

1 STATE OF MICHIGAN

2 COUNTY OF OTTAWA

3
4 IN RE: ROLLING HILLS SOUTH DRAIN

5 BOARD OF DETERMINATION

6
7
8 Proceedings commenced at 10:00 a.m., on Wednesday, May
9 25, 2022, at the Georgetown Township Offices, 1515 Baldwin
10 Street, Jenison, Michigan, held before Marjorie A. Covey,
11 CSR-2616, RPR, Certified Shorthand Reporter and Notary
12 Public.

13
14 APPEARANCES:

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

18 Mr. Todd Wolters, Board Chairman
19 Mr. Josh Westgate, Board Secretary
20 Mr. Ken Souters, Board Member

21 Mr. Paul Forton, Engineer, Spicer Group
22 Mr. Noah Szott, Engineer, Spicer Group

23
24 Mr. Rod Weersing, Assistant Manager, Jamestown Township
25

1 Georgetown Township, Michigan

2 May 25, 2022 - 10:00 a.m.

3 PROCEEDINGS

4 WATER RESOURCES COMM. JOE BUSH: Good morning,
5 everyone. Welcome to Georgetown Township Hall, and we're
6 going to talked today about the Rolling Hills South Drain
7 Board of Determination.

8 Again, I'm Joe Bush, the water resources
9 commissioner, also known as the drain commissioner. The name
10 changed in 2013, same office, but just different names. So
11 we still got the same office and doing the same job, even
12 probably more than what we used to do just because of how
13 Ottawa County has grown.

14 So again, welcome to the Board of Determination.
15 We're here today to talk about the petition we received from
16 the people on some flooding concerns or issues. So I'm glad
17 you're here because it is a public hearing.

18 And we do have a court reporter, Margie is with us
19 today. She does all of these since I've been elected in
20 2013. Everything is court recorded word for word so when you
21 do talk at public comment time, give your name, address and
22 your situation.

23 We really appreciate feedback. We really want to
24 invite you to come up and talk whether you do have, don't
25 have a problem, or you're not in favor of something, or if

1 you're having a problem. This is why people petition.

2 Sometimes it's the road commission that petitions.
3 The people, the township, even MDOT can petition. So again,
4 this one was by the people who were having some flooding
5 problems in Georgetown Township.

6 So the first step, as my job is to, once we receive
7 the petition is to hold a meeting like today, a Board of
8 Determination.

9 My job is to appoint three people to a panel who
10 has no properties or jurisdiction in the said watershed we're
11 talking about or drain district today. They're not on
12 Georgetown Township board or anything to do with Georgetown
13 Township. They're -- but they have to be in Ottawa County.
14 So typically, for BODs, and we have a lot of these, I
15 actually pick people who are past supervisors, or managers,
16 or even retired from the road commission, you know,
17 engineers, actually people who understand, number one, Drain
18 Code; number two, they understand how to run a meeting. And
19 the other part is they understand the purpose of today's
20 meeting.

21 Today isn't, hey, we're going to pick a project.
22 We do have an engineering firm here that's been out to
23 investigate. We don't have a project, we don't have a cost.
24 That comes down the road.

25 My first step is as the water resources

1 commissioner is to actually hold a public hearing, get
2 testimony, and then see if this board chooses for me to move
3 forward with a project.

4 We don't know what that is again. So people will
5 ask, well what is the project? Well we don't know the
6 complaints yet, the issues. That's why we hold a public
7 hearing.

8 Some people ask, why is the public hearing in the
9 middle of the afternoon. Well it's a legal process like if
10 you were to go to Court or anything else, so we try to hold
11 them during the day. I know it's inconvenient for a lot of
12 people. I actually get more pushback at night. I tried a
13 few nights once and that didn't go well, people were upset I
14 am upsetting their dinner time, sporting events, that didn't
15 go well, so we hold them in the afternoon.

16 So I do appreciate you coming today and being here
17 and taking time off work or whatever you're doing to give
18 testimony or talk.

19 These three gentlemen, again, do not live in your
20 area or own any properties or they have nothing to do with
21 the township. This is strictly through our department.

22 Sometimes people say well is that part of the
23 Georgetown Township board or planning commission? It is not.
24 These are people who have ran meetings, been on boards for
25 multiple years, and they're just individuals who serve for

1 the BODs.

2 And then I'll go ahead and do introductions. Like
3 I said, once I give these gentlemen the oath, they'll run the
4 meeting, they'll pick a chair, then a secretary. And the
5 court recorder will record everything.

6 And then it takes about four to six weeks sometimes
7 for Margie to get the minutes back to me. We get a hard copy
8 and we always post them online. So you can go under any of
9 my projects for minutes for petitions, and they're all court
10 recorded.

11 That way it protects me, protects what was said at
12 the meetings, and the property owner as well, what did the
13 property owner say. We go back and we reference these
14 meeting whether it's five years from now, I'm going back to
15 2013 to look at projects we had to see what people said about
16 their water problems or did they even show up.

17 I get people saying "I was there, I told you this,"
18 and they weren't there, they didn't speak.

19 So it's good to know that information down the road
20 because we do forget over time who was where, who said what
21 and why did we have it.

22 So again, once I give these gentlemen the oath,
23 they'll run the meeting. And I will start with our engineers
24 today, we have Paul Forton from Spicer Group, and Noah, they
25 work together.

1 They've been out there to do an observation. They
2 didn't go out and design anything, spend a lot of time,
3 because until these gentlemen say, pass a resolution at the
4 end of their meeting, and say, Joe, move forward and vote on
5 it, they don't want to spend a lot of money because we don't
6 have a project or anything yet. So we have those.

7 We have my staff here. We have my secretary, Marie
8 is here. My chief deputy Josiah. And then Rod Weersing is
9 the assistant manager for Georgetown Township. So he's here
10 with us today. Usually we have the road commission here, and
11 Jerry Ohlman, the road commission usually participates in our
12 BODs meeting. So they'll often have somebody here to talk.

13 And then our three-panel board, we have Ken Souter.
14 He is from Port Sheldon Township. He worked with the road
15 commission, I always get it wrong but 40 years, right?

16 BOARD MEMBER KEN SOUTER: 38.

17 WATER RESOURCES COMM. JOE BUSH: So 38 years. So
18 when he retired is when I started, I was there 12 years, but
19 he just retired when I started so that's been a few years
20 back.

21 Then we have Todd Wolters. He is the current
22 supervisor of Olive Township. He's ran a lot of these
23 meetings over the last eight or nine years I've been doing
24 them with him.

25 And then we have past supervisor of Wright

1 Township, and now you're deputy supervisor of Jamestown
2 Township, so a neighboring township, but you don't live
3 nearby or anything.

4 So again, these three gentlemen have been running
5 meetings, doing these BODs for quite some time. So I'll go
6 ahead and give these gentlemen the oath and then they'll run
7 the meeting.

8 Any questions, be sure to ask them, make sure you
9 do public comment. That's important. That's key to having
10 them -- because they have never been out there. They haven't
11 looked at the site. I haven't even talked to them about it.
12 I've never done that since I've been elected. I don't call
13 them. It's between the engineer's inspection, and public
14 testimony that decides their decision.

15 So it's totally up to the people of how, you know,
16 if it moves forward or not.

17 So, gentlemen, at this time please rise and raise
18 your right hand.

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

1 (All Board Members said, "I do.")

2 WATER RESOURCES COMM. JOE BUSH: Thank you.

3 BOARD MEMBER TODD WOLTERS: All right. We'll have
4 an election of secretary and chairperson.

5 Do I have a nomination for secretary?

6 BOARD MEMBER KEN SOUTER: I nominate Josh.

7 BOARD MEMBER TODD WOLTERS: Nomination, and I'll
8 support that.

9 All in favor, say aye.

10 (All Board Members said "Aye.")

11 BOARD MEMBER TODD WOLTERS: Opposed?

12 It carries.

13 And election of chairperson. Nomination for chair.

14 BOARD MEMBER KEN SOUTER: I'll nominate you, Todd.

15 BOARD SECRETARY JOSH WESTGATE: I'll second.

16 BOARD MEMBER TODD WOLTERS:: All right. With that,
17 all in favor, say aye.

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

19 BOARD MEMBER TODD WOLTERS: Opposed to same?

20 It carries.

21 We're going to get into the rules for public
22 comment. Public comment we'd like to limit people to three
23 minutes, if you can make your point fairly quick. Really, if
24 it's more than three minutes, we kind of -- things kind of
25 keep dragging on, and for your time's sake, our time's sake,

1 we try to limit it to a three-minute conversation.

2 We will ask you to stand and come up here. And
3 we'd also like you to state your address, identify whether
4 you live in the drain district, and I think that's pretty
5 much what we need here, okay?

6 The roles and function of this board, like Joe
7 said, we have not seen this property, we have no stake in it.
8 So what we're seeing today from the engineer's report is
9 going to be our first time even knowing what's going on. And
10 we're just strictly making a determination, is there
11 something needed to take care of this drainage issue.

12 Other than that, I think we can move into the
13 engineer's presentation.

14 ENGINEER PAUL FORTON: So for those that don't know
15 me again my name is Paul Forton. And we're a civil
16 engineering firm located in Byron Center. We work with drain
17 commissioners across the state so we get to do quite a few of
18 these presentations.

19 This one is a little bit unique, and we'll get into
20 that and the reasons why here in a minute.

21 We'll talk about the location and get your bearings
22 and figure out where we are on the world. I'll give a little
23 background and history of the drain. I'd like to take a
24 minute to look at the drainage district boundary or the
25 watershed boundary that this services.

1 I have a few pictures of site conditions that we
2 can go through. And then we'll take any questions that you
3 have at that time.

4 So location, a little bit tough to see with the
5 lighting and the map here, but we're just west of us a little
6 ways, straight north of Hudsonville in Georgetown Township.

7 The drainage district itself is -- was established
8 through a 433 Agreement. And for those that aren't familiar
9 with the Drain Code, a 433 Agreement many times is used when
10 a developer develops a property, installs either storm sewer
11 or drainage infrastructure, and that's passed on then to the
12 county drain commissioner or the water resources
13 commissioner.

14 So this is an existing drain. It's not a brand new
15 drain. It's a system that's already set up and in place.
16 The watershed that it services is just over 70 acres.
17 There is about 150 parcels within that watershed, or land
18 owners.

19 The length itself, if you summed up the lengths,
20 you're looking at 2.3 miles, which seems like a lot when you
21 look at the map, but there is lots of little stems and
22 branches that we can look at. The land use within this
23 particular watershed is pretty much strictly residential is
24 what we're looking at here.

25 So this is an overview map of the 433 district, and

1 I believe Chapel Point, if I'm not mistaken, is right here,
2 if you're familiar with that. And straight south of that is
3 the neighborhood in question.

4 In general, the red line, again a little bit tough
5 to see, but I'll skirt it with the cursor here, is floating
6 around this water within this 70-some-acre watershed.

7 In general it flows down the hill to the east, and
8 down into a pond in the southeast corner of the district.

9 What I'd like to do is pull up a picture of the
10 LiDAR, and that's showing up a little bit better.

11 So this is colorized elevation data. So LiDAR
12 data, they fly an airplane over the surface of the earth.
13 And it's like a fish finder, it shoots a beam down and it
14 comes back up, and we get elevation data.

15 So what we've done is we've colorized that data.
16 And you can see there is whiter areas on the left here or
17 west side, up by Wind Stone and Oakmont and Doral. Those
18 whiter areas are like snow on the mountains, when we think
19 about this colorized data, white is high, like snow peaks,
20 and as you go down through the reds and yellows and greens
21 and down to the blues, it's dropping in elevation. So in
22 general we're flowing from the top of the hill on the west
23 side down to the east side here, and eventually out the
24 southeast corner.

25 So normally, I know I've worked with several of you

1 guys as board members before on different presentations, and
2 there is usually several different types of presentations we
3 do. Many times it's an open drain, a lot of the drains in
4 the county are open drains and we're showing pictures of log
5 jams and woody debris and erosion. This is not one of those
6 scenarios, this is purely a neighborhood.

7 We went out in October after a storm, Joe said,
8 hey, I know we're having issues in this neighborhood, we
9 don't have a petition yet I don't believe at this point, can
10 you go look and at it and see what's going on.

11 I'll go back to the LiDAR screen, and as you look
12 at this neighborhood, especially for Ottawa County, there is
13 a lot of grade, there is a lot of fall, it's a hill. You got
14 a high point here and it drops off.

15 You go over into Blendon Township not too far away
16 and there are areas all over the county that's flat as a
17 pancake. So we have a lot of grade here.

18 The complaint I heard is there is a lot of
19 saturated backyards and things are really wet. I'll be the
20 first one to tell you, I don't live in this district either,
21 so I'm excited to see a lot of you in the audience because
22 there is a lot that I don't know. And I can't see.

23 And I really want you to take advantage of public
24 comment. If you have an issue, or if you don't have an
25 issue, please say so. Because we can't fix it if we don't

1 know what the issue is. And they can't make a decision if
2 they don't have information.

3 So the photo that I have here, the house that you
4 see in the background is 3223 Doral Drive. And to put that
5 on the map, it's kind of on the north side here, right in
6 this particular area. And we're standing literally on Doral
7 Drive. And I want to note the utility pedestals here, we
8 have the fire hydrant, and you can see that the sidewalk is
9 wet right here.

10 And it wasn't because -- everything else was dry.
11 So everywhere else on the sidewalk was dry, but that spot was
12 particularly really wet.

13 And as Joe mentioned, we didn't do a detailed
14 investigation. We didn't stomp down everybody's backyard and
15 look at every inch of county drain right-of-way. But this
16 one really stood out to us. And we did step into the yard
17 here and could feel the super saturated, the sod was totally
18 soaked.

19 As we looked at this, water had been building up in
20 this sod so much that it drained down to this point and was
21 flowing over the sidewalk.

22 We went over to the utility boxes here, the green
23 one right here, we have a picture of that, looking through a
24 crack. And down inside that utility box in the bottom of
25 that there is standing water.

1 Now I'm not a civil engineer -- or I am a civil
2 engineer, I'm not an electrical engineer, but generally
3 speaking when you put in communications wires and what not in
4 water, that's a bad thing. So this just shows how saturated
5 this is.

6 As I look at this, I'm thinking how do I show you a
7 picture of saturated sod? You can't convey that to a board.

8 So that particular day that we were there, I didn't
9 see any surface flooding. So some of the things that perk
10 our interest as engineers, do you have a flooded backyard or
11 not? Is there surface water problems, or is it all
12 subsurface water problems? And that kind of helps us to know
13 what's really going on.

14 Again, I don't live here and I don't have a lot of
15 photos to show you guys like I normally do, so I'm hoping
16 through public comment that we can get more information.

17 This particular shot, especially with the sun
18 looking at us there, this picture was taken from Wind Stone
19 Drive, it's at the far west end of the district. And you can
20 just see that these are all rear lots. You got a row of
21 houses on the north side here, another row of houses on the
22 south side, and then down through everything grades to the
23 middle and slowly pitches to the east.

24 Again, we didn't walk down there, we didn't want to
25 intrude on people's properties. But you could tell standing

1 up on the road that things looked a little soft and saturated
2 here. So I'm trying to paint a picture of the neighborhood
3 and what you guys can expect to see.

4 So next steps, Joe talked about this a little bit
5 but we're here because a petition was received.

6 If you decide today that there is no necessity,
7 then there will be no project, there will be no further
8 action, and a new petition can't be received from this
9 drainage district for a period of one year. And that's by --
10 that's not a county rule, that's state law.

11 If a project -- if you do find that something is
12 necessary, and you say that the project needs to proceed, a
13 lot of times people ask what are the next steps. And the
14 first thing would be engineering taking a look at the
15 situation, maybe meeting with some of you that express
16 concerns. Certainly survey, drawings, design, that sort of
17 thing. If we need easements, we can talk to folks about
18 getting easements, if we need those to solve a problem.

19 I don't anticipate needing a permit from the state,
20 at least from what I've seen this far, but sometimes we need
21 permits from the state to do what we'd like to do.

22 After that, after the solution is identified, we
23 will obtain bids from a contractor. And a lot of folks ask,
24 well when is the next chance for public comment. Really the
25 next letter you would receive would be for what's called the

1 Day of Review, and that's a Day of Review of Apportionment
2 where you can come in and say, what was the project, what was
3 decided for the scope, how much does it cost, how much will
4 we pay, how much does the township pay, the road commission
5 and everybody else.

6 After that point, once we're through that part of
7 the process, we would then move into construction.

8 One thing I want to talk about on this process, we
9 are in a very microwave society now where everything is
10 instant. And to follow the law, just in general, to put
11 something in your mind, if a project is even found
12 necessary -- and I've got no skin in the game. But if it was
13 found necessary, you could anticipate it's going to be one to
14 two years at least probably before dirt is moved, okay? We
15 have to design it, bid it, permit it, coordinate it.

16 The bidding process from when we get a final design
17 down through that Day of Review, and then when you borrow
18 money, Joe, that takes three months just to jump through the
19 bidding hoops and that's after we get it ready for bid.

20 A lot of it is, when can you be here? It was found
21 necessary, we'll see you next month.

22 Not quite. You'll see us surveying and planning,
23 but as far as excavators or earth work or anything like that,
24 it does typically take two years to get this implemented.

25 So with that, if the Board has any questions, fire

1 away.

2 BOARD MEMBER KEN SOUTER: I'll start out with that.
3 Number one, the lake or pond down there, does that have a
4 direct outlet?

5 ENGINEER PAUL FORTON: Yes, I believe that outlets
6 to the south and then works through the Locon (ph).

7 WATER RESOURCES COMM. JOE BUSH: Yes.

8 ENGINEER PAUL FORTON: For its outlet and
9 ultimately Rush Creek, if I'm not mistaken. So it bleeds
10 south.

11 BOARD MEMBER KEN SOUTER: Secondly, is all of the
12 draining -- I'm sure there is drainage system in the roads,
13 does that seem to be functioning properly?

14 ENGINEER PAUL FORTON: So great question for those
15 in the audience. I have not heard any complaints personally,
16 but I also haven't talked to a lot of folks.

17 And, maybe, Joe, I don't know of your maintenance
18 complaints. But my understanding is I haven't heard any
19 complaints on the main system itself that's already in place.
20 The core of the complaints from my understanding is rear lots
21 that are just saturated.

22 And what I would really love to know too, is it
23 just saturated rear lots, or basements? Are basements
24 getting wet? Are you seeing water coming through cracks in
25 the floors? Or is it coming through windows? You know, what

1 type of issues are you seeing?

2 Because that plays a role too, and I don't have
3 that knowledge, which is again why I'm excited to see so many
4 people in the audience.

5 BOARD MEMBER KEN SOUTER: My last question, you
6 showed one picture of a backyard that -- is there a drainage
7 easement on that backyard? It looks like it all --

8 ENGINEER PAUL FORTON: Great question.

9 So that picture was taken right about where the O
10 is in Wind Stone here facing east. And I'll note that you
11 don't see a blue line through there. There is not -- my
12 understanding is there is not currently infrastructure, but
13 again, I don't live there. So please correct me if I'm
14 wrong, I don't believe there is physically a pipe there.

15 But if you look at the plat that was signed to
16 develop the neighborhood, I believe there is rear lot
17 drainage that is plated there.

18 BOARD MEMBER KEN SOUTER: So there is easement --

19 ENGINEER PAUL FORTON: There is already an easement
20 up through that stretch if something were needed to be done
21 there.

22 BOARD MEMBER KEN SOUTER: Those are my questions.

23 ENGINEER PAUL FORTON: Josh or Todd?

24 BOARD SECRETARY JOSH WESTGATE: Not yet, but I
25 would like to hear public comment.

1 ENGINEER PAUL FORTON: Excellent.

2 BOARD CHAIR TODD WOLTERS: Did we have any other
3 representation from anyone else, the township or anyone else?
4 Any comments from Georgetown?

5 ASSISTANT MANAGER ROD WEERSING: No.

6 BOARD CHAIR TODD WOLTERS: We'll move onto public
7 comments. We'll start on this side, state your name and
8 address, and come up to the microphone for the court
9 reporter's benefit because it's tough to hear otherwise. Any
10 comments?

11 MR. TODD PEDERSON: Sure. My name is Todd
12 Pederson. I live at 7423 Augusta, I'm right on the northeast
13 corner of the easement here.

14 We do have a catch basin in our backyard that
15 drains from several of the neighbors. And we still do have a
16 damp backyard. We've never had any basement issues.

17 But one thing I would like to point out in that
18 particular area is often, in my opinion, there is an
19 excessive use of sprinklers running everyday and that would
20 contribute to that.

21 My issue I think is separate from what's up on Wind
22 Stone and Oakmont, because that is geographically a little
23 bit different spot there.

24 BOARD MEMBER KEN SOUTER: Since I can't read, can
25 you point where you are?

1 MR. TODD PEDERSON: Yes. Get my bearings here.
2 I am right here (indicating).

3 BOARD MEMBER KEN SOUTER: And you say there is a
4 basin in your backyard.

5 MR. TODD PEDERSON: There is a catch basin here.

6 BOARD MEMBER KEN SOUTER: With an inlet on the top?

7 MR. TODD PEDERSON: Correct, in the backyard. And
8 that is, from what I can visually see, it's catching these
9 lots coming from here, about every fourth home has one. And
10 I do know recently that this one right here had a flooded
11 basement. That was within the last two months.

12 BOARD MEMBER KEN SOUTER: Thank you.

13 BOARD CHAIR TODD WOLTERS: All right. Next?

14 MS. LESLIE McCORMICK: So my name is Leslie
15 McCormick, and I live at 3316 Oakmont Drive. So, I'm
16 actually right here (indicating).

17 And I'm actually the one who started the petition
18 too.

19 So we have standing water in our backyard year
20 round. We have kind of -- if this was a backyard, the back
21 of it we have like one big pond here, a medium pond here, and
22 then a smaller one here. And then those are always there.
23 And when it rains, then kind of the whole backyard connects.
24 And the rest of it is just super wet.

25 Our basement has flooded one time when our sump

1 pump stopped working. I'm not sure, the last year or the
2 year before.

3 I met with some engineers that came to our house, I
4 don't think it was --

5 ENGINEER PAUL FORTON: It might have Dave Schultz.

6 MS. LESLIE McCORMICK: It was somebody with a long
7 white beard.

8 ENGINEER PAUL FORTON: He's from another company,
9 but I know he was involved too.

10 MS. LESLIE McCORMICK: So he came out and looked at
11 it and was like basically obviously there is a problem with
12 standing water in your backyard.

13 There is a drain like two houses to the west, but
14 that's like uphill from us. And then the other drain is four
15 houses down east, like downhill. But our water just sits in
16 our backyard and it doesn't go anywhere.

17 And when I did the petition -- I just went straight
18 down Oakmont because when Dave was there he had said, oh,
19 there is a bunch of houses down the hill that I have to stop
20 at after I stop at your house who all called as well.

21 So I just went straight down the hill, and every
22 single house I went to said, we have standing water, or our
23 backyard floods, or our basement floods.

24 So it seemed like, it's not just my one yard that I
25 can fix because it's every yard.

1 BOARD CHAIR TODD WOLTERS: Okay. Thank you.

2 Next.

3 MS. KELLY KUIPER: I'll show you my house before we
4 start. We're here up on Wind Stone. I'm Kelly Kuiper, 7351
5 Wind Stone.

6 I think it's important that you hear from somebody
7 at the very tippy top of the high point of the drainage
8 district, because while we have not had standing water in our
9 basement or a wet basement, we too have problems. So at the
10 very highest point of this drainage district the backyards
11 are still damp. I don't have standing water, but we used to
12 have a yard service a couple years ago and whenever the
13 tractor from the yard service came through, we had
14 depressions where the wells -- where the wheels drove around
15 the yard constantly. That's kind of what you can see in our
16 yard.

17 The thing that I wanted to bring up though is
18 although we don't have the same extent of the problems, my
19 sump pump runs constantly. Constantly. I can constantly
20 here flush throughout my house.

21 And the only way I can make sure that I am not
22 having a failing sump pump is I actually have my wi-fi router
23 on the same outlet as my sump pump, because we're all
24 addicted to phones and work from home, so if my wi-fi goes
25 out, I know my sump pump is out. That's how important it is

1 because my sump runs constantly.

2 But the thing I want to bring up, and it's not
3 necessarily about a problem, but it's just for your
4 consideration when understanding the project and some of what
5 has happened is in our neighborhood.

6 And it's not specific to our neighborhood, this is
7 all developments currently. We noticed when we were building
8 our house that some of the other houses under construction at
9 the time had skidsteers in the backyard grading out the
10 drainage easement in the back because they wanted a flat
11 backyard. I can understand that, you want a place for your
12 kids to play. I've seen walkouts created where walkout lots
13 were not designed.

14 I think one of the interesting things when you look
15 at how a development is engineered and designed, those
16 engineers, they come through and they're setting grades very
17 specifically so that these drainage easements work, so that
18 these drain districts function.

19 And yet individual builders come in and say, I can
20 up sell this lot to a walkout. All I have to do is add a
21 little bit of fill. And while we're not changing the
22 impervious system, we're dramatically changing the runoff
23 rates into the entire neighborhood.

24 And I unfortunately think that's a very significant
25 problem with this neighborhood is drainage easements in the

1 backyard. So mounds in the back where kind of there was that
2 depression in the back have been graded out in a number of
3 lots. Walkouts have been created where they weren't
4 designed, they were designed for a daylight basement. And I
5 do think that's part of the problem.

6 I don't know how we fix that after the fact, but I
7 would say that for future, I don't know if the water
8 resources office can get more involved with building permit
9 processes, but I do strongly believe that that would solve,
10 have solved some of the problems initially.

11 Thank you.

12 BOARD MEMBER KEN SOUTER: I have a question for
13 you. You say you're the high spot.

14 MS. KELLY KUIPER: Yes.

15 BOARD MEMBER KEN SOUTER: Right? From where you
16 live, is there a gradual grade to, I take it, to the east
17 there?

18 MS. KELLY KUIPER: So we have made sure to keep our
19 grade heading south. But as you go to the neighbors to the
20 south, it flattens out pretty significantly. So I do know
21 that our neighbors to the south have had more problems than
22 we have because it just flattens out too much in the
23 backyards there.

24 BOARD CHAIR TODD WOLTERS: Thank you.

25 Next.

1 MR. MARK MULDER: Mark Mulder, 3368 Oakmont. I'm
2 right on the corner of Wind Stone and Oakmont on the outside
3 corner lot.

4 So just like Kelly, I've had a lot of water issues
5 as well. That one picture you showed of the water going over
6 the sidewalk, I get that constantly, constantly.

7 My backyard, usually about two months out of the
8 year, I'll have maybe a half inch of standing water. And
9 then when it starts to evaporate or recede, it will start
10 going towards the east, toward the property line with my
11 neighborhood.

12 It will sit there, and there is like a constant
13 about 20, 30 foot area where I don't grow grass very well.
14 And I got down to like maybe five feet now, but there is
15 areas I can't grow anything at all.

16 When I first moved in, I did have a leakage in my
17 basement. That has since been fixed. But as far as my
18 basement is concerned, I have, like Kelly, I have a censor in
19 my drainage hole, and I have a back-up sump pump, and I also
20 have a generator just in case it does, the power goes out.

21 I have also talked to neighbors in the other
22 development to the west, and I know they have significant
23 water issues in their basement as well, where they do the
24 same thing. They have backup sump pumps, generators, and
25 their sump pumps are running at least every hour year round.

1 BOARD MEMBER KEN SOUTER: Question.

2 MR. MARK MULDER: Yes.

3 BOARD MEMBER KEN SOUTER: Everybody is talking
4 about sump pumps, where does that discharge?

5 MR. MARK MULDER: I have a -- so there is that blue
6 line with the storm drain in the backyard, I have mine
7 connected up to that, along with my downspouts.

8 BOARD MEMBER KEN SOUTER: So you are discharging
9 into a structure then?

10 MR. MARK MULDER: Yeah. There was discharge -- I'm
11 not -- there is like a five-inch diameter pipe in my
12 backyard, about four or five feet down, and I was able to
13 connect to that.

14 BOARD MEMBER KEN SOUTER: So there is an outlet for
15 that?

16 MR. MARK MULDER: Yes. But I still have standing
17 water in the backyard.

18 BOARD MEMBER KEN SOUTER: I was just wondering if
19 you were just dumping it in the backyard.

20 MR. MARK MULDER: No, I try not to. I recognize I
21 live in clay and I try to do as much as I can ahead of time.

22 BOARD CHAIR TODD WOLTERS: But you're also having
23 problems on the street side of the home, which is an
24 elevation probably seven or eight foot higher than your rear
25 yard?

1 MR. MARK MULDER: Yes.

2 BOARD CHAIR TODD WOLTERS: And you still have water
3 pumped outside?

4 MR. MARK MULDER: Yes. It's flowing across.

5 BOARD CHAIR TODD WOLTERS: It almost sounds like
6 it's spring fed or something.

7 MR. MARK MULDER: I know with the developers, there
8 was like a pond in that area. I'm not sure if that has to do
9 with it at all.

10 I don't run tractors in my backyard because of the
11 same issues that Kelly has, it creates big old divots.

12 Thank you.

13 BOARD CHAIR TODD WOLTERS: Thank you.

14 We'll keep going around and I'll come back if there
15 is any follow-up questions.

16 MS. EMILY LYNEMA: I am way on the other side, so I
17 don't have as much to say. Todd is my backyard neighbor.

18 So I'm the 7414 Medinah here. And this is a grade
19 down (indicating). Medinah flows, and then my house grades
20 down to Todd's, and Todd's house is below my house.

21 I'm Emily Lynema, I live at 7414 Medinah Drive. I
22 do not have a sump pump in my basement, so clearly I do not
23 have the water issues that these other people have. Just to
24 report the situation up there sort of at the top, we're also
25 sort of at the top in the drainage area off a different type

1 of hill. We do not have these types of issues in our yard at
2 all.

3 BOARD CHAIR TODD WOLTERS: Thank you.

4 All right. We will keep on moving through the next
5 row. Whoever wants to go first, we don't care.

6 MR. JUSTIN DUIMSTRA: My name is Justin Duimstra,
7 I'm at 3247 Oakmont, right in here. And I want to talk about
8 my property and then two neighbors also.

9 We built our house in 2020, and when we moved in
10 the property to the east of us had really bad drainage
11 issues. They had a bunch of standing water in their yard.
12 They do have a drain in their yard, someone else mentioned
13 every four houses or so, he does have that.

14 When our house was -- when the drain tile went in,
15 we also don't have a sump pump, we have a drain tile that
16 pushes the water to the back. When that went in his problem
17 was fixed somewhat, his yard did get less wet.

18 Once our yard was in, and we were putting in
19 landscaping, we noticed on the west side it was super wet.

20 And we talked to the other neighbor, he said, yep,
21 my yard is really wet. We finally got grass in thinking that
22 would help dry it up. His yard slopes down into mine, just a
23 large area that's constantly wet. If you step in it, your
24 feet sink by two inches.

25 We thought it was sprinkling. My sprinkling guy

1 who was doing my job said, I'll take a look at it, dug it up,
2 found nothing, turned the sprinkling off for several weeks,
3 still nothing.

4 He said he's had a half dozen companies come out,
5 he's called half a dozen, only a few would come out, looked
6 at it, and per their assessments the only thing they can
7 think of is it is a natural spring there. So both sides of
8 his yard are wet, one spot in the middle is not. He's
9 looking to spend about \$14,000 to try to fix his problem,
10 which is becoming my problem, which then becomes my
11 neighbor's problem. It all kind of trickles in together.

12 When it rains, even, not even a significant amount
13 of rain, my backyard floods, the drain behind my neighbors,
14 gets completely overwhelmed, and it's a giant swimming pond
15 back there basically.

16 About four houses down from us within the last
17 year, one house did have its basement flood and they may have
18 had it happen twice. I can't remember.

19 BOARD CHAIR TODD WOLTERS: Question. When you said
20 it floods, where the drain is at, is that covered with water
21 then?

22 MR. JUSTIN DUIMSTRA: Completely covered, yes. And
23 because my neighbor has had severe problems with drainage, he
24 is very diligent about making sure it's not covered. And
25 neither of us have had water in our basements. But that

1 drain will get covered by, with a heavy down pour, sometimes
2 like a foot of water.

3 BOARD CHAIR TODD WOLTERS: Okay.

4 BOARD MEMBER KEN SOUTER: Quick question. It
5 rains, you got it covered with a foot of water, how long does
6 it take to actually recede down from that point?

7 MR. JUSTIN DUIMSTRA: To recede --

8 BOARD MEMBER KEN SOUTER: So you can see the drain.

9 MR. JUSTIN DUIMSTRA: That happens pretty quickly.
10 But once the water recedes down to the base of the drain,
11 that area does stay wet for quite sometime.

12 BOARD CHAIR TODD WOLTERS: Have you seen water
13 percolating out of the drains or bubbling?

14 MR. JUSTIN DUIMSTRA: I have not noticed that, no.

15 BOARD CHAIR TODD WOLTERS: When we're asking
16 questions, it's not like just for us, it's also for the
17 engineer.

18 ENGINEER PAUL FORTON: I just have to say, you're
19 both crushing it because your question about if it's bubbling
20 up, that's an indicator that the pipe is too small and the
21 water is surcharging out, there is too much water in the pipe
22 and it's coming out.

23 And how long it sits there, if it's gone within a
24 few hours or day, or sits there for a few weeks over the top
25 of the drain, then that tells us the drain is probably

1 plugged or grossly undersized downstream.

2 BOARD MEMBER KEN SOUTER: Sounds like it's working,
3 but it's not big enough.

4 MR. JUSTIN DUIMSTRA: I'll keep my eye on both
5 those things and go from there.

6 ENGINEER PAUL FORTON: Yeah.

7 BOARD MEMBER KEN SOUTER: And you're there all the
8 time. If you see something that's happening that's weird,
9 you have to get it to the drain commissioner so he knows
10 what's happening.

11 MR. JUSTIN DUIMSTRA: And the big part is my
12 neighbor has this hole where we're trying to discover this
13 problem. He put a sump pump in it just to help me out, so
14 that that water wasn't draining into my yard, and that did
15 help. If he kept it empty, my yard did dry up.

16 That's tough to do. We went in the winter, and now
17 it's literally a pool. And like he thinks it comes from
18 either a spring or the other side of his house. So he has a
19 very narrow section of his yard that isn't completely
20 drenched. So he deems his yard basically unusable in the
21 back.

22 BOARD MEMBER KEN SOUTER: Thank you.

23 BOARD CHAIR TODD WOLTERS: Next.

24 MR. JEFF VROEGINDEWEY: Jeff Vroegindewey. Kind of
25 nowhere near anyone here.

1 I'm in the area, but it's totally opposite side.
2 It's actually this very bottom corner. So actually we have
3 our property on the pond right there. So possibly good for
4 perspective of that one.

5 Basement problems, none. Some of the property that
6 we have, if you actually go towards basically our neighbor to
7 the west, basically the bottom part of our yard there, pretty
8 swampy on a lot of it. Pretty much we have a riding lawn
9 mower and we just avoid mowing that part of the yard for any
10 time post rain for awhile.

11 And then even, interesting thing is actually as it
12 gets later on in the summer, it actually stays wet longer,
13 which is a little bit odd.

14 So it basically does this one when it gets toward
15 the fall and anything like that, I just kind of stop mowing
16 it during that period of time unless it's dry for a long,
17 long time. Then I hope I don't get stuck in the mower on
18 that side.

19 We do have a sump pump. It was actually drilled,
20 when we moved in there about five years ago or so. They
21 actually did not have a sump pump in it so we actually put
22 one in just in case because we had water damage in a prior
23 home and just wanted that there as a security blanket.

24 It runs every once in awhile, not constant. I was
25 going to say, I don't think there -- the only other spot that

1 kind of stays wet is the neighbor to our north. Basically
2 the slope between -- there is a heavy slope between our
3 yards, that slope is pretty wet fairly frequently, I would
4 say.

5 BOARD CHAIR TODD WOLTERS: Okay.

6 BOARD MEMBER KEN SOUTER: Quick question. Since
7 you live on the pond, does that pond fluctuate in height
8 quite a bit.

9 MR. JEFF VROEGINDEWEY: It does, yes. Like I say,
10 it definitely gets pretty low, and it does go as well to the
11 top of the, there is like a little outlet that it has.

12 The outlet is further to the east. It's in the
13 bottom, the southeast corner there, there is a big old white
14 pipe.

15 ENGINEER PAUL FORTON: Maybe right in there.

16 MR. JEFF VROEGINDEWEY: Yes. It does get to the
17 top of that occasionally. Not all the time by any means, but
18 it does get to it occasionally.

19 BOARD CHAIR TODD WOLTERS: Is that the overflow?

20 ENGINEER PAUL FORTON: Yes.

21 BOARD MEMBER KEN SOUTER: That's got to be the
22 outflow.

23 BOARD CHAIR TODD WOLTERS: For emergency.

24 MR. JEFF VROEGINDEWEY: There has been some issues
25 with the culverts, I know that, that come into the pond.

1 They still always did it, actually just last fall I think
2 they did some stuff to fix some because they, I don't know, I
3 was going to say I think it actually collapsed in and the
4 grate on top of it actually blew off of it from the water
5 outflow into the pond and everything like that. That stuff
6 got fixed.

7 BOARD CHAIR TODD WOLTERS: All right. Thank you.

8 Next?

9 MR. RYAN MOLEN KAMP: I live right here at 7219
10 Oakmont Court, kind of south and east of many of the issues
11 you've heard about. My name is Ryan MolenKamp, 7219 Oakmont.

12 So we have had a lot of water issues. Some of the
13 properties on that court, we're one of the first ones built
14 in that newer area, Oakmont, Wind Stone were built much
15 later, three or four years later.

16 So right away we didn't have any water issues, but
17 I think in 2017 we had to redo some of our drain tile because
18 of all the water we started receiving in the back of our
19 home, which did help. We had water in the basement as well
20 and had to have that repaired.

21 There is no blue line because I don't think there
22 is a storm drain at 7231, 7219, but there is a drain in the
23 back of our yard, kind of right in the corner.

24 So we're receiving a lot of the water from
25 everything to the west, and to the north, we get a lot of

1 that water, and it is standing water throughout the year.

2 We also have the neighborhoods that aren't outlined
3 in red that some of their water I think comes into play there
4 as well, so that's another issue is I think they've got some
5 issues with some of their culverts and drains that then cause
6 our drain district some problems.

7 And someone came out, I can't remember, that came
8 out last summer to take a look at that neighboring
9 neighborhood as well to see if there is something they can do
10 about that.

11 BOARD CHAIR TODD WOLTERS: Again, are you seeing
12 any percolating out of that drain when you get a big rain
13 storm, that the water is coming back out of the drain and
14 flooding your yard?

15 MR. RYAN MOLEN KAMP: I have not seen that.

16 BOARD CHAIR TODD WOLTERS: Okay. Start in the back
17 on that side, go ahead.

18 MR. TRAVIS THOMPSON: My name is Travis Thompson.
19 I'm kind of in the middle here, 3184 Doral. So I'm kind of
20 at the bottom of this hill. It's a pretty steep hill from
21 top to bottom. It's hard for kids to walk their bikes up the
22 hill.

23 But just to confirm, we do have a three-foot drain
24 in the southeast corner of our lot. And I have an easement
25 here right in the middle. I believe there is a drain that

1 goes up, I don't know how far, but another storm drain in the
2 middle of another property up the hill.

3 In 2016 we had another easement added to our lot on
4 the east side to go to 3172, because this house has like a
5 ton of water pooling at the bottom of their house. An
6 easement was added, but no drain, like it didn't really do
7 much to fix that.

8 But I would say my biggest issue is in the winter,
9 on the front of my property, I need to maintain that sidewalk
10 like actively. Otherwise, I'll get three to four inches of
11 ice on the front of my sidewalk. Like everyday I need to go
12 out there and chisel that off.

13 And that's like the only weird water issue I have.
14 I don't have a sump pump, my basement is dry. But our yard
15 is pretty sloped. So I don't know if that has anything to do
16 with it. But that front sidewalk is trouble in the winter.

17 As it was mentioned, where our lawn is, it's like
18 real hard clay, it's hard to dig a one-foot hole. And if you
19 did dig a hole, that water would sit in there for a long
20 time.

21 So I don't know if you guys have similar yards, but
22 it's pretty hard.

23 BOARD SECRETARY JOSH WESTGATE: So you previously
24 dug a hole and water stays in the bottom?

25 MR. TRAVIS THOMPSON: I tried to plant a few trees

1 and they literally all die because it does not drain.

2 UNKNOWN SPEAKER: In the winter it's the snow melt.
3 It's a constant stream of water when the snow melts that
4 freezes as a sheet on the sidewalk. It's lots of places like
5 that.

6 BOARD CHAIR TODD WOLTERS: Your name, sir?

7 MR. DALE VAN RHEE: My name is Dale VanRhee, I live
8 at 7358 Valhalla Drive.

9 BOARD MEMBER KEN SOUTER: Can you pinpoint it?

10 MR. DALE VAN RHEE: Here is Valhalla, up in here.

11 I just want to say that we don't have any problems.
12 Water drains off our lot fine. We haven't had any issue at
13 all. We are on the list for the assessment.

14 BOARD CHAIR TODD WOLTERS: Once you become part of
15 a drain district, you may not have the issue on your
16 property, but your water is going somewhere else. And so
17 that's kind of why you're part of the whole district. And if
18 there is a decision made, it affects everybody that's in the
19 district. Because you are still shedding water somewhere.

20 Is that a fair statement, Joe?

21 MR. DALE VAN RHEE: Right. Our water goes down to
22 the bottom of the hill.

23 BOARD CHAIR TODD WOLTERS: Right. Which could
24 cause other people issues. It's not saying you're causing
25 the issue, but it's all part of the overall drain district.

1 MR. DALE VAN RHEE: Well wouldn't the whole
2 subdivision be part of the problem?

3 BOARD MEMBER KEN SOUTER: But you're part of the
4 problem.

5 MR. DALE VAN RHEE: It doesn't show the whole
6 subdivision being part of the problem.

7 BOARD CHAIR TODD WOLTERS: Like I say, being a part
8 of the drain district, no matter what decision is made, you'd
9 be part of the decision on whether it's monetary or not, even
10 though you're not having issues. If there is a determination
11 saying something has to happen, we just can't pick the ones
12 out that don't have an issue and only have the ones that do
13 have the issue. It's a group effort. It's a community
14 thing.

15 MR. DALE VAN RHEE: Well you have lines drawn
16 within that community.

17 BOARD CHAIR TODD WOLTERS: Within that boundary,
18 correct. Are you outside of that boundary?

19 MR. DALE VAN RHEE: No, I'm in it. That's my
20 question. How is that determined?

21 ENGINEER PAUL FORTON: I can speak to that.

22 So when, generally speaking, it's a watershed line,
23 we're using a couple of different terms that are synonymous.
24 Is there a drainage district boundary, and if you're inside
25 that, the way we determine that is if your water drains into

1 a certain point.

2 Like all of the water in this watershed ultimately
3 all dumps down to that one point and then leaves. So any
4 water that sheds to that point, to that pond would go.

5 Now the rear lots, for example on the back of Doral
6 Drive here, those are actually in a different drainage
7 district called Rolling Hills Drain. And this is Rolling
8 Hills South Drain that we're speaking about today.

9 So Rolling Hills Drain, the folks up here, when you
10 say your neighborhood is involved, portions of it are.
11 Basically everybody that drains to the pond here, those folks
12 would be.

13 But if the water drains in a different direction,
14 like the Chapel Point, and these rear lots, those actually
15 drain northerly, and away. So those folks would not be
16 liable for assessment.

17 The way we determine that watershed boundary is we
18 look for the high point or the peak around the area. We're
19 kind of looking for the continental divide. And we're saying
20 any water that drains into the system towards the pond would
21 be, say that drains to the Atlantic, then that spot, any
22 water within that watershed, anybody in that would be liable
23 for an assessment.

24 If it drains in a different direction, and goes
25 north, then those folks are potentially in a different

1 district. In this case it happens to be the Rolling Hills
2 Drain.

3 And a lot of this is determined when the developers
4 come in, and I believe this was established in five or six
5 phases over time, which is why you have folks that have been
6 here longer than others. I think 2020 was mentioned as when
7 someone's home was built.

8 So basically that watershed line, anybody that the
9 water sheds through that pond, those would be the folks that
10 would be liable potentially for an assessment at that time.

11 I'm not sure if that makes sense or confuses you.

12 MR. DALE VAN RHEE: No, because the homes north of
13 us, I believe it's north, are not being charged the
14 assessment, and their water runs down towards us in fact.

15 ENGINEER PAUL FORTON: So you're right -- you're
16 right on the line, if I'm not mistaken, extremely close to
17 it. Valhalla, right?

18 MR. DALE VAN RHEE: Yes.

19 ENGINEER PAUL FORTON: The break point, and we have
20 not verified this, I was not the engineer that drafted the
21 line, we put it on the map from a previous engineering firm.

22 My understanding, and we'll verify it, if a project
23 is found necessary, we'll check it, change it, correct it as
24 needed. We have really good LiDAR data now that wasn't
25 available a decade ago.

1 But my understanding is there is storm sewer that
2 takes it north. So you do have neighbors to the north of you
3 that did not receive a notice for today's meeting, for
4 example, because their water goes to a different watershed.

5 MR. DALE VAN RHEE: How can that be if it runs past
6 us?

7 ENGINEER PAUL FORTON: And that's what we'll check,
8 we'll add that to the list. If you have folks north of you,
9 I know there is rear lots that drain past you, there is
10 definitely a rear house, but we'll have to take a look at the
11 straight drainage to figure out where the high point is in
12 the road, and where the storm sewer breaks, wherever the end
13 of those storm sewers are, typically at a high point, that's
14 where our line goes across the road so water can drain across
15 the road. But we'll look at it.

16 BOARD MEMBER KEN SOUTER: Good thing that you
17 mentioned it because he knows he has to check that issue.

18 MR. DALE VAN RHEE: Thank you.

19 BOARD CHAIR TODD WOLTERS: Okay. Next?

20 MS. ALYSSA O'ROURKE: Hello. My name is Alyssa
21 O'Rourke. I live at 3302 Oakmont Drive, which is right here.

22 We get a ton of flooding in our backyard . So we
23 actually live next to the McCormicks. And any time we see
24 flooding starting in their backyard, we're like, uh-oh, it's
25 coming our way.

1 We get it year round as well. We don't have quite
2 as much as they do, but we do get it year round. We have a
3 lot of increased bugs because of the standing water that's
4 there year round.

5 The land is unusable. Somebody else mentioned
6 grass does not grow anywhere where it floods and it's the
7 same in our yard as well.

8 The ground has also become very unstable and
9 uneven, which is dangerous for walking. We have a three-year
10 old, and a baby back here. So it's just a little dangerous
11 for them playing around in the backyard.

12 About three years ago our basement did flood. We
13 had a sump pump that drains into the southeast corner of our
14 backyard. We had a back-up pump installed because two weeks
15 later it flooded again.

16 So that was fun cleaning our basement twice in a
17 month. And so this is just a problem that's been persisting
18 since we moved in which was in 2016. So this issue has been
19 there for at least five-and-a-half years that we've lived
20 there.

21 ENGINEER PAUL FORTON: Can I ask a quick question?
22 I know it's your meeting.

23 BOARD MEMBER KEN SOUTER: If you have a question,
24 we're confused too.

25 ENGINEER PAUL FORTON: When your basement flooded

1 the first time, did the sump pump fail?

2 MS. ALYSSA O'ROURKE: The sump pump did fail, so we
3 got it repaired. And then the repairs didn't help, so we got
4 a back-up installed as well.

5 I will say our sump pump runs pretty much hourly.

6 ENGINEER PAUL FORTON: Okay.

7 MS. ALYSSA O'ROURKE: Sometimes it's as often as
8 every 20 minutes. So even now, seeing the rain come, I'm
9 cringing. Every time we get home from a weekend away, or
10 even hours away, we go immediately to the basement to see if
11 it flooded.

12 ENGINEER PAUL FORTON: And with that, what I've
13 been hearing, to generalize things, if the sump pump fails,
14 we have a flood, water is coming up through footing tiles or
15 foundation cracks in the wall.

16 I don't believe, and correct me if I'm wrong, I
17 don't think I've heard anybody say my backyard, the surface
18 water built up and it came in through a window or walkout
19 basement.

20 MS. ALYSSA O'ROURKE: That's not our case.

21 ENGINEER PAUL FORTON: Okay.

22 BOARD CHAIR TODD WOLTERS: Are we seeing -- one
23 question I want to ask. Are we seeing any water come through
24 the front wall of the home, that side of the house, or is it
25 strictly up through the floor that's coming up? I hear a lot

1 of talk about the front yards being saturated. So at least
2 they have your walls sealed fairly well in construction and
3 that's a big thing. Okay.

4 ENGINEER PAUL FORTON: Thank you.

5 BOARD CHAIR TODD WOLTERS: Next.

6 MR. ERIC MEITZ: Good morning, Gentlemen. My name
7 is Eric Meitz, I live at 3220 Oakmont, which is this one
8 right here.

9 And after my house, it evens out because of this
10 cul-de-sac. But right here, I'd say about four or five
11 houses, if you look up those houses, it is extremely
12 terraced, very staircase, linear. And as a matter of fact,
13 some of those houses even have like divots in it. And that's
14 where all the water pretty much pools.

15 And I saw this coming when I moved in. And I had
16 guys comes in with skidsteers and grade my backyard on a
17 steep slope. I also have an easement and a drain in my
18 backyard.

19 And ever since I had that done, I also put like
20 river rock in there and made a river bed, I have zero issues.

21 I also have a really low basement compared to the
22 drain, so I was always kind of worried, is it going to flood
23 and come in. It never even gotten close.

24 I do have a drain on the main street, never
25 flooded, never had issues there either.

1 And to that gentleman's point, the clay is rock
2 hard. I mean you take a shovel, you jump on it, and it's
3 like hitting concrete. You go nowhere.

4 I mean the water is not getting absorbed at all.
5 We have pretty big houses, big roofs, all of that stuff going
6 down the gutters, tile to the back. It's just a lot of water
7 that we're seeing.

8 BOARD MEMBER KEN SOUTER: You're graded all off so
9 that your --

10 MR. ERIC MEITZ: I have a really steep --

11 BOARD MEMBER KEN SOUTER: How about from you down?

12 MR. ERIC MEITZ: -- from me into the drain. And
13 the drain is pretty much the flat spot. And it goes up a
14 little bit to the cul-de-sac, but I'm pretty much the low
15 spot. It goes up the hill quite a bit. So I'm getting just
16 a ton of water coming down.

17 BOARD MEMBER KEN SOUTER: But it goes past you,
18 okay.

19 MR. ERIC MEITZ: It goes into the drain in my
20 backyard. There is a drain and then like five feet next to
21 it is a back-up drain.

22 And so sometimes it overflows. But mostly because
23 they have that silk basket in there and it was just full.
24 And I think they pulled it out last year and we haven't had
25 trouble since. And now that my yard is fully in, it's taken

1 hold, I have not had a ton of issues.

2 BOARD CHAIR TODD WOLTERS: Thank you.

3 Anybody else?

4 MR. STEVE GUPPY: Good morning. My name is Steve
5 Guppy, I live at 3173 Oakmont. I'll point that out, but I
6 want to share this with you.

7 I'm surprised nobody else has shown you pictures.
8 You can pass it on. That's the trout stream in the back of
9 my yard that some of you have seen.

10 Not to say my problem is any bigger than anybody
11 else's, it's just a problem.

12 BOARD CHAIR TODD WOLTERS: Where are you located?

13 MR. STEVE GUPPY: I am right here, in this home.

14 So we built in 2014. So everything west, pretty
15 much was not there. And at the time, we thought we don't
16 have any water problems, even though we have quite a hill
17 above us.

18 And as time went on, we gradually had more and more
19 water which we call our trout stream.

20 So we didn't file any petitions, we didn't think of
21 it, let's put it that way. I wish we would have. Because I
22 think that just listening to many of my neighbors, we all
23 have a problem with water in our yards.

24 The back corner of my land, there is a drain back
25 there. Yet it doesn't show up, and maybe these guys can help

1 me, it doesn't show up on the map connected to something.

2 If you come down the hill from -- you guys took a
3 picture up on Wind Stone of that big valley. Down that hill
4 it somewhat separates when it gets further down, there is a
5 ridge of trees. Water goes on one side of the trees and then
6 it goes into our stream on the other side of the trees. The
7 other side of the trees is where our drain is, but there is
8 always a ton of water there.

9 When I show you that picture, this is not just a
10 once in awhile thing, that's not even the worse picture, it's
11 usually for many, many days that that stream is running, it's
12 not just, it happens once.

13 So now just up from where Leslie lives, my son also
14 lives up on Oakmont. Unfortunately, he couldn't be here. He
15 lives up in here, right in this area.

16 His backyard, similar to others, is just full of
17 water. And I have a picture, but we don't need to show that.
18 His backyard has that valley, it has a dip and it stays full
19 of water.

20 As a matter of fact, he asked for us to help him
21 with our John Deere mower, my wife has refused because she
22 gets stuck in his backyard.

23 When we talk about their backyards, for example,
24 these are lawns. They're not -- what I showed you is the
25 back of my property. Okay. But these are lawns that we're

1 talking about in most cases.

2 So when we talk about unusable, it's not just out
3 in the woods. I think that the question for you guys is when
4 we look at the map and we see the blue lines of where drains
5 are connected, are the rest of the drains that are like on
6 the back of my property, and I also believe up in that valley
7 where you looked, there is some drains up there, are they
8 connected to something?

9 ENGINEER PAUL FORTON: So in general, yes, or we
10 hope so. In theory they are. And it's interesting too
11 because looking at different layers of GIS, there is a strip
12 of, on some of the layers, there is a strip of blue line.
13 But it's just like a lightning bolt segment in those
14 backyards, it doesn't appear to be connected. But in the
15 real world, we know there is probably stuff out there that
16 is.

17 And it gets really difficult with these plats
18 because they'll be a 10-foot wide drainage easement to the
19 Rolling Hills Drain south drainage district, if we're lucky
20 that's what it says. Sometimes it's to Ottawa County, or a
21 private drainage easement. And then you need a lawyer. I do
22 a lot of these, and I can make a lot of guesses, but you
23 really need a lawyer to sort through some of those scenarios.

24 There are a lot of plated easements within your
25 neighborhood as a part of that 433 Agreement that we noticed

1 that aren't blue lines on here.

2 So that's where it gets really interesting because
3 we don't know exactly what's there. It sounds like we'll
4 probably be figuring that out, but that's one of the things
5 we'll need to look into.

6 That's why I appreciated all the questions about
7 does the water come up, how long does it sit, does it go
8 away.

9 And so I guess to answer your question directly,
10 it's probably hooked in. Is that public infrastructure?
11 Judging from the easements I seen in the plat, most of that
12 probably is. But we'll get it mapped.

13 Basically part of our survey will get that mapped,
14 locked in, what are the sizes, where does it go, what are the
15 inlets, that sort of thing.

16 MR. STEVE GUPPY: The only other thing is if you
17 don't fix it, can we plant trout in the stream?

18 Thank you --

19 BOARD MEMBER KEN SOUTER: I have a question about
20 your trout stream. How long does that movement last? I mean
21 as far as the drainage -- let's say you got substantial rain,
22 an inch of water like we had last week, how long does the
23 running happen?

24 MR. STEVE GUPPY: The running of water can last four
25 to five days, easily. I mean it will obviously go down.

1 But remember that most of the people that are up
2 the hill where you took the picture on Wind Stone, where
3 that's a valley up there, so I believe there is drains up
4 there, only because this is what I've heard. Remember that
5 that all slopes downhill, and I'm not at the bottom, so it's
6 not Steve has the worse problem. Please don't take it that
7 way.

8 But it all slopes downhill, therefore that water
9 continues to come down hill. So it can be easily four to
10 five days. In the spring it's always. In the winter it's
11 even always.

12 It is very rare that you can walk, like in my
13 backyard, across that. It's very rare you can walk like
14 across that and it's not wet. It's not very often that you
15 will walk across it. It's kind of a sandy bottom because of
16 all the houses that are built. It's a lot of sand.

17 BOARD CHAIR TODD WOLTERS: I want to keep this
18 moving because we're already at an hour here. I apologize.

19 Anybody else have comments on this drain? So far I
20 haven't heard any negatives that nobody hasn't had an issue.
21 Is there anything --

22 MR. JUSTIN DUIMSTRA: Very quick, one more?

23 BOARD CHAIR TODD WOLTERS: Yeah.

24 MR. JUSTIN DUIMSTRA: Justin Duimstra, 3247
25 Oakmont.

1 So Steve just talked, the neighbor between Steve
2 and myself, I mentioned their basement flooded and I sent
3 them a text and I asked if it was sump pump failure. And he
4 said it was, so it was not water just coming into the
5 basement. He did say though his entire backyard is 100
6 percent useless, completely flooded constantly.

7 BOARD CHAIR TODD WOLTERS: Very good, thank you.

8 Did you have another comment?

9 MR. TODD PEDERSON: Todd Pederson.

10 Growing up in the community and playing golf there
11 when it was a golf course, I just did want to reinstate that
12 where Mark, there was a pond there, and I believe that is
13 spring fed.

14 And I do know that on 7414, where we have adjoining
15 backyards, there is a spring coming out of the hill there.
16 So when you mentioned that it sounds like there is springs, I
17 believe that is some of the case.

18 BOARD CHAIR TODD WOLTERS: Okay. Thank you. All
19 right.

20 I think everybody had a chance to speak now. There
21 was nobody else, correct, that hasn't spoke? Then we're
22 going to keep moving forward.

23 BOARD MEMBER KEN SOUTER: I make a motion to close
24 the public hearing.

25 BOARD CHAIR TODD WOLTERS: Yes, close the public

1 hearing. Do I have a motion?

2 BOARD MEMBER KEN SOUTER: You have a motion.

3 BOARD CHAIR TODD WOLTERS: Support?

4 BOARD SECRETARY JOSH WESTGATE: Supported.

5 BOARD CHAIR TODD WOLTERS: All in favor, say aye.

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

7 BOARD CHAIR TODD WOLTERS: Then we'll have a
8 discussion here.

9 We have not heard of this kind of a lushy ground
10 issue in a lot of the determinations we've seen in the past.
11 It's just kind of a weird deal. It almost seems like it has
12 to be spring fed.

13 And now that you mentioned a golf course, I
14 probably golfed there about 30 years ago and I didn't realize
15 it.

16 Go ahead.

17 BOARD MEMBER KEN SOUTER: I've been on a lot of
18 drain board hearings and this is a very unusual one because
19 of the fact that everybody seems to be pumping water out,
20 pumping water, and they seem like they're pumping it into
21 existing drains, but it isn't getting away properly.

22 Somehow there is -- I mean you take a hill, a clay
23 hill, that should drain off pretty cotton picking fast
24 because nothing is going down, it's going to drain off, and
25 for some reason it is not.

1 And I guess I'm going to wish the engineers real
2 well, and Joe real well, because of the fact it's going to
3 take quite a bit to determine just exactly what you have
4 there, what is there, and what needs to be done to fix it.

5 I think it's fixable. I'll put you on the spot,
6 it's fixable.

7 ENGINEER PAUL FORTON: Is that a question or a
8 statement?

9 BOARD MEMBER KEN SOUTER: I don't know exactly what
10 to say as far as how it's fixable.

11 I would support a motion to approve this and give
12 them a chance to try to get it. Everybody has a problem.

13 BOARD SECRETARY JOSH WESTGATE: I'll agree with
14 that, Ken. Obviously, this is a very unique situation. This
15 is typically not something you usually see like this. I
16 would agree with it.

17 BOARD CHAIR TODD WOLTERS: So this Board is -- is
18 the drain necessary and conducive to the public health,
19 convenience and welfare, with that question being asked, do I
20 have a motion?

21 BOARD MEMBER KEN SOUTER: You have a motion.

22 BOARD CHAIR TODD WOLTERS: I have a motion. Do I
23 have support?

24 BOARD SECRETARY JOSH WESTGATE: I'll support the
25 motion.

1 BOARD CHAIR TODD WOLTERS: That this is deemed
2 necessary. Okay.

3 All in favor, say aye.

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

5 BOARD CHAIR TODD WOLTERS: Opposed to same?

6 That carries, three to one.

7 And then with that, there is an appeal process.

8 Joe, do you want to give the appeal procession.

9 WATER RESOURCES COMM. JOE BUSH: I'll wrap up the
10 meeting. I don't think anybody is going to appeal today's
11 decision, but you can to the circuit court. You have ten
12 days from today if somebody wanted to appeal today's decision
13 that they deemed it necessary.

14 The next steps will be working with the
15 engineering firm, Spicer Group, and trying to figure out a
16 solution.

17 I appreciate everybody's times and comments and
18 giving testimony. That's important because these guys have
19 never been out there. It's a very challenging situation
20 because it was an old golf course, we know there was ponds,
21 we know there is springs, we know there is infrastructure,
22 but we know there is soggy ground. And on the flip side it's
23 hard clay.

24 That's one of the challenges in Jamestown,
25 Georgetown, is the soil types. So it will be interesting to

1 see our solution moving forward. But, yeah, I appreciate
2 everybody's time. And that's all I have.

3 BOARD MEMBER KEN SOUTER: Thank you.

4 (Board of Determination - Rolling Hills South Drain
5 concluded at 11:14 a.m.)

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