANDER KLOK: So is that
3 supported?

4 BOARD SECRETARY KEN SOUTER: I'll support.

5 BOARD CHAIR RICH VANDER KLOK: Moved and supported
6 to close debate.

7 All those in favor, say aye.

8 (All replied, "Aye.")

9 BOARD CHAIR RICH VANDER KLOK: Then we have some
10 correspondence that we've received. So I'm going to ask the
11 secretary to --

12 BOARD SECRETARY KEN SOUTER: I've gone through the
13 correspondence that we've received. I mean there is eight of
14 them. I can read them all, but I've read pretty much all of
15 them, and they're all negative based on the fact that it
16 looks like the petition was sent out, the petition read in
17 such a way that all the costs of this would be taken by the
18 county; and if that wasn't the case, that there would be an
19 assessment on it. I'd be happy to read them.

20 BOARD MEMBER BILL CARGO: If we can just put them
21 in the record. I don't think we have to read through them
22 all.

23 Thank you.

24 BOARD SECRETARY KEN SOUTER: Pretty much all
25 negative.

1 BOARD MEMBER BILL CARGO: Thank you.

2 BOARD CHAIR RICH VANDER KLOK: Okay. Then, Board,
3 any comments that you would like to make?

4 BOARD MEMBER BILL CARGO: There appears, you know,
5 this is kind of on the border between maintenance and having
6 to go slightly beyond maintenance.

7 So if a project is approved, if we say there is
8 necessity, I think one of the things we can say is this is
9 not going to be a very expensive project.

10 My concern is between the open area in between the
11 homes, and the very south line, is that the maintenance that
12 would have to occur there, or the improvements that would
13 have to occur there, are such that would be greater than what
14 the maintenance would allow to be completed.

15 The maintenance on this, we have 1.6 miles, or two
16 miles, is limited to 6 to \$10,000. And so that's where my
17 concern is is that there is an issue there. It's not a major
18 issue, but there is an issue there that has to be resolved,
19 and I don't think they can do it for between six and ten
20 thousand dollar.

21 So there is a need in my opinion, a necessity to
22 have a project, but again it's going to be a very minor
23 project. And I think it's something that can be easily
24 resolved.

25 But even on the south drain, you're going to have

1 to go a fair amount of distance just to clear it out to make
2 sure that it's draining properly.

3 And it sounds like there is now water collecting on
4 that that there hasn't been for years. And again, the
5 maintenance monies alone won't be enough to cover that.

6 BOARD CHAIR RICH VANDER KLOK: Okay.

7 BOARD SECRETARY KEN SOUTER: I guess I got a
8 question for Joe.

9 Joe, if -- okay, if you did a study of this area
10 and did some work, engineering work on it, and you found that
11 to do it properly, it's going to be a huge project, is there
12 an out for it to not be done if the people don't want it
13 done?

14 WATER RESOURCES COMM. JOE BUSH: Yes, there is.
15 And I always do a cost analysis with every project, because I
16 usually try to make the engineer come up with three
17 alternative solutions; cheap, mid range, and then the
18 Cadillac. I don't always pick the Cadillac, but you like to
19 have those options so everybody doesn't say, you didn't look
20 into those options. So I always look at three.

21 And we always do a cost analysis with the engineer
22 and the township, and how much is it going to cost residents.
23 We live in different times, I'm very cautious of the cost of
24 projects and people's income. So I'm very cautious of that.

25 That being said, there is a couple ways, with

1 maintenance, that's per year. So maybe one year you would
2 tackle one of the issues and another year tackle another one.
3 So you could maybe do that, wrap this up in a couple years of
4 maintenance.

5 I'm not saying we would, I'm just saying the
6 alternatives because of the costs. That's why we're here.
7 We got a petition because it's more than the maintenance,
8 potentially. That's why we have a hearing.

9 So to have an out? Yes. Is there other
10 alternatives? Possibly. There could be a resolution too,
11 from the township, if the cost is a little more than
12 maintenance, you can always -- I can get a resolution from
13 the township if that Board would pass that at that time.

14 But that could be another option, but I'm just
15 going to throw it out there and mention it for the record.

16 But I do a cost analysis.

17 If you said a million dollars, I'd say no way.

18 BOARD MEMBER BILL CARGO: To give an idea, if
19 you're taking a look at simply cleaning out that drain on the
20 south side, and you're probably talking there it looks maybe
21 less than a thousand yards, would that be -- in fact probably
22 less than 600 yards, would you be able to do that within your
23 maintenance budget?

24 ENGINEER PAUL FORTON: So to answer that, I was
25 just running in GIS the app.

1 I did a measurement from here, let me get on this
2 side so you can see, from this location here to approximately
3 the corner there where you get into the basin, it's about 250
4 yards. That's fine if you hunt and fish and shoot, 250 yards
5 makes sense. But we bid everything out per linear foot.

6 So you're looking at 750 feet of open drain. If
7 you were to take 750 feet, even at five dollars a foot,
8 you're under five grand.

9 Am I doing my math right on that one? Yeah. So
10 3500, 4000 bucks, to clean that out.

11 Now again, that's maybe a low price because we are
12 in backyards and grass and yard restoration takes a little
13 bit more. But my best guess, just looking at it right off
14 the cuff here, I think you're going to be under that ten
15 grand figure.

16 And being an engineer that deals with water,
17 everything relies on grade. And we're seeing a fairly
18 significant amount of contours. When you start to see these
19 contour lines really close together, we do have some
20 options.

21 It looks like they're starting to space out here
22 and get fairly flat, which is why you're seeing some of those
23 areas, if you dig and maybe even over-dig a little bit,
24 they'll pond and hold water. But we can certainly take a
25 look at that shoot grade and then try to set a steady

1 elevation all the way through.

2 What I'm pleasantly surprised to see is those
3 contours do seem to be on the correct parcel, which is huge.
4 They're not breaking onto Consumers.

5 But again, this is GIS data, it's not locked in
6 perfect. But I do think that there are options there that
7 can address that issue for under 10 grand.

8 BOARD MEMBER BILL CARGO: So the two-year option,
9 then you could take a look at spending 10 thousand, and then
10 the second area the following year?

11 ENGINEER PAUL FORTON: Correct. And many times
12 when we do projects like that, we might do one in the fall
13 and another one in the spring. And the fiscal year, the
14 cutoff for that is January 1st, if I'm not mistaken.

15 Right. Right. So as we spend that 10 grand, it's
16 10 grand per calendar year. It doesn't matter where you
17 slide that.

18 BOARD MEMBER BILL CARGO: Okay, that helps.

19 BOARD CHAIR RICH VANDER KLOK: That's helpful.

20 My personal opinion is I like the idea of the
21 maintenance piece for it, and saying that, I personally, I
22 would make a motion that this petition is not necessary and
23 conducive to public health, convenience or welfare. And that
24 the petition be dismissed.

25 That's my motion, if someone supports it.

1 BOARD MEMBER BILL CARGO: I'll support that.

2 BOARD CHAIR RICH VANDER KLOK: Motion is made and
3 supported that it's not necessary.

4 All those in favor, say aye.

5 (All replied, "Aye.")

6 BOARD CHAIR RICH VANDER KLOK: And then that's
7 carried.

8 Joe, do you want to say anything about appeal?

9 WATER RESOURCES COMM. JOE BUSH: Yeah. If anybody
10 wanted to appeal their decision today, you can do that
11 through circuit court. You have ten days from today if
12 somebody wanted to appeal their decision today, again through
13 circuit court, not through my department. But there is a
14 process for that.

15 And I do appreciate everybody being patient.

16 BOARD CHAIR RICH VANDER KLOK: I think Bill has --

17 BOARD MEMBER BILL CARGO: The only comment I would
18 make is that this decision is -- is predicated on the fact
19 that we think that the county is going to take a look at
20 using maintenance projects up there over the next two to
21 three years to resolve the issues, especially in the center
22 section.

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

24 BOARD MEMBER BILL CARGO: It may be slightly more
25 difficult, but I still think it can be resolved.

1 WATER RESOURCES COMM. JOE BUSH: That is correct,
2 that was your decision.

3 And again, I just want to say thanks for spending
4 time with us this afternoon, and your patience, and learning
5 listening. Thank you.

6 BOARD CHAIR RICH VANDER KLOK: Thank you. I
7 declare the meeting is adjourned.

8 (Board of Determination - Bridlewood South Drain -
9 adjourned.)

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