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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: LILAC DRAIN
BOARD OF DETERMINATION

Proceedings commenced at 4:00 p.m., on Thursday,
April 25, 2024, at Georgetown Township Office, Boardroom,
1515 Baldwin Street, Jenison, Michigan, held before Marjorie
A. Covey, CSR-2616, Certified Shorthand Reporter, RPR and
Notary Public.

APPEARANCES:

- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Mr. Shaun McLarty, Chief Deputy
- Ms. Tia Lesinski, Secretary

- Mr. Ken Souter, Board Chairman
- Mr. Mark Bennett, Board Secretary
- Mr. Steve Bulthuis, Board Member

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

- Mr. Rob Blitchok, Georgetown Township Superintendent
- Mr. Justin Stadt, Assistant Georgetown Township
Superintendent

- Mr. Jerry Olman, Ottawa County Road Commission

1 Jenison, Michigan

2 April 25, 2024 - 4:00 p.m.

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: Welcome, everyone.

5 My name is Joe Bush, the Ottawa County Water Resources
6 Commissioner, also known as the Drain Commissioner. Same
7 office, different title from 2012.

8 Everybody is like, the water resources, the drain,
9 are you guys related?

10 I'm like, it's the same office, just a different
11 title that they gave me back in 2012, or 2013, the County
12 Board of Commissioners at that time. So it's the same
13 office.

14 I appreciate you guys coming and taking the time
15 this afternoon to learn about the Lilac Drain, Board of
16 Determination. I'm sure there is a lot of questions.

17 Hopefully you didn't get on Coopersville Informed
18 and try to find anything out because the facts might not be
19 so real in Coopersville -- or in the Georgetown Informed.

20 Again, I'll start off by introducing some people
21 that are here, and then I'll kind of go into why we're here,
22 and then I'll do an introduction of my Board of
23 Determination. And then I can hand it off to them to run the
24 public hearing.

25 First we'll start out with introductions. We have

1 Tia, who is my secretary. She might have took a lot of your
2 phone calls. I've got Shawn, my chief deputy, he's another
3 one that might have took some of your phone calls.

4 We have Jerry Olman here, he's from the road
5 commission. And then we've got Robert here, he is the
6 superintendent of Georgetown Township. And then we have his
7 assistant, Justin, who is the assistant superintendent.

8 And then for the engineering firm, who has been
9 kind of taking some investigation work into what the issues
10 are, or could be out there, we have Noah and Paul Forton from
11 Spicer Group.

12 And then according to state law and Drain Code,
13 when I have a Board of Determination, or first when I receive
14 a petition, so the township petitioned me because we had some
15 concerns and some complaints where the -- on the map of some
16 flooding. And so when I received the petition, I have to
17 appoint three people, men, women, who are not affiliated with
18 Georgetown Township. They're not board members, they're not
19 planning commission, nor do they live anywhere in Georgetown
20 Township. They have to live outside of the jurisdiction of
21 the township.

22 And when I appoint, I really like to know who I'm
23 appointing, so I make sure they understand Drain Code,
24 drainage, and the purpose of today's meeting.

25 The purpose of today's meeting is for a

1 determination, not a project, not a cost. We don't know any
2 information except we had issues out there. I think there
3 will be some people talking about some of the concerns and
4 issues they had in the Lilac Drain district area. But there
5 is no project. People are worried how we're going to pay for
6 something, we don't even know what we're paying for, we don't
7 have a project.

8 People are asking about storm sewer. Well the
9 storm sewer is already in the road, so it's not like we're
10 going to replace the storm sewer as of now because from what
11 I'm understanding, it's in pretty good shape. We might
12 camera some of it just to verify that.

13 But other than that, there is really no major
14 issues with the storm sewer that's already in there.

15 Most of the -- I want to say 90 percent of that
16 storm sewer is in the road right-of-way. There is some
17 backyard drainage, but it's pretty limited throughout the
18 whole watershed or the whole district.

19 So when I got the petition, I have to appoint three
20 people, and I did that, and I'll do introductions here in
21 just a second. But I want to reassure everybody that they
22 are not affiliated with the township, or your neighbor, or
23 making jurisdiction decisions when they don't even live in
24 the township. And that's by Drain Code.

25 If you ever get bored and you want to read Drain

1 Code, it's pretty intense. It's good reading. But I do
2 follow that and that's why I have to appoint three people.

3 Again, their role is really just to hear the public
4 testimony, you folks, and your concerns. A lot of times when
5 we have these public hearings we find out there is more
6 issues than what we know about because sometimes pipes get
7 buried, pipes get crushed. Sometimes new property owners
8 think that pipe doesn't go anywhere and they bury it. Or a
9 catch basin, they fill it in because they just don't know,
10 until they get a flooded basement. And then it's like oh, I
11 did something bad.

12 So that's where we're at today. Everything that's
13 highlighted right now on the maps that were handed out, I
14 don't have any jurisdiction over any of that. The township
15 doesn't have jurisdiction. The road commission doesn't have
16 jurisdiction, and I don't have jurisdiction over this
17 particular area or infrastructure.

18 When I say jurisdiction, if you have to call the
19 road commission, they're going to say, "That's not ours, call
20 Joe."

21 Well they'll call me, and oh, I think there is a
22 few that can probably testify to this, and they're going to
23 go, "Call Joe." And I'll look at our GIS, we have 1300
24 drains, so we have a lot of them, but not this particular
25 area. We don't have any drains that's a county drain, so no

1 jurisdiction.

2 And then you're going to call Rob or the township,
3 or Joel from the BPW and go, "Hey, can you help us?"

4 And they'll say, "It's not ours either."

5 So who will help you? Well really there is not a
6 lot of help unless it becomes a county drain. And to become
7 a county drain, it requires a petition, so that's why you
8 folks are here today.

9 Again, we don't have a project, we don't have a
10 cost. Right now it's minimal. The first step is to see if
11 this board decides -- none of these board members have been
12 out there, they don't know much except it's probably an
13 orphan drain, that's why they're here.

14 So they don't know -- they want to hear testimony,
15 and that's why we're here.

16 So we'll go ahead and do some introductions to the
17 three panel board. To the far right is Steve Bulthuis. He's
18 the township manager of Holland Township. And he's been
19 through quite a few of these as far as his own township
20 adopting these orphan drains and having -- us having
21 jurisdiction.

22 In the middle is Ken Souter. Ken Souter, and I
23 always get it wrong, he's in Port Sheldon Township, but he
24 worked for the road commission for 38 years?

25 For 38 years, so he was in the engineering

1 department, so he totally understands drainage, Drain Code,
2 and he used to get the same calls that people would call and
3 go, "Hey, I have a problem."

4 And then on the left we have Mark Bennett, and he's
5 the supervisor at Tallmadge Township.

6 So I usually pick leaders who are from their
7 municipalities, or organizations who understand drainage,
8 drain code. And their process today is only to determine to
9 move forward, "Joe, hey, this should be a county drain;" or,
10 "We don't see this to be a county drain." That's their job
11 today.

12 Once I give these gentlemen the oath, they'll pick
13 a chair and secretary, and they'll run the meeting. And
14 everything will be public testimony as far as when you come
15 up and there will be testimony. And then they'll decide
16 later in the agenda, it's on there, whether it should be a
17 drain or not to make that determination.

18 When you come up to the mic, please speak your name
19 loudly. Typically we have a court reporter at every one of
20 these. Our court reporter that was coming broke her leg, so
21 she could not make it. So we have these mics that are being
22 recorded. So later down the road, I get the transcript.

23 To record these, via court reporter, it's not
24 required by law. I do that in case I forget, or we forget
25 what was said, who said, what did the board say, what did the

1 township, or the road commission, or the engineer say, or
2 what did I say. It holds everybody accountable because a
3 year from now we'll all forget who said what and how many
4 times.

5 I post it on my website, and you can read it word
6 for word. So everything that's being said since I started is
7 going to be in a transcript from a court reporter. She can
8 do it remote from our voices today.

9 So please come up to the mic and, again, speak your
10 name, address, and your concern or question.

11 Hey, we're very transparent. So whatever we can do
12 to help, we're here to provide any assistance that we can.

13 So again, once I give these gentlemen the oath,
14 they'll run the meeting. Any questions they have, they're
15 more than happy to ask me off to the side.

16 I don't have any sway. I don't tell these guys how
17 to vote because I already have 1300 drains. It's not like
18 I'm looking for work. But if it becomes a county drain, I'm
19 happy to provide the service down the road for the folks that
20 live in this drain district.

21 If you think you don't live in the drain district,
22 because we over-noticed, it's easier to over-notice than to
23 add you later and say, "Oh, we should have added that street
24 or that catch basin."

25 So we did an overall, and you could be not in the

1 drain district. This is preliminary, this is just what we
2 think it is. But we're pretty close, I think.

3 But again, if you think my water doesn't get there,
4 we're happy to send the engineers out and to revisit your
5 house personally to see if that's accurate or not. Because
6 we want to make sure we over-notice just so people are aware
7 that you could be in the drain district; but if it doesn't
8 fit, we're happy to adjust it. All right.

9 So thanks for your time. I don't think I missed
10 anybody for introductions.

11 But, Gentlemen, go ahead and please rise and raise
12 your right hand.

13 Do you each solemnly swear that you will faithfully
14 perform and discharge the duties imposed upon you, as
15 required by law, as members of the Board of Determination,
16 appointed by the Ottawa County Water Resources Commissioner,
17 to determine the necessity to locate, establish and construct
18 the proposed Lilac Drain, located in Georgetown Charter
19 Township, for the said county, Gentlemen?

20 (All Board Members said, "Aye.")

21 WATER RESOURCES COMM. JOE BUSH: Thank you.

22 BOARD MEMBER KEN SOUTER: First agenda item we have
23 to do is elect a secretary and a chairperson.

24 Do we have any nominations?

25 BOARD MEMBER MARK BENNETT: I would make a motion

1 that Ken Souter serve as chairperson for this Board of
2 Determination.

3 BOARD MEMBER STEVE BULTHUIS: Support.

4 BOARD MEMBER KEN SOUTER: Moved and supported that
5 I serve as the chairman of the board.

6 All in favor, say aye.

7 (All Board Members said, "Aye.")

8 BOARD MEMBER KEN SOUTER: Opposed?

9 BOARD CHAIRPERSON KEN SOUTER: Now we need a
10 secretary. I will make a motion that Mark serve as secretary
11 for this board.

12 Do I have support?

13 BOARD MEMBER STEVE BULTHUIS: Support.

14 BOARD CHAIRPERSON KEN SOUTER: Moved and supported.

15 All in favor. Say aye?

16 (All Board Members said, "Aye.")

17 BOARD CHAIRPERSON KEN SOUTER: Opposed?

18 And the third thing I'd like to take care of is for
19 the rules of public comment later. And that would be that I
20 would like to make a motion that comments be limited to about
21 three minutes per person. You can summarize War And Peace in
22 three minutes very easily, so we should be able to summarize
23 what our problems are in that period of time.

24 I'd like to make a motion that we limit that to
25 three minutes.

1 BOARD MEMBER STEVE BULTHUIS: I'll support that.

2 BOARD CHAIRPERSON KEN SOUTER: All in favor, say
3 aye.

4 (All Board Members said, "Aye.")

5 BOARD CHAIRPERSON KEN SOUTER: First thing we're
6 going to do is find out what we're talking about.

7 And, Paul, can you take care of that for us?

8 ENGINEER PAUL FORTON: I hope I can.

9 So thank you, Board. I've worked with some of you
10 before, and others not so much. But for the folks in the
11 crowd my name is Paul Forton from Spicer Group. We're a
12 civil engineering group that works with county drain
13 commissioners all across the state.

14 So this one, at least from our perspective, is
15 pretty plain Jane. Joe already covered a lot of the
16 information that I am going to cover. So a lot of that
17 information for you guys, we covered a lot of grounds. Let's
18 go through it maybe just a touch slower to make sure we're
19 all on the same page as to why we're here.

20 And I'll try to be short and sweet because I know
21 the weather is beautiful and the sun is shining.

22 So the first thing I'll talk about is location,
23 where are we, what are we talking about, and why. I'll give
24 a little background and history on that particular -- on this
25 drain, or proposed drain. We're going to look at the

1 drainage district boundary momentarily. And then we're also
2 going to look at some site conditions and inspections.

3 If you have ever been to a Board of Determination
4 meeting before, this one is going to be extremely boring,
5 which for those of you in the audience is a good thing.

6 A lot of time when I do these Board of
7 Determination meetings, we're showing pictures of failing
8 ravines and massive amounts of erosion and sinkholes
9 everywhere, and really expensive problems that, quite
10 frankly, nobody wants to deal with. And to be clear, that is
11 not the case here.

12 This is much different than what we normally see.
13 So this is an application for a new drain. So this is not an
14 existing county drain.

15 Now when I say new drain, for those of you in the
16 audience, Joe mentioned there is already an existing pipe
17 network. There is already pipe in the ground that drains the
18 roads and services that. But it's not a legal -- legally
19 established county drain. And the reasons that's important,
20 and Joe touched on this earlier, is the fact that he can't go
21 in and fix it. It's not in his jurisdiction.

22 Much like, you know, I use this example, so if a
23 tree falls on a road, the county road commission can come in
24 and cut that out of the way so the public can proceed.

25 Well if a tree falls in my backyard, I have to cut

1 it up, even if it fell on to the road right-of-way in my
2 yard, I have to cut it up.

3 So in this case, if there is an issue on the drain,
4 Joe can't fix it because it's outside of his jurisdiction.
5 So really this process today is primarily to take this, what
6 we call an orphan drain, and you heard Joe mention that
7 before, it's an orphan because nobody really has jurisdiction
8 over it.

9 And when we talk about our storm water, if you
10 haven't worked with the Water Resources Commissioner or a
11 drain commissioner in the past, that is the county entity
12 that works on these systems. But again, in order to do that,
13 we need to formalize the process to turn it into a county
14 drain.

15 So we'll go through a couple of slides here, give
16 you guys some information and then there will be time for
17 questions for you and we'll go from there.

18 So I'm not sure I've ever been able to present at a
19 Board of Determination and been this close to the site. So
20 we are -- the site is at the center of the red star, north of
21 Baldwin Street, south of Bower Street and east of 20th
22 Avenue. You can just about hit it with a baseball if you
23 have a really good arm. It's just northeast of us where
24 we're sitting here, so you could hit it with a spud gun
25 pretty easily.

1 Again, this is an application for a brand new
2 county drain. This is in contrast to that, sometimes we
3 receive petitions to work on existing county drain systems.

4 This one is different in that we're trying to
5 establish it through this process as a county drain. And the
6 watershed itself is about 150 acres. And I say about because
7 we, as Joe mentioned, we have not formalized that district
8 boundary.

9 So for the purposes of this meeting we sent out a
10 mailing, and we tend to over-notify. Why do we do that? Why
11 would you send a letter to me if my water doesn't even drain
12 into this storm sewer that you're showing me. The reason we
13 over-notify is because we want people to have good
14 information.

15 And from what I'm hearing there is a little bit of
16 maybe misinformation that's being passed around. So I'm
17 really thankful that you folks are here today.

18 If you have neighbors tonight that you speak with,
19 "Hey, I made it to the meeting, I know you didn't, this is
20 what's going on," we would really appreciate you
21 disseminating the good information that you hear tonight, so
22 that folks know what's going on.

23 Within that notification boundary or that drainage
24 district boundary there are approximately 400 parcels. So
25 that means there is 400 different folks that we sent letters

1 to. And, again, if you're on the fringe of that line, as Joe
2 mentioned earlier, we might already know you're not in, but
3 we still wanted to notify you anyway so that when all the
4 neighbors were talking about what was going on, you had good
5 information as well.

6 The length of this drain is actually fairly
7 impressive. We're looking at 12,700 feet of storm sewer.
8 That's almost 2.4 miles of pipe network that is woven through
9 the neighborhood. And we'll look at a map here in a minute,
10 but that's pretty significant. For a relatively small area,
11 that's a fair amount of pipe.

12 Again this existing drain, for those of you that
13 have served on boards before, Joe Bush has open drains, which
14 are streams, and enclosed drains, which are tiles, or storm
15 sewers. And in this case we're working on a storm sewer, or
16 talking about a storm sewer.

17 The land use in this particular watershed is
18 residential 100 percent of the area. Maybe a touch of
19 industrial on the southwest side, but again, we're looking at
20 residential area.

21 So finally we get to the map, and on your way in,
22 and feel free to get up and grab one if you'd like, if you
23 didn't see them. But we have a map similar to this on the
24 table there if you'd like to look a little bit closer,
25 because I realize the screen might be a little bit hard to

1 see.

2 But the blue lines that you see on the map there
3 are all existing storm sewers within this area. And the ones
4 that we highlighted in red would be the system that we're
5 talking about today to potentially establish.

6 And in general, the system all flows from a
7 westerly direction to the east.

8 I apologize, Gentlemen, for blocking your view.
9 We'll block Noah's views, because he already knows all this.

10 The storm sewers, again, they converge and follow
11 down and they flow from the west to the east, and they outlet
12 in this particular area here before they travel off to the
13 east.

14 So the summation of this pipe network shown in red
15 is that 12,000 plus feet that we mentioned earlier.

16 So this is the preliminary district boundary line
17 that I spoke of earlier. Anybody that touches this purple
18 line or lives inside of that, would have received a notice of
19 today's meeting. And that is important so that the folks --
20 this is a transparent process. It actually drives some
21 people crazy that there is so many steps in the law that we
22 need to follow to follow through on this process. But it's
23 transparent for a reason and that's so people can understand
24 what's going on.

25 So again 100 percent -- sorry, wrong button. So

1 100 percent storm sewer system here, there is not any open
2 drainage portion of this. And it's all existing as it sits
3 today.

4 Now there has been several requests for maintenance
5 over the years within this area. There are four stars that
6 you see on the map. The majority of those would include
7 sinkholes that the road commission has fixed, or calls have
8 come into Joe's office and he's worked with the township and
9 road commission and Jerry's crews to address.

10 When people think of sinkholes a lot of times you
11 think of these giant visions of massive amount of ground and
12 somebody's whole house dropping in, or someone's car dropping
13 in. In this particular instance, what these would look like
14 is maybe there is a catch basin in a curb line. And so when
15 that water goes down the curb line and it drops into one of
16 those cast iron grates down into the system, maybe a little
17 sinkhole forms around that.

18 And that comes when, you know, a joint might go bad
19 in the pipe network, where the joints connect to a manhole.
20 Sometimes that mortar and that grout can fall out and then
21 you start to see sand and material that gets pulled through
22 that hole. And as that pulls material away, it creates a
23 small little hole at the surface. And obviously those are
24 things we want to repair before somebody parks their car on
25 the curb line and drops a tire in that hole.

1 So I know for sure three out of the four of those
2 are just sinkholes that formed over the years. And again,
3 that's something that we do tend to see in storm sewer
4 networks of this size.

5 There is another star on there that was related to
6 a little bit of excess water. And I didn't speak personally
7 with the landowner, but my understanding is there has been a
8 little bit of a wet issue in the backyard there, some of
9 which may have been addressed, and others have not.

10 So if you're here, and that's you -- okay, I'm
11 seeing a hand raised. I would really encourage you during
12 public comment to come up and provide feedback, so we'll make
13 sure you have a time so you can share your information with
14 the board.

15 The important thing to note here is I'm an outsider
16 looking in. I'm going to emphasize something, Joe, that you
17 mentioned earlier. We haven't surveyed anything. We haven't
18 designed anything. We haven't put anything on paper because
19 we're not even close to that part in the process. This is
20 the very first step of what that might be.

21 And really in this case, I don't anticipate needing
22 to do design, you know. This is more of a televised, or
23 identify any issues that we have in this system, if it's
24 found necessary. The process in this one will be a little
25 bit different, and I'll go over that in a little bit.

1 But televise it, assess any existing conditions of
2 the pipe; if there is any issues, fix them. And if not,
3 we're done. We're not looking at installing this amount of
4 pipe. It's, again, already in the ground.

5 Now this is normally the part of the presentation I
6 really enjoy because it's really exciting. It's like, man,
7 look at this house falling in, which is a terrible thing.
8 But it is more entertaining than this.

9 So this is a picture of the downstream catch basin,
10 and it's facing downstream looking down the pipe. Well, the
11 pipe is under the ground right about here, and it outlets
12 back there, so pretty exciting stuff. We'll see more of the
13 same.

14 You have a branch that goes off to the side here,
15 and another one here.

16 There are a few areas in the system though that I
17 can -- I can blow over the first three or four photos,
18 because they're all the same. It's a pipe underground, it's
19 under pavement.

20 There are two or three locations though that if you
21 look closely at the map, that do cut between homes. There
22 are several spots where we do leave the road right-of-way.
23 It is within the platted easement. So if you look at the
24 plat information, per your plat that established the
25 neighborhood, there are easements on each side of that

1 existing pipe that's there.

2 And that greatly simplifies the process later on.
3 But, in general, almost everything is in the road with the
4 exception of those two or three locations, and this being
5 another one. You can see the catch basin right in the back
6 corner against the fence. And this is the location I
7 mentioned earlier. This came out of one of the inspection
8 reports that the county had and work they had done in the
9 past to look at a drainage issue here.

10 So one of the -- I'll put the lawyer hat on here a
11 little bit, sometimes we have the drain lawyers here to
12 present this. But a lot of folks ask, well what happens if
13 the board today, if you decide that it's not necessary, and
14 that there is nothing that needs to be done.

15 Well if it's a "no" vote for you gentlemen tonight,
16 then there is not going to be a county drain established
17 here. And that means that for all intents and purposes, if a
18 phone call came in, Joe's office can't address that issue.
19 It also means that a new petition cannot be submitted to
20 Joe's office for a period of one year.

21 So I know this is really exciting legal stuff, but
22 if you read the Drain Code like Joe mentioned, he think it's
23 riveting, but if you're having a hard time sleeping at night,
24 grab the County Drain Code and read it. It will knock you
25 out. Super riveting stuff.

1 But if you guys find it's not necessary this
2 evening, we have to wait for a period of one year in order to
3 entertain a new petition.

4 If it is found necessary, the typical process is
5 engineering and final design.

6 Again, in this case, unless we hear public comment
7 that there is issues or concerns that we don't know about
8 today, you know, we don't anticipate needing to do a lot of
9 engineering and final design.

10 And that's important that we haven't done that yet.
11 A lot of people again with the Drain Code they complain about
12 that process. You want to know the answers, you want to know
13 how much it's going to cost. I'm a taxpayer too, I get it, I
14 have four boys that I feed and I understand.

15 Unfortunately, we don't have that information. And
16 the reason we don't, because if Noah and I spent days out
17 here analyzing every little rock, crook and cranny, that
18 costs money. And then if we get to this point in the process
19 and these folks vote no, well now we have all these dollars
20 to expend.

21 I mean at this point we just have a windshield tour
22 for you guys to have a basic idea what's going on in the
23 district. And I would encourage you, again, during public
24 comment if there is drainage issues that you know of or are
25 aware of in the neighborhood that you live in, please let us

1 know. Because if there is a problem, and we don't know about
2 it, then we can't fix it, okay?

3 So enough beating on that dead horse.

4 Property acquisition and easements, again, I don't
5 see that as being a big issue on this one. We don't -- we
6 don't need additional easements, if we're not putting pipes
7 in the ground that's outside the road right-of-way. And if
8 we identify an issue in the plated easement, there is a
9 chance we could work on it with the easement we have on the
10 books.

11 So from that standpoint I don't anticipate a lot of
12 effort related to that. Same with permitting, we're in a
13 storm sewer system, it's in a neighborhood. We're not
14 impacting wetlands, we're not working on streams, so
15 permitting is a no-brainer on this one.

16 Bidding, we'll see. We might not even have a
17 project. We've had projects like this before where they're
18 found necessary as an orphan, we put a camera up the pipe and
19 televise them. If there is nothing that needs to be
20 addressed, project over. And we have a baseline set for
21 Joe's office, and if something arises in the future, we can
22 take care of it.

23 So at the end of this entire process, again, if it
24 is found necessary, the next notice that you will receive as
25 the public would be a notice for Day of Review. And if you

1 have tuned me out to now, now is a good time to pay
2 attention.

3 The Day of Review is a Day of Review of
4 Apportionment. And a lot of people might say, how do you not
5 know how much this is going to cost? Again, we don't even
6 know what we're doing yet. We haven't gotten that far in the
7 process.

8 By the time we get to the Day of Review, that is
9 your chance to come to the drain office and meet with the
10 Water Resources staff and see, okay, what was the total cost?
11 How did it get apportioned, who is paying how much, and that
12 sort of thing.

13 Now you're in a unique set of circumstances here
14 because I know in Georgetown Township, historically,
15 sometimes they paid a significant part of the cost of these
16 repairs. I wouldn't be surprised, and I don't know for sure,
17 but the sinkholes that have been repaired in the past have
18 probably either been paid for by Georgetown or the road
19 commission and things like that.

20 So when it comes to the Day of Review, who pays?
21 Generally speaking the municipality pays a portion. So in
22 this case it would be the township, the road commission pays
23 a portion because of the benefit to the roads that are in the
24 area. And then the rest of it falls back on the landowners.

25 If we were here on a highway or railroad track,

1 that would bring in MDOT or the railroad companies. But in
2 this case you're looking at the municipalities, and again the
3 county road commission.

4 And then if there is any construction at that
5 point, or any minor repairs that need to be made at that
6 point, we could implement those.

7 And so with that, I don't know if I've missed any
8 critical pieces of information, or if the board has any
9 questions.

10 Go ahead head, Ken.

11 BOARD CHAIRPERSON KEN SOUTER: This looks like a
12 fairly new area. When was this area developed to start with?
13 Do you have any idea on when these streets were built?

14 ENGINEER PAUL FORTON: I'm hearing '54, '50, from
15 the crowd. So in the '50s.

16 And it's my understanding, at least in what we know
17 of today there is a lot of concrete pipe, if I'm not
18 mistaken. Again, we don't know the whole system, we haven't
19 looked in every nook and cranny, but if it's concrete pipe,
20 it hasn't rusted out and you're not seeing failures like
21 that, so that's good news.

22 BOARD CHAIRPERSON KEN SOUTER: One other thing, and
23 maybe I missed it, but who petitioned this? Is it the
24 township?

25 UNIDENTIFIED SPEAKER: Yes.

1 BOARD CHAIRPERSON KEN SOUTER: Okay. That makes
2 sense.

3 ENGINEER PAUL FORTON: That particular question,
4 who petitioned, did the township petition? The other avenue,
5 if the township wouldn't have petitioned, landowners can
6 petition as well. So you can circulate a petition for
7 landowners to sign.

8 BOARD CHAIRPERSON KEN SOUTER: Okay. Any
9 questions? Okay.

10 ENGINEER PAUL FORTON: Excellent. What I'm going
11 to do is just go to the next slide. This is a copy of the
12 handout that you might have in the crowd, and, again it
13 matches what you folks have up front.

14 So if there is questions or street names that are
15 brought up, you can see those there.

16 Thank you, guys.

17 BOARD CHAIRPERSON KEN SOUTER: Thank you, Paul.

18 At this point we're going to open the meeting, the
19 public portion of the meeting for public comment. What I'd
20 like to have everybody do that wants to make a comment on
21 this particular issue, state your name and address, and
22 identify whether or not you live in the drainage district as
23 shown there.

24 And at this point I'd like to open this as a public
25 comment time.

1 And I'd like to just start right from the front row
2 there, would you like to make a comment?

3 UNIDENTIFIED SPEAKER: Yes.

4 BOARD CHAIRPERSON KEN SOUTER: Would you please
5 come to the mic and state your name and address?

6 ENGINEER PAUL FORTON: And I've been told, this is
7 Paul Forton for the court reporter, when you come up to the
8 microphone, eat it. Like get very close, treat it like a
9 snow cone that you're going to lick it or eat it.

10 Is that right, Justin? In order for the quality to
11 be good, get really close.

12 MR. BART POLICH: Okay, I think I can broadcast my
13 voice enough.

14 So you guys seem to be deferring cost issues,
15 planning development, but you've spent time, township money,
16 to survey these areas. Okay. You have.

17 Have you looked for erosion? Do you know what the
18 erosion levels are? Do you communicate with the DEQ on
19 something like that? When you have to put something in, a
20 structure that's concrete, why can't you tap into an existing
21 pipe that is already there? You mentioned it was, what, a
22 non-workable -- somebody else owns the pipe. Can you touch
23 that pipe, can you drill into that pipe? Can you put
24 culverts in there so it would drain better?

25 Because what I'm seeing is I live on Lilac Drive so

1 it's funny because my neighbor must have known because he
2 just moved out this last week, that you guys were coming, and
3 he would be here today, I guarantee it.

4 So on those questions, have you talked to DEQ, have
5 you made them aware that there is an issue with watershed,
6 with other issues that are going on? Have you?

7 ENGINEER PAUL FORTON: When -- I didn't catch your
8 name and address at the beginning.

9 BOARD CHAIRPERSON KEN SOUTER: Could you give your
10 name and address?

11 MR. BART POLICH: Bart Polich, 7797 Lilac Drive.

12 ENGINEER PAUL FORTON: Paul Forton for the record.
13 If I may, Board?

14 BOARD CHAIRPERSON KEN SOUTER: I would appreciate
15 you answering that question.

16 ENGINEER PAUL FORTON: But I am a man, and I don't
17 multitask well so we'll see how many of these I can hit.

18 Regarding DEQ, DEQ is Department of Environmental
19 Quality for folks that don't know. They have changed their
20 name recently, it's now the Department of Environment, Great
21 Lakes and Energy. I have to focus really hard on that
22 because for the 19 years of my career, it was always DEQ.

23 So we have not contacted DEQ at all. And the
24 reason for that is we're dealing with a storm sewer, and
25 we're dealing with a storm sewer in a neighborhood.

1 So if we were closer to a wetland, or a stream, or
2 anything that would have an environmental impact, then we
3 would be working with those folks and bringing them in to the
4 equation.

5 MR. BART POLICH: But you do, you do have an issue.
6 You do have an issue with flooding in certain areas. So they
7 should be brought in to do the erosion task, to do everything
8 accordingly to make sure that even though there is
9 (inaudible), you haven't done anything yet, you're just
10 surveying it and trying to figure out which is the best way
11 to go. And you guys are all involved in government, you know
12 how it works.

13 But I just would like, if we're going to move
14 forward on this, depending on these three gentlemen, that
15 everyone is brought into it. Not only to divert costs, let
16 the government try to pay for some of it because it's an old
17 neighborhood, we're talking 1954, you know. But the houses
18 are still there.

19 I've been at that house, I've seen that drain, he's
20 never had any flooding. But that doesn't mean other areas
21 aren't having it, and I'm aware of that.

22 But I just want to point those things out. Let's
23 bring the right people in I think before we have these
24 gentlemen move forward because you really kind of need to
25 know the whole picture before you can pull the plug.

1 ENGINEER PAUL FORTON: Well certainly if it is
2 found necessary, and we are in need of -- I work with EGLE
3 almost daily. So a lot of my -- I'm a water resources guy.
4 I do a lot with trout stream restoration, habitat, I totally
5 understand that world and we work with them daily.

6 So if the project is found necessary and we need to
7 bring them in, we will.

8 But again -- and as far as erosion, maybe there is
9 some in the rear lots. If there is, let us know, because
10 we'd like to stop that sediment from entering the pipe and
11 proceeding downstream.

12 But, you know, as far as -- I know you mentioned
13 surveying. We haven't had a survey crew out here, I don't
14 know any of the elevations. We're not that far.

15 The reason for that, again, is we're not here to
16 decide the scope of the project, because we don't have enough
17 information to do that. It would be like, okay, Joe, you're
18 going to have surgery, and I know that that arm is broken,
19 but I don't know what's going on. Like we haven't taken an
20 x-ray of it to know what's going on, or a CT scan to know
21 what's going on inside of you, but you're going to have
22 surgery.

23 Nope, the process, right, wrong or indifferent, is
24 it necessary or not to proceed forward. And then after that,
25 if it is found necessary, a lot of folks, this is a good

1 question, what is the scope of the project. That's really
2 determined by this elected official right here (indicating).

3 And so, but again, I'm not seeing this. Unless
4 there is an unforeseen drainage issue that we hear about
5 tonight, I don't see putting in thousands of feet of pipe.
6 The pipe is already there.

7 MR. BART POLICH: But talking 2.4 miles of pipe.

8 ENGINEER PAUL FORTON: But it's already in. And
9 three or four sinkholes since 1956 is pretty good.

10 MR. BART POLICH: And how come the oldest
11 neighborhood gets that first? Do we have any other
12 neighborhoods that you're considering that are past
13 (inaudible).

14 ENGINEER PAUL FORTON: So that's an interesting
15 question.

16 Again Paul Forton for the record and the court
17 reporter.

18 So the reason -- and there is one thing I meant to
19 touch on and I think Joe briefly mentioned it, and that is
20 we've labeled this the Lilac Drain.

21 MR. BART POLICH: That's my street.

22 ENGINEER PAUL FORTON: And there are people that
23 say, "I don't live on the Lilac Drain, why am I even in
24 this?"

25 And I apologize for not touching on that. We're

1 really creative in the drain world. One of the first
2 complaints came in on Lilac Court, so you know what they
3 dubbed it for the paperwork? The Lilac Drain.

4 And then what we do when we look at that is we look
5 at the whole storm sewer system. So you mentioned why aren't
6 we looking at some of the other neighbors around. Really
7 we're only looking at the portion of storm sewer that is all
8 interconnected that drains this portion of the neighborhood.

9 And you do, you got folks on Parkwood and Fruitwood
10 that are west of that line, but their water drains through
11 systems going in other directions. They don't drain through
12 this.

13 And I do want to talk about costs for a second
14 because I kind of glazed over this one a little bit, and I
15 didn't mean to.

16 MR. BART POLICH: Thank you.

17 ENGINEER PAUL FORTON: Yes. Who pays for this? I
18 mentioned the road commission pays, the township pays, and
19 the rest fall on the residents. Well what does that mean?
20 That means if a project is found necessary, we'll go back
21 through and clean up this line, because again this is what
22 was over-notified.

23 We just took a quick swing around the neighborhood
24 looking at the storm sewers and said, okay, all of these
25 people will definitely be in, and some of them will not.

1 We'll look back at that, if a project is found necessary, and
2 nail that. And the way we do that is we determine the actual
3 watershed.

4 So when it rains, where that water goes, any water
5 that feeds into this pipe system would be included, and
6 that's the line that would be used is what we call the
7 special assessment district, or the drainage district. Not
8 necessarily this purple line.

9 So if you're inside that purple line, and I'll pick
10 on right here in the southeast corner. If you live right
11 there and you got a letter, and you're saying, "Man, my water
12 goes to the east," we know. We already know. There is
13 another orphan drain right here (indicating). But we wanted
14 to over-notify you. You won't be in the final cost or
15 assessment.

16 Now if you're living on the inside of this line,
17 well on the inside, how much is this going to be? The way
18 that's determined typically is based on how many acres you
19 own. This is quite a melting pot of very similar parcels.
20 And land use, you're all in the same land use so any
21 assessments that would be levied in the future would be, I
22 would assume, fairly similar.

23 And again that's after the township and the road
24 commission have already taken their cut.

25 So I hope I touched on most of your questions. One

1 of them that you mentioned, Bart, was can you come in, can
2 you tap into a pipe, and certainly we can do that. We can
3 tap into the existing infrastructure, if it's found necessary
4 and we're allowed to, or you're allowed to, I guess at this
5 point.

6 Right now he can't. Joe can't send a crew out
7 there and work on things because he doesn't have a
8 right-of-way to do that. And that is a legal part of the
9 process that happens first.

10 UNIDENTIFIED SPEAKER: (Inaudible).

11 ENGINEER PAUL FORTON: So for the record because I
12 know it's far from the mic, what about septic tanks? To my
13 knowledge, I don't think that's an issue here. I don't know.
14 Is there a sanitary sewer that services the neighborhood?

15 UNIDENTIFIED SPEAKER: (Inaudible).

16 ENGINEER PAUL FORTON: It's still on septic. So,
17 you know, as far as septic tanks go, the infrastructure is
18 already in the ground. If we don't need to move it, then
19 we're not going to hit a septic tank. And if we did need to
20 add a pipe or move one around, we would certainly take septic
21 fields into account.

22 Because I have one myself now, I grew up on one
23 most of my entire life, except for a five-year stint where we
24 were on municipal sewer. So we take that into account. But
25 again I don't foresee any issues here.

1 BOARD CHAIRPERSON KEN SOUTER: A little bit of
2 clarification. To me what we're sitting here for is to
3 decide whether or not this whole area comes into the public
4 road -- public drain system. That has got to be the first
5 item to happen before Joe can do anything.

6 At this point, it's just -- it's out there, and an
7 orphan means orphan. And unless you get started, that he can
8 start things, you can't do a lot of things that you were
9 talking about.

10 ENGINEER PAUL FORTON: Right.

11 BOARD CHAIRPERSON KEN SOUTER: Is really basically
12 what it amounts to.

13 ENGINEER PAUL FORTON: That's a safe assumption.

14 UNIDENTIFIED SPEAKER: (Inaudible) erosion --

15 BOARD CHAIRPERSON KEN SOUTER: Well there is no
16 question, that will happen immediately. There isn't anybody
17 that's into more erosion control than this man sitting right
18 here, because he's dealing with it all the time.

19 So to me, the item that really is critical here is
20 the township says, we petitioned to get this into a public
21 system. And once it's in a public system, then Joe can
22 actually do the work, look at the drains, look at the
23 erosion, look at whose got a problem, that sort of thing.

24 But at this point, Joe is hamstrung, everybody is
25 hamstrung because nobody wants to spend -- or can spend money

1 on it without this happening.

2 Am I correct?

3 UNIDENTIFIED SPEAKER: (Inaudible).

4 ENGINEER PAUL FORTON: We're going to need them to
5 come to the mic.

6 BOARD CHAIRPERSON KEN SOUTER: Can you come to the
7 mic, if you've got a question? I appreciate it. Name and
8 address. All the good stuff.

9 MR. GEORGE ASHTON: I'm George Ashton, I live on
10 New Castle Drive.

11 BOARD CHAIRPERSON KEN SOUTER: Okay.

12 MR. GEORGE ASHTON: What jurisdiction is the
13 drainage system under now?

14 BOARD CHAIRPERSON KEN SOUTER: Nobody's.

15 MR. GEORGE ASHTON: How could that be if it's in
16 Georgetown Township and Ottawa County, how can nobody have
17 ownership of it?

18 BOARD CHAIRPERSON KEN SOUTER: It was built, but
19 never taken over by the drain commissioner.

20 MR. GEORGE ASHTON: But at the time of the
21 development --

22 BOARD CHAIRPERSON KEN SOUTER: The developer came
23 in and he built the subdivision, the roadways and the
24 drainage were basically reviewed and approved.

25 The roads were taken over by the road commission as

1 a public -- they do it every year. They take the roads that
2 were built and approved into the road system. They did this.

3 The only thing that happened -- that didn't happen
4 is the drain commissioner didn't take it into his system. So
5 they were all built --

6 MR. GEORGE ASHTON: The drain commissioner didn't
7 do what?

8 BOARD CHAIRPERSON KEN SOUTER: Did not take it into
9 his public system. That's the only thing that's -- it's a
10 technicality, I take it, right? It's a technicality that
11 didn't happen. And unless it happens, he can't do anything
12 with it.

13 MR. GEORGE ASHTON: So Georgetown Township has no
14 ownership of it?

15 BOARD CHAIRPERSON KEN SOUTER: Has no more
16 ownership of it than anybody else. The only way --

17 MR. GEORGE ASHTON: So who owns it now?

18 BOARD CHAIRPERSON KEN SOUTER: What's that?

19 MR. GEORGE ASHTON: Who owns it now.

20 BOARD CHAIRPERSON KEN SOUTER: Nobody. It's in the
21 ground -- it was -- it's in the ground. It just officially,
22 that last little minor thing, officially, has not been taken
23 over.

24 Once he takes it over through what we're doing now,
25 he can work on it, it's his. But if this little law --

1 MR. GEORGE ASHTON: Since all the system has been
2 in since 19 -- late '50s, '60s, '70, that all this
3 development happened, and there has not been issues or
4 problems with it until when?

5 BOARD CHAIRPERSON KEN SOUTER: Until somebody all
6 the sudden says, oh, I got a problem, and Joe says I can't do
7 anything about it because it's not mine.

8 MR. GEORGE ASHTON: So it sounds like to me
9 something changed underground and/or there is added volume of
10 runoff that the system can't handle anymore?

11 BOARD CHAIRPERSON KEN SOUTER: That's very
12 possible. But until Spicer can actually go out there and
13 physically look at it and deal with it, he can't do anything
14 with it.

15 So the drain commissioner is hamstring, the
16 township is hamstring, the road commission is hamstring.
17 They can work on something that's underneath the roads, but
18 they can't go out on those easements to do any work out
19 there.

20 So until this is basically taken into Joe's system,
21 nobody can do any work.

22 MR. GEORGE ASHTON: Okay, so --

23 BOARD CHAIRPERSON KEN SOUTER: Nobody can do
24 anything.

25 MR. GEORGE ASHTON: I understand all that, the

1 legalities of who is going to take over ownership.

2 Joe, I would like to see you take over ownership
3 being that's part of the county drain system.

4 It's there now, it's been working. I think we need
5 to find out what's going on or what's changed before we go to
6 the extreme of that, of a whole new system.

7 BOARD CHAIRPERSON KEN SOUTER: I don't think
8 anybody is talking about a new system. I think they're
9 talking about finding out what's wrong with the system.

10 ENGINEER PAUL FORTON: Paul Forton here again for
11 the record. I'm not aware of any issues right now on the
12 system. I'm only aware of four --

13 MR. GEORGE ASHTON: The four stars that you showed.

14 ENGINEER PAUL FORTON: And that stems back to 19 --
15 to 2015. So 2015 to now, there has been a few sinkholes that
16 have surfaced that have been repaired.

17 Again, folks, we are not talking about a full
18 system replacement. We're not seeing grandioso flooding that
19 would lead me to believe the pipes are undersized. Again, we
20 haven't done any engineering, we haven't received the rest of
21 the public comment yet. So we'll see.

22 But right now, there is nothing that would lead us
23 to believe that this is going to be a massive, you know, even
24 \$500,000 project. Let along multimillion dollars enterprise
25 here. That's not what -- today is more administrative

1 related, not necessarily fixing a massive flooding problem.

2 Now I say that, and the next three speakers could
3 all say, well I have flooding, I have flooding, I have
4 flooding, so we'll see.

5 And I do know there is at least one spot, or maybe
6 two, or maybe close together off of Lilac there where maybe
7 we do have an issue. But again this is not -- as far as our
8 traditional projects where we're do doing a major overhaul,
9 this does not appear to be one of those.

10 MR. GEORGE ASHTON: So today's meeting then would
11 be to give jurisdiction to the drain commission, right?

12 BOARD CHAIRPERSON KEN SOUTER: That's correct.

13 MR. GEORGE ASHTON: And I would be for that 100
14 percent. So if somebody has responsibility for it, then we
15 go to the next section, find out where the trouble spots are
16 and we find out it's only Lilac Drive, or Lilac Court, maybe
17 to the east of there because it's not getting to Maple Wood
18 Lake, that's where it drains into?

19 ENGINEER PAUL FORTON: Ultimately to the east and
20 to the north.

21 MR. GEORGE ASHTON: And from there it probably goes
22 to the Grand River, I'm assuming?

23 ENGINEER PAUL FORTON: I believe the answer to that
24 is yes, through the close proximity, but we haven't looked
25 that far. I know somebody mentioned earlier you've been out

1 here surveying, that's a windshield tour, folks. We haven't
2 stomped every foot of this. We don't have a lot of effort
3 into it at this point because we, quite frankly don't want a
4 lot of effort into it at this point in case it's not found
5 necessary.

6 MR. GEORGE ASHTON: So there again my point is the
7 purpose right now, let's get the ownership under somebody.

8 BOARD CHAIRPERSON KEN SOUTER: That's what --

9 MR. GEORGE ASHTON: And let's go from here, and
10 then we'll find out what's going on. If we do need to make
11 improvements in some areas, totally agree 100 percent,
12 understand, I'm sure the homeowners here will be happy, their
13 sinkholes will be fixed, their backyard flooding will be
14 fixed, and it may not affect the people to the west.

15 ENGINEER PAUL FORTON: Right.

16 MR. GEORGE ASHTON: Okay.

17 BOARD CHAIRPERSON KEN SOUTER: Very good. Thank
18 you very much.

19 MR. GEORGE ASHTON: Thank you very much.

20 BOARD CHAIRPERSON KEN SOUTER: Next?

21 MS. SARAH CONANT: Hi. My name is Sarah Conant, I
22 live at 1797 Lilac Court. I'm one of the stars on the map.

23 So I want to thank you all for allowing me to
24 express my concern regarding the orphan drain that partially
25 resides on my property at 1796 Lilac Court.

1 First and foremost, I would like to mention that my
2 neighbor, Diane Fox, who cannot be here today, also has the
3 same orphan drain on her property line. And she would like
4 to inform everyone that the drain has not been maintained in
5 the 45 years that she has resided at the home. And also that
6 that most recently her yard has been filling up with standing
7 water during the storms, but she has not experienced any
8 flooding.

9 However, my family has a different experience with
10 the orphan drain. On July 29th, 2023, our home was flooded
11 because the orphan drain was clogged with a large, dead
12 raccoon that had come from the pipe that was linked to the
13 drain that carries water from the main road into the orphan
14 drain.

15 We suffered thousands of dollars in damage, and our
16 insurance company denied our claim because the water damage
17 came from outside, and not from a drain inside our home. I
18 have a copy of the denial letter here.

19 We immediately went to the township for support and
20 a solution for the flooding incident.

21 Joel Hanenburg, sorry if I'm not getting your name,
22 kindly removed the large carcass, which we appreciate
23 (inaudible) into our family.

24 Sadly, we experienced another flooding episode,
25 however smaller, on April 19th, 2024, during a rain storm.

1 My husband, who was trying to prevent our home from flooding
2 and had no choice but to clean the drain out with our
3 children's help.

4 Two of our five children would like to speak about
5 their experience and the cleaning of this orphan drain.
6 They're here today, and they're sitting behind me.

7 I would like to emphasize that my husband is immune
8 compromised due to an auto-immune disease, which he takes
9 medicine to suppress his immune system. And I feel it should
10 not be his responsibility for managing this drain.

11 This drain benefits the residents of Georgetown
12 Township, as the water is coming from the main pipes, off the
13 main road.

14 As a mother, a grandmother, a nurse, and a
15 taxpayer, on my family's behalf, we request that the
16 township, or road commission, maintain this orphan drain for
17 the safety of our family and our home. Thank you.

18 BOARD CHAIRPERSON KEN SOUTER: Thank you.

19 MR. JIM CONANT: Hello, my name is Jim Conant.
20 And I live at 1796 Lilac Court.

21 There is a water drain that is located on our
22 property, and recently my father, brother and I had to spend
23 several hours to cleaning it up. The drain is filled with
24 leaves and mud and what looks like feces. I do not believe
25 that it should be our family's responsibility to maintain

1 this drain, since the water is coming in from a large pipe.
2 I feel that it should be the responsibility of all the
3 residents of Georgetown Township. Thank you.

4 BOARD CHAIRPERSON KEN SOUTER: Thank you.

5 MR. JOSIAH CONANT: Hello, my name is Josiah
6 Conant, and I live at 1796 Lilac Court.

7 There is a water drain that is located on our
8 property line. I too had to help my family clean up. I
9 don't think it should be my dad's or family's responsibility
10 to maintain this drain, since we are taxpayers, all of the
11 people that benefit from the drain should clean it up. Thank
12 you.

13 BOARD CHAIRPERSON KEN SOUTER: Thank you. Okay.

14 We're going to go out --

15 ROAD COMMISSION JERRY OLMAN: This is Jerry Olman
16 with the road commission. With this being an orphan system,
17 under a public road, the road commission would be in favor of
18 having the Water Resources Commission take it over for -- so
19 there is a mechanism for repairs when it does come up.

20 And I did talk to our district supervisor that
21 covers this area, and he mentioned the same thing that Paul
22 mentioned, just a couple of minor sinkholes that needed
23 repaired over the years.

24 So considering the age of the system it's held up
25 pretty well. So kudos to the contractor that installed it.

1 BOARD CHAIRPERSON KEN SOUTER: Thanks, Jerry.

2 Thank you.

3 Next?

4 MS. THELMA KUNNEN: I live at 1638 Broadview Drive.

5 Here is a copy of the plat, you can see all the easements

6 since 1964.

7 About five years ago we got a letter from the
8 township that we had to pick up sewer because we were
9 polluting Maple Wood Lake, apparently our water is all going
10 down there. Now we got a letter that we got this drain back
11 here. How many drains are coming from Broadview Drive way
12 down to Maple Wood Lake and we're going this way?

13 BOARD CHAIRPERSON KEN SOUTER: I don't have the
14 slightest idea.

15 MS. THELMA KUNNEN: And I talked with the
16 engineering office, and when these plans were being
17 developed, the township had engineers, and he had to approve
18 the plans. I don't have records from '64. I know I think at
19 one time it was (inaudible). So maybe the drain was not put
20 in right originally.

21 BOARD CHAIRPERSON KEN SOUTER: It's worked pretty
22 good.

23 MS. THELMA KUNNEN: That's my spiel for the night.
24 (Inaudible) we live on Broadview and our water goes down the
25 hill, it does not go that way (indicating.)

1 BOARD CHAIRPERSON KEN SOUTER: We'll look.

2 MS. THELMA KUNNEN: Please remove lot 47 from your
3 drainage.

4 ENGINEER PAUL FORTON: Ma'am, did you say 1684
5 Broadview, and what was your name again? Thelma? Thelma,
6 thank you. (Inaudible).

7 BOARD CHAIRPERSON KEN SOUTER: Okay, next? Anybody
8 else?

9 MS. SHERRY MIEDEMA: I can ask all my questions in
10 three minutes, but depends on how long your answers are, it
11 might go over.

12 Maybe I missed it, but did you circulate the actual
13 petition to anybody? I didn't see it here. Like what it
14 asked for?

15 GEORGETOWN TOWNSHIP SUPERINTENDENT ROB BLITCHOK:
16 This is Rob Blitchok, Georgetown Township Manger.

17 We did the petition as opposed to the residents.

18 MS. SHERRY MIEDEMA: But there was no copy of it
19 out here? Like, I never saw it, what the petition language
20 was. Is that something --

21 GEORGETOWN TOWNSHIP SUPERINTENDENT ROB BLITCHOK:
22 It was posted and sent to Mr. Bush.

23 MS. SHERRY MIEDEMA: Okay. Well the language is a
24 little confusing on the letter because it said, you are going
25 to decide on the location, establishment, and construction of

1 the drain for the public health, convenience or welfare. But
2 it didn't say public health, convenience, or welfare of who.
3 It's kind of an open-ended sentence. And then I didn't have
4 the petition to see what it said.

5 But I'm also hearing some conflicting information
6 about the drain is already there, but I heard you say,
7 construction of a new drain, and then I heard again, the old
8 drain is there, we're not putting in all the new drain. Can
9 somebody clarify?

10 ENGINEER PAUL FORTON: If I may, I might be able to
11 set some clarity on this one, but we'll see.

12 So that language is coming right out of the Drain
13 Code, so the convenience, health, and welfare for the public,
14 for public convenience, health, and welfare. And in that
15 language it also many times would include installing new
16 infrastructure, adding a branch to a system, extending it
17 upstream or downstream.

18 So the references that are made to new
19 infrastructure, if there is an area, for example, that we
20 need to slip in and provide additional drainage for, that
21 might require new pipe.

22 It sounds like we have an issue in the back of
23 Lilac Court where the pipe is already there, but it sounds
24 like it's been sealed off with sediment, leaves, debris and
25 what not.

1 So again, maybe we don't need a new pipe there.
2 Maybe it simply needs to, we can jet that out and clean it.

3 And so basically, that legalese is written to give
4 Joe's office the greatest flexibility for maintaining the
5 system, in this case, that's already there, or adding to it
6 if need be, if that makes sense.

7 So that's kind of -- right now, again, from what
8 I'm hearing, the one problem that we've had, the biggest one
9 unfortunately, revolved around a dead raccoon that probably
10 bloating the pipe shut presumably, or sealed over the basin,
11 and kudos to the folks that removed that.

12 But, again, there is already existing
13 infrastructure there, so does it just need to be cleaned and
14 repaired? I think the comment was mentioned that the
15 neighbor had, they had been there for a long time and had
16 never seen maintenance done.

17 So, you know, it just might be time for a system
18 clean out and that could be it.

19 MS. SHERRY MIEDEMA: I should have mentioned that
20 my name is Sherry Miedema and I live on Engelhurst Court so I
21 am in the vicinity of that.

22 So I am all for making a decision that somebody
23 needs to be -- to correct the oversight from years ago to be
24 responsible for it. I'm not in support of asking them to
25 decide on, as your language says, location, establishment and

1 construction of a drain, when we don't have any information.

2 ENGINEER PAUL FORTON: And again, the good news on
3 that, and definitely that will not be decided by these
4 gentlemen. Again, they decide the --

5 BOARD CHAIRPERSON KEN SOUTER: We can't decide
6 that.

7 ENGINEER PAUL FORTON: If it's yes, then he decides
8 the wear based on (indicating), he being again for the
9 record, I forget the court reporter is not here, but Joe
10 Bush's office then would determine where that new
11 infrastructure would be working with landowners based on the
12 comments and testimony that we receive today.

13 MS. SHERRY MIEDEMA: So you're not going to ask him
14 to make a decision on what the letter says?

15 ENGINEER PAUL FORTON: There will be two motions
16 later, at least one, potentially two, is it conducive to the
17 convenience, public health, and welfare; and again I'm trying
18 to put a lawyer hat on.

19 MS. SHERRY MIEDEMA: (Inaudible) what's conducive
20 to what.

21 ENGINEER PAUL FORTON: Is finding this project
22 necessary, which again, the project could just be the
23 administrative process of putting it under Joe's jurisdiction
24 so --

25 MS. SHERRY MIEDEMA: So they have to vote on a

1 project where they don't know what the project entails.

2 ENGINEER PAUL FORTON: This is really crazy but the
3 answer to that question is, yes. They don't decide the
4 scope. They just say, does something need to be here. And I
5 know this is nuts.

6 I'm not a lawyer, I'm an engineer, I deal with dirt
7 and water.

8 MS. SHERRY MIEDEMA: Well I'm not in support of the
9 second part of that. I'm in support of the other.

10 ENGINEER PAUL FORTON: I understand the confusion.

11 MS. SHERRY MIEDEMA: So I think you might have
12 answered one of my questions. It's under the roads but also
13 under the yards in some cases, right?

14 ENGINEER PAUL FORTON: Yes. It's primarily under
15 the roads, but it does go between several homes occasionally,
16 and then that pipe is underneath the yards, correct.
17 Typically on the property line, if I'm not mistaken.

18 MS. SHERRY MIEDEMA: And on Engelhurst Court we all
19 have septic tanks on our cul-de-sac. And you probably can't
20 answer this question, and it will be more of a township
21 question, but last year, or a couple years ago, I asked them
22 when they were having some of my neighbors around the corner
23 hookup to sewer, are you going to be coming, knocking on our
24 door on the cul-de-sac?

25 And they said the only way we would do that is if

1 we had to tear up the road for something, then perhaps we
2 would.

3 If you have to construct a new drain, will you be
4 tearing up my road?

5 ENGINEER PAUL FORTON: Paul Forton for the record,
6 I'll play the lawyer hand here and say it depends.

7 If we identify a section of pipe that is failing
8 underneath the road, then chances are very good that would
9 get replaced as a part of this project.

10 And at that time -- I can understand the answer to
11 that because it makes sense, why tear up the road now to put
12 in a sanitary sewer, and have all the expense of repaving and
13 restoring the road and what not, when maybe it isn't
14 necessarily critical enough to need it now.

15 But if we were there working on a storm sewer and
16 the road is ripped up anyway, I know there is a lot of
17 municipalities, Grand Rapids, and all over the state right
18 now, the cost of that, the tearing up of the road and
19 rebuilding it, take care of everything that's under that road
20 now because it's the most efficient way.

21 There is nothing worse than repairing something
22 under the road and a year later you're in there fixing a
23 water main or sanitary sewer issue.

24 MS. SHERRY MIEDEMA: So whose decision is that?
25 Let's say they have to tear it up for the drain. Is it the

1 township's decision if they would come back and say, all
2 right, guess what guys, we're tearing up the road, so we're
3 going to make you hookup to sewer now?

4 GEORGETOWN TOWNSHIP SUPERINTENDENT ROB BLITCHOK:
5 This is Rob Blitchok, superintendent for Georgetown.

6 The answer is I can't answer that at this point.
7 It would be in the end, if it came to it, a township board
8 decision. But again, none of that is in the thought process
9 here. It's just to establish the drain district so we can at
10 least look at things, and that's the best answer I can give
11 you.

12 MS. SHERRY MIEDEMA: Okay. And this would benefit
13 how many people?

14 ENGINEER PAUL FORTON: Approximately 350 to 400,
15 somewhere in there.

16 MS. SHERRY MIEDEMA: So the whole township wouldn't
17 benefit by having --

18 ENGINEER PAUL FORTON: Great question. Again, Paul
19 Forton for the record.

20 The whole township does benefit, and the reason I
21 say that, if a community isn't healthy and things aren't
22 being taken care of well, then the entire community gets
23 dragged down because of that, right?

24 So because of that very point, municipalities are
25 subject to a percentage of the cost. And that's the exact

1 reason why. The road commission --

2 MS. SHERRY MIEDEMA: Are those percentages decided
3 ahead of time?

4 ENGINEER PAUL FORTON: Those percentages are
5 determined after all the costs of the project are determined,
6 and it's based on derived benefit.

7 And so, for example, if -- an example would be if
8 we replaced a small section of storm sewer somewhere
9 underneath the road, and the road commission, Jerry said,
10 "man, the rest of this road all the way to the end of the
11 cul-de-sac is alligatored and it's in terrible shape. Mr.
12 Bush, while you're doing this project and replacing this 50
13 feet, can I pay more money to extend and have this repaved as
14 a part of your project as well. It would be more efficient
15 for the taxpayers and everybody would win."

16 And then the county might be liable for a higher
17 percentage of the project because they have more derived
18 benefit, if that makes sense.

19 But until we know what is done, where it's done,
20 and how it all plays out, we don't know who has the highest
21 derived benefit. So it's very difficult at this point until
22 final design is made to know who received the most benefits,
23 if that makes sense.

24 MS. SHERRY MIEDEMA: Okay, I would just like to
25 mention I agree with Ms. Conant that if it's something that

1 benefits the whole township, then it shouldn't be assessed,
2 the public portion, to just the people in that district.
3 Thank you.

4 BOARD CHAIRPERSON KEN SOUTER: Thank you. Anybody
5 else out there wish to make a comment that hasn't been made
6 before?

7 Name and address.

8 MR. PAT MAHONEY: My name is Pat Mahoney, I live at
9 1756 Lilac Court, just east of Sarah there.

10 And I just wanted to say that I think it makes
11 sense that we are included and we are able to maintain the
12 drainage. If it was (inaudible) or fire protection, I don't
13 think there would even be a debate that it would be good to
14 be included in that. So thank you.

15 BOARD CHAIRPERSON KEN SOUTER: Thank you, take
16 care.

17 If everybody has had their say, I'm going to -- oh.

18 MS. JILL SCHROTENBOER: Hi, I'm Jill Schrottenboer.
19 I live at 7979 Engelhurst.

20 So if we're in the red, and maybe it doesn't -- the
21 red is who you're saying it actually affects, is that
22 correct?

23 ENGINEER PAUL FORTON: The red is actually located
24 pipe that we believe is there based off of the plated
25 drawings that we have seen.

1 MS. JILL SCHROTENBOER: Okay, so if you have maybe
2 a couple houses on that Ransom Avenue that are affected, the
3 cost goes to everybody, is that correct? Regardless if we're
4 having effect?

5 ENGINEER PAUL FORTON: Again, it depends, and this
6 is where -- this would be Joe's decision on the percentage of
7 if all the work is done on one isolated area, then perhaps it
8 would be faced with a higher percentage. If all the work is
9 done in one isolated area, and it's a small amount of the
10 cost, the township might say, hey, we'll foot the bill, this
11 isn't even worth assessing the residents, which has happened
12 in the past in this township.

13 So it really depends. But those percentages are
14 completely determined by Joe.

15 And, again, the law says derived benefit for what
16 it's worth.

17 MS. JILL SCHROTENBOER: So what -- okay. We, for
18 example, are not having any issues on our property. I can
19 sympathize or empathize with those individuals that are
20 having issues, but what happens if this stays an orphan
21 drain, what does that mean then?

22 BOARD CHAIRPERSON KEN SOUTER: Nobody can do any
23 work.

24 MS. JILL SCHROTENBOER: What would make it so that
25 the petition doesn't go through? Okay, I guess I'm confused

1 in my mind.

2 So if the petition goes through, basically that
3 then gives you, as the road commission -- not the road
4 commission, but the drainage commission, authority then to
5 come there and do what work needs to be done, and we don't
6 have a say any longer as to whether or not this, we're
7 opposed or agreed or --

8 ENGINEER PAUL FORTON: Okay. So this is fun, guys,
9 and I love all the questions because this is what gives
10 people good information. We're going to keep diving into the
11 layers of the onion to flush out some of these answers.

12 A comment you made, if Joe has jurisdiction in his
13 office, can he just spend uncontrollably without you folks
14 knowing.

15 And I guess the answer to that quite frankly is,
16 no, in the future. So like if this is established as a
17 county drain, and I guess the way I see this going, is right
18 now, if he picks a few small little issues, even if we find
19 any and cleans them out, and we have our project. And we
20 talked about that Day of Review, I talked about to say, hey,
21 if you received this notice, look for that in the mail, once
22 this process is complete. I guess the question I would have
23 in your shoes is how much money can this man spend without me
24 knowing about it (indicating).

25 I'm just going to -- you know. And diving into the

1 layers of the onion, the law says that Joe can spend \$5,000
2 per mile of county drain, and of course it's the government
3 so they round up, so I believe this is around 2 1/2 miles.
4 So there would be three maintenance miles, is what we would
5 call them, that he could spend, the way the law is written
6 right now, 5,000 a mile, three miles, he could spend 15 grand
7 a year on maintenance to clean things up and fix issues that
8 arise, without sending out a notice of a change of
9 apportionment or cost.

10 And those maintenance dollars would be assessed
11 based on the same percentage that presumably this petition
12 project would be done for. Okay?

13 And the reason that that's important is if Joe has
14 got a small maintenance item you don't want to go through the
15 expense of this whole process just to clean out a catch basin
16 and get a dead raccoon out, in this case, for example.

17 Now, that being said, the law is written the way it
18 is so that if for some reason there were a major issue and
19 all the pipe was failing and it all needed to be replaced,
20 there would be another one of these, another Board of
21 Determination, and you would receive a letter in the mail.
22 And it's part of that transparent process so that you would
23 see that it's coming again, if that makes sense.

24 And I might have -- I think I've answered some of
25 the questions, but I can see in your face --

1 MS. JILL SCHROTENBOER: My concern is the cost,
2 that there are a lot of us, it sounds like, that aren't
3 affected by this.

4 Again, I empathize with those that are having
5 issues, but at the end of the day, do I want to spend \$30,000
6 for an issue that I'm not having? However, my drain is part
7 of this or could be part of this.

8 So I just want to make sure that this doesn't give
9 anybody a rogue reason to just go out and do what they want.

10 Am I making sense like that? I want to be able to
11 have further input to say, hey, wait a minute, let's think
12 about this. As a taxpayer this may cost me more, and maybe
13 not even as a taxpayer, just a small group of us may be
14 affected by this.

15 BOARD SECRETARY MARK BENNETT: Can I just address
16 one issue very quickly here? I'll give you an example of a
17 situation that happens up in Tallmadge Township. I don't
18 know how many of you are familiar with Tallmadge, it's just
19 to the north of us here. On the other side of the Grand
20 River is Tallmadge Township. Now we had an issue with
21 drainage.

22 So we had an issue in Tallmadge Township with
23 drainage. Now it wasn't an orphan drain, it was a drain that
24 was established, and it had significant problems with area
25 residents along Leonard Street. I don't know how many are

1 familiar with Leonard.

2 In any case, a Board of Determination was held. It
3 was determined by a board similar to this that a project
4 needed to go forward. So over the course of the next couple
5 of years we worked directly with Joe's office. And I'm not
6 making a commercial for Joe or his office, but I'm just
7 saying that through the course of that there were several
8 property owners that were being affected.

9 Joe had an engineer come in and assess what would
10 help. And in the course of a couple different meetings it
11 was determined, okay, this is the most reasonable project,
12 and looked at the costs.

13 The costs continued to be paired down a little bit
14 because the projects changed in scope and we got paired down
15 based on what would be the most benefit.

16 So at the end of the day, the township, me and my
17 board voted to take care of two-thirds of the cost, just as
18 an example, I'm not committing Georgetown to that, obviously.
19 The road commission took care of some of the cost, Joe's
20 office took care of some of the costs, and the residents were
21 bore with a hair over 10 percent of the cost.

22 And it amounted to, average wise, a few hundreds
23 bucks, and people could pay it over the course of five to ten
24 years. Five years in this case.

25 I only offer that as an example, not to put any

1 numbers into this, that was when a project was identified and
2 needed to be done to help people with some pretty -- pretty
3 dramatic flooding.

4 This, as we said more than a few times, is just to
5 give jurisdiction to his office, to be able to go to the next
6 step, if needed.

7 I mean -- my background is not really in township
8 government. I've sat on the board for a few years now. I
9 worked in public service all my life.

10 But learning this has been interesting to me. And
11 I had the same exact concerns that you guys, some of you have
12 expressed, when we started talking about it here, oh, my
13 gosh, what's the cost going to be. It really doesn't affect
14 me. And Joe's office takes all that into consideration, they
15 do assessments.

16 And at the end of the day, as Paul said, further
17 meetings and transparency has taken place.

18 I caution you not to put the cart before the horse.
19 He doesn't have the authority to do any of this now because
20 it's orphan drain.

21 MS. JILL SCHROTENBOER: So then I have one more
22 question after that then. So how is it, as a homeowner, how
23 is it paid for? I know you have no idea what needs to be
24 done or anything like that, is it something that goes on
25 taxes or something that we're responsible for a one-time

1 bill, how does that work?

2 ENGINEER PAUL FORTON: Again, Paul Forton with
3 Spicer Group.

4 The way it works from the county standpoint is it
5 does show up in your taxes, your winter taxes. And again,
6 Joe's office -- and the reason he's not speaking in this, he
7 doesn't have a dog in the fight. He's not trying to deflect,
8 or anything. I hope that you realize that too.

9 You're probably just dying to jump in.

10 But to answer your question, it shows up on your
11 winter taxes. If you have a special assessment from a drain
12 office or Water Resources Commissioner, it will show up on
13 your winter taxes, not on your summer taxes.

14 And then the determination will be made at the end
15 of the project, and that's what that Day of Review is all
16 about. The law says we need to tell you what percentage of
17 the cost is yours. That's ridiculous. Who cares what .0516
18 is. How many dollars is this? Do we have that number too?

19 By law we put that on the notice you'll receive
20 before the Day of Review. And depending on what that number
21 is depends on how many years.

22 It was mentioned earlier that sometimes that's
23 spread out over a number of years. On very large petition
24 projects that are a million dollars or more, you can get a
25 20-year bond or a 30-year bond to spread all that out.

1 That is not what we're talking about here today.
2 If it is a one-time thing, and I'm not promising numbers
3 either, but Joe's office is looking at that and says, if this
4 is really going to inhibit a family, or if we're out in the
5 agricultural community, if this is really going to hurt a
6 farmer or put them down, or we have widows on a fixed income,
7 we look at all of that on making a decision on what that
8 assessment is going to be.

9 And if it makes a sense that it's done over one
10 year, get it out in one year and get it done, and we're done.
11 If it makes sense to spread it over two or three or four or
12 five years, then that's how the decision is made.

13 You know, he's in a pretty important seat. When we
14 sit at the voter's ballot, you really got to know who you're
15 voting for, folks. I'm not going to dive into politics
16 coming up for November, but it is. It's very important
17 because there are big decisions made at this level that
18 impact us as taxpayers.

19 But it is all looked at, it is all reviewed, and,
20 man that's a little hot, we can't charge that much per acre
21 or per household, then maybe it's spread out over a number of
22 years.

23 But I don't feel like that's the case. It sounds
24 to me like we need a backyard catch basin and to jet one lead
25 and we're done. But, again, there is a lot we don't know

1 yet. So right now this is a cupcake compared to some of
2 these, I have to be completely honest.

3 MS. JILL SCHROTENBOER: Thank you.

4 BOARD CHAIRPERSON KEN SOUTER: Thank you. I think
5 we got one more gentleman.

6 UNIDENTIFIED SPEAKER: (Inaudible.) What's the
7 worst case scenario? Could we owe 10, 20 grand in the end?
8 That's what my main concern is, I can't afford that.

9 And now, after all this time when this could have
10 been addressed earlier, construction costs are up, everything
11 is up 20 to 40 percent. Where was this years ago, and did it
12 just come up now?

13 ENGINEER PAUL FORTON: I have a question to clarify
14 before an answer is provided. When you say 10 or 20 grand,
15 is that per person?

16 UNIDENTIFIED SPEAKER: Exactly.

17 ENGINEER PAUL FORTON: If you do 20 grand per
18 person and you multiply that by 350 people, that a seven
19 million dollar project.

20 So I can promise you today, and I'm not even a
21 politician (inaudible). Someone will listen to this and say,
22 you said, I know.

23 I can just about guarantee you that there is no way
24 you can turn this into a seven million dollar project.

25 UNIDENTIFIED SPEAKER: But we don't even like

1 5,000.

2 ENGINEER PAUL FORTON: Or even 500.

3 UNIDENTIFIED SPEAKER: It's a no-brainer. It has
4 to be taken over by somebody. Joe seems like a good guy. I
5 have a feeling he'll take care of us, I hope so. We'll take
6 about that later.

7 The thing for me though is once this determination
8 is made, there is no stopping it. You can tell me that it's
9 five million dollars and there is nothing I can say. What's
10 to keep that cost in check? Will there be dibs? Is this
11 just something some guy is going to do?

12 ENGINEER PAUL FORTON: Great question. There is a
13 lot of if's here. If it were a larger project, the law
14 requires that Joe's office puts that out for a public bid,
15 and there are pages and pages and pages in the law on how we
16 need to notify and allow for that to happen. There are
17 articles that are forced to be put in the paper, there are
18 also postings that you put on the website, because not
19 everybody gets a newspaper anymore. So there is a lot of
20 transparency related to that.

21 When you said 10 or 20,000, initially I was
22 thinking --

23 BOARD CHAIRPERSON KEN SOUTER: We could go that.

24 ENGINEER PAUL FORTON: It might be 10 or 20
25 thousand total, and that's why I asked per household. And

1 I'm not even saying it's going to be that high, this is not
2 one of the larger petition projects I've seen.

3 Again, we don't know everything yet. And you're
4 right.

5 UNIDENTIFIED SPEAKER: If you have to replace all
6 the piping just because you have to, then you're not sure.

7 ENGINEER PAUL FORTON: If we get a camera in those
8 pipes and they're all quarter cracked and failing, which I
9 would not anticipate with concrete pipes, our old ag clay
10 tiles we find that. But in this area I do not anticipate a
11 full system replacement. That, to me, at this point is just
12 not in the cards.

13 UNIDENTIFIED SPEAKER: I heard that from a car
14 salesman too.

15 ENGINEER PAUL FORTON: I know.

16 UNIDENTIFIED SPEAKER: So that's what scares me.
17 So I'll put my trust in you guys and see how this goes.

18 ENGINEER PAUL FORTON: And at the end of the day,
19 quite frankly, what recourse do you have? As the voters, the
20 only recourse we have is knowing who we are voting for to put
21 in that seat, or any of these seats quite frankly.

22 UNIDENTIFIED SPEAKER: But that's later when we
23 vote --

24 ENGINEER PAUL FORTON: But Joe has a track record
25 too, and I'm not a commercial speaking for Joe. I'm not even

1 an Ottawa County resident, I'm over in Kent County. So it's
2 one of those things where the vote matters, guys. If you
3 don't get to know who you're voting for and trying to figure
4 out that face and what they're about, and then vote
5 accordingly.

6 But really the buck stops -- he's the one that
7 decides the scope of the project, with the help of an
8 engineer whether it's us or another firm designing it. But
9 ultimately the buck stops here (indicating).

10 The only ramification you have is the voting box.

11 UNIDENTIFIED SPEAKER: (Inaudible).

12 BOARD CHAIRPERSON KEN SOUTER: You're right.

13 UNIDENTIFIED SPEAKER: (Inaudible). Well I
14 understand -- I don't know these guys, they might be best
15 friends with the guy who builds the thing, I have no idea,
16 but I'm not going to go there. I'm going to put my faith in
17 Joe.

18 BOARD CHAIRPERSON KEN SOUTER: Okay, if there is no
19 new information we need, I'm going to close the public
20 portion of the hearing.

21 Gentlemen, I'm going to refer to you, what are your
22 thoughts on this?

23 BOARD SECRETARY MARK BENNETT: Well I certainly
24 understand and hear the concerns of the people who took the
25 time out of their day to show up.

1 I commend you for bringing your family, what a
2 great civic lesson for the kids.

3 But I know the chief concern of the people here, as
4 it should be, is, gees, what is this going to cost. Oh, my
5 goodness, I don't want to get a letter in the mail saying I'm
6 going to owe 20 grand.

7 You heard me earlier give examples of the Tallmadge
8 Township experience. Again, not exactly the same situation,
9 but there was a willingness by all people involved to work
10 together. And I don't see that there is anything different
11 here with the folks in Georgetown.

12 What I can tell you is right now, this thing is
13 kind of owned by nobody. Now should it be that way? I don't
14 know. Maybe not. In today's day and age, it probably
15 doesn't happen. But this is owned by nobody. So who takes
16 care of it? That's where we are now. How do we get things
17 done? We talk about costs, but we don't even know if
18 anything has to be done or who would be in charge.

19 Simply to put somebody in charge makes sense.
20 Thank you.

21 BOARD MEMBER STEVE BULTHUIS: Really no further
22 comments from me other than it's just good government and
23 good best practice to bring infrastructure such as this, that
24 currently no one has a responsibility for, under the
25 jurisdiction of some entity who then can proceed forward, a

1 couple of you mentioned that. I certainly agree with that
2 sentiment. That's all I have to say.

3 BOARD CHAIRPERSON KEN SOUTER: I went through this
4 on my own subdivision. We had the same thing happen in our
5 subdivision. 30, 40 years of time things happen, things get
6 broken. Some people are forced to clean out their own drain
7 because of the fact that nobody is there to do it.

8 And to me, having -- having a drain, or having
9 their drain under Joe's supervision, so he can do something,
10 so the lady and her kids don't have to clean out the drain,
11 I'm all for it.

12 This doesn't seem to be that it's going to be a
13 costly drain. I mean the pipe is in there and working.
14 Everything seems like it's being done.

15 So I think there is a vote of necessity, and I'd
16 like to take a vote on whether or not to put this under the
17 jurisdiction of the Ottawa County Drain Commissioner.

18 BOARD SECRETARY MARK BENNETT: Mr. Chair, if I may,
19 I would be in a position to offer a motion, to motion this
20 particular Lilac Drain to be part of the -- or under the
21 jurisdiction of the Water Resources Commissioner. And again
22 the verbiage being the location, establishment and
23 construction of the Lilac Drain, I would offer that it is
24 necessary to be conducive to public health, convenience or
25 welfare.

1 BOARD MEMBER STEVE BULTHUIS I'll support that.

2 BOARD CHAIRPERSON KEN SOUTER: Second?

3 BOARD MEMBER STEVE BULTHUIS I will support that.

4 BOARD CHAIRPERSON KEN SOUTER: It has been moved
5 and seconded to approve this petition.

6 All in favor, say aye.

7 (All Board Members said, "Aye.")

8 BOARD CHAIRPERSON KEN SOUTER: Opposed?

9 Thank you.

10 All right. Joe?

11 WATER RESOURCES COMM. JOE BUSH: Am I still on?

12 BOARD CHAIRPERSON KEN SOUTER: You can talk now.

13 WATER RESOURCES COMM. JOE BUSH: I didn't want to
14 interfere, certainly.

15 Again, there is a process on the agenda, that if
16 somebody wanted to appeal today's necessity, you can appeal
17 to Probate Court, not to my department. But there is a legal
18 process in Drain Code to appeal it through Probate Court. So
19 you can do that.

20 Again for the court reporter, Joe Bush talking.

21 The other part is we can share afterwards any other
22 questions. But again, I just want to highlight a few things,
23 that what I see here is not -- I hear a lot of replacing the
24 pipe and costs and millions and, you know, I've already
25 talked to the township recently, and we work -- they're going

1 to pay for today's hearing, and paying for -- if we have a
2 \$10,000 cost so far, the township will take it and pay for
3 it.

4 So there is no assessments today, or maybe a quick
5 clean out, you know, jetting some pipe from Lilac Court and
6 the sub to another section. If we jet that out, that should
7 only be maybe a couple grand. We'll work with the township.
8 We do that all the time.

9 I work with all 17 townships, and the road
10 commission, and if we can -- we always put it out for bid or
11 maybe work with the DPW. We try to get it as cost efficient
12 and effective as possible, because we don't want to put -- we
13 don't want to put a \$10 assessment out. It costs more to do
14 it than what it's worth.

15 But working with the township, your current
16 township board has been wonderful. I've been doing this for
17 12 years so I've built relationships to make things work. My
18 job is to provide customer service and that's what we do.
19 That's what I'm elected to do.

20 You are going to hold me accountable, I'll be on
21 the ballot box. But I'm on my fourth term, and I love
22 Georgetown Township as much as I love the other 17, and the
23 six cities, and the village I work for.

24 Again, I don't look for a big project. I'll be
25 working with Sarah and maybe some of those concerns over

1 there and try to jet it out, do a clean out, maybe do a
2 camera.

3 I do not see this as a major construction overhaul
4 because it's working just fine. As they say, if it's not
5 broken, don't fix it. I'm not the guy to look to come in and
6 put a new storm sewer in because that would be very costly,
7 and there is no reason for it, because the only flooding
8 issues that we know of are the ones that spoke today, a
9 couple sinkholes. It seems to be working fairly well.

10 I know there has been some erosion concerns, but we
11 have not been aware of those. Nobody is calling. People
12 call me when they have issues. If they're not calling, it
13 must be working pretty well. And maybe Sarah's issue came
14 because, you know, maybe over a matter of not doing
15 maintenance over the years. We get those calls, and we'll
16 fix them.

17 I appreciate everybody's time, I know you've been
18 here for about an hour-and-a-half. I appreciate it. And
19 please, if you have any questions, I'm here to answer any of
20 them. Thank you.

21 UNIDENTIFIED SPEAKER: (Inaudible).

22 WATER RESOURCES COMM. JOE BUSH: The times are
23 always very challenging because I have to appoint three board
24 members, a court recorder, my staff, and try to get my
25 schedule as well, and the township, there is a lot to it.

1 So 4 o'clock is pretty tough, after 5 and 7 people
2 gets sports. I mean I get it from all angles. 4 o'clock is
3 usually the best time because past 5, especially this time of
4 year, everybody's kids are in sports and they can't make it
5 either. So it's hard to find a good time.

6 I try to make it as late as possible, but I do
7 understand it.

8 UNIDENTIFIED SPEAKER: (Inaudible).

9 WATER RESOURCES COMM. JOE BUSH: No, they're not
10 involved at this point.

11 At this point we'll go ahead and close this for the
12 court reporter, and we can talk afterwards.

13 (Board of Determination concluded at 5:32 p.m.)

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