



## **CHARTER TOWNSHIP OF TEXAS BOARD MEETING, August 28, 2023**

### **COMMITTEE OF THE WHOLE:**

Supervisor Loeks commenced the Committee of the Whole at 4:00 p.m. The following board members were present: Trustee Don Boven, Trustee Linda Kerr, Trustee Michelle O'Neill, Supervisor Nick Loeks, and Clerk Emily Beutel. Also attending were Superintendent Erik Wilson, Deputy Superintendent Brooke Hovenkamp, and four members of the public.

#### 2023-2028 Capital Improvement Plan

Superintendent Wilson explained that the Planning Commission held its CIP Public Hearing on August 22 and voted to recommend approval by the Township Board. He reviewed all of the submitted projects and explained the timeline and process, as well as funding.

Board members discussed the projects submitted. In addition, they discussed adding several other projects, including a connection to the Redwood development from the DDA ring road, the 10<sup>th</sup> Street railway segment, an expansion for Hope Cemetery, and road improvements for roads that were not included in the Road Special Assessment. The next step is Board Approval at the September 11 meeting.

#### IFT Application from ClarkLogic – 5383 International Drive

Jamie Clark, owner of ClarkLogic, explained that he had applied for an Industrial Facilities Tax (IFT) Exemption for his recently constructed 120,000 square foot building. It is currently located in an IFT zone, and while the state's IFT policy allows for speculative buildings, the Township's IFT policy does not. Because of the current economic climate, he and representatives from Callander Commercial and Southwest Michigan First said it was difficult to secure an agreement with a manufacturing company in the specified timeline.

The Board discussed its IFT policy and the request, choosing to seek Attorney Homier's input on if or how it might proceed with granting a waiver or modifying its policy on speculative buildings.

#### Zoning Administrator Recruitment Update

Superintendent Wilson stated there are currently six applicants for the vacant Zoning Administrator position. The advertisement is approaching 30 days, with the priority application deadline posted as August 18, 2023. He felt two of the applicants had the experience and skill set to potentially move forward. The Board discussed timeline and compensation, as well as the possibility of seeking a Planner to best fit the needs of the community.

The Committee of the Whole adjourned at approximately 5:56 p.m.

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Supervisor Loeks called the meeting to order at 6:00 p.m. and asked everyone to join Trustee O'Neill in the Pledge of Allegiance.

### **ROLL CALL**

Clerk Beutel called the roll, and the following board members were present: Trustee Don Boven, Trustee Barbara Hammon, Trustee Linda Kerr, Trustee Michelle O'Neill, Supervisor Nick Loeks, Treasurer Trish Roberts, and Clerk Emily Beutel. Also attending were Superintendent Erik Wilson, Deputy Superintendent Brooke Hovenkamp, Attorney Michael Homier, and approximately three members of the public.

### **PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

There were none.

### **PRESENTATION / PUBLIC HEARINGS / COUNTY COMMISSIONER**

Wendy Mazer congratulated the Board on the Splash Pad grand opening and shared that the Justice Center opening has been delayed from October to December.

### **SUPERINTENDENT REPORT**



Superintendent Wilson updated the Board on township activities, highlighting the 2024 budget process and giving updates on the 6<sup>th</sup> Street restrooms, Township Hall construction, recent community events, and other administrative items.

### **ADOPTION OF MEETING AGENDA**

Supervisor Loeks asked to add Item 10G for IFT Discussion for Clark Logic and to move the Closed Session to Item 10H.

Motion by Loeks, seconded by O'Neill, to adopt the meeting agenda as amended. Motion carried 7-0.

### **APPROVAL OF GENERAL CONSENT AGENDA**

Motion by Boven, seconded by Hammon, to approve the General Consent Agenda as amended, consisting of:

- Approval of August 11 Special Meeting Minutes, August 14, 2023 Regular Meeting Minutes
- Approval of Bills for \$314,154.19
- Payroll of \$57,935.50
- July 2023 Building Report
- Correspondence: Letter from Crooked Lake Texas Association

### **BUSINESS**

#### ***Tabled***

There was none.

#### ***New***

#### **Agreement with Next IT for IT Managed Services**

Deputy Superintendent Hovenkamp presented a draft agreement Managed IT Services with Next I.T. The one-year agreement would begin effective October 1, 2023, as soon all new equipment is ready to launch. She noted that, in addition to the monthly and one-time onboarding fees, the new server requires an additional license for software for \$950. Attorney Homier and Next I.T.'s legal team are reviewing a few proposed changes to the agreement, but due to the timing of the project and upcoming Township Hall move, she asked for authorization for staff to negotiate the final agreement as soon as possible.

Motion by Beutel, seconded by Hammon, to authorize Superintendent Wilson, Deputy Superintendent Hovenkamp, and Attorney Homier to finalize an agreement for I.T. managed services with Next I.T. and to authorize Superintendent Wilson to sign the final agreement barring any substantial changes, with the addition of \$950 for server software. Motion carried, 7-0.

#### **KCSD Notice of Intent to Extend Contract**

Superintendent Wilson explained that the Township's contract with the Kalamazoo County Sheriff's Department (KCSD) expires on December 31, 2023, and the Township must provide KCSD with written notice of its intent to negotiate for police services before September 1, 2023.

Motion by Roberts, seconded by Boven, to request that staff notify KCSD of the Township's intention to negotiate a new contract prior to the expiration of the current contract on December 31, 2023. Motion carried, 7-0.

#### **Asbestos Abatement RFP**

Superintendent Wilson asked the Board to review an RFP for asbestos abatement services related to the Fire Department renovation project, which will need to be completed prior to construction. The timeline is tentatively scheduled for November 13-17, 2023.

Motion by O'Neill, seconded by Beutel, to approve the RFP for Asbestos Abatement Services and authorize staff to proceed immediately with issuing. Motion carried, 7-0.

#### **Discuss Planning Department Staffing & Recruitment**

The Board discussed staffing for the planning department at Committee of the Whole and would like to move forward with interviewing the candidates identified after establishing an interview committee.



Motion by Loeks, seconded by Boven, to appoint Supervisor Loeks, Trustee Kerr, Superintendent Wilson, and Planning Commissioner Mike Corfman as the members to a Zoning Administrator hiring committee, with Bart Davis as a backup Planning Commissioner. Motion carried, 7-0.

**Credit Card Policy Amendment**

The Township's current credit card policy currently specifies a credit card and limit for the Deputy Fire Chief. However, as that position is currently vacant, Chief Tackett is requesting the Board consider a card for the administrative assistant, who does much of the purchasing for the department.

Motion by Hammon, seconded by Boven, to amend the credit card policy by adding the Fire Department Administrative Assistant in place of the Deputy Chief position, with a monthly purchase limit to remain at \$1,500. Motion carried, 7-0.

**Authorize Hiring of Paid-on-Call Firefighters**

Captain Robert Lohrberg asked the Board to consider hiring Phillip Toia, Randy Homic, and Caleb Gollnick as probationary Paid-on-Call Firefighters for Texas Township Fire Department. All three candidates have completed interviews and background checks, and staff believes they will be excellent additions to the Texas Fire team.

Motion by Kerr, seconded by Beutel, to approve the hiring of Phillip Toia, Randy Homic, and Caleb Gollnick as paid-on-call Firefighters for Texas Township Fire Department. Motion carried, 7-0.

**IFT Discussion**

Board members asked Attorney Homier for direction on the proper process for considering Clark Logic's application for an IFT, whether the Board needed to amend its IFT Policy or could grant a waiver. Attorney Homier asked the Board to think about the benefit to the Township to grant a 50% tax abatement without knowing how many jobs are being created. He has never had an abatement request for a speculative building without a specific request. If the Board proceeds, he stressed the need to set perimeters on the triggering event for a claw-back and advised that Superintendent Wilson should gather more information about the application and intent before the Township proceeds with an agreement.

**Closed Session to Discuss Confidential Attorney Opinions**

Motion by Loeks, seconded by Kerr, to discuss confidential attorney communications, inviting Superintendent Wilson and Deputy Superintendent Hovenkamp into closed session. Motion passed, 7-0. The Board entered Closed Session at 6:56 p.m.

The Board reentered open session at 7:53 p.m.

Motion by Roberts, seconded by Hammon, to extend the requesting employee's FMLA leave for a period of up to six weeks, commencing on the date of the scheduled surgery, in 2023. Motion carried 7-0.

**ZONING / BOARD / COMMITTEE REPORTS / RECOMMENDATIONS**

**Fire Department Report**

Captain Lohrberg gave an overview of the Fire Department activities, as Chief Tackett was unable to attend due to training. The department responded to 101 calls – 56 EMS and 45 Fire. He also shared that two of the POC applicants came from contact at the Farmers Market, where Fire Department staff has had a presence at nearly every market this year.

**BRIEF PUBLIC COMMENTS ON NON-AGENDA ITEMS**

There were none.

**ATTORNEY'S REPORT**

Attorney Homier gave the definition and an overview of the statute regarding speculative buildings for IFT for future consideration.

**BOARD MEMBER COMMENTS**

Trustee Kerr enjoyed the Concert in the Park.



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Supervisor Loeks stated the pre-construction meeting for the lake level project went well, and dredges could be on Crooked Lake in September. The new Township Hall is proceeding well with occupancy likely at the end of October or early November.

**ADJOURNMENT**

Motion by Boven, seconded by O'Neill, to adjourn the meeting. The meeting adjourned at approximately 8:00 p.m. Motion carried 7-0.

**SUBMITTED:** September 7, 2023  
Clerk Emily Beutel  
Attested: Supervisor Nick Loeks

**APPROVED:** September 11, 2023, as submitted