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STATE OF MICHIGAN  
COUNTY OF OTTAWA

IN RE: BRIDLEWOOD DRAIN  
BOARD OF DETERMINATION

Proceedings commenced at 10:00 a.m., 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, IN PART, 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 - 10:00 a.m.

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: Good morning,  
5 everyone. Can I get your attention on this beautiful  
6 Wednesday morning? Or Thursday morning, what is today? It's  
7 a Wednesday. Being a holiday week it kind of throws us off.

8 Again, I appreciate everybody taking the time this  
9 morning to come to the Bridlewood Board of Determination at  
10 Jamestown Township.

11 I'm Joe Bush, the Water Resources Commissioner,  
12 also known as the Drain Commissioner, just a different title,  
13 different name, back in 2013 when I took office. But it's  
14 the same office. So it's, again, the Water Resources  
15 Commissioner.

16 Some people -- I've been hearing a lot of rumors,  
17 and Facebook, got a lot of emails, got a lot of responses,  
18 which are good, I appreciate that. Some people are probably  
19 asking, well why are we here today? What's the purpose of a  
20 petition? What's a Board of Determination? We have HOAs to  
21 take care of our issues. We got no issues. Some people have  
22 issues.

23 We're here today because my office received a  
24 petition. By Drain Code, when we get a petition, my  
25 department, we have to hold a Board of Determination. That's

1 why we're here today.

2           Some people say, well, what does that really mean?  
3 In Drain Code, I have to hold a public testimony time for  
4 people to explain whether they have issues, what they're in  
5 favor of, what they're not in favor of.

6           Your time is today to talk in public comment, and  
7 it's on the agenda. So when you signed in there was an  
8 agenda back there, that is time for people to share their  
9 issues, whether you have none or not.

10           When I hold a Board of Determination, I have to  
11 appoint three panel members. We only have two today because  
12 the other one might be sick. So I don't think he wants to be  
13 here, but we can legally still have a Board of Determination  
14 with two people. So that's who I have up here, these two  
15 gentlemen.

16           I don't have a say in this at all. The three  
17 gentlemen I pick for the Board of Determination have no idea  
18 exactly the issues. They have not been forwarded any of the  
19 testimony, the emails that we've been receiving. They don't  
20 know the area that well. I don't discuss it with them. So I  
21 don't want them to already have an idea of what's going on  
22 before they hear it from the public.

23           And so these three -- two gentlemen have been on  
24 Boards of Determination for many, many years. And they're  
25 appointed by me. So they're not related to anybody on the

1 township board, planning commission, anything to the  
2 Jamestown Township Board.

3           These three gentlemen live outside of the drain  
4 district, and they live outside of the township. So when I  
5 appoint three-panel board members, I make sure they  
6 understand Drain Code, and what their job is today. Their  
7 job technically is to make a determination to move forward  
8 with a project.

9           What does that mean? We don't have a project  
10 today. Because they got to decide whether or not we move  
11 forward, or I move forward, I should say.

12           The other one is, their job isn't to determine a  
13 cost, or anything, because we don't have a project. So Drain  
14 Code tells me that I have to hold a Board of Determination.

15           The next step is they decide at the end of this  
16 meeting whether I should move forward with a project. And  
17 then we would discuss it with the engineering firm that we  
18 have here today to talk about some options.

19           I hear rumors out there, and Facebook is alive and  
20 well, and refer to that as gospel, but it's not. They  
21 don't -- the engineering firm does not determine the project.  
22 They come up with options.

23           Usually I tell every engineering firm that I work  
24 with, because I have the whole county, so I'm just not  
25 Jamestown Township. I have all 17 townships, six cities and

1 a village that I work with. I work with the engineering firm  
2 to kind of say, hey, what are some options if we move  
3 forward, we're not even that far yet.

4 We don't have a cost because, again, we don't have  
5 a project. So I want to put some of those rumors to bed.

6 The reason we received a petition was because there  
7 was a request to do some work in this subdivision, or in this  
8 watershed, that is beyond the maintenance limit.

9 People say, well what's a maintenance limit?  
10 Technically by law and Drain Code I'm only allowed to spend  
11 \$5,000 per mile, per year, per drain. What that really means  
12 is I can clean out maybe a detention pond, do minor  
13 maintenance, but I can't go and add pipe. I can't go and  
14 re-size the detention pond. There is a lot of things I can't  
15 do without a Board of Determination. So that's why we got  
16 the petition because the request was beyond my maintenance  
17 limit.

18 So that being said, I just wanted to say that's why  
19 we're here today. And I appreciate you taking the time to  
20 come and learn and listen, speak out. This is being recorded  
21 word for word. Technically I always have a court reporter,  
22 she is virtual today, but this is also being recorded as I'm  
23 talking. So everything will be in transcript at the end of  
24 this meeting.

25 Some people say, well are there minutes? There

1 will be minutes. If you go on Miottawa.org, look under Water  
2 Resources Commissioner, and look under minutes and projects,  
3 or projects and petitions, you look under that, there will be  
4 minutes for everyone of my Board of Determinations.

5 So I don't have anybody up here taking minutes. I  
6 record them word for word. That way in the future you can  
7 look back and say, what did Joe say, what the engineering  
8 firm say, what did the Board of Determination members say.

9 The other rumor that I'm hearing a lot is the  
10 county is going to pay for it. I have never said that and it  
11 doesn't say that on the petition either. The county is  
12 liable for an assessment for a percentage. The road  
13 commission could be liable for an assessment, depending on  
14 how much road water goes into the detention area or whatever  
15 the improvements are; and the township is going to be liable  
16 for an assessment as, from their budget, but it's not going  
17 to pay for a hundred percent of it. So I know that rumor is  
18 out there.

19 I'm just trying to knock some of these out before  
20 people ask questions about, hey, I heard the county is paying  
21 for it. Nope, not a hundred percent.

22 I hear rumors about green space, and, you know, I  
23 hear -- Facebook, again, is alive and well, and I appreciate  
24 that. So please give testimony on it so we can get it word  
25 for word, and it's recorded.

1           We will read the comments from people who are not  
2 able to make it. Not everybody has to come to these. You're  
3 more than welcome to give my secretary an email, and then  
4 we'll read those so it's recorded in the Board of  
5 Determination minutes.

6           Again, this two panel Board is just for a  
7 determination, not a cost or a project. So the engineering  
8 firm we have today is Spicer Engineering. We have Paul  
9 Forton in the back who will be sharing a presentation of kind  
10 of the area, an out-lie of what it is. And then we have Noah  
11 from Spicer as well.

12           We have my staff, my secretary, in the yellow  
13 dress, Marie, has been signing people in or walking around.  
14 And then Josiah, my chief deputy is here.

15           We have Josh Westgate with us. He is the deputy  
16 supervisor for Jamestown Township, who is also, he's not a  
17 part of the Board today, but has sat in on a lot of these  
18 boards as well, these Board of Determinations.

19           To make it important, these gentlemen have no  
20 properties or affiliation with Jamestown Township, so I just  
21 want to make that known.

22           When I give these gentlemen the oath, they will be  
23 running the meeting. I'm able to take questions.

24           We do have, I don't want to forget, Jerry Olman  
25 from the road commission. He comes to a lot of these BODs

1 and gives testimony on what the road commission's position is  
2 for these.

3 And then from right to left, the two gentlemen, we  
4 have Rich VanderKlok. He is from Georgetown Township. He  
5 was a board member there for many, many years and also been  
6 doing these BODs for a number of years.

7 Then we have Ken Souter. Ken Souter is from Port  
8 Sheldon Township, and he was on the road commission as an  
9 engineer for 38 years, and is retired.

10 So these gentlemen, again, when I appoint them they  
11 understand today's purpose, Drain Code, they know how to run  
12 a meeting, and they love hearing public testimony.

13 So at this time I'll go ahead and give these  
14 gentlemen the oath, and they'll run the meeting. Thanks.

15 Gentlemen, please rise, raise your right hand.

16 Do you each solemnly swear that you will faithfully  
17 perform and discharge the duties imposed upon you, as  
18 required by law, as members of the Board of Determination,  
19 appointed by the Ottawa County Water Resources Commissioner,  
20 to determine the necessity to maintain and improve the  
21 Bridlewood Drain, located in Jamestown Township, in said  
22 county, gentlemen?

23 (Both replied, "I do.")

24 WATER RESOURCES COMM. JOE BUSH: Thank you.

25 BOARD MEMBER RICH VANDER KLOK: Our first order of



1 business is the election of a chairperson.

2 BOARD MEMBER KEN SOUTER: I make a motion that Rich  
3 serve as chairperson.

4 BOARD MEMBER RICH VANDER KLOK: And I will support  
5 that.

6 Motion made and supported that Rich VanderKlok  
7 serve as Chair.

8 All those in favor, say aye.

9 (Both replied, "Aye.")

10 BOARD CHAIR RICH VANDER KLOK: And then I will make  
11 a motion that Ken Souter serve as secretary.

12 BOARD MEMBER KEN SOUTER: I'll second that motion.

13 BOARD CHAIR RICH VANDER KLOK: And it's made and  
14 supported that Ken Souter serve as secretary.

15 All those in favor, say aye.

16 (Both replied, "Aye.")

17 BOARD CHAIR RICH VANDER KLOK: And that is carried.

18 And then thirdly, we will have rules of public  
19 comment, and I'll make a motion that public comment be  
20 limited to three minutes per person.

21 BOARD SECRETARY KEN SOUTER: I'll support that  
22 motion.

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

25 All those in favor say, aye.

1 (Both replied, "Aye.")

2 BOARD CHAIR RICH VANDER KLOK: That's carried.

3 We've already had the role and function of the  
4 Board and the procedural history that was explained by Joe  
5 Bush. And so now I'm going to turn over to Paul for the  
6 engineering presentation.

7 But before I do that, Jerry, do you have any  
8 comments you want to make about this at this time?

9 ROAD COMMISSION JERRY OLMAN: No.

10 BOARD CHAIR RICH VANDER KLOK: Okay. And, Josh,  
11 anything from Jamestown Township that you want to make?

12 JAMESTOWN SUPERVISOR JOSH WESTGATE: Not at this  
13 time.

14 BOARD CHAIR RICH VANDER KLOK: Okay. Paul?

15 ENGINEER PAUL FORTON: Make sure folks can hear me  
16 okay, but I want to make sure recording that we got a  
17 microphone here.

18 So as Joe mentioned, my name is Paul Forton. I  
19 work with Spicer Group. We're a civil engineering firm and  
20 our office is based out of Byron Center, so just east of  
21 here.

22 And we were tasked with at least providing or  
23 conducting a preliminary investigation, inspection of the  
24 drain system. When a petition comes in like this, we are  
25 typically asked to look at these.

1 I don't live here, right? So the comments I'm  
2 going to be making are based off of a windshield tour. We  
3 popped some manhole lids. Maybe you saw us out there poking  
4 around and looking at some of the storm sewer. But it's  
5 vital you provide your input too, okay?

6 So I might say something that doesn't agree with  
7 the 20 years of experience you've had living there  
8 potentially. I know I've talked to some of you folks, there  
9 is a lot of the history here.

10 I will give you kind of the outsider view and  
11 provide that to the Board and get you guys up to speed with  
12 what we've seen, but we do rely heavily on public comment.  
13 So please feel free to voice your concerns, both for or  
14 against the project. And we're going to have you do that  
15 right from the podium here in a little bit when we take  
16 public comment.

17 I'm getting a little bit of feedback, but hopefully  
18 it's not too bad for you guys out there.

19 We're going to talk about the location of the  
20 drain, get the Board members up to speed on where we're  
21 located here. We're going to talk about the background and  
22 history, and some of the statistics for this drain.

23 We're going to look at the drainage district  
24 boundary. I have some photographs to show you so that you  
25 guys can see what the folks in the audience already know.

1 And then we're going to talk about the observations that we  
2 can make based on those. And also talk about next steps and  
3 any questions that the Board may have.

4 So, gentlemen, you have a hard copy in front of you  
5 as well, right, in case the screen is a little small?

6 BOARD CHAIR RICH VANDER KLOK: Right.

7 ENGINEER PAUL FORTON: Excellent.

8 So we're located off of 22nd Avenue, right between  
9 Quincy Street and 196. Bridlewood spans both the east and  
10 west side of 22nd.

11 This is an existing county drain. So the petition  
12 that was received was not to establish a new drain, it was  
13 simply to work on an existing county drain.

14 And the first bullet there states that it's a 433  
15 Agreement. And unless you're a lawyer or engineer that works  
16 with this, what the heck is a 433 Agreement?

17 That is basically an agreement that a developer can  
18 enter into when the subdivision is platted to say, hey, we  
19 agree to put in this storm sewer, we agree to put in this  
20 drainage, and we're going to give the county easement over  
21 that system. And when we're done with the development, at  
22 our own cost, it will be transferred to a county drain under  
23 Joe's jurisdiction.

24 And at the time -- that was probably even before  
25 Geerlings. So this was originally platted, the first

1 Bridlewood was originally platted in 2001, and then 2002,  
2 2003, different phases, I believe, five to six different  
3 phases, maybe even more over time to develop the entire area.  
4 Okay.

5           The watershed that this serves is approximately 80  
6 acres. I say approximately because there are some changes  
7 that we would recommend in the future if the boundary were to  
8 be corrected with modern data, and we'll dive into that a  
9 little bit.

10           There is currently about 137 parcels within the  
11 watershed. And the drain length itself is about 2.3 miles of  
12 drain centerline.

13           So when Joe talked about maintenance, and --  
14 Josiah, do you need me to speak into that? Okay, cool. Just  
15 trying to figure out our new virtual world.

16           This is so much nicer to be able to do this in  
17 person to be honest with you guys. Doing this during COVID  
18 was such a pain.

19           Going back to drain length, that's extremely  
20 important because that determines how many dollars Joe can  
21 spend on maintenance per year without a petition, without  
22 this part of the process.

23           And obviously for those that live in the area, the  
24 land use in this area is primarily residential. At this  
25 point we're looking at residential neighborhoods and there is

1 some forested area and some green space, but in general we're  
2 looking at residential land use.

3 So this is a picture of Bridlewood North. For  
4 those that grabbed a map on your way in, this would be the  
5 red area or pink highlighted area.

6 We have Bridlewood North, again within the red, but  
7 then there is also a Bridlewood South Drain. And if you're  
8 interested in that particular drain, that's the area shown, I  
9 believe, in kind of like a green or a mint color on the map.  
10 There is a Board of Determination for that at 11 o'clock, for  
11 that drain. We received petitions for both.

12 A little bit of background, especially before we  
13 get into public comment. I'm not familiar with the  
14 homeowner's associations, but in reading some of the public  
15 comments that came in, there is some reference to a  
16 Bridlewood West.

17 So from a drain perspective we have a Bridlewood  
18 Drain, and then we have a Bridlewood South Drain; but from an  
19 HOA perspective when we get into public comment later, I know  
20 there was a reference to Bridlewood West, and maybe very  
21 quickly in the audience, is it Bridlewood West? Is  
22 Bridlewood West west of 22nd? And then is it Bridlewood or  
23 Bridlewood East? Okay.

24 So I know this is being recorded for the record.  
25 We got confirmation from the audience that Bridlewood West is

1 22 and west; Bridlewood East is east of 22nd and we'll carry  
2 it on from there.

3 So moving forward, general flow patterns, the  
4 arrows are a little bit tough to see there on the screen.  
5 But in general, we'll start at the upstream end and work our  
6 way down. How does that sound?

7 So the west side of the road, in general, because I  
8 know there is a few different flow paths, but in general the  
9 west side of the road congregates into a central basin here.

10 From that basin it leaves through a pipe and comes  
11 into another basin here in the northwest corner.

12 Then it crosses the road, comes through a pipe and  
13 enters another basin here, before that outlets to a natural  
14 watercourse and proceeds west.

15 The other portion of the neighborhood, so  
16 Bridlewood West, this storm sewer, in general, flows to the  
17 intersection here -- actually it doesn't even make it to the  
18 intersection. It makes it to this point, and then flows into  
19 the same detention basin, at which point that flows to the  
20 side.

21 Now one of the things I want to know is I have an  
22 arrow right over the top of the red line. And when we get  
23 into these 433 Agreements, many times when those agreements  
24 are entered into with the developer, it's based on the phase  
25 of development that's being completed.

1           So 20 or so years ago when this was put together,  
2 the -- presumably the Bridlewood red line we see here on the  
3 screen was put together before these final phases were  
4 developed on the south side.

5           Because of that, I know from doing investigations,  
6 that there is a storm sewer down Stable Drive, for example,  
7 here that goes north into this intersection and goes out. So  
8 there is water that drains through here.

9           In addition to that, we know there is portions of  
10 neighborhood over here that drain through this system and go  
11 out. So there is more to it than just these red lines. This  
12 is very important information because of the fact of what Joe  
13 mentioned earlier.

14           Again, there is a lot of chatter on Facebook, and  
15 there has been a lot of emails that have come in. At no  
16 point in time has anybody from our staff said that the county  
17 is going to pay for this a hundred percent at large, in our  
18 terminology we say at large.

19           Now the county, if the project is found necessary,  
20 Joe's office will administer that, but again the cost is  
21 going to be split between the county at a certain percentage,  
22 the township or municipality at a certain percentage. If  
23 MDOT were involved we would assess MDOT based on certain  
24 calculations, but they're not in this district so there is no  
25 MDOT or no railroads. And then the rest of the cost is



1 spread on the residents.

2 Now when we say the residents, that's everybody  
3 right now inside of that red boundary, okay? And I'm  
4 presenting information and looking at some of the comments  
5 that have come through emails, please don't shoot the  
6 messenger, I have no dog in this fight. I care, but I don't  
7 care. If it's found necessary, great. If it's not, that's  
8 completely fine too, okay?

9 So I'm just trying to present as much information  
10 so the Board has a good understanding of what's going on, but  
11 then also you guys as residents. Because I can tell from the  
12 comments there is a lot of misunderstanding on how this stuff  
13 works.

14 So when we say the cost goes to the residents, it's  
15 everybody inside of that red boundary right now.

16 The reason for that is the way the law is written,  
17 and I'm not a lawyer, but the way the law is written is  
18 you're assessed based on derived benefit, okay. And  
19 ultimately that ends up being Joe's offices decision.

20 If a project is found necessary, and that cost is  
21 spread out, it's based on derived benefit. And that  
22 typically is if you contribute water -- if you're part of the  
23 watershed where water enters anywhere into this system and  
24 goes through any of these pipes, and ultimately goes through  
25 this point right here, then you're in, whether the problem is

1 in your back yard or not.

2 And I know that there are a couple of hot zones, I  
3 guess you could say, where we've received complaints and we  
4 know that there are known issues. When we receive a petition  
5 like this, the goal is not to fix just that one spot. We  
6 look at the whole system, which is, again, an important part  
7 of your public comment, because if we don't know that there  
8 is a problem, then we can't fix it.

9 Another part of that is we might not be able to fix  
10 your problem. Many times through this process we'll need  
11 easements, you know. Joe's office, and I know you guys know  
12 this, and a lot of this comment I'm giving today is really  
13 for the audience, not you guys, because I know you guys know  
14 this stuff.

15 But there is nothing worse as a professional than  
16 to go through this whole process, have somebody say, I have a  
17 problem, I have a problem, it's found necessary, we come up  
18 with a solution and then we need an easement to implement it  
19 to put a pipe somewhere, or somewhere else, and then to have  
20 that person say, "I'm not going to sign an easement for a  
21 pipe." Well how am I supposed to fix your problem, right?

22 It would be like telling the road commission, you  
23 know, the road commission, if a tree drops out of your yard  
24 onto their road, they have authority and easement to cut that  
25 tree up and take it away.

1           If you have a tree drop in your backyard, you don't  
2 call Jerry and say, "hey, come cut up my tree." That's  
3 really in your yard and not his problem.

4           So as we get into the drainage issues it gets kind  
5 of tough, doesn't it? Because maybe my downspout gutters are  
6 buried into the ground, and they're hooked to a pipe, and  
7 they go away. Well, maybe Noah's aren't, if he lives in the  
8 neighborhood, and they spill out on the ground and they flood  
9 his basement. If you've lived there long enough, maybe that  
10 downspout gutter has come off and now you're putting water  
11 into your basement, or a sump pump fails.

12           So there is issues that we have as homeowners that  
13 are kind of our problem in general. But then there is also  
14 issues that the county can potentially come in and help with.

15           One example, in this instance, would be not  
16 everybody has access to the county drain. So I might be  
17 able, if I lived on the drain, or my parcel touched it, maybe  
18 I could run a pipe and hook it into the county drain.

19           But if I live on a parcel where I can't do that,  
20 well now I have to rely on either the homeowner's association  
21 to give me permission to put in a pipe, or possibly neighbors  
22 and say, "hey, maybe we can get together."

23           If there is not a pipe that services my area, but I  
24 need one, that's where Joe's office can come into play where  
25 he can provide a public outlet if easements are provided. If

1 the easements aren't provided, then game over.

2           So, again, a lot of background knowledge in hopes  
3 that I can maybe answer some questions and limit a little bit  
4 of the public comment later, in hopes of addressing questions  
5 that I know about.

6           So this is a picture of that same area, but it's  
7 LiDAR data. This is elevation data.

8           So if we were to come in and modernize this  
9 boundary, and correct it, we would be looking at this data.  
10 And I already mentioned the point, if you're familiar with  
11 the west side of the road here where Stable Drive comes  
12 around this point, that's kind of a high point. If you were  
13 to ride your bike there, or drive your car, it's a little bit  
14 higher at this point.

15           And if I were to fix, quote, unquote, fix or update  
16 this red boundary, the front yards that drain into the road  
17 technically would be draining north and away, and then the  
18 rear lots come to the back. So those are the sorts of things  
19 that we're looking for.

20           Another area in general that we would look to fix  
21 would be -- again, I mentioned this here, this particular  
22 corner of the parcel, of the adjacent parcel does drain north  
23 and away, and those are areas that we would look to pick up  
24 and add. And then there is other areas that we might remove  
25 if their drainage does not actually enter that this system.

1           So if we were to update this boundary as a part of  
2 this process, that's the elevation data that we use, in  
3 addition to the pipes and things that we find in the field  
4 and in the roads.

5           So now I'm going to finally get into pictures.  
6 Pictures are worth a thousand words. So we're going to get  
7 into some of the conditions of what we see out there.

8           You can kind of follow along in the corner. There  
9 is a little tiny map that's similar to the one that you have.  
10 Where the red star is is where the photo was taken.

11           So this particular photo is in the open drain  
12 portion, or the stream portion of the county drain.

13           And just a few things, this is pretty typical for  
14 an open drain, open drain being again a stream, not a pipe.  
15 We've got a little bit of woody debris -- nothing like using  
16 a pointer on a screen that won't show it, right. We have a  
17 little bit of tree debris.

18           We see some minor erosion through some of this  
19 area, but in general it's not in horrible shape. There is a  
20 little bit of erosion and a little bit of woody debris.

21           This is just upstream of that location. This  
22 portion of the stream meanders a lot. So on the outside  
23 bends, which is pretty typical, we see a little bit of soil  
24 loss.

25           I feel like it might be better if I am in this

1 zone, this seems a little hot and tinny. We'll try this.

2 This photo is of the downstream most basin. This  
3 is where all the water collects before it enters the natural  
4 watercourse. And you can see in the foreground here at the  
5 bottom of the photo, that is the structure that actually  
6 takes the water and releases it out.

7 In the background you can see two pipes that are  
8 coming into this particular basin. The pipe that you see on  
9 the right, that's bringing in water from the south. And the  
10 pipe that you see over here to the left, that is bringing the  
11 water in from the east. So that's bringing the water in from  
12 Bridlewood East.

13 Moving upstream, this particular spot is on the  
14 very north end of a green space that exists in Bridlewood  
15 West. And on the north end of that, we could see where a  
16 channel had been dug to direct flow to a pipe that's located  
17 on the other side of these cattails.

18 So that pipe, gentlemen, is hooked into the storm  
19 sewer in the road and goes out through Bridlewood, through  
20 the Bridlewood Drain. I almost called it Bridlewood North,  
21 but that still wouldn't be correct.

22 The next photo is in that same area, and that's  
23 standing on the structure that connects to the street looking  
24 back towards the west over those same cattails.

25 This particular photo is taking -- taken now on the

1 east side of the road. So this is the pipe that exits  
2 Bridlewood East and heads west and delivers that water  
3 underneath 22nd Avenue. In general in good shape. There is  
4 a little bit of grass and some cattails there, but it's not  
5 plugged, and it's open and flowing, flowing well.

6 This is a picture in the same detention basin just  
7 showing the emergency spillway there for if that pipe ever  
8 were ever to plug, it can fill up and spill over and still be  
9 released from the system.

10 So this picture was taken -- this picture was taken  
11 in February, give me a minute here. I believe it was  
12 February 17th. And this is in that central basin on  
13 Bridlewood East, that tends to collect most of the storm  
14 water from the neighborhood, and then release it at a  
15 controlled rate.

16 So I was out there in February because we received  
17 a complaint that, boy, the water is really high, we're  
18 worried about flooding, can you come and look at this.

19 And so the outlet structure is on the bottom,  
20 right-hand corner, so that's how water gets away. That's the  
21 overflow spillway. So when water builds up high enough, it  
22 starts spilling into, through that cover. But there is a  
23 lower pipe that is beneath that, that sticks out into the  
24 pond that takes -- that releases that water at a slower rate.

25 So as these developers develop an area, you take

1 what presumably was an old farm field, and when you add  
2 driveways, roads and roofs to that, you'll have more runoff,  
3 more water running off the land. And we try to store that  
4 and release it at a slower rate so things don't get blown out  
5 downstream.

6 And so I have a photo here in a minute -- this is  
7 another overview of the same pond. You can see some cattails  
8 growing there. We have a little bit of woody vegetation  
9 starting. In general, it's in decent shape, but over 20  
10 years these do fill in over time.

11 The next photo was actually taken standing on top  
12 of that structure looking straight down, and again on the  
13 same day. And that shows that smaller restrictive pipe, and  
14 the water is flowing out. That's a good thing. If water is  
15 not flowing out of that, it means it's plugged, either a  
16 muskrat had some fun, or somebody's ball got stuck in there,  
17 garbage bag, we see everything under the sun that can cause  
18 issues. So if you're ever out there and the water is  
19 building up, and that's not flowing, definitely call Joe's  
20 office.

21 So when we were out there at the point of when we  
22 inspected it, water was flowing again and things were moving.  
23 And I think that there are landowners that kind of help keep  
24 that open, they keep an eye on it because they don't want  
25 their yards flooded. So I know some of your neighbors do



1 keep an eye on that and watch it.

2 I guess the caution I would have, don't ever do  
3 anything you're not comfortable doing, just from a liability  
4 standpoint. Call, we have contractors that can do this,  
5 Joe's staff can do this. There are ways that we can solve  
6 these problem. But if you're comfortable going after some of  
7 this and taking care of it, fantastic. We just don't want to  
8 see anybody get hurt.

9 Moving on. This is the picture of that same  
10 location yesterday. So we snapped a fresh picture to show  
11 what the conditions are. And obviously it's been -- well we  
12 got some rain over the 4th. But in general, it's been fairly  
13 hot and fairly dry. And so we're starting to see things dry  
14 out a little bit.

15 And the key for maintenance on a system like this  
16 is to make sure that that outlet, that pipe that let's that  
17 water in, stays open and clear and not plugged.

18 So general observations on this, the open channel,  
19 I would say, is in fair to good condition. We're seeing some  
20 erosions, we're seeing some woody debris, but it's not  
21 extreme in general. I look at county drains all over the  
22 state. So in general I would say that's in fair to good  
23 condition.

24 The detention basin is kind of the same, you know.  
25 We got some vegetation that is growing. The challenge with

1 that is as those cattails die, things fall over, it's easier  
2 for things to get plugged up over time. Over 20 years the  
3 buildup of that biomass as it rots can start to take away  
4 from some of the storage capacity of those basins. But in  
5 general, they were functioning, at least from what we could  
6 see.

7 Now again, we've been out there, let's see,  
8 February, March, and yesterday. So three little site visits.  
9 You might know of a basin that's plugged, hey, this pipe has  
10 got a problem, or there is a sink hole here, or issues like  
11 that. Please let us know. Because if we don't know, we  
12 can't fix it. But that's what we're aware of.

13 The last bullet seems to be the kind of the crux of  
14 why we're here. I mean we have that one basin and the  
15 complaint came in in February and we're keeping an eye on it,  
16 but there has been a lot of complaints about saturated yards.

17 Now from my perspective most of those were centered  
18 in Bridlewood West, but maybe there is saturated yards in  
19 Bridlewood East too. When a neighborhood like this gets  
20 developed, a developer will come in, typically they strip the  
21 topsoil off, they grade the clay to allow for the building of  
22 the roads and everything else. Topsoil goes back and then  
23 houses go up.

24 The challenge with that in an area like this is  
25 it's hard, hard clay, very hard clay. I don't know if

1 anybody has a garden and how that's going for you, but I used  
2 to live on hard clay, so I fully understand. You need a  
3 pickaxe.

4           Unfortunately, in the drainage world what that  
5 means is when that sod gets saturated, it can't infiltrate.  
6 You're either waiting for it to evaporate or it just sits  
7 there.

8           And from my conversations with different  
9 landowners -- I'm going to bounce back. I should have just  
10 bounced forward.

11           From my conversations with landowners, I can speak  
12 just from my inspections, this area here was completely  
13 saturated. When we were out there in March, there was no way  
14 you could even put a riding lawnmower on it, you'd probably  
15 have trouble pushing a push mower on it if you tried to mow  
16 it because the tires are going to sink in and you're going to  
17 start cutting sod and dirt.

18           And not just low areas, there were high spots too  
19 in people's yards where there is a little hill or a knob. So  
20 you're thinking up four or five feet should be dryer, not on  
21 clay like this. It was saturated. You could stand there and  
22 jump up and down and it would turn into a soupy mess and  
23 you'd be looking at standing water.

24           So a lot of the complaints or concerns you could  
25 say that we received are related to those saturated lawns.

1 But also flooding. And one of the things, I have not seen  
2 this area flooding, okay? I've seen the east side of the  
3 road, saw that full of water.

4 But I'm curious, it sounds like I've heard that  
5 basements flood. As a professional engineer, what I'd like  
6 to know is how did they flood? Did water come in through a  
7 walkout door? Did water come in through a window? Or is  
8 water coming in through cracks in your floor?

9 The answer to that question is extremely important  
10 as we look at design. If it's coming through an opening,  
11 that surface water is building up, the pond is so big, and  
12 now it's coming through a slider, that's a completely  
13 different problem to solve than water is coming up through  
14 the cracks in my floor.

15 I can talk on both sides of this issue. My  
16 basement flooded, but my sump pump died. Well that happens.  
17 It's happened in our St. Johns' office. I mean it happens,  
18 right? It happens to everybody.

19 The groundwater issues are a lot more difficult to  
20 be addressed from a public office standpoint than surface  
21 water issues. If, for example, this pond over here, if that  
22 floods and stays flooded, and it doesn't go down, and it's  
23 not functioning as it was originally designed, that's a  
24 problem and that's easier to fix with the easements we  
25 already have.

1           I'll pick on another -- any of these open areas  
2 that serve to store water. This area in particular, if water  
3 sits there standing after a rain for weeks and doesn't go  
4 away, that's something that we can address. Not simply, but  
5 it's, generally speaking, something that we can take care of.

6           If your yard is saturated, that gets a lot harder  
7 because, again, we can't touch it if we don't have an  
8 easement. And at the same time, we're probably not going to  
9 be putting downspout gutters up to everybody's house. There  
10 is public jurisdiction and there is private jurisdiction, and  
11 it's kind of a fine line, but it's very important.

12           And I know that there is a lot of folks that have  
13 already spent thousands of dollars on their own drainage.  
14 And I'll just tell you what the comments are, they'll be read  
15 into the record, but some of them are, "I already spend  
16 thousands of dollars on my private drainage, why should I  
17 fund somebody else's? Let them pay for it." I understand  
18 that, I do.

19           I also understand that, "Hey, what if I want to  
20 spend thousands of dollars to fix my property, but I don't  
21 have a place to connect to it to?" I get that side of the  
22 argument too, "Hey, I want to fix my property, but I can't, I  
23 have nowhere to put the water."

24           So this is an interesting conundrum, and it will be  
25 a little bit of fun for you guys because it's not -- I

1 probably shouldn't say this, but it's not as cut and dry as  
2 some of these are. Some of these presentations that I gave,  
3 they're no-brainers for the Board. It's like, "Yes,  
4 something needs to be done." I don't know where this one is  
5 going to go.

6           So that's why I want you to know, please provide  
7 public comment so that these gentlemen can make an educated  
8 decision. I just was able to provide a little bit of a  
9 snippet on where we're going to go and how it's going to  
10 proceed.

11           So next steps, what are we looking at?

12           So today again is all about necessity. You guys  
13 are determining the necessity of the project. It's not how  
14 much is it going to cost, it's not how to fix the problem,  
15 it's not where to put the pipes, it's none of that. It's is  
16 something necessary to be done or not, okay.

17           If the answer to that is no today, then there is  
18 not a project, everything is over. And then the law states  
19 that there just can't be a new petition from the landowners  
20 for a period of one year. So if it's found not necessary,  
21 and somebody is really aggrieved by that, they have to wait  
22 another year to submit a petition to Joe's office.

23           Now I say there is no project and nothing can be  
24 done, nothing can be done on a big scale. You might still  
25 choose to do maintenance, you can still go out there and do

1 maintenance that does not require a petition to do.

2           There is another, not caveat, but another portion  
3 of the law that would allow, if Joe went out there and  
4 identified that maybe \$20,000 of work needed to be done, and  
5 that's over the \$15,000 limit, there is a provision in the  
6 Drain Code where you can get a resolution from the township,  
7 for example, to exceed that maintenance limit.

8           But at that point, that needs to come from the  
9 township, and the township level, for them to exceed it.

10           Now I would say there is advantages to that. When  
11 we do a petition project, there is costs associated with  
12 that. He's a governmental entity, I'm private sector, okay.  
13 But he's got to follow all of the laws of the Drain Code.  
14 And that means we need to do -- there is bidding packages and  
15 contracts and advertisings and mailings and all of that that  
16 comes with a price tag. There is a lot of those requirements  
17 that are not necessary when we do maintenance.

18           And so there would be potentially cost savings to  
19 do a resolution to exceed, from the township, because that  
20 would provide for not needing to jump through all of the  
21 hoops. You still have to jump through a lot of them, but not  
22 all of them. So it saves on administrative costs, basically.  
23 You don't have to pay the engineer just to push more paper.

24           So when I say there is no project, there is just no  
25 formal large project. There are other avenues to complete

1 maintenance projects, and it's not to say that Joe wouldn't  
2 do that.

3           As a matter of fact, I think there are -- I know  
4 Chris has been out on the site and looked at a few things.  
5 Chris would be Joe's maintenance supervisor. He's looked at  
6 a few things and might have some ideas.

7           And so when I say no project, don't say nothing is  
8 going to be done, just no large scale projects are going to  
9 be done.

10           So what if it's found necessary, what's next from  
11 there?

12           Obviously we would need to do engineering. So a  
13 lot of people, "Well why don't you already know the pipe  
14 size?" You don't want me to figure out the solution for the  
15 problem because I don't even know the problem, right, I  
16 haven't heard from you, right?

17           So this is just a preliminary investigation to get  
18 some observations. And so if it's found necessary, we'd go  
19 into engineering, final design, collecting more information.

20           If we need to, we can work with landowners to get  
21 easements to address the concerns in the areas that are  
22 problems.

23           We might need to work with the state to get  
24 permitting to do the work that we want to do. Then that  
25 project would then get bid out.



1           Once the project is bid by contractors to come in  
2 and do the work, then we know our final number and our final  
3 cost.

4           It's really not until that point that we know how  
5 much this is going to cost. And if you've tuned me out  
6 because I'm so boring, pay attention to this. If it's found  
7 necessary today, look for a Notice of a Day of Review. Many  
8 of you are going to want to know how much it's going to cost.  
9 We don't know until that day.

10           And so you'll receive a letter in the mail  
11 notifying you of when the Day of Review will happen. And at  
12 that point you can either call the drain office, or come into  
13 the drain office and say, "Hey, what is my assessment? Here  
14 is my parcel number." And you can get an idea of what that's  
15 going to look like.

16           And I'm going to dive into a little bit more  
17 information just because of some of the comments I've read on  
18 Facebook and emails. And again, this is deeper than I  
19 normally go, but I already know they want these questions  
20 answered, so bear with me.

21           So what does that look like? It runs through the  
22 county books. Joe's office would administer the project and  
23 it would show up on your winter taxes as a special  
24 assessment. And it's only on your winter taxes.

25           Depending on the cost of the project, because, you

1 know, Joe is not sitting on a pot of money in this drainage  
2 district to do projects. We all pay taxes and we all pay  
3 our general taxes and property taxes and what not, none of  
4 that money goes to this county drain. Any maintenance, any  
5 work, anything that's done in this system is paid for by you  
6 guys as the landowners, or the county and township at large.

7 Right now if you were to do maintenance it's based  
8 on the last known historic tax roll, which is that red line  
9 that we looked at earlier. Folks inside of that and the  
10 percentages that were set, if Joe does maintenance, that's  
11 how it gets spread, unless the boundary is changed.

12 And so it would be on your winter taxes. Typically  
13 on projects, Joe would look at the cost, how much is it going  
14 to be, and then try to make an educated decision on how long  
15 to spread it. If it's a small project, maybe it's one year.  
16 If it's a larger project, maybe we need to spread it over  
17 five, ten or twenty years. It depends on what those payments  
18 would look like and how much they're going to be .

19 So again, answering questions that I already know  
20 have been received and, again, diving into more detail than  
21 we typically do on these.

22 So again, if it is found necessary, the next step  
23 is to watch for that Day of Review so we would know how much  
24 it's going to cost. Then from there, once that's completed,  
25 there is an appeal process at that point. If you go in and

1 you look at your percentage, and you said, "that's not fair,  
2 because," you can appeal that.

3 How is that percentage determined? Normally it's  
4 determined by how many acres you own. Now it's a residential  
5 neighborhood, you're all on lots, you're all going to be  
6 fairly close, but some lots are bigger than others. If you  
7 have a larger lot in the district, in theory you have more  
8 water running off your property that would enter the system,  
9 therefore you should pay more.

10 Another thing that we do look at is land use.  
11 Again, it doesn't apply quite as well here but I think we're  
12 flirting with the edge of some agricultural portions on the  
13 north side of the drain. And if a farmer has one acre of  
14 agricultural ground, that would drain a whole lot more than  
15 my one acre of residential, right? Because on my residential  
16 I have a roof and a driveway and maybe a shed. On the ag  
17 ground they farm crops and they grow plants. So the runoff  
18 from that one acre is different than mine.

19 So those are some of the things that we use in  
20 determining what the assessment roll will look like, just to  
21 let you know.

22 I think that's covers a lot of the questions that  
23 we received? Am I going to miss anything? Okay.

24 I'm going to check one more list. I used to be  
25 really good at remembering everything and then I had kid

1 number three. And then we had number four, and I have no  
2 brain left.

3 Yeah, so when we receive a petition, we look at the  
4 entire system, not just the areas that were complained about.

5 Payment is by the municipalities and the residents  
6 based on the district boundary, and we talked about  
7 Bridlewood West and Bridlewood East as HOAs, not as drains.

8 So again, we have two drains that service this  
9 area, Bridlewood and then Bridlewood South.

10 And with that, any questions, gentlemen?

11 BOARD CHAIR RICH VANDER KLOK: Thank you, Paul.

12 Before we go to the questions, I see that our third  
13 Board of Determination member, Bill Cargo has arrived.

14 And so, I'd like to invite Bill to join us.

15 And, Joe, if you would administer the oath of  
16 office to him?

17 BOARD MEMBER BILL CARGO: I'll first do an apology.  
18 If you put in 2380 Holland, it takes you to a place in  
19 Zeeland. So I've been there trying to figure out where I'm  
20 supposed to be, and completely my fault.

21 To show you how bad the day is, I was rushing to  
22 get over here, Ottawa County deputies are very good.  
23 Completely my fault.

24 One of those things where I messed up, I put in the  
25 wrong one, and error on top of the error.

1 WATER RESOURCES COMM. JOE BUSH: All right, Bill.  
2 Can you raise your right hand?

3 I know you heard most of the presentation.

4 BOARD MEMBER BILL CARGO: I did hear the  
5 presentation.

6 WATER RESOURCES COMM. JOE BUSH: All right. Do you  
7 solemnly swear that you will faithfully perform and discharge  
8 the duties imposed upon you, as required by law, as members  
9 of the Board of Determination, appointed by the Ottawa County  
10 Water Resources Commissioner, to determine the necessity to  
11 maintain and improve the Bridlewood Drain, located in  
12 Jamestown Township, in said county, what do you say?

13 BOARD MEMBER BILL CARGO: I will.

14 WATER RESOURCES COMM. JOE BUSH: Thank you.

15 And Bill Cargo, by the way, is from Grand Haven  
16 Township. He is a superintendent over there, so just for  
17 information.

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

20 Before we move into public comment time, I just  
21 wonder if any of the Board members have any questions or  
22 comments for Paul, the engineer?

23 BOARD SECRETARY KEN SOUTER: At this point, I  
24 don't. It's a typical subdivision where there is backyard  
25 drainage, frontyard drainage, street drainage. I guess we

1 need to hear from the people on exactly what the problems  
2 are.

3           It sounds like the drainage is working, that is  
4 correct?

5           That was setup in the --

6           ENGINEER PAUL FORTON: Yes. So from our inspection  
7 we didn't see any blocked pipes, water was flowing and things  
8 seemed to be operable, yes.

9           BOARD SECRETARY KEN SOUTER: Okay. To me it looked  
10 like some of the ponding areas that you've shown have quite a  
11 bit of foliage in them.

12           ENGINEER PAUL FORTON: Yes. Excellent observation.  
13           So for those that may not have heard, some of those  
14 pond areas do show a lot of vegetation. It's funny, we get a  
15 little bit nervous about woody debris because then that  
16 brings in limbs and sticks and issues. The ironic thing  
17 though is those trees suck up a lot of water too. So it's  
18 kind of one of those Catch 22s.

19           But, yes, they were functioning. And I'll think to  
20 speak to one more thing that I haven't yet. On those basins,  
21 if you live on one, it was meant to store water. It really  
22 was, it was designed to do that.

23           So if you live on a basin and it's wet, or it rains  
24 and it fills with water, it's supposed to fill up with water  
25 and drain slowly, typically, over time.

1           Now if it doesn't drain at all, then there is a  
2 problem.

3           We didn't design this particular plat and I haven't  
4 even dove into the original as-builts to know. Sometimes  
5 those basins are set on a one percent slope, or more, so that  
6 they'll grade away and drain and dry, and you can mow them  
7 and take care of them.

8           Some of them are set to be a wet basin, and there  
9 is not enough grade to allow them to gravity drain. And so  
10 welcome to Ottawa County. We have some portions of this  
11 county that are pretty flat. Sometimes, as designers,  
12 they're not able to get those to fully drain.

13           And so just an important comment to make because I  
14 already know there is going to be some residents that say,  
15 "Well, I don't live on a pond, I didn't buy that parcel."  
16 But then there will be others that are going to say, "Man,  
17 it's so wet all the time, I just can't stand it."

18           So I get it, guys. I understand. I've done this a  
19 lot and I know everybody's side of the story in this room.  
20 And again, we appreciate the public comment.

21           BOARD SECRETARY KEN SOUTER: One more question.

22           On the ponds that are in here, were they originally  
23 designed as wet ponds, or were they designed to be dry ponds?

24           ENGINEER PAUL FORTON: I don't know the answer to  
25 that for sure because it's hard to tell now looking at the

1 cattails.

2 The central basin on the east side to me looks like  
3 it was designed to be wet. When they're that flat, and you  
4 got a cattail community coming on, that tends to be, hey, it  
5 was meant to be wet. But the intent I don't know for sure.

6 Interestingly enough, there is another contrast.  
7 The pond on the east side was built to be a pond. There is  
8 an open area on the west side, that picture with the channel  
9 and the cattails in it, that is actually humped up, basically  
10 it's a mound in the middle of that area. And there was a lot  
11 of discussion on Facebook on whether that was to be mowed or  
12 not as common ground.

13 I know I saw some comments that, hey, it's supposed  
14 to be natural so those plants can grow, it wasn't supposed to  
15 be mowed. But I can tell you from having walked on it, it's  
16 super saturated, it's saturated. Which, again, we see a lot  
17 in Ottawa County on our heavy clay soils, in those areas with  
18 soils, that sod, it just cannot drain.

19 And so -- but, again, the contrast on that, on the  
20 west side of the road, that green space area in the center of  
21 the neighborhood, is really more or less humped up, and there  
22 is a slight hill. Fairly flat, I know, but it's not concave,  
23 it's convex. So just another point as you guys are thinking  
24 this through.

25 BOARD CHAIR RICH VANDER KLOK: Okay.



1 Bill, do you have any questions?

2 BOARD MEMBER BILL CARGO: Not at this time.

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

4 Then I will open it up for public comment, and what  
5 I'd like to ask you to do, seeing as we have so many of you  
6 here, is to come to the podium and state your name and  
7 address, and also tell us if you live or have land in this  
8 particular drainage district.

9 And so I think what I will do is I'll start in the  
10 back, the very back row. And if you have a comment, if you'd  
11 come forward and we'll go right down the row.

12 And then the next row.

13 UNKNOWN SPEAKER: So this is for Bridlewood, not  
14 for South, right? Right now we're not talking about South?

15 BOARD CHAIR RICH VANDER KLOK: No.

16 UNKNOWN SPEAKER: Okay.

17 BOARD CHAIR RICH VANDER KLOK: Anyone else in that  
18 row? If you have a comment, please come up and give your  
19 name and address, and tell us if you live in this particular  
20 district.

21 UNKNOWN SPEAKER: Is this just for comments or  
22 questions too?

23 BOARD CHAIR RICH VANDER KLOK: Comments, but if you  
24 have questions, we'll try to answer those.

25 Go ahead, ma'am.

1 MS. CATHY MAXFIELD: Hi, I'm Cathy Maxfield. I  
2 live at 4595 Stable. So on the picture it's the very north  
3 side. It's the house with the red roof on the west.

4 I did have a question because, as the presentation  
5 was going on, Paul, I was confused by the east and west. So  
6 there is the large space which falls into the drain south,  
7 but it's on the west side of the road.

8 On the north side of the development, in that top  
9 corner by the field --

10 ENGINEER PAUL FORTON: This area up here? I'm a  
11 little short, sorry. Vertically challenged.

12 MS. CATHY MAXFIELD: Yes. So you had a lovely  
13 picture of our detention pond there that is all well mowed,  
14 and there is --

15 ENGINEER PAUL FORTON: You're the red roof here?

16 MS. CATHY MAXFIELD: I'm the red roof, and it's a  
17 couple -- as the cul-de-sac, we've maintained that and mowed  
18 it and dug the little stream to keep it flowing well to get  
19 the cattails out. I've twice seen the water going over the  
20 weir and washing out, but that was years ago before we  
21 started maintaining it.

22 My question is clarifying, we're not talking about  
23 the south green space where it might be humped and where  
24 there might be problems. We are talking about the northern  
25 detention space on the west side, and then east side -- yeah,

1 east side.

2 ENGINEER PAUL FORTON: It gets a little confusing,  
3 doesn't it?

4 MS. CATHY MAXFIELD: Yes, it does.

5 ENGINEER PAUL FORTON: It totally gets confusing.

6 MS. CATHY MAXFIELD: I'm a little directionally  
7 challenged.

8 ENGINEER PAUL FORTON: So referring to the basin  
9 here, that one is mowed and maintained, you can see that from  
10 the photo. And nice job maintaining that, and you guys do  
11 that out of your own pocket and your own time and your own  
12 expense.

13 MS. CATHY MAXFIELD: Well Dave did.

14 ENGINEER PAUL FORTON: Thanks, Dave, wherever you  
15 are.

16 So to answer your question, this zone, I can tell  
17 you for a fact, that surface water -- I'm probably blocking  
18 the board here. But this green space here has kind of the  
19 highest point across the middle, and the water in general  
20 goes north.

21 And actually that white spot right there is  
22 probably where the ditch was dug that we had a photo of with  
23 the cattails. That water from the north part, probably north  
24 third to a half of that green space, does go into a pipe that  
25 connects to the road, and makes it through your basin, out

1 your back yard and down to the ditch.

2 So that definitely goes towards you, even though  
3 it's south of the line, that drainage is coming towards you.

4 And then today, all of this side of the road, the  
5 majority of this side of the road all crosses here at a pipe  
6 and comes through your basin as well, through that black pipe  
7 that was to the left.

8 So I'm not sure if I touched on the answer to your  
9 question or not.

10 MS. CATHY MAXFIELD: I wanted just a clarification  
11 of were we dealing with the south green space or just the red  
12 district, which is north.

13 ENGINEER PAUL FORTON: And what Cathy is alluding  
14 to, I think, is that on a lot of what has sparked this is  
15 standing water. For Bridlewood South, when we talk about  
16 that here in a little bit, this is kind of one of the hotbeds  
17 for Bridlewood South is right here.

18 There are several others, but the primary one that  
19 sparked it is right here. So that particular issue would not  
20 be brought into Bridlewood, the main drain that services the  
21 north.

22 MS. CATHY MAXFIELD: Okay. Then I have a question  
23 on behalf of the people on the cul-de-sac up there.

24 During heavy rains, we will see water running off  
25 of the field, which is actually an air strip, to the north,

1 across the county road. There is a bit of a flat spot, and  
2 then it -- then it's graded lower into our neighborhoods.

3 And so having the lot that turns the corner, that  
4 gets into the natural stream, I get a stream every year,  
5 right? It's flowing across. But it also seems like there is  
6 no collection point coming off of 22nd.

7 There are the ditches, but I don't know if they're  
8 overflowing, or what's happening, but there is a whole lot of  
9 water that comes, that's heading west, goes around my  
10 neighborhood.

11 ENGINEER PAUL FORTON: I'm going to bounce up to  
12 that LiDAR slide because I think I know exactly what you're  
13 talking about.

14 MS. CATHY MAXFIELD: So there is the road, just  
15 under the red line on the north.

16 ENGINEER PAUL FORTON: Same map. Cathy lives right  
17 here.

18 MS. CATHY MAXFIELD: Yes.

19 ENGINEER PAUL FORTON: And what she's referring to  
20 is probably a lot of runoff, there is a hill that is to the  
21 north of you, and a large portion of that area or that field  
22 is draining across those contours, perpendicular right  
23 around, probably right here, right at the corner of your lot.

24 MS. CATHY MAXFIELD: Pretty much. Ducks swim in my  
25 yard.

1 ENGINEER PAUL FORTON: A little different than A  
2 River Runs Through It in the movie.

3 MS. CATHY MAXFIELD: No trout, just waterfowl.

4 ENGINEER PAUL FORTON: Which is good. It makes it  
5 easier for permitting.

6 But all that being said, in heavy clay soils like  
7 this, if we get an inch or two of rain, especially with the  
8 intensities, the shorter storms that we've been seeing in the  
9 last few years, there will definitely be concentrated flow  
10 there running into your basin.

11 MS. CATHY MAXFIELD: But now it's starting to  
12 washout, it appears, the edge of -- I don't know what you  
13 call it, where --

14 ENGINEER PAUL FORTON: Is it washing away the grass  
15 and cutting down and eating into the dirt perhaps?

16 MS. CATHY MAXFIELD: Eating into the dirt, causing  
17 sink holes in my neighbor's -- just erosion into the place  
18 where the silo goes under the weir and it dumps in, our drain  
19 tile runs into there as well.

20 ENGINEER PAUL FORTON: Okay.

21 MS. CATHY MAXFIELD: And it's all washing out.  
22 There are huge concrete slabs and stuff that have been dumped  
23 in there I think when it was developed to hold it all in  
24 place.

25 ENGINEER PAUL FORTON: Or possibly even the farmer

1 prior to the development. A lot of times they'd throw  
2 concrete or rock at it, trying to stop problems like that.

3 MS. CATHY MAXFIELD: So does that fall under this  
4 meeting, or not at all? Or would that be another petition?  
5 I don't understand the process.

6 ENGINEER PAUL FORTON: Excellent question.  
7 Excellent question. That portion, that natural flow path is  
8 not designated county drain at this time.

9 I would have to look back at the plat to see what  
10 easements are granted over the top of the pond. But  
11 typically, that's like the top of the embankment, or like the  
12 top of the berm as you look west across that, usually it's  
13 struck at that elevation around the pond.

14 MS. CATHY MAXFIELD: Okay.

15 ENGINEER PAUL FORTON: So that when it fills up to  
16 that level, so anything under that area could potentially be  
17 maintenance that's done by the drain office.

18 But as I'm hearing you, I think the problem is  
19 really more north of that, in your back yard, and in your  
20 neighbor's yard before it even gets to the pond, is that  
21 right?

22 MS. CATHY MAXFIELD: Correct.

23 ENGINEER PAUL FORTON: So the only way Joe's office  
24 would be able to take care of that would be if that were  
25 established as like a branch of the county drain, and we

1 could do that as part of this process potentially.

2 But otherwise the challenge in that is right now  
3 it's a private issue between you and your neighbors, and  
4 maybe even the neighbor to the north, hey, is there something  
5 we can do about this.

6 And there are some products and some things that I  
7 could recommend that would help reduce that erosion, and we  
8 can talk after the meeting if you have time.

9 MS. CATHY MAXFIELD: Thank you.

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

11 The gentleman in the blue? Do you have a comment  
12 you'd like to make, sir?

13 MR. CHRIS SHAFRAN: Hi, my name is Chris Shafran.  
14 I live at 4494 Stable Drive.

15 ENGINEER PAUL FORTON: Cathy's neighbor, or no?

16 MR. CHRIS SHAFRAN: No. I'm just the guy that just  
17 kind of dips in inside the red line as you come in the west  
18 side of the subdivision there.

19 So just listening to a lot of the comments, I mean  
20 obviously we know about the clay soil. We know soggy yards  
21 are what you deal with in Michigan when it rains a lot, and  
22 with this particular soil type.

23 I definitely feel for some of the issues my  
24 neighbors are having as well with some of the drainage.

25 When it rains a lot, my yard tends to saturate as



1 well. But from what I hear from the presentation from the  
2 engineer, you know, it sounds like there is a lot of  
3 maintenance that can be done, and that that doesn't  
4 necessarily require an assessment to all of the people in the  
5 district.

6           So my position is that, number one, at this time  
7 this project be denied, and that we avail ourselves to the  
8 funds that are available under the Drain Code to do  
9 maintenance, to try to settle some of these issues that  
10 myself and my neighbors are potentially having.

11           And then if that maintenance proves to be  
12 unsuccessful, or does not resolve some of the issues, then at  
13 a later date that we go back and look at a much larger  
14 project.

15           So my stance at this point would be to respectfully  
16 ask for the Board to deny this, and we avail ourselves of the  
17 maintenance funds available to us under the Drain Code, and  
18 then reassess at a later date.

19           Thank you.

20           BOARD CHAIR RICH VANDER KLOK: Thank you.

21           Now let's go back, the gentleman with the hat,  
22 comment?

23           MS. ROBYN WISDOM: Good morning. I'm Robyn Wisdom,  
24 4538 Caspian Drive. I'm sure Paul can point right to it.  
25 You're a little more over, yes.

1           We are the reason for the February pictures that  
2 you saw today of the detention pond. I will say we were  
3 having issues at that point. What we understand is they did  
4 find rocks and things in the drain. It has since been taken  
5 care of.

6           And so one of the pictures that you saw afterwards  
7 where the water was flowing appropriately, that is still the  
8 case today, and we are not having issues at this point.

9           And so I would hate for anything to be assessed to  
10 an entire two neighborhoods for an issue that has already  
11 been taken care of through maintenance.

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

13           Anyone else in that row have a comment?

14           MS. DEB BOUCHARD: Hi. I'm Deb Bouchard. I live  
15 at 4444 Equestrian Drive. I am in Bridlewood East.

16           Back when Bridlewood East was being developed, I  
17 was the first home built back there. And I have seen all the  
18 development. And I did bring up, when they started on  
19 Caspian South, my concerns and maybe they aren't concerns,  
20 because I'm not an engineer, of how the whole drainage system  
21 works, and how it goes under the road and through people's  
22 yards. And then it goes up in the corner to the north, I  
23 guess that would be north, north, and then comes across to  
24 the other side, and the way our drain is along the road.

25           We have lived with it. The people that have to do

1 the lawn service for the drain, along the road, I feel for  
2 them. It's nothing but mud.

3 But we are living with it, and I don't feel -- and  
4 I feel for the people that do have water issues.

5 I'm an insurance agent. If you get flooding in  
6 your basement, you don't want to know how much some of these  
7 people have to pay for insurance because they have to file a  
8 claim.

9 So I live way in the back, I've got the ravine  
10 behind me. I have had no issues.

11 I do get water in my backyard still a little, but I  
12 don't know -- Bridlewood East and Bridlewood West have  
13 usually been separated a little bit when you come up with  
14 other items in the neighborhood.

15 So, you know, if there is something that needs to  
16 be done in Bridlewood West, I would hope that if Bridlewood  
17 East is not having issues, that we would not all have been to  
18 be assessed over there.

19 But I think the gentleman, I don't know his name,  
20 said it perfectly when he was up here. You know, let's see  
21 how it goes, but I do not feel that everyone should have to  
22 be assessed for a few.

23 Thank you.

24 BOARD CHAIR RICH VANDER KLOK: Thank you.

25 Anyone else in that row? Otherwise the next row?

1 Behind you.

2 MR. MIKE BYRNES: Good morning. Mike Byrnes, 4392  
3 Caspian Drive.

4 My question is around the petition, as I read it,  
5 the petition was for maintenance. And I believe, Joe, you  
6 said there is a maintenance budget already. So what are we  
7 actually talking about when we talk about a project versus  
8 maintenance?

9 WATER RESOURCES COMM. JOE BUSH: Do you want me to  
10 clarify for him?

11 BOARD CHAIR RICH VANDER KLOK: Sure.

12 WATER RESOURCES COMM. JOE BUSH: So when I talk  
13 about -- for the record, when I talk about a maintenance  
14 budget, when we talk about 5,000 per mile, per drain, that is  
15 still coming from a pot of money. That's not what the county  
16 or the state has to fund. I just want to clarify the  
17 previous speaker so I was going to make that announcement.

18 Maintenance money is still taxpayer's money. So  
19 there is a percentage that would be the township, county,  
20 road commission, and then whatever the township -- the  
21 township is more than happy to pick up the tab, if they so  
22 choose, if it's \$5,000. They can say, you know what, we'll  
23 pay for that.

24 Or they can say, you know what, spread it out and  
25 put it on the residents along with the county, township and

1 road commission. So there is not a budget that the county  
2 has for drain maintenance, but we do have money to contribute  
3 to the 5,000 per mile, per year. Does that make sense?

4 MR. MIKE BYRNES: So maintenance could still end up  
5 being an assessment?

6 WATER RESOURCES COMM. JOE BUSH: It could be, but  
7 because that it's only 5,000 per mile, you don't get much  
8 done for 5,000.

9 Just for the record, there has been some  
10 maintenance done over the years. In 2011, and I believe  
11 maybe in 2015 there was an assessment, and the township, road  
12 commission, and the county, we picked up that, I think one  
13 was 3500 and one might have been 2200. So that money was  
14 picked up. There was no special assessment because it would  
15 almost cost more to do all the mailings and everything else.  
16 It would be cheaper just for the three of us, the  
17 municipalities, township, the road commission and me to pay  
18 for it when it's that low.

19 Now anything bigger than that, yes. But it could,  
20 the township could come back and say, Joe, we're going to pay  
21 a thousand of that. So that's up to the township and their  
22 discretion, and that's for the record. Hopefully that  
23 answers the question.

24 MR. MIKE BYRNES: Yes, it does very much. I would  
25 like to agree with the other folks that would like to deny

1 the project and proceed with maintenance.

2 Thank you.

3 BOARD MEMBER BILL CARGO: Mr. Chair, may I have a  
4 follow-up question for Joe?

5 BOARD CHAIR RICH VANDER KLOK: Sure.

6 BOARD MEMBER BILL CARGO: Joe, the previous speaker  
7 talked about the, that there was maintenance to remove rocks  
8 to solve the problem. Are you familiar with what that is,  
9 and is that your office?

10 WATER RESOURCES COMM. JOE BUSH: Yes, it was.

11 I think we were in your back yard, and that was our  
12 office that went out there with Paul. I believe Paul, and  
13 Chris, my drain inspector.

14 We had to get the rocks, kids must have put rocks  
15 inside and they actually plugged it up, the cattails got in  
16 there.

17 But, yeah, we went and fixed that problem. And  
18 again, I think that's going to be a bill we're picking up as  
19 far as the county, township, because it was small enough it  
20 wasn't a big cost, but it fixed that problem.

21 BOARD MEMBER BILL CARGO: Is it your understanding  
22 that that resolved the issue for the Bridlewood district on  
23 the west side of 22nd Street?

24 WATER RESOURCES COMM. JOE BUSH: It would be on the  
25 east side. And I believe she's correct, that probably

1 resolved a lot of the issues that the neighbors were having  
2 with the high water at that time.

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

4 Anyone else that I missed in that section?

5 Otherwise we'll go to the front row.

6 MR. MIKE LONG: Mike Long. I live at 4517

7 Bridlewood, right next to Surrey Court.

8 My question is there is usually maintenance done by  
9 the Ottawa County, right, that's budgeted for our area?

10 There is not? There is not -- okay.

11 So what I see as the problem, right across the  
12 street, three houses, four houses, the first two houses,  
13 right across the street, they have kids. And I know that the  
14 water is so saturated that the kids really can't play in  
15 their backyards.

16 And I just wonder if there is any way to try to  
17 drain the water just a little bit so the kids can get out  
18 there and just play more.

19 We live, right in back of us is the bean or  
20 cornfield, and I do notice a lot of erosion in certain parts  
21 of the bean field. A lot of the topsoil has been washed  
22 away, so I don't know if there is anything to be done about  
23 that or not.

24 Our backyard, we have saturation too. And before  
25 we moved there, I think the owners of the house -- we've

1 lived there about eight years, might have been a sump pump  
2 problem, so the basement flooded.

3 So it hadn't happened to us. We put a safety valve  
4 where it's hooked to the water. We're aware of that.

5 But the big problem is the saturation. Anything  
6 that could be done, more cattails, planting, you know,  
7 planting cattails all over the place, I think every little  
8 bit helps. I appreciate you having this hearing, and I'm  
9 open to anything that can help.

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

11 Yes, sir?

12 MR. SCOTT HOCKIN: My name is Scott Hockin. I live  
13 at 2330 Bridlewood. We're on the inner circle on the west --  
14 yeah, west side. And we're right -- my backyard, our yard is  
15 actually in the red part in Bridlewood, but the open space --  
16 yep, that's where I'm at right there.

17 Okay. Now, you talked about it being humped up,  
18 that circle, common area, okay. On the north side -- well  
19 I'll show you more. Because when they dug out the little  
20 strip where they dug out the drain at the north end, they  
21 just took the dirt out of there and they piled it up and  
22 spread it out in the middle of the rest of everything else so  
23 it raised it up there.

24 And I don't know, correct me if I'm wrong, whether  
25 it's clay or sand or whatever, if you get too much water in



1 it it's going to try to run off if it can't go down.

2 So why is this engineered -- why was it originally  
3 engineered to not runoff towards that drain? It had to have  
4 been okayed by somebody for the engineering firms when they  
5 went in there and then dug it out for the excavators, what,  
6 about six, seven years ago, they dug that out, and just piled  
7 the dirt up and made it higher over here.

8 So if we can get something to drain that direction,  
9 it's not draining towards the drain. It's all puddling in  
10 our backyards and in the common area.

11 So, I don't know. Cost, I'm sorry, why wasn't the  
12 cost -- we shouldn't have this problem. It should have been  
13 engineered correctly in the beginning, and who okayed it?  
14 Why wasn't it done right in the first place? It's not rocket  
15 science, I don't think. I mean not that --

16 ENGINEER PAUL FORTON: That's true. Water flows  
17 downhill unless you pump it.

18 MR. SCOTT HOCKIN: We're not going to completely do  
19 away with -- clay is going to hold a certain amount. But it  
20 will runoff, even if it's saturated, I think. Now I'm no  
21 engineer, but I was a locomotive engineering for the  
22 railroad, so I'm a real engineer.

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

24 Then we'll move over to this side, the lady in  
25 back? Ma'am? Comments? Comment?

1           Anyone else who has not had an opportunity to  
2 speak? If you haven't, and then we'll go to Jerry from the  
3 road commission.

4           Jerry?

5           ROAD COMMISSION JERRY OLMAN: Jerry Olman from the  
6 road commission. Just a brief comment, as far as the road  
7 drainage goes and in the right-of-way, I'm not aware of any  
8 issues at all. So that's good from our end, okay.

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

10          The gentleman in the back?

11          MR. MARK VENEMA: My name is Mark Venema. I'm at  
12 2300 Bridlewood. So I'm right in that, where you see the --  
13 I'm on the south end of Bridlewood West, but on that bottom  
14 circle. So my backyard, I'm close to Scott right there.  
15 There you go, right there.

16          So in terms of like looking at the drainage stuff  
17 for north, kind of our particular issue is we are the ones  
18 that have the little kids that don't play in the backyard  
19 because it's really wet. It's just a drainage issue. What  
20 it is is our backyard is sloped, it hits the common space and  
21 the common space slopes up about a foot or two, and then it  
22 goes into the drain. So our backyard is not ever going to  
23 drain into that drainage area, because there is actually an  
24 incline between where our property line ends, the association  
25 space begins, and the drain area.

1           With that said, you know, to correct that middle  
2 area, kind of like Scott was saying, it should have just been  
3 engineered properly from the beginning. It wasn't, so we all  
4 have water. At heavy rain we'll have an inch or two of water  
5 back there for a few days. We've not had backup in our  
6 house, other people have.

7           With that being said, I don't know that I'm  
8 necessarily here to say that I'm in favor of a massive  
9 project in terms of it would be more the next to Bridlewood  
10 South. If there is going to be some massive project to  
11 re-engineer that middle green space, I don't know how for it  
12 I am if that's going to be a very large price tag. That's  
13 kind of it.

14           If it's going to be an assessment to the people  
15 that live on that inner circle of something like, hey, it's  
16 your problem, go ahead and fix it.

17           But for me personally, I could tile into the  
18 drainage space and just drain away and spend a couple  
19 thousands dollar per drain.

20           Not everybody has that. That's more of a  
21 Bridlewood South conversation. But my issues, even though I  
22 live in the north section, are completely related to that  
23 green space area which is in the Bridlewood South district.  
24 So there is kind of overlap in terms of what we're looking  
25 at.

1           It's an issue. I don't know that I'm necessarily  
2 in favor of saying, hey, let's have a massive reworking here  
3 that everybody gets assessed, especially people that aren't  
4 benefiting from it particularly.

5           Buy my heart goes out to the people that are living  
6 in the south space that have no option. They have no place  
7 to drain their water too. There really needs to be a viable  
8 solution for them to be able to drain the water away, that  
9 would be helpful for them. And just -- I'm just talking that  
10 middle section there, most of the Bridlewood South section,  
11 but it does impact us on that kind of half circle, those of  
12 us whose backyards go into that area. It impacts all of us  
13 because we have very wet backyards.

14           I'm not in favor of a large price tag that's going  
15 to be assessed to everybody. I hope there is a different  
16 solution that can be not very expensive that we could just,  
17 you know, if it's only assessed to the people that are truly  
18 benefiting from it, from that water flow if that will be the  
19 issue.

20           And going back to Scott's point, someone approved  
21 this on the front end in terms of the grading, someone  
22 approved that these backyards of these houses in this circle,  
23 that their backyards are lower than the green space and that  
24 the water would not be draining away. That's maybe where  
25 lawyers have to be coming into it in terms of going back to

1 the developers and saying, and possibly folks in the county  
2 that approved it, and saying maybe this shouldn't have been  
3 approved this way in the first place because it shouldn't be  
4 where things drain to go up hill. That just doesn't work and  
5 that's what it's setup like.

6 So it's a real issue, and I just don't think it's  
7 appropriate that it be a very large price tag assessed to a  
8 lot of people, when it's not really anybody's fault. And  
9 some people are able to live with it better than others,  
10 depending on where you're at.

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

12 Is there anyone now who has not spoken that would  
13 like to make a comment?

14 Then I would make the motion that public comment be  
15 closed.

16 BOARD SECRETARY KEN SOUTER: Second that motion.

17 BOARD CHAIR RICH VANDER KLOK: Moved and supported  
18 that public comment be closed.

19 All those in favor, say aye.

20 (All replied, "Aye.")

21 BOARD CHAIR RICH VANDER KLOK: That is carried.

22 And then we have some correspondence that we  
23 received.

24 So, Ken, do you want to read those?

25 BOARD SECRETARY KEN SOUTER: I'll read them. Some

1 get quite lengthy, but I'll be happy to read them.

2 The first one here is --

3 BOARD MEMBER BILL CARGO: Do we have to read those  
4 into the record, or can we simply enter them into the record  
5 with a summary of what you're saying?

6 BOARD SECRETARY KEN SOUTER: I haven't read all the  
7 way through it, but there is four pages.

8 BOARD MEMBER BILL CARGO: I think if we sit here  
9 and read four pages, if you can pass it down so we can look  
10 at it, but I don't think we need to read into the record.

11 Is that correct?

12 BOARD CHAIR RICH VANDER KLOK: I don't think we  
13 need to read. We can summarize the content, indicate who it  
14 was received from.

15 BOARD SECRETARY KEN SOUTER: It's anonymous.

16 BOARD CHAIR RICH VANDER KLOK: Oh, Mr. Anonymous.

17 BOARD SECRETARY KEN SOUTER: Yes. Mr. Anonymous  
18 wrote it.

19 BOARD CHAIR RICH VANDER KLOK: No wonder it's four  
20 pages.

21 BOARD SECRETARY KEN SOUTER: And I mean I'd be  
22 happy to read it, but it's going to -- it's up to you.

23 BOARD MEMBER BILL CARGO: I don't think reading  
24 four pages from an anonymous source is something that we  
25 should be doing.

1           Typically, if you don't put your name on it, we  
2 don't even know if they're a member of the district or  
3 anything else. I would not recommend that.

4           BOARD SECRETARY KEN SOUTER: Okay, I got a couple  
5 others ones that are short. There is a name.

6           The first one is Eric --

7           BOARD CHAIR RICH VANDER KLOK: I think that's all  
8 connected.

9           BOARD SECRETARY KEN SOUTER: Oh, this is all  
10 connected. Okay.

11          BOARD CHAIR RICH VANDER KLOK: I think the record  
12 should indicate that this was not read into the record  
13 because it was anonymous, and we're not aware of whether  
14 Mr. Anonymous lives in the district or not.

15          BOARD SECRETARY KEN SOUTER: Okay. I have two  
16 other ones, a few other ones here that are short.

17          I have the first one is from Darcy, Bridlewood  
18 West, "There seems to be a difference of understanding  
19 amongst my neighbors in regards to the plan for the new  
20 drainage system in the center development. I do not live in  
21 the center, 4543 Bridlewood, and I cannot afford to foot the  
22 bill for any repairs done in that area. I strongly oppose an  
23 assessment."

24          Then there is one from Todd Will, "Unable to attend  
25 the meeting on July 6th. I oppose any work to be completed

1 that isn't voted on by the residents of Bridlewood."

2           Then I have one from Chris Vandenneuvel, "My name  
3 is Chris Vandenneuvel and my wife, Karly, and I reside at  
4 4525 Caspian Drive in Bridlewood East. We are unable to  
5 attend the meeting tomorrow, but would like to pass our  
6 thoughts on drainage issues. For the last several years, our  
7 backyard has been so wet and muddy that we hesitate to send  
8 our kids back there. We strongly agree that there is a major  
9 problem with the drainage in Bridlewood, and we hope our  
10 neighbors agree that something needs to be done. We're  
11 prepared to bear our share of reasonable assessment, if that  
12 means the problem can be resolved."

13           BOARD CHAIR RICH VANDER KLOK: Okay. I believe the  
14 public comment, and now also the correspondent email, let the  
15 record show that I think we -- Marie, are there any other  
16 that you're aware of?

17           Okay.

18           BOARD MEMBER BILL CARGO: The one thing I would say  
19 is the anonymous petition or comments are mostly questioning  
20 the validity of the petition, and the lack of specificity in  
21 the petition .

22           So if there is any question as to whether it should  
23 be read into the record, the record should show that it's  
24 questioning the validity of the petition and the specificity  
25 of what led to the petition being received.



1 BOARD CHAIR RICH VANDER KLOK: Okay, good. Thank  
2 you.

3 BOARD SECRETARY KEN SOUTER: I have a couple  
4 questions of the engineer.

5 ENGINEER PAUL FORTON: Which one?

6 BOARD SECRETARY KEN SOUTER: The railroad guy. The  
7 real engineer.

8 Okay. A lot of times I've seen in subdivisions in  
9 the past -- and we've been on a lot of these boards here.  
10 This development probably started probably around what year?

11 ENGINEER PAUL FORTON: So 2001 to 2004 most of the  
12 phases were developed. So 20 some years.

13 BOARD SECRETARY KEN SOUTER: And now there has been  
14 a lot of construction, there has been a lot of grading, there  
15 has been a lot of basement digging, there has been a lot of  
16 all this other stuff happening. It looks like the  
17 subdivision is pretty much developed. It doesn't look like  
18 there is a lot of empty lots, at least from my observation of  
19 it.

20 During that period of time in clay soil, when you  
21 get all this broken up dirt, and you get rains, you get dirt  
22 washing down into the ponds. Could part of the pond problem  
23 be the fact that a lot of this dirt that is opened during the  
24 construction of the houses, could part of the problem of  
25 those ponds be that that dirt settled on those ponds?

1 ENGINEER PAUL FORTON: So it's an interesting  
2 question. Honestly, in general, looking at it now,  
3 especially the basin that's been cared for on the north end,  
4 different areas, I wouldn't say that sedimentation is the  
5 problem here. And maybe I'm wrong, but the basins were  
6 functioning when we looked at them, the outlets were flowing,  
7 none of them were plugged with sediment.

8 Normally when sediment is an issue, that outlet  
9 pipe is almost buried, you know what I mean, and there is  
10 just that little gap where the water is sucking in.

11 And in fairness, I guess, when I was out there in  
12 February it was under four foot of water, maybe five, so a  
13 little bit tougher to see.

14 But I know when Noah was out there yesterday you  
15 could hear the water flowing into the pipe out in the  
16 wetland.

17 So I'm not sure sedimentation is the main issue out  
18 here. I think the main issue is saturated clay -- saturated  
19 sod on top of hard clay soils.

20 And to somebody's point about re-grading that  
21 center area to drain, I know I'm standing in some of the  
22 neighboring parcels around that, I was four, five feet above  
23 that basin on a very steady slope, and that water is still  
24 saturated. I mean there is plenty of grade on that. There  
25 is tons -- I don't know, I would guess it was a three or four

1 percent slope, maybe higher, steeper.

2 So I could be standing up here and by the time I  
3 hit that wall, I'm at the top of that wall and it's saturated  
4 on that whole slope. So those saturated soils are definitely  
5 an issue.

6 Yes, when the ground is frozen, that water will  
7 shed right off, but it can sit in that sod. And what that  
8 tells me is there is groundwater seeping out of that as well.  
9 Or shut off the sprinklers, because the irrigation, if you  
10 over irrigate, that will saturate your sod too.

11 But realistically speaking, we see this in other  
12 areas of Ottawa County as well. You can be on a very steep  
13 hill, but if there are seams that bleed out that clay hill  
14 into the sod, it just saturates it and it turns it into a  
15 mess.

16 BOARD CHAIR RICH VANDER KLOK: Okay.

17 ENGINEER PAUL FORTON: It's tough, isn't it?

18 BOARD CHAIR RICH VANDER KLOK: Okay. Other  
19 comments?

20 BOARD MEMBER BILL CARGO: The only other comment I  
21 was going to make is there was some comments made that they  
22 should go back to the developer and/or the county when this  
23 was approved to seek legal action that way. I think you're  
24 well past the stage of being able to do anything like that.

25 This now has to be a local problem solved by the

1 locals. So it's not something you can go back legally and  
2 try to resolve and by going back on the developer.

3 BOARD SECRETARY KEN SOUTER: I'm still bugged by  
4 this pond, being a raised area in the pond. Is there any way  
5 of -- did I get that wrong?

6 ENGINEER PAUL FORTON: Let me clarify. So the  
7 area -- are you thinking that this area is a pond? Because  
8 it's not.

9 BOARD SECRETARY KEN SOUTER: Okay.

10 ENGINEER PAUL FORTON: No, that was just meant to  
11 be green space, as I understand it. It's not graded to be a  
12 pond.

13 BOARD SECRETARY KEN SOUTER: It's not graded to be  
14 a pond.

15 ENGINEER PAUL FORTON: Correct, yes. I'm glad that  
16 you brought that up.

17 So this, definitely pond, that's meant to be a  
18 pond, storage and everything.

19 BOARD SECRETARY KEN SOUTER: Okay.

20 ENGINEER PAUL FORTON: This side is just green  
21 space. Now --

22 BOARD SECRETARY KEN SOUTER: Okay.

23 ENGINEER PAUL FORTON: I might know where you're  
24 going. It's green space, it's not supposed to be a pond.  
25 But as I understand it, when we get into Bridlewood South,

1 and thank you folks for going a little long on Bridlewood,  
2 we're getting there, this area stays saturated for a long  
3 time.

4 So when I say it's not a pond and not meant to be a  
5 pond -- it's probably functioning -- well pond is a little  
6 bit too wet. It's saturated soils down here.

7 But in general, this is supposed to, I believe the  
8 intent was for that to grade one way or the other, and be an  
9 open green space, and not a pond.

10 BOARD CHAIR RICH VANDER KLOK: So just for  
11 clarification now, some of those comments are related to  
12 Bridlewood South, which we are not dealing with at the  
13 moment. So let's get back to the ones that we are dealing  
14 with which are Bridlewood and the district that we're talking  
15 about.

16 Any other comments that any Board member would  
17 have?

18 BOARD MEMBER BILL CARGO: Just a clarification. On  
19 the Stable Drive where the outlet is for the Bridlewood  
20 development, are there problems with the outlet, am I  
21 hearing? Or are there not problems with the outlet?

22 ENGINEER PAUL FORTON: Excellent question. Bill,  
23 you're talking in this area here, where it outlets.

24 BOARD MEMBER BILL CARGO: Yes.

25 ENGINEER PAUL FORTON: The open channel has a

1 little bit of erosion and some woody debris, but as far as  
2 open drains go, not really bad. And then the outlet to the  
3 pond itself is functioning properly and working just fine.

4 BOARD MEMBER BILL CARGO: Okay, thank you.

5 BOARD CHAIR RICH VANDER KLOK: Okay, anything else?

6 The comment that I would make, based on all the  
7 comments that we've heard today, and the concerns also that  
8 were raised, and some who obviously are not in favor of any  
9 project, however, the only way that you would know the  
10 dimension or scope of any project would be if this Board of  
11 Determination would approve and give the go-ahead. Because  
12 then the engineer would be directed to go out there and say,  
13 here is some things that we could do.

14 Now we don't know how big of a project that would  
15 be or what the variables would be that would be involved in  
16 order to accomplish some of the things that you folks have  
17 brought up.

18 Or, on the other hand, we could not approve going  
19 forward and it would be a year before you could petition  
20 again, and hopefully the problems wouldn't get worse.

21 BOARD MEMBER BILL CARGO: Mr. Chair, my comments on  
22 this is with Bridlewood, I'm hearing that they did have an  
23 issue, that maintenance that was already previously done  
24 earlier this year seems to have resolved the majority of  
25 those issues, and that we don't have an issue with the outlet

1 area like we normally do.

2 So to me, I think the petition was in good faith,  
3 the petition was correct because they were having flooding  
4 problems in February, but the maintenance resolved that and  
5 so the system seems to be working.

6 So for Bridlewood at least, my response is that the  
7 petition be denied in this case. If in a year, after  
8 additional maintenance, they still have something, they can  
9 come back.

10 But it appears, based on public comments, that  
11 nobody is having problems except for what occurred previous  
12 to the maintenance, the dam being removed that the children  
13 or somebody built within the drainage.

14 BOARD SECRETARY KEN SOUTER: I guess I agree with  
15 Bill on that basis. I hear nothing but comments that they  
16 would rather go through the, just the maintenance item, if  
17 they got a small problem, and take care of it on a  
18 maintenance basis, rather than go through a full-fledged  
19 construction and disrupt everything.

20 BOARD MEMBER BILL CARGO: So it seems to be sized  
21 properly. The maintenance may have been an issue, but that  
22 seems to have resolved itself.

23 BOARD CHAIR RICH VANDER KLOK: Okay. Do you want  
24 to make that a motion?

25 BOARD MEMBER BILL CARGO: If somebody gives me

1 something I can read off from a sheet because I can't  
2 remember exactly how to do it. It's been years since we  
3 denied a petition.

4 BOARD CHAIR RICH VANDER KLOK: Well it would simply  
5 be to move that the Board of Determination determine that the  
6 maintenance and so forth is not necessary. That's all that  
7 you would --

8 BOARD MEMBER BILL CARGO: Okay. Then I would make  
9 a motion that the Bridlewood Drain petition is found to be  
10 not necessary. And that's all I have to say at this stage.

11 BOARD CHAIR RICH VANDER KLOK: Right. That would  
12 be sufficient.

13 That motion has been made. Is that supported?

14 BOARD SECRETARY KEN SOUTER: Supported.

15 BOARD CHAIR RICH VANDER KLOK: Okay. All those in  
16 favor, say aye.

17 (All replied, "Aye.")

18 BOARD CHAIR RICH VANDER KLOK: Then that is  
19 carried.

20 And so, with that, I'd like to turn it over to Joe  
21 because he has information, I don't know what you can say  
22 about appeal, but you are free to do so.

23 WATER RESOURCES COMM. JOE BUSH: If anybody wanted  
24 to appeal today's decision based on what the Board of  
25 Determination has made a motion and supported, you can do



1 that through -- you have 10 days from today to go through  
2 circuit court to appeal today's decision, if anybody wanted  
3 to do that.

4 And I do appreciate everybody's time. Sorry we  
5 went over. We'll get to the other one quickly, which is  
6 right next door, but I want to make sure everyone was heard  
7 and we had time for testimony and questions.

8 Thanks for your time again.

9 BOARD CHAIR RICH VANDER KLOK: Then I declare that  
10 our meeting is adjourned. Thank you all for coming.

11 (Board of Determination - Bridlewood Drain -  
12 adjourned)

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