



## CHARTER TOWNSHIP OF TEXAS BOARD MEETING, OCTOBER 9, 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, Treasurer Trish Roberts, Clerk Emily Beutel, and Supervisor Nick Loeks. Trustee Michelle O'Neill and Trustee Barb Hammon were absent. Also attending were Superintendent Erik Wilson and Deputy Superintendent Brooke Hovenkamp.

#### FY24 Budget Workshop

Superintendent Wilson presented a draft budget for the 2024 fiscal year that he, Deputy Hovenkamp, and department heads have been compiling. Highlights include the new Township Hall, the Fire Department renovation project, the Legal Lake Level project, and ARPA funds. Board members reviewed each fund, providing feedback to staff to adjust expenditures where necessary.

The Committee of the Whole adjourned at approximately 5:57 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 Boven in the Pledge of Allegiance.

### ROLL CALL

Clerk Beutel called the roll, and the following board members were present: Trustee Don Boven, Trustee Linda Kerr, Supervisor Nick Loeks, Treasurer Trish Roberts, and Clerk Emily Beutel. Trustee Barbara Hammon and Trustee Michelle O'Neill were absent. Also attending were Superintendent Erik Wilson, Deputy Superintendent Brooke Hovenkamp, Engineer Tom Wheat, and approximately 16 members of the public.

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

Rachael Grover, Planning & Development Director at Kalamazoo County, stated that the County has hired a Climate Sustainability Director and is looking for community input. The County is partnering with MSU Extension on affordable housing education, which should be shared with the Planning Commission.

### PRESENTATION / PUBLIC HEARINGS / COUNTY COMMISSIONER

#### Eagle Lake Special Assessment District (SAD) #2

Motion by Roberts, seconded by Boven, to open the public hearing for the Eagle Lake Special Assessment District #2 reinitiation.

Gerald Roberts, resident, asked for more information on the cost of the district and how those with access but not property on the lakefront are assessed. Treasurer Roberts stated the three-year assessment for lakefront property owners is \$701.75 total. Picnic lots are assessed half that amount, and the neighborhood with access is assessed one quarter. He asked for more clarification on the difference between SAD #1 and SAD #2.

Tom Rogers, resident, asked how much property owners were assessed the first time SAD #2 was established. He isn't sure how well the program is working, especially with the flooding. The original assessment was for five years for a total of \$2,600.

Debra Duncan, resident, stated she is a Board member of Eagle Lake Texas Association (ELTA) and explained that they would like to continue the project to get a better baseline of data for aeration and bioaugmentation. With the aeration equipment shut down for due to flooding, they were unable to gather the data they had hoped. ELTA has a permit from EGLE to run the compressors through July 2027, so they would like to continue the district and project to continue reducing the muck in the lake.

With no more public comments, there was a motion by Boven, seconded by Kerr, to close the public hearing. Motion carried, 5-0 with 2 absent.

### SUPERINTENDENT REPORT



Superintendent Wilson updated the Board on township activities, highlighting the Eagle Scout candidate project to paint the Texas Drive Park pavilion and the Concert in the Corners mini-grant that the Township received for next year's program.

### **ADOPTION OF MEETING AGENDA**

Motion by Boven, seconded by Beutel, to adopt the meeting agenda as presented.

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

Motion by Beutel, seconded by Boven, to approve the General Consent Agenda as presented, consisting of:

- Approval of September 19, 2023 Special Meeting Minutes and September 25, 2023 Regular Meeting Minutes
- Approval of Bills for \$620,820.59
- Payroll of \$57,570.41
- New Township Hall Change Order #021

### **BUSINESS**

#### ***Tabled***

There was none.

#### ***New***

#### **Eagle Lake SAD #2 Resolution #23-11**

The Eagle Lake SAD #2 was established in 2016 to support the Eagle Lake Texas Association's aeration project. ELTA is asking the Township Board to consider reinitiating Eagle Lake SAD #2 for 3 years (2024-2026) to provide funding to treat the lake with bio-augmentation and continue running the aeration system.

The second step in the process is to establish the district consisting of the parcels of land tentatively designated by resolution on October 9, 2023 and approve the estimate of cost in the total amount of \$60,000.

Motion by Kerr, seconded by Roberts, to approve Resolution #23-11, to approve the plans and estimate of costs and make a final determination of special assessment district and prepare the special assessment roll for Eagle Lake SAD #2. Motion carried 5-0, 2 absent.

Roll Call Vote: Ayes – Beutel, Boven, Kerr, Loeks, and Roberts. Nays – none. Absent – Hammon, O'Neill.

#### **Eagle Lake SAD #2 Resolution #23-12**

Superintendent Wilson stated that the third step in the process to reinitiate Eagle Lake SAD #2 is to file the Special Assessment Roll and schedule the second and final public hearing.

Motion by Loeks, seconded by Boven, approving Resolution #23-12, to file the Special Assessment Roll for the District and establish a public hearing for Eagle Lake SAD #2 on October 23, 2023. Motion carried 5-0, 2 absent.

Roll Call Vote: Ayes – Beutel, Boven, Kerr, Loeks, and Roberts. Nays – none. Absent – Hammon, O'Neill.

#### **Intergovernmental Agreement for Early Voting**

Clerk Beutel stated that, beginning with the 2024 election cycle, early voting is required by the Michigan Constitution for at least nine consecutive days for in-person voting for each statewide and federal election beginning on the second Saturday before the election and ending on the Sunday before the election, for at least eight (8) hours each day. Many jurisdictions across the state of Michigan are entering into multi-jurisdictional agreements with neighboring townships and cities, or participating at a County level, to institute this change in election law and reduce costs of equipment, communications, and staffing.



She shared a draft and asked the Board to consider an intergovernmental agreement for early voting to partner with the County and other jurisdictions. This would allow the Township to share resources and keep costs more manageable by working with the 18 participating townships and cities, hosting four sites in the County where residents can vote during the required nine days of early voting. Residents can choose to vote early at one of the sites, or by absent voter ballot, or in their precinct on election day, whichever they prefer.

Motion by Kerr, seconded by Boven, to authorize Clerk Beutel to sign an Intergovernmental Agreement for Early Election Services Between Kalamazoo County and Associated Municipalities. Motion carried 5-0, 2 absent.

#### Crooked and Eagle Lakes Normal Lake Level Project Pay Application #001

Superintendent Wilson presented Payment Request #1 for the Eagle Lake and Crooked Lake – Lake Level Control project. The amount is \$365,055 but there is an additional \$40,895 of contingency held back in retainage. The Township is also asking for reimbursement from FEMA in the amount of \$276,041.25. The total contract amount is \$4,464,778.

Engineer Wheat gave an update on the project, which has completed directional drilling, staging the dredging equipment near Crooked Lake Market to begin this week. He encouraged residents to check out the construction updates that Prein & Newhof has been posting, which are available on the website. He answered several questions regarding the project and funding; bond proceeds will get turned over to the township later this week.

Motion by Kerr, seconded by Boven, to authorize Payment Request #1 for the Eagle Lake and Crooked Lake – Lake Level Control Project with Balkema Excavating, Inc. in the amount of \$368,055, additionally, authorizing Superintendent Wilson to submit a reimbursement request to FEMA in the amount of \$276,041.25. Motion carried 5-0, 2 absent.

#### Discuss Disposal of Fixed Assets & Moving Quotes for New Township Hall

Deputy Superintendent Hovenkamp asked the Board for direction on what to do with existing fixed assets, like existing office furniture that will no longer be needed as new furniture has been purchased.

Board members discussed the Township's policy for disposal of fixed assets and questioned the value of and what could be done with the remaining items. Options discussed were public auction and disposal.

#### EPS Service Agreements for New Township Hall

Deputy Superintendent Hovenkamp presented service agreements from EPS for the badging/access control, fire alarm, and video systems that were installed in the new Township Hall. The Township will need to sign agreements for the ongoing monitoring/maintenance costs to support these systems and could realize cost savings by agreeing to a four-year term.

Motion by Beutel, seconded by Boven, to approve the service agreements with EPS for Badging/ Access Control, Fire Alarm, and Video Systems, with a four-year term and to authorize Superintendent Wilson to sign the agreements. Motion carried 5-0, 2 absent.

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

There were none.

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

There were none.

### **ATTORNEY'S REPORT**

The attorney was not present.

### **BOARD MEMBER COMMENTS**

Trustee Kerr stated the planning for the Makers' Market on November 11 is going well, and vendor tables are full.



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Treasurer Roberts gave a brief update on activities in the Treasurer's office.

Supervisor Loeks stated that Rich Pierson is retiring at the end of the year from the Kalamazoo Regional Water and Wastewater Commission after acting in that role for more than 20 years.

**ADJOURNMENT**

Motion by Boven, seconded by Kerr, to adjourn the meeting. The meeting adjourned at approximately 7:05 p.m. Motion carried 5-0, 2 absent.

**SUBMITTED:** October 18, 2023  
Clerk Emily Beutel  
Attested: Supervisor Nick Loeks

**APPROVED:** October 24, 2023, as presented