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STATE OF MICHIGAN
COUNTY OF OTTAWA

IN RE: MEADOW GREEN ESTATES #3 DRAIN
BOARD OF DETERMINATION

Proceedings commenced at 10:00 a.m., on Thursday,
November 7, 2019, at the City of Coopersville, 289 Danforth
Street, Coopersville, Michigan, held before Marjorie A.
Covey, CSR-2616, Certified Shorthand Reporter and Notary
Public.

APPEARANCES:

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

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

- Mr. Ryan McEnhill, P.E., Eng. Engineering

1 Coopersville, Michigan

2 November 7, 2019 - 10:00 a.m.

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: Good morning,
5 everyone. It's 10 o'clock so let's go ahead and get this
6 Board of Determination started.

7 I welcome everybody to the city of Coopersville.
8 Everybody can hear me all right?

9 My name is Joe Bush, the Ottawa County Water
10 Resources Commissioner, also known previously as the drain
11 commissioner. Same seat, same office, just a different title
12 name from 2012 when the Board of Commissioners and myself
13 changed the name to Water Resources.

14 Why we're here today is just one of the many, many
15 jobs that this position holds. I am a countywide elected
16 official. So I'm elected, and as part of Drain Code this is
17 one of my jobs to do is to hold these public hearings when I
18 receive a petition.

19 And people are like, what's a petition?

20 Well in Drain Code, in order to hold a public
21 hearing or do an improvement I need to hold a Board of
22 Determination.

23 And some people are like, well what does that
24 consist of? Well that means I have to hold a public hearing
25 in the drain district of where it's kind of located, or at

1 the township hall or a city hall. And I appoint three
2 members all per Drain Code. And these board members do not
3 live in your area, do not live in the city of Coopersville
4 and have no affiliation with your city council or any other
5 boards in this area. And these three gentlemen are appointed
6 by me which is Drain Code which is state law.

7 I received a petition which can come in several
8 types of ways, by the city or township or road commission or
9 MDOT or the people. We've had numerous concerns in this
10 particular area about backyard drainage, flooding, ground --
11 wet ground, the soils are wet. We've had numerous situations
12 where people called in and had a situation that we can't
13 really control because it's not part of my jurisdiction.

14 What does that mean? I don't have easements, it
15 wasn't part of the plat or the development back in, we'll say
16 mid '60s, mid '70s sometimes, even the mid '90s. Sometimes
17 not every plat or subdivision is under my jurisdiction.

18 A lot of municipalities are trying to petition me
19 to establish those, we call them orphan drains. I have no
20 jurisdiction or I have no easements or no rights, by law, to
21 be on people's property to do a fix. And there is no way to
22 pay for it.

23 So the petition that I received on this particular
24 Meadow Green Estates #3, I believe this is one phase that is
25 a part of a plat, the other phases are not. That means I

1 don't have any way to go in there and fix anything.

2 So the petition came from the people. You can get
3 enough signatures, turn them in, and here starts the process.
4 This is all part of the process.

5 So again I appreciate your time this morning. I'll
6 get a couple of these questions out of the way.

7 Do we know a scope or a project or a cost? That's
8 not why we're here today. The Board of Determination is to
9 determine the necessity to put it under my jurisdiction and
10 move forward or not.

11 If this three-panel board says, no, we don't see a
12 need, then it doesn't move forward. If they do, then we'll
13 move forward to see what kind of fixes that we need to do.

14 One of the things that holds me accountable is,
15 when it is a county drain, which I have over a thousand
16 county drains with a minimal staff in Ottawa County, I got
17 the whole county, not just this whole area. I got the whole
18 county, all 17 townships, six cities and a village, I'm only
19 allowed to spend 5,000 per mile per year per drain per Drain
20 Code. So unless I have a resolution from the city or
21 township to spend more, or I have a petition like we have
22 today.

23 But today's petition is to see if this goes under
24 my umbrella of the overall big scope.

25 I have an engineer here who will later down the

1 agenda have a presentation and talk more about maybe why
2 we're here and what he knows.

3 But I don't have a solution and a cost today.
4 People are like, what's it going to cost? I have no idea.
5 Because what happens, if I hire an engineer, accumulate let's
6 say \$20,000 worth of engineering bill, this three-panel board
7 says, Joe, we don't see a necessity to be under your
8 jurisdiction, I got a \$20,000 engineer bill I got to figure
9 out how to pay for. So we don't put the carriage before the
10 horse.

11 So today is a necessity, not a project. We don't
12 have that yet. But we're taking all the people who have been
13 calling about their concerns and complaints and figuring out
14 how we can move forward, but this is why we hold a public
15 hearing. Some of you might have a problem, some of you might
16 not.

17 We find out more about what is wrong out there by
18 holding the public hearing because people -- there is a few
19 things. People don't know who to call; or they call the city
20 and they're like, well we don't know what to do, you got to
21 fix it yourself. That's why I'm here. I'm here to help fix
22 those, but I got to do the process.

23 So that's the number one case, nobody knows who to
24 call and how do you fix it? You got to hire an engineer or a
25 contractor or whatever. But that's -- but we're here today

1 for necessity.

2 And then we can help forward that process and a
3 solution possibly if this three-member board votes yes to
4 make a motion later in the meeting to say yes or no. That's
5 totally up to them. It's not my decision.

6 So being elected this is just one of the processes
7 I have to do in this situation.

8 So I'll do introductions for everybody but I wanted
9 to make sure that everybody is clear that's why we're here,
10 not to vote on a project. It's not a people vote where, you
11 know, we'll just say there is 30 people in here and 20 voted
12 against it. It's these three panel members that vote forward
13 or not to go forward.

14 But we're here today to hear your concerns or your
15 neighbor's concerns because we only know what we know. And
16 the more information they get to make a decision, the better,
17 and the more information we get if we move forward, is even
18 better yet for the engineer.

19 So Ryan McEnhill, speaking of engineers from Eng.
20 who works for 25 to 30 drain commissioners across the state,
21 his company does. He's out of Grand Haven, local engineer
22 and he's been doing these projects for a good number of
23 years, so he understands drainage.

24 And then behind me is Margie. Margie is a court
25 recorder, so when you do speak, and we don't have even a mic,

1 because we don't have the room but just stand up, speak your
2 name, address, and your concern. Speak loudly because
3 everything is word for word.

4 And that's not required by state law but I do that
5 to make sure that I can go back and read the minutes from
6 every BODs. So if you go to miottawa.org, look under Water
7 Recourses Commissioner, everyone of my petitions or Board of
8 Determination meetings are court recorded so I can use them
9 in court if somebody wants to have a question or sue me, or
10 neighbors are saying, hey, I didn't say that, or she said
11 that. It's all court recorded so that's for the benefit of
12 everybody, even the three-panel board.

13 So we'll go from right to left. Rich is from
14 Georgetown Township, he's done a number of these board of
15 determinations.

16 And then Bill Cargo, he's from Grand Haven
17 Township. He is their manager. He's been doing these for
18 quite a few years.

19 And then Ken Souter is from -- he's retired, but
20 worked for the road commission for Ottawa County, I always
21 get this wrong, but nearly 40 years. So he was an engineer
22 there and he understands drainage.

23 The reason I pick these three gentlemen to do a lot
24 of these is because the priority is drainage, right, and
25 drain law. Those two things are very important and crucial

1 to move forward, and these three gentlemen understand that.
2 And they also deal with their own issues with the road
3 commission, Grand Haven Township and Georgetown Township. So
4 that's why we're here.

5 Once I give these three gentlemen the oath --
6 they'll stand up -- they'll stand up and I'll give them the
7 oath, and they'll run the meeting. So any questions are to
8 them and they'll ask the engineer or myself if there is
9 questions that need to be answered.

10 So they'll run the meeting. It's their decision,
11 not mine, to move forward or not.

12 So again I appreciate everybody's time. Some
13 people ask why 10 o'clock in the morning? I get more people
14 to show up at 10 o'clock than I do at night. People are more
15 upset with me if I have them at night. So I try to just do
16 them at 10.

17 You can always write in, do an e-mail, those are
18 always recorded and read here in the public comment time. So
19 if there is -- in the future, you got a BOD, or you know
20 friends that will be or family, and they can't make it,
21 always mail something and it will be read word for word for
22 the court reporter.

23 So again, I appreciate your time. I know it's 10
24 o'clock in the morning and the weather wasn't great. We have
25 a great turn out for this particular Board of Determination

1 so thank you.

2 Gentlemen, please rise. Raise your right hand.

3 Do each of you solemnly swear that you will
4 faithfully perform and discharge the duties imposed upon you
5 as required by law as members of the Board of Determination
6 appointed by the Ottawa County Water Resources Commissioner
7 to determine the necessity for maintenance and improvement
8 for the Meadow Green Estates #3 drain, located in the city of
9 Coopersville, in the said county? Gentlemen?

10 BOARD MEMBER BILL CARGO: I do.

11 BOARD MEMBER KEN SOUTER: I do.

12 BOARD MEMBER RICH VANDER KLOK: I do.

13 WATER RESOURCES COMM. JOE BUSH: Thank you.

14 BOARD MEMBER BILL CARGO: The first thing we need
15 to do is to elect a chairperson and a secretary. Do I have a
16 motion for the chairperson position?

17 BOARD MEMBER RICH VANDER KLOK: I'll make a motion
18 that Bill Cargo serve as chair.

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

20 BOARD MEMBER BILL CARGO: Since there is only three
21 of us, there won't be a lot of discussions. So all in favor
22 say, aye.

23 BOARD MEMBER KEN SOUTER: Aye.

24 BOARD MEMBER BILL CARGO: Aye.

25 BOARD MEMBER RICH VANDER KLOK: Aye.

1 BOARD CHAIRMAN BILL CARGO: And I will serve as
2 chair since it was without objection.

3 Also we need to elect a secretary. Rich, I will
4 make a nomination for you to be secretary.

5 BOARD MEMBER KEN SOUTER: I'll second that.

6 BOARD CHAIRMAN BILL CARGO: Any comments?

7 Then I'll in favor, say aye.

8 BOARD MEMBER KEN SOUTER: Aye.

9 BOARD CHAIRMAN BILL CARGO: Aye.

10 BOARD MEMBER RICH VANDER KLOK: Aye.

11 BOARD CHAIRMAN BILL CARGO: And again it was
12 unanimous.

13 As far as rules of public comment, one of the
14 things that we do is we limit the public comments to three
15 minutes per person. You can summarize War And Peace in three
16 minutes. All we want you to do is to tell us whether you
17 think this is necessary, whether there is any problems.

18 And if you have any questions, we will answer that
19 outside of the three minutes if there is something we need to
20 do.

21 So all in favor of limiting public comments to
22 three minutes per individual, I'll make that motion, do I
23 have support?

24 BOARD MEMBER KEN SOUTER: Support.

25 BOARD SECRETARY RICH VANDER KLOK: I'll agree.

1 BOARD CHAIRMAN BILL CARGO: Okay. We have a motion
2 and support to limit public comments to three minutes. All
3 in favor, say aye.

4 BOARD MEMBER KEN SOUTER: Aye.

5 BOARD CHAIRMAN BILL CARGO: Aye.

6 BOARD SECRETARY RICH VANDER KLOK: Aye.

7 So the public comments will be limited to three
8 minutes per individual.

9 The first thing we want to do is we've talked a
10 little bit about the role and function of the board.
11 Previously Joe gave that information.

12 And so at this time I'm going to ask Ryan to give
13 the engineer's presentation of the issue or issues in front
14 of us.

15 Ryan, do you want to give your slide show at this
16 time?

17 ENGINEER RYAN McENHILL: Sure.

18 Well good morning, everyone. My name is Ryan
19 McEnhill with Eng, I'm a Professional Engineer in the State
20 of Michigan.

21 Our firm has offices in Lansing and Grand Haven. I
22 kind of operate and run out of our Grand Haven office. And
23 as Joe mentioned we work with drain commissioners, water
24 resources commissioners all across the state. So Drain Code
25 and these types of projects are certainly something that we

1 are very familiar with.

2 Joe also went through kind of the overview of the
3 board's role so I won't get into that too much. I will
4 reiterate though that it is at least important not only for
5 the board to hear your public comments, but also for me too
6 because one of the things that we do when this meeting is
7 wrapped up is we get a transcript. We go back and read what
8 your concerns are, so that if a project does happen, that
9 we'll make sure that we're addressing all those concerns.

10 So as Joe mentioned as well we try to keep cost to
11 a minimum up front. We don't want to spend a bunch of money
12 up front, should this board for whatever reason turn the
13 project down. So up front we just do a little bit of
14 research.

15 What we did primarily is review the plat documents,
16 kind of the overall drainage plan, the construction drawings
17 that Ottawa County had on file to see what kind of
18 infrastructure is out there currently, what easements are
19 available.

20 As Joe mentioned, I'll talk about this a little bit
21 later, there is only one phase that was actually dedicated to
22 the Water Resources Commissioner's office, but there were
23 drainage easements granted in other parts of the subdivision.

24 There is just no mechanism for Joe's office to
25 actually go and do work in those areas because the proper

1 paperwork wasn't filed back in the day.

2 So there is easements there, just no mechanism to
3 actually, for his office to go in and do any work, and this
4 process would alleviate that issue as well.

5 We did spend some time out there in the field,
6 there was a staff engineer and also myself going out there
7 and just walking the properties, trying to see what popped
8 out visually that has issues as far as storm water is
9 concerned.

10 And then kind of our goal today is just collect all
11 that data, come to this meeting today, give an unbiased just
12 review of the conditions and report to this Board of
13 Determination to assist them in making a decision today.

14 So one of the things that we did is delineate the
15 district boundary, and so in this particular case we have
16 kind of two major storm systems here. There is this one here
17 that discharges in a 30-inch pipe up to Deer Creek, and then
18 there is one on the west side here as well.

19 What we're trying to do with this boundary is
20 determine the land that drains to those two main systems, and
21 I think incorporates areas actually outside of the plat as
22 well. This storage area, a lot of the land drains into the
23 Meadow Green Estates system and there is some areas over here
24 on the east side and also a little bit over here on the west
25 side that actually gets into these systems as well.

1 So all in all what we do is we use topographic
2 maps. Ottawa County has one-foot contours that really help
3 us to be able to delineate these things. We review culvert
4 inventories from the road commission to see if water can get
5 from one side of the road to the other.

6 So we're actually able to get these pretty darn
7 close with all the technology today.

8 And all in all we have 51 acres in this particular
9 watershed.

10 One thing Joe talked about was the orphan drain
11 system. And if you look on the map that you have, that was
12 with your mailing, so that area in orange, right now that's
13 Meadow Green #3. That's a third phase of this subdivision.
14 That's actually the only plat that went through the proper
15 channels with Ottawa County to get the storm sewer installed,
16 the easements granted and the documentation which we call 425
17 or 433 agreement that dedicates all that infrastructure to
18 Joe's office.

19 So right now he only has the legal authority to do
20 work on that orange part. Our intent with -- and the rest of
21 these areas in yellow on your map, those are all considered
22 orphan drains, so right now there is no mechanism for the
23 city to go in there and fix them.

24 If a pipe were to collapse, I mean essentially it
25 would be either private land owners, if it was in your back

1 yard or you could try to get the city to help you do it.

2 There is not a lot of avenues out there.

3 So this process is very important so when you have
4 public infrastructure there is a public entity that can go in
5 and maintain and improve that should something catastrophic
6 like that happen.

7 So just going over just an overall overview of the
8 system, we're primarily talking about the enclosed drainage
9 systems in the subdivision, two main branches, a lot of rear
10 yard drainage, which I think are probably where a lot of the
11 issues stem from is these rear yard areas.

12 And this storm system was designed for a 10-year
13 event, which is pretty typical. The one thing that concerned
14 me right away is a lot of these rear yard areas, if they do
15 surcharge or buildup, a lot of homes are, could potentially
16 be impacted.

17 And typically we would design a rear yard drainage
18 system for a lot less frequent rain event like a 25-year or
19 hundred-year rain event so those pipes are able to convey
20 more storm water than maybe street drainage because we want
21 to make sure homes are protected.

22 So right now everything in this subdivision is
23 designed for a 10-year occurrence interval.

24 So just Coopersville in general, the soil, mostly
25 silty clay. Probably the biggest reason why there is so much

1 standing water, sponginess, it takes a long, long time once
2 that soil gets saturated to where it can actually dry out.

3 In this particular case, this is from the NRCS soil
4 survey and this is what we use as a tool to see what
5 different kinds of soils are out there. There is a lot of
6 different soil conditions which are summarized over here, but
7 they kind of share the same characteristics.

8 It's mainly silty clay loam out there, shallow
9 depths to the water table, low permeability. All that stuff
10 leads to frequent ponding which I'm sure a lot of you see
11 when you run your lawn mower in the backyard that it's really
12 tough to get through there with all the sponginess.

13 I just wanted to go through a few photos. I know
14 the people mostly, most of the people in the room are
15 familiar with this but for the board as well.

16 This is kind of that lawn mower situation where
17 it's just very wet in the rear yard areas. A lot of that is
18 due to soil conditions.

19 This section here is kind of a natural drainage
20 course, down the middle of the property. That would be
21 located in this general area. Everything flows in this
22 direction and down to Deer Creek. It's kind of overgrown
23 with vegetation.

24 More photos throughout the subdivision just kind of
25 indicating those same types of conditions, standing water. A

1 lot of these rear yard areas have to travel a long distance
2 to get to a subdivision. The clay soils obviously have a big
3 impact on retaining that water and just having it sit there.
4 It was pretty common when we did our field inspections out
5 there.

6 This is actually the upper part near the storage
7 area. This kind of jumped out at us because it wasn't
8 included in the basis of design for the subdivision storm
9 sewer system. So this is an extra input, even though it's
10 kind of a makeshift detention system there it's still
11 discharging more than what this system was originally
12 designed for.

13 And then this is a 30-inch outlet that discharges
14 into Deer Creek. Obviously quite a bit of sediment
15 deposition down there that's being discharged too. There is
16 not any pretreatment of storm water in the Deer Creek.

17 Right now the current standards are obviously a lot
18 different than they were back in the early '90s, pretty much
19 with every system, storm water management plan that comes
20 through the county these days there is always a water quality
21 element that we try to include, and detention as well. So a
22 lot of this system doesn't have either of those elements.

23 And it's something, water quality, most people
24 don't think about that, but I'm sure as a county official Joe
25 would want to protect our waterways and make sure we got

1 clean water going in there. So that's another item we
2 noticed.

3 And then just to reiterate an overall summary we
4 noted that the ten-year design is what things are currently
5 designed for which caused me a little bit of concern
6 especially with the rear yard drainage. And then the soils
7 obviously I think are playing a big impact in the standing
8 water and sponginess that you guys see in your rear yard
9 area.

10 I added this slide because we normally don't talk
11 about solutions at these meetings, we want to make sure that
12 the board finds it necessary before we actually get into
13 solutions.

14 But questions always come up, is there any way you
15 can fix any of this stuff. And we certainly can't go out and
16 removal all the clay soils throughout the subdivision, it's
17 just not financially feasible.

18 But one of the things we do in rear yard soil areas
19 where water is being concentrated is we try to get, you know,
20 within a reasonable distance maybe 20 foot wide, we remove
21 the clay soils, we put in a perforated pipe maybe in a stone,
22 almost like a French drain, if that's something you're
23 familiar with, and build that all the way back up with sand
24 or granular material that can actually infiltrate.

25 So this system -- and get it back vegetative, this

1 system actually allows water to infiltrate where right now
2 these clay soils are not allowing you any of that capability.

3 Look at upgrading some of these rear yard systems
4 to, from a 10-year to a minimum of 25-year rainfall event.

5 And again I look forward to hearing your comments
6 to see exactly what the issues are that you see out there on
7 a daily basis. But that was one thing that we would likely
8 recommend.

9 Review kind of how that off-site drainage is
10 impacting the system that's currently designed for a
11 ten-year, because again it wasn't originally included in the
12 basis of design for this subdivision.

13 And then the last thing was to probably look at
14 some sort of pretreatment mechanism. We want to try to
15 protect Deer Creek if there is something we can do from a
16 pretreatment, obviously there is a lot of roads that generate
17 sand, oils, all that stuff that are being straight discharged
18 into the creek.

19 So those are just some of the solutions that we
20 looked at. Again I don't want to get too much into those but
21 those are some ideas that we came up with.

22 Next steps, obviously public testimony is very
23 important.

24 This board will determine the necessity of the
25 petition. If they find it not necessary, this project is

1 done. Again, the only thing that Ottawa County would have
2 jurisdiction over would continue to just be the storm sewer
3 in the orange areas. All the other stuff in the yellow areas
4 would remain private.

5 If it's found necessary, usually what we do is --
6 then we start getting them to doing some survey work,
7 evaluating what issues you bring to the table today that we
8 should be looking at. I would sit down with Joe and say what
9 do we want the scope of this project to be, and then we get
10 into detailed design.

11 Typically we try to have a scope meeting with you
12 folks again to say this is what we're thinking, we think this
13 is going to solve the issues, but what do you think, are
14 there areas that we're missing. And we try to incorporate
15 all those so we know everybody's issues are at least given
16 attention and hopefully resolved at the end of the day.

17 Depending on what we do, easements may be
18 necessary, permits from the Michigan, formerly DEQ, now EGLE,
19 may be necessary. I think we may be able to avoid that on
20 this particular project, but easements and permits are always
21 something that come into play on these projects.

22 So those are the next steps.

23 If the board has any questions for me, I'm happy to
24 answer them.

25 BOARD CHAIRMAN BILL CARGO: Is this proposed

1 drainage district located within the city of Coopersville?

2 ENGINEER RYAN McENHILL: Entirely.

3 BOARD CHAIRMAN BILL CARGO: So from what I
4 understand because it's an orphan drain we can not spend
5 public monies on it. If you do an assessment, typically some
6 of the assessment would go to the city, some of the
7 assessment would go to the county, some of the assessment
8 might go to the county road commission, that is not an option
9 under the current -- because it is an orphan drain, correct?

10 ENGINEER RYAN McENHILL: Correct.

11 BOARD CHAIRMAN BILL CARGO: Okay. Are there any
12 other questions, Ken, Rich?

13 BOARD MEMBER KEN SOUTER: No, not at this point.

14 BOARD SECRETARY RICH VANDER KLOK: No.

15 BOARD CHAIRMAN BILL CARGO: At this stage I like to
16 ask -- first of all I'd like to ask is there anybody from the
17 city of Coopersville here today that would like to make a
18 comment?

19 Okay. Then I'll take public comment. Because this
20 is a fairly small room and we don't have an audio system
21 hooked up, I'll have you stand where you're at. Please give
22 your name and your address and then you can have any public
23 comments.

24 After your public comments, if you have a question,
25 we will try to respond to those, but we're going to go around

1 this entire room once and give everybody an opportunity to
2 speak.

3 That said, I'll start on my right on the first row,
4 any comments from you?

5 UNKNOWN SPEAKER: Not at this time.

6 BOARD CHAIRMAN BILL CARGO: Well this is your only
7 time. Do you have any comments -- I just want to let you
8 know, we go through this once.

9 The gentleman next to you? If you would stand and
10 give your name and address.

11 MR. JAMES TROWBRIDGE: My name is James Trowbridge.
12 I live at 754 Ridgefield.

13 On the map here, it would be the third lot as you
14 come in from Cleveland from the north on the east side.

15 And one of the slides that you showed earlier had
16 the back of our house. You were actually showing the
17 backyard. It was actually the first one. I don't know if
18 you can go back to that or not. Go back one more, one more
19 again.

20 Okay, on the left is our backyard. That area in
21 the corner that borders with Wayne Adams. And my yard does
22 not drain. In the spring sometimes I think if it freezes, I
23 could put up a sign and allow people to ice skate. It's
24 terrible. There is no drainage, we end up with a problem. I
25 can't mow it.

1 This year was particularly bad because of all of
2 the wet weather that we had.

3 BOARD CHAIRMAN BILL CARGO: Could you turn around
4 because I want you to address your comments to the board if
5 you would.

6 MR. JAMES TROWBRIDGE: Sure.

7 BOARD CHAIRMAN BILL CARGO: It's a conversation
8 between us, not the audience.

9 MR. JAMES TROWBRIDGE: Sure. It's not drainage.
10 The water is not getting out of there and we have to wait
11 sometimes for weeks in the spring. Always we mow in a mud
12 hole.

13 And this year, because of all the wet weather,
14 through -- I'm to the point right now because of heart issues
15 I'm not able to mow my backyard but I hire it done and the
16 people that are mowing the yard have been complaining they
17 can't get on it. It's very difficult to mow, very difficult
18 to deal with. And we just would like to work on figuring out
19 how we can get it to drain.

20 BOARD CHAIRMAN BILL CARGO: I understand. Do you
21 have any infiltration or any issues in your house or basement
22 or are you running sump pumps or do you have any problem with
23 the structure itself?

24 MR. JAMES TROWBRIDGE: I have a sump pump and
25 because we're in clay, if we have a lot of water, I've had

1 the sump pump go off every 30 seconds.

2 BOARD CHAIRMAN BILL CARGO: Okay.

3 BOARD MEMBER KEN SOUTER: Where does that drain to?

4 MR. JAMES TROWBRIDGE: It drains -- it will be to
5 the west of the house, which would be toward Ridgefield
6 Street.

7 BOARD CHAIRMAN BILL CARGO: Okay.

8 MR. JAMES TROWBRIDGE: So it doesn't drain to the
9 back so that's not creating the problem in the back.

10 It seems to me like on my lot, I noticed there was
11 an easement that ran through the center of my backyard from
12 north to south.

13 UNKNOWN SPEAKER: We were told that.

14 MR. JAMES TROWBRIDGE: We were told that. So the
15 water actually runs from the north down the center of my
16 backyard, then curves around. And rather than get to
17 drainage it collects in our backyard and Wayne Adam's
18 backyard and becomes a mud hole every year.

19 BOARD CHAIRMAN BILL CARGO: Okay, I appreciate it.
20 Thank you.

21 BOARD MEMBER KEN SOUTER: Is that shown on the
22 plat?

23 UNKNOWN SPEAKER: This is the area where it all
24 gathers right here. It's all down to the point where it
25 should, but it can't go no further because of a problem right

1 here with this dirt right here being higher than the rest of
2 it. It jams up right there.

3 BOARD CHAIRMAN BILL CARGO: I understand what
4 you're saying. Thank you very much.

5 Next?

6 UNKNOWN SPEAKER: I'm with him.

7 BOARD CHAIRMAN BILL CARGO: I'm going to go to the
8 second row. Lady on the end of the row, any comments?

9 UNKNOWN SPEAKER: No.

10 BOARD CHAIRMAN BILL CARGO: Next to you?

11 UNKNOWN SPEAKER: (Indicating).

12 BOARD CHAIRMAN BILL CARGO: Okay. Next?

13 MR. FRED KOSTEN: My name is Fred Kosten, I live at
14 612 Birkdale Court.

15 We have a drain on the property line between my
16 yard and the neighbor's yard, and we still have the problem
17 from March through, oh, May sometime, just like Jim had. And
18 I spent \$4,000 to have that fixed and have tile put in there.
19 And, you know, how many properties are we talking about that
20 would have to be tiled, Mr. Engineer? Are we talking
21 about --

22 BOARD CHAIRMAN BILL CARGO: Again, direct it to me
23 and I will try to find out. We're not here to talk about the
24 scope of the project. The under drain he was talking about
25 is a possible solution. I've seen that be successful in

1 other -- I call it an under drain, that may not be proper
2 technology, but again we're not talking about scope.

3 Do you have problems with flooding on your
4 property?

5 MR. FRANK KOSTEN: Not after I spent 4000 to take
6 care of it.

7 BOARD CHAIRMAN BILL CARGO: Okay.

8 MR. FRANK KOSTEN: I know I'm screwed, but I'm
9 going to have to spend some money for everybody's solution to
10 this problem, when I spent \$4,000 to take care of it myself.

11 BOARD CHAIRMAN BILL CARGO: Where did you put --
12 where did you discharge the drains you put in?

13 MR. FRANK KOSTEN: You'd have to ask the contractor
14 that.

15 BOARD CHAIRMAN BILL CARGO: Okay. So it's
16 discharged off your property into this drainage system, you
17 think?

18 MR. FRANK KOSTEN: I think so.

19 BOARD CHAIRMAN BILL CARGO: I appreciate it.

20 Third row, if you'd stand and give your name and
21 address.

22 MR. TODD HANSON: Todd Hanson. I live at 774
23 Fieldstone, so I'm currently in the one district that has the
24 drainage.

25 My concern is just the cost of some of this,

1 especially if we already live in the drainage district. And
2 also you mentioned ten-year drain situation or whatever. I
3 mean it's wet everywhere so is this just a major issue this
4 year? Is it going to -- will things dry out? Because our
5 backyard gets damp too and we're running sump pumps.

6 BOARD CHAIRMAN BILL CARGO: How long have you lived
7 there?

8 MR. TODD HANSON: We've been there about six years
9 now.

10 BOARD CHAIRMAN BILL CARGO: Has it gotten worse or
11 stayed about the same?

12 MR. TODD HANSON: I would say the same other than
13 this year it's obviously wetter, but I think it's the way
14 we've gotten the rain. I don't know if we've gotten more
15 volume, but it's come all at one time.

16 BOARD CHAIRMAN BILL CARGO: Okay.

17 MR. TODD HANSON: And then, you know, as this
18 gentleman said, we don't know the scope of the cost of this,
19 which we can't find out until it's passed. I feel like we're
20 passing Obama Care again here.

21 You know, if it's going to cost us each four or
22 five thousand dollar, but he took care of it himself. I
23 don't want anybody to have water in their basement but
24 sometimes that's part of the issues we have with our own
25 home.

1 But that's my main concern and I feel like it's
2 being rushed. You're here to get information, but all you're
3 getting is the information today. You don't really even have
4 time to think about it, as Joe mentioned. We're here to hear
5 from all of us to see who is having problems and who is not.

6 I mean again if it's a little bit of water in
7 backyards, I don't see that being that big of an issue.

8 BOARD CHAIRMAN BILL CARGO: Appreciate it.

9 UNKNOWN SPEAKER: It's a lake in the backyard.

10 BOARD CHAIRMAN BILL CARGO: That's all right.
11 We've heard your comment. We're going to hear from
12 everybody.

13 MR. JEREMY BABCOCK: Jeremy Babcock, 773
14 Fieldstone, so right across the street from Todd.

15 Yeah, I actually have a drain outlet right on the
16 back corner between my yard and the Slocums, which is right
17 next to us. I still have standing water in my backyard.

18 However, I'm fortunate enough to where my tile job
19 around my house and the grade there, I don't have any water
20 inside of my house. My sump pump has never ran in the 14
21 years I've been there. I have to yearly go down and check.

22 So my concern would be I still have standing water
23 in the current district, so if we were to expand that, is it
24 only going to -- are we only going to expand into the current
25 or are we also going to try to fix and replace what's

1 currently there?

2 BOARD CHAIRMAN BILL CARGO: From what I understand
3 they're taking comments today to find the scope of the
4 project if one is necessary. If you're having standing water
5 in your back yard, then that would, I suspect, be included in
6 any project scope that they have. I can't guarantee that,
7 but I look at Joe and he's shaking his head, so they would
8 look at that at that time too.

9 And again this does not seem like a huge project
10 that we're looking at, but again I'm only here to talk about
11 necessity. So I appreciate your comments.

12 MR. JEREMY BABCOCK: I still have two minutes,
13 right?

14 BOARD CHAIRMAN BILL CARGO: Okay.

15 MR. JEREMY BABCOCK: So on top of that what are the
16 guarantees that any of this would work? Yes, it is an
17 inconvenience for me to have standing water in my backyard
18 when it rains, a few days later it dries up.

19 Like this gentleman, it's hard for me to mow
20 sometimes. My backyard gets twice as long as my front yard.

21 So if I'm spending this money to help others, and
22 not to be that guy, but if I'm going to help spend that money
23 to help produce and help everybody else, I want to make sure
24 my problems are taken care of as well.

25 So how do we guarantee that any solution is going

1 to work if I'm paying?

2 BOARD CHAIRMAN BILL CARGO: And I think one of the
3 things that we heard from the engineer is that if there is
4 decided that this is a necessity and this project needs to be
5 incorporated, they will have another meeting to go over the
6 actual engineering. And those are questions at that time
7 that I think they would be able to answer with more clarity
8 and assurity. Right now we can't.

9 MR. JEREMY BABCOCK: And as this gentleman, I too
10 have come up with many solutions of how I plan to fix mine
11 myself getting through that four-inch band of clay that's 12
12 inches down in my backyard.

13 BOARD CHAIRMAN BILL CARGO: Appreciate it.
14 Next to him?

15 MS. DEBRAH WIGGINS: My name is Deb Wiggins, I
16 live at 609 Birkdale Court.

17 I'm not sure if I can put in a lot of thought here,
18 but we have the shared drain that is in Mr. Kosten's
19 backyard. So it kind of like lays over our property line.

20 We, like this gentleman, we have -- sometimes we
21 have water in our backyard but it dries up eventually and you
22 can go back there and mow just fine. I'm not the lawn mower
23 so I have no idea how wet it gets back there.

24 I have noticed though over the several years -- we
25 moved in in 1995, I think it was, that from, on this yellow

1 map, from this area over in here, there tends to be more
2 water that runs out this way.

3 BOARD CHAIRMAN BILL CARGO: Okay.

4 MS. DEBRAH WIGGINS: And that stands there for a
5 little bit longer than what we've experienced in our
6 backyard. We have a sump pump, we haven't had water in our
7 basement. So we are affected a little bit by some of the
8 drainage, but not a huge concern.

9 BOARD CHAIRMAN BILL CARGO: Okay. Appreciate it.

10 Next?

11 MR. WAYNE ADAMS: I am Wayne Adams. I live at 746
12 Ridgfield. That's my backyard right there.

13 The reason I had proposed this whole thing to go to
14 you guys there, the county there is because I tried to get
15 the city to do something about the problem there. They
16 didn't want to cooperate. They said it was private land
17 there.

18 I have made the investigation of what it would cost
19 there to get a catch basin there where it all collects in the
20 back of my yard and run it through to the drain that's on
21 that property there where it should be draining to.

22 The problem is the previous owners there had built
23 that property up to put a swing set right there. And it gets
24 dammed up there where it's about 5 or 6 inches deep and then
25 it will go over that little hill that got built up over the

1 years and that's the problem.

2 I know the \$200 there that got offered to the
3 property owner to take care of that would have covered the
4 costs of the items, it wouldn't pay to get it installed, and
5 I certainly am not going to dig it up to do it. But that was
6 offered here.

7 But this was the only solution to get this to
8 belong to the county so that the county could do something
9 about it.

10 In the long run I think everybody will benefit from
11 this but this is not the way I wanted to do it. I wanted to
12 offer money to the property owner there.

13 The property itself there is not, you know, the
14 person that owns it right now is not the one that caused the
15 problem. But the way I look at it there, the problem is with
16 their property, that offering money to help pay for it would
17 have been my solution there to offer the money to buy the
18 materials to do the catch basin, the hose, to run it right
19 through to that drain there. That would have taken care of
20 the whole problem there for a couple hundred dollars material
21 wise, that would have covered the cost.

22 I checked it out myself.

23 BOARD CHAIRMAN BILL CARGO: One of the things that
24 we have to ask of the Water Resources Commission is that they
25 size the project to the size of the problem.

1 I agree with the people who are concerned that you
2 don't want to have a hundred dollar problem with a \$10,000
3 solution. But again that's where we look to the engineer and
4 the Water Resources Commissioner.

5 MR. WAYNE ADAMS: Right, I think this will benefit
6 everybody, don't get me wrong, but this is not the way I
7 wanted to have it handled.

8 BOARD CHAIRMAN BILL CARGO: And the other thing is
9 if this is brought under the purview or the responsibility of
10 the Ottawa County Water Resources Commission, the city would
11 be paying a portion of it as an at-large cost, so the city
12 would be putting money towards it at that stage.

13 MR. WAYNE ADAMS: Good.

14 MS. DIANE BAIRD: I'm Diane Bard, I live at 650
15 Birkdale Court.

16 And I do have water in the backyard, but as these
17 gentlemen say, I wait for it to dry out and then mow my lawn.
18 The grass does get longer in the back sometime.

19 This came up as kind of a surprise for a petition.
20 I never got a petition to sign to bring all this up.

21 But I do know that my neighbor that lives next door
22 to me, there is a drain on the other side of their property,
23 between their house and the next house. I don't think that
24 drain is doing anything or hasn't done anything.

25 Now I have water in the backyard, yes, to a certain

1 point. It only comes up halfway, and then the rest of it is
2 dry.

3 And my front yard slants to the street so I have no
4 problem with the front yard at all.

5 BOARD CHAIRMAN BILL CARGO: Okay.

6 MS. DIANE BAIRD: But I'll be honest with you, I'm
7 worried about the cost on this because I have a limited
8 income. And you say you can't say what the cost is, but my
9 thought was this was done in Eagle Ridge, now I may be wrong,
10 but I'd like to know what it cost those people to do it.

11 BOARD CHAIRMAN BILL CARGO: Okay.

12 MS. DIANE BAIRD: Because it's my understanding
13 that it was done there, and I've heard nightmare stories. So
14 that's why I'm here.

15 BOARD CHAIRMAN BILL CARGO: Okay. Appreciate it.

16 Next?

17 MR. TOM POSTHUMUS: My name is Tom Posthumus. I
18 have property on 1014 West Cleveland.

19 The piece that looks like it's affecting me is on
20 64th to the west, there is a little yellow highlighted area
21 at 727. I have no problem with drainage. And I don't have a
22 clue of how or why I got affected by this drainage of the
23 residential things to the east.

24 Yes, I have standing water in the woods, so what.
25 That's farm ground, land that possibly down the road will be

1 developed.

2 I just don't understand how I got tied into
3 something like this and why it's going to cost me something
4 that's not going to benefit me at all.

5 BOARD CHAIRMAN BILL CARGO: One of the things we
6 will do at the end of this is we will ask the engineer to
7 confirm and affirm where the water is draining from.

8 If you don't think your property should be included
9 in this drainage district, please talk to the engineer
10 afterwards, give him the information, and they will verify
11 whether, you know -- the one thing that's easy about storm
12 drainage is we know water flows downhill so they can check to
13 see if your property is contributing at all to the water
14 that's accumulating in this proposed district.

15 MR. TOM POSTHUMUS: The other thing I want to say
16 is 64th Avenue goes down the center and I don't have a clue
17 how it's getting over to the east side.

18 I know the -- actually the northeast corner of my
19 woods does get wet in the spring. It's dry, and it's been
20 dry all summer now. I drive through there every so often
21 with my tractor and my golf cart. It's dry, so I'm just kind
22 of wondering how I got tied into it.

23 BOARD CHAIRMAN BILL CARGO: We'll have him check
24 into that.

25 MR. TOM POSTHUMUS: Okay.

1 BOARD CHAIRMAN BILL CARGO: And going back to the
2 fourth row, on my left?

3 MR. DOC WALDIE: My name is Doc Waldie. I live at
4 781 Ridgefield.

5 I'm probably the lowest, lowest home in the area as
6 far as ground level, from where you're pulling out on
7 Cleveland to go to Richfield, it's all uphill. There is a
8 little drainage stream to my backyard, but I've never had
9 flooding. I've never had water problems.

10 I wasn't aware until this meeting that James that
11 just lives a couple doors down across the street and down
12 from me, I didn't realize he was having problems.

13 But I don't know as anything that I have
14 contributes, does any damage to anybody else.

15 I'll speak with the engineer afterwards, but I
16 don't know. I wasn't aware there was -- I knew there was
17 some houses up on Fieldstone that were having water problems,
18 but I didn't realize there was water problems other places in
19 the development.

20 BOARD CHAIRMAN BILL CARGO: Okay.

21 MR. DOC WALDIE: I've been there since '95, '96,
22 whatever.

23 BOARD CHAIRMAN BILL CARGO: Okay.

24 MR. DOC WALDIE: But I've got no problem.

25 BOARD CHAIRMAN BILL CARGO: Appreciate it, thank

1 you.

2 Gentleman next to him.

3 MR. JERRY TOOGOOD: Good morning. My name is Jerry
4 Toogood, and I live at 984 East Street. I am not part of
5 this project.

6 I was part of the Eagle Ridge drainage project last
7 year. And the improvements that was made there, I think were
8 significant. I haven't really heard anybody complaining.

9 I don't live in Eagle Ridge, I live on East Street.
10 My water problem is due to agricultural fields to the north
11 of me.

12 I guess what I'd like to make a statement or maybe
13 the -- what I'm wondering is why Eagle Ridge, and now this
14 development? These are fairly new developments, probably all
15 developed within the last 20 years. Why do we have all these
16 drainage problems? What is not being done? You know.

17 Was anything submitted to the Drain Commissioner's
18 office or Water Resources director for approval prior to
19 these developments being built?

20 BOARD CHAIRMAN BILL CARGO: One of the things that
21 has changed since the late 1990s is that I know the local
22 municipalities and Ottawa County have a much greater
23 involvement in reviewing and approving these drain systems.

24 Before there was a belief that the easements that
25 were being granted for drainage would put these drainage

1 systems into county drainage district, and that they had
2 oversight of them. That wasn't true.

3 Now a days if you were putting in this exact same
4 development, the Ottawa County Drain Commissioner would work
5 with the developer to assure that there was -- typically they
6 do at least to the 25-year storm. In the township of Grand
7 Haven they typically do it to a hundred-year storm nowadays
8 because back in the '90s, for whatever reason, I agree, that
9 they do not meet the standards that they're meeting today.

10 And so we're having to go back and look at these
11 districts, bring them into the drain so that corrections can
12 be made, maintenance can be done. Remember that \$5,000 a
13 mile, that can do simple things.

14 But right now I agree that this probably was not
15 reviewed by the drain commissioner at the time.

16 MR. JERRY TOOGOOD: Okay. One last thing I'd just
17 like to say, I worked with Joe and Ryan both on that project
18 and they came over to my house a number of times. I was
19 really happy working with these gentlemen.

20 Wasn't quite so happy with the contractor they
21 used, but I was happy working with them.

22 BOARD CHAIRMAN BILL CARGO: Appreciate it.

23 Gentleman next to him?

24 UNKNOWN SPEAKER: No comment.

25 BOARD CHAIRMAN BILL CARGO: Gentleman in the red

1 shirt?

2 MR. KEN BUSH: Ken bush, I live at 663 Birkdale
3 Court.

4 I've been there over 20 years. I don't understand
5 the drain system, where it's all going.

6 I do have a -- I don't know if it's a catch basin
7 or leach basin on the easement in between my house and it
8 would be 675. There is a drain that, in the gutter -- okay,
9 in the road, that lines up with the, with my catch basin, or
10 leach basin.

11 I don't know where all this water is going from, or
12 to, but I do know probably two months ago when we had the big
13 rain storm starting at about 10 o'clock at night, my family
14 and I were down in my basement, at the crock pot, and we were
15 getting water out of there about ten to fifteen gallons a
16 minute.

17 BOARD CHAIRMAN BILL CARGO: Okay.

18 MR. KEN BUSH: And that's hard to take care of.

19 But my backyard is not standing water. It's a
20 little bit higher in the backyard there, but it's very
21 spongy, I mean to walk across that. I don't know what it is,
22 but --

23 BOARD CHAIRMAN BILL CARGO: Okay. Appreciate it.

24 Next?

25 MS. JANE CHANDLER: I'm Jane Chandler, I live at

1 707 Ridgefield.

2 And I have no sump pump in my basement and I have
3 no standing water in my backyard. I've never had a water
4 issue.

5 BOARD CHAIRMAN BILL CARGO: Okay. Appreciate it.
6 We're going to go to the next row back?

7 MR. ERIC GOETCHEUS: Hi, I'm Eric Goetchus, and I
8 am a part-time renter at 675 Birkdale Court, more importantly
9 the groundskeeper. We take care of everything outside.

10 There is definitely a lot of water back there. We
11 have the drain on the east side of the property towards Ken's
12 yard. So we have 695 and then 746 and 754 Ridgefield Drive,
13 all those houses get lots of water back there. I'd say the
14 695 Birkdale Court, he gets at least a 30-foot radius of
15 standing water; and of course Wayne gets his water, and James
16 gets a lot of water over there too.

17 And I think the idea originally of the developer to
18 have it all swoop down to go from west to east in the back of
19 675, the first picture, the main picture, right there on that
20 left picture, it would all flow that way. And it
21 definitely -- it just seems like that whole area on the
22 corner of all the houses has settled down.

23 There was a swing set there. It was never propped
24 up by the people before us, and that's been taken out, and
25 that thing sat in water too. So there was definitely no

1 raising of -- these people weren't capable of doing that.
2 They put a swing set there, they didn't raise it up with any
3 dirt or anything like that.

4 So I'm surprised that Ryan from the city -- I think
5 it's Brian, he's been out a number of times. He's familiar
6 with the whole situation and other areas of the neighborhood
7 too. I'm surprised he's not here. He's probably the most
8 experienced person on the whole project from the city of
9 Coopersville.

10 We had talked with him about putting an inlet into
11 the drain, like Ken said, where does it go. He said it goes
12 straight to the street. Because ideally if it went right
13 down the back, we could put another hole in and drain it
14 right there and go in the system, but it doesn't go that way.
15 It comes -- it goes straight to Birkdale Court.

16 So we did have lots of water on that rain that Ken
17 said a month and a half ago, our crock pot ended up busting
18 and water in the basement. I'm sure it's all (inaudible).

19 But we've been there two years, and in my mind this
20 has to be the whole project. We're here today to decide if
21 it becomes the whole block, it has to. It can't be just that
22 one corner. That wouldn't make any sense at all.

23 BOARD CHAIRMAN BILL CARGO: Okay.

24 MR. ERIC GOETCHEUS: But the funny thing was
25 somebody came to Janet's door and offered a hundred dollars,

1 and I don't know what a hundred dollars would get you, I
2 thought it was for me to investigate the problems because a
3 bucket of rocks, how much does that cost today, right?

4 But the system you put up there, there was the '90s
5 system, but I swear it just settled, the whole area settled
6 down and it just doesn't come over to get to the east side of
7 the property anymore.

8 But the idea that -- exaggerated, \$200, but the
9 idea that --

10 UNKNOWN SPEAKER: I tried to make the second offer
11 but you didn't --

12 MR. ERIC GOETCHEUS: But the idea that a hundred
13 dollars would do anything, just to rent a trench thing, it's
14 250 for the day.

15 BOARD CHAIRMAN BILL CARGO: Okay.

16 MR. ERIC GOETCHEUS: For digging the hole, right?
17 So it is a major project.

18 And I do walk out, we have a dog so I'm always out
19 at the city property there at, is it 561? That's a half
20 swamp in the open area behind Deb and Fred. I mean if you
21 walk out there, that's a lake any time it rains for weeks
22 after that.

23 UNKNOWN SPEAKER: It is not.

24 MR. ERIC GOETCHEUS: To the grass, to the grass
25 level. There is a lot of water out there, it doesn't go

1 anymore. It's more than one area.

2 BOARD CHAIRMAN BILL CARGO: I appreciate the
3 comments.

4 And next?

5 MR. PAUL BELL: I'm Paul Bell. I'm at 396
6 Ridgefield.

7 Same thing with the backyard drainage. I do have a
8 sump pump that I've had to replace three times since we've
9 moved in because sump pumps burning up and what have you with
10 the amount of water that goes through there.

11 We've lived in the house since '04. Just this
12 year, after the basement flooded, just this year I put in the
13 drain tiles and what not and been working, tried working with
14 the city. They were willing to tap the storm drain for
15 anything -- for the tiles and what have you running to the
16 storm drain.

17 Right now the -- I did spend the 12 grand in
18 drainage just -- and it is split between going to the storm
19 drain in the street, as well as the community drain on the
20 property at 472.

21 BOARD CHAIRMAN BILL CARGO: Okay.

22 MR. PAUL BELL: I'm just curious where everything
23 would fall into place.

24 BOARD CHAIRMAN BILL CARGO: And I think again, we
25 have some ideas, they're very preliminary that were shared,

1 but we can't tell you that now. We will have to -- if there
2 is public monies that are going to be spent on this, and
3 again Coopersville would have to pay a portion, the county
4 would pay a portion of it, the road commission would likely
5 pay a portion of it.

6 But you're right the other portion would be
7 assessed among the property owners and we don't know what the
8 cost would be. But that is why he has committed that he
9 would come back with any engineering just so people
10 understand the scope.

11 And at that time they would have an estimated
12 construction cost, correct, Joe?

13 WATER RESOURCES COMM. JOE BUSH: Good possibly.

14 BOARD CHAIRMAN BILL CARGO: Okay. But again, I
15 understand the problems you're having and that has to be
16 frustrating, to say the least.

17 MR. PAUL BELL: Indeed. Thank you.

18 MR. JEFF CUNNINGHAM: I'm Jeff Cunningham. I live
19 at 417 Ridgefield Drive. We've been there 20 years, our sump
20 pump, like Paul's, runs constantly.

21 We had not had water in our basement, but we are --
22 our sump pump runs all the time. We have, between ourselves
23 and the neighbor we have a 25 and 35-foot wide swale all the
24 way behind our properties that are wet all the time, not some
25 of the time, not part of the time, all the time, including

1 right now where you can't walk back there.

2 BOARD CHAIRMAN BILL CARGO: Can I ask a question?
3 With regard to your sump pump, does it drain into the system
4 or does it drain --

5 MR. JEFF CUNNINGHAM: It does.

6 BOARD CHAIRMAN BILL CARGO: Do you think it's just
7 circulating or do you think it's actually going off your
8 property?

9 MR. JEFF CUNNINGHAM: No. Our pump goes into the
10 storm sewer. We have a drain in the garage that then drains
11 into the city storm sewer.

12 BOARD CHAIRMAN BILL CARGO: Okay, thank you.

13 Next?

14 MS. AMY KARNS: I'm Amy Karns, 628 Birkdale Court.
15 I've lived there since '98. Yes, I'm that old.

16 And we had no issue. The first few years we lived
17 there, we had no sump pump. It never runs. We do have it
18 feed into the front of our house but it never goes off. A
19 disclaimer, we have a bilevel so we're only four feet in the
20 ground. The only water we get is probably the last ten feet
21 of our yard and we just don't mow it. And I like it because
22 then we don't have to water our backyard.

23 Thank you.

24 BOARD CHAIRMAN BILL CARGO: And the far side?

25 UNKNOWN SPEAKER: No comment.

1 BOARD CHAIRMAN BILL CARGO: Okay. I'll go to the
2 back row?

3 Yes, that would be great.

4 MR. BRIAN METTEN: Brian Metten, 664 Fieldstone.
5 I'm the very last house east, southeast corner.

6 The gentleman prior talked about all the water in
7 the woods at the end, that water cannot drain any place. And
8 the water in the spring ten foot from my house is six inches
9 deep. And I have two sumps pumps that run constantly, very
10 rare that I go through a year without burning one of them up.

11 The water in the back in the woods, there is a
12 drain in the back west corner of my property, but the only
13 way that water can get to that is if it gets about a
14 foot-and-a-half deep in the woods, then it will overflow the
15 yards. But my yard is always wet back there.

16 In the spring when the ice is on the ground, that
17 water from the woods cannot go any place and it gets right up
18 close to my house.

19 And I have to go out there with the thick ice and
20 chop a four-foot strip from the drain all the way across my
21 property to the woods, and then you can go white water
22 rafting out there if you wanted to, it's such force.

23 But I'm not getting younger, I can't be chopping
24 ice.

25 The city used to dump all the snow from all the

1 streets and everything here right at the end of the road.
2 And I complained to them about that because that water would
3 go no place, and they basically said too bad.

4 So I got a hold of the DEQ, they came out and
5 checked it and they said what they were doing was against the
6 law and gave me a list of lawyers to contact.

7 So when I talked to the city, they stopped plowing
8 snow in there anymore. But still I get a lot of water and
9 ice the last few years.

10 BOARD CHAIRMAN BILL CARGO: I understand. Thank
11 you.

12 Next to him? Okay.

13 I'm going to go very back row.

14 MR. MIKE SCRIMGER: I'm Mike Scrimger. I live at
15 515 Ridgefield Drive.

16 We have, I guess it would be the southwest corner
17 of 493, our neighbors, there is a catch basin, a drain. And
18 it looks like along the back of our property there is some
19 sort of a pipe, a drain. It runs down through there because
20 you can actually see the dirt crowned or the grass crowned
21 along the back of our lot.

22 So to the north of us, our northwest corner is the
23 last spot. And then from there going north it continually
24 gets worse because it starts to drop downhill.

25 Our sump pump does run probably every ten minutes

1 at this time of year. We're on our third sump pump and we've
2 been there since 2007. But if we have a dry summer, it won't
3 run at all.

4 So I guess one of my biggest questions is we all
5 know that the Great Lakes are at an all-time high, you know.
6 Is that driving the water table across the state to an
7 all-time high? So is this a cyclical event that will
8 eventually change itself, or is this really an ongoing event.

9 BOARD CHAIRMAN BILL CARGO: I do know that five of
10 the last six years have been wetter than average which has
11 contributed to the lake levels. And again, that would have
12 to be something that the, if this moves forward, that they'd
13 have to take into consideration. And again, they -- but
14 you're right, five of the last six years have been wetter
15 than normal with the data that I've looked at.

16 MR. MIKE SCRIMGER: Our sump pump drains right to
17 the end of that, where I believe that pipe stops so it drains
18 into the back, into that whole drainage in the backyard. So
19 we're certainly not doing anybody any favors in that respect.

20 BOARD CHAIRMAN BILL CARGO: Okay.

21 MR. MIKE SCRIMGER: I do know the neighbors to the
22 north of us, their sump pump goes into the storm sewer. And
23 I don't know how it was determined when the homes were built,
24 which ones went into the storm sewer and which ones didn't.
25 We do have an electrical box right in the front so I don't

1 know if they can trudge through that area.

2 It's -- so again, I wouldn't call them problems,
3 but we have to watch it. I think we're, you know, we're in a
4 relatively hit or miss spot. Sometimes it's bad, sometimes
5 it's not.

6 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate it.
7 And I think we have one more individual in the very
8 back row? Did you want to speak?

9 UNKNOWN SPEAKER: Me?

10 BOARD CHAIRMAN BILL CARGO: Yes.

11 UNKNOWN SPEAKER: No.

12 BOARD CHAIRMAN BILL CARGO: Okay. At this point we
13 have given everybody an opportunity to make public comments
14 on this, and so now we're going to have a conversation in
15 front of you about this, about this petition we received.

16 First I'll start with Ken, do you have any comments
17 that you would like to make about this?

18 BOARD MEMBER KEN SOUTER: It sounds like a lot of
19 the problem in this particular subdivision is surface water,
20 surface water contributing to the sump pump discharge. There
21 is not a place -- or they're not discharging it in the right
22 spot.

23 What I'm totally in favor of is the orphan drain
24 becoming a part of the county drain system so that the drain
25 commissioner can address problems within it.

1 Right now each person is looking at their little
2 individual problem and maybe solving their problem is
3 contributing to somebody else's problem.

4 So to me it would be a wise thing, and I would be
5 in favor of putting this whole drainage system under the
6 county's jurisdiction so we can look at it on a broader
7 method to be able to address all the problems rather than
8 just individual problems.

9 That's my thought.

10 BOARD CHAIRMAN BILL CARGO: Rich?

11 BOARD SECRETARY RICH VANDER KLOK: I would agree
12 with what Ken said. I do -- we've had a mixture of comments
13 that have been made here, some who have no particular
14 problems and others who have serious problems, and then some
15 that are in between.

16 However, why I agree with what Ken said is because
17 it seems to me that all of those particular issues should be
18 addressed in some form or fashion. And it would make sense
19 to me to bring it into, the orphan drain, to bring it under
20 the county system. And so I would -- I agree from that
21 standpoint.

22 BOARD CHAIRMAN BILL CARGO: The thing that struck
23 me most was that this was -- had gone through the city's
24 planning commission, this has gone through the city approval
25 process. And I am curious as to why they only designed it

1 for a ten-year event. That seems to be at the very least a
2 very minimal design. It is a design that you can almost
3 guarantee was going to fail over a longer period of time.

4 But because it's an orphan drain, the city isn't
5 responsible for the costs of any of the improvements unless
6 we bring it under the county system.

7 And so because this is an orphan drain, because in
8 my opinion it wasn't designed properly at the time, and
9 because I would like to have the other public entities and
10 not just the private property owners paying for a portion of
11 any potential solution, I am in favor of bringing this orphan
12 drain into the public system under the responsibility of the
13 Ottawa County Water Resources Commissioner.

14 BOARD MEMBER KEN SOUTER: Well said.

15 BOARD CHAIRMAN BILL CARGO: Any other comments?

16 BOARD SECRETARY RICH VANDER KLOK: Not from me, no.

17 BOARD CHAIRMAN BILL CARGO: Again, like I say, this
18 is, to me, a fairly simple issue. And so I will make a
19 motion that the proposed maintenance, improvement of the
20 Meadow Green Estates #3 drain, as petitioned on September
21 10th, is necessary and conducive to the public health,
22 convenience or welfare.

23 Before I make this motion, though, I wanted to say
24 did you -- is this what we are calling the proposed new drain
25 the #3? And does this cover the entire subdivision that was

1 approved by the city?

2 WATER RESOURCES COMM. JOE BUSH: I believe that's
3 correct.

4 BOARD CHAIRMAN BILL CARGO: Okay, it was approved
5 by the city.

6 So I will make that motion and look for support.

7 BOARD SECRETARY RICH VANDER KLOK: I will support
8 that.

9 BOARD MEMBER KEN SOUTER: I will support.

10 BOARD CHAIRMAN BILL CARGO: Okay. I will give
11 Rich, since he had the lower voice, the support on that.

12 All in favor, say aye.

13 BOARD MEMBER KEN SOUTER: Aye.

14 BOARD CHAIRMAN BILL CARGO: Aye.

15 BOARD SECRETARY RICH VANDER KLOK: Aye.

16 BOARD CHAIRMAN BILL CARGO: And again, this is a
17 very first step. Now that we have decided that there is a
18 problem out there, and that this is a problem that should be
19 solved by the public entities that help to approve and create
20 this, I am going to ask that Rich -- excuse me, that Joe talk
21 about the appeal's process, if they disagree with this.

22 WATER RESOURCES COMM. JOE BUSH: Yep.

23 BOARD CHAIRMAN BILL CARGO: And after that we will
24 have an adjournment.

25 WATER RESOURCES COMM. JOE BUSH: Well again, I just

1 want to say a few words. You can appeal today's Board of
2 Determination meeting through the Probate Court. You have
3 ten days including today to appeal today's Board of
4 Determination.

5 You know, just to answer a few people's questions
6 about costs, I usually try to come up with three options.
7 And I don't over -- I don't put a project together that the
8 cost over exceeds the benefit. We usually come up with three
9 different costs and work through those.

10 We did it with Eagle Ridge. Jerry knows, I changed
11 that project multiple times to fit the benefit because the
12 original number was like, whoa, that's not going to work.

13 I've even turned down projects because I didn't put
14 that burden on the taxpayer because the project outweighed
15 the benefits. So that can happen, I'm not saying it will
16 here.

17 But I think these are usually pretty simple
18 solutions compared to the other 30, 40 calls I get a day.
19 These are pretty -- one of the things I will take into
20 account, some people are like the rain, the drain water, the
21 lake level, I'm on 13 different boards, multiple lake boards,
22 I get it. I get the lake levels. I'm dealing with the
23 lakeshore erosion issues on Lake Michigan.

24 So there is a lot of things that play a role into
25 why your back yards are wet. And I'm not going to build

1 something or reconstruct something that's already working.
2 If it's working, it's working. I'm not going to rip the road
3 up to put new storm sewer in just because I feel like it.
4 It's about commonsense and it's you guy's money as well as
5 the city.

6 By the way, I want to clarify, I think everything
7 is in the city, so it's not county road commission in this
8 particular drain district. It's all in the city.

9 So the city would pay for their roads and road
10 runoff, and those calculations and formulas, how we do that,
11 it's all within the city limits, just FYI, but not the road
12 commission.

13 If you see the road commission is not here,
14 typically they're at every Board of Determination and give a
15 little speech, but they're not here because everything is in
16 the city limits.

17 But I wanted to clarify for the record too, you can
18 go back and look it up later on the court recorder that, you
19 know, if it's working, it's working. And if it's not, then
20 we'll look into it.

21 But Ryan will be more than happy, and myself, I do
22 it all the time on all my projects, go out and meet the
23 property owners, if you want to meet me and him together or
24 him separately. This is why I'm here, this is why I'm
25 elected to help serve the people, even in the city of

1 Coopersville.

2 Some of you are going, why is the county involved
3 in the city? Because the city doesn't have the mechanism to
4 do what we're doing today. The Drain Code is for cities,
5 townships, villages. That's why I do all 17 townships, six
6 cities and a village.

7 So when I say I got the whole county, I literally
8 do all these in all those municipalities, whether it's a city
9 or village or township.

10 UNKNOWN SPEAKER: I do have one last question, Joe.
11 When you say this will all be on one project as far as one
12 area, anything that would be done as far as work with inside
13 that district, would be everybody that's on this map then,
14 right, not just the yellow area?

15 WATER RESOURCES COMM. JOE BUSH: Sometimes, just to
16 clarify -- great question.

17 If we do a certain area, and your water has no way
18 to get into the storm sewer, say you live on the north end
19 and we're just doing the work on the south end, and we know
20 by engineers and by the storm sewer, if your water cannot get
21 there -- and the only way I can assess a benefit or
22 contribution, if you don't get -- if your water doesn't get
23 there or you benefit from that portion of the project, I'm
24 not going to assess you. You'll probably get a zero on your
25 assessment because there is no way your water will get there.

1 I've heard comments, hey, I spent money, I fixed
2 mine. What happens a lot of times -- and that's great, I'm
3 glad people try to fix their own, but they just push the
4 water on somebody else, so that's difficult.

5 I'm not saying anybody did that, I'm just saying I
6 hear that all the time, I hear that daily.

7 So we try to go in there and fix those issues. And
8 I appreciate it when people try to fix their own, but a lot
9 of times the neighbors call me and go, wait a minute, he
10 fixed his, but all he did is put it on me and now he created
11 my problem. And it then becomes a neighbor -- and, you know
12 what, we're Ottawa County, and the city of Coopersville and
13 it's a community that is very important to me and I'm here to
14 help all of you guys.

15 BOARD CHAIRMAN BILL CARGO: Okay. I appreciate
16 that.

17 So at this stage, if you have any other questions
18 you want to ask Joe or the engineer after the meeting, please
19 stay after the meeting, they will spend time and talk with
20 you.

21 At this point I will take a motion to adjourn.

22 BOARD SECRETARY RICH VANDER KLOK: So moved.

23 BOARD CHAIRMAN BILL CARGO: So moved, and without
24 objection we are adjourned.

25 (Board of Determination adjourned at 11:15 a.m.)

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CERTIFICATION OF COURT REPORTER AND NOTARY PUBLIC

STATE OF MICHIGAN)

) SS

COUNTY OF MUSKEGON)

I certify that this transcript, consisting of 57 pages, is a complete, true and correct record of the testimony of BOD - MEADOW GREEN ESTATES #3 DRAIN, held in this case on November 7, 2019.

DATE: November 17, 2019



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Notary Public Expires: October 14, 2021, Muskegon County, Michigan/Acting in the State of Michigan.

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