



MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON June 25, 2020

Via Zoom

A meeting of the Charter Township of Texas Flooding Task Force was held on May 25, 2020, commencing electronically via Zoom at approximately 10:30 a.m.

1. INTRODUCTIONS

Supervisor John Hinkle opened the meeting, thanking everyone for taking the time to attend and inviting the Task Force members to introduce themselves. The following members of the Task Force were present:

- Engineer Tom Wheat, Prein & Newhof
- Engineer Tom Smith, Prein & Newhof
- Derek Haroldson, EGLE
- Kyle Alexander, EGLE
- Jeff VanBelle, Deputy Drain Commissioner
- Travis Bartholomew, RCKC Deputy Director
- Keshia Dickason, Senator McCann's Office
- Christine Morse, Kalamazoo County Commissioner
- Nick McLaughlin, Pine Island Lake
- John Casper, Bass Lake
- Clare Todd, Bass Lake
- Amy Coon, Eagle Lake Association
- Jerry Robbins, N Eagle Lake Association
- Jim Roberts, Crooked Lake Association
- Russ Walters, Crooked Lake Association
- Len Bosma, Eagle Lake Association
- Dian Latora, Pine Island Development Representative
- Marc Rose, Vineyards Development
- Texas Township Trustee Nick Loeks
- Texas Township Trustee Tim Brown
- Texas Township Superintendent Julie VanderWiere
- Texas Township Supervisor John Hinkle

2. FLOODING STATUS

Jim Roberts (Crooked Lake) reported that as of today, Crooked Lake is 16.75 inches above the high-water mark. The lake has 20.25 inches more to go to reach the target elevation.

Amy Coon (Eagle Lake) reported that as of today, Eagle Lake is at 902.75. The rain this week didn't hurt too bad and we are ahead of where we were at this time last year.

Dian Latora (Pine Island Development) reported that Pine Island Development is down from the highest point by approximately 4-5 inches. However, people are still pumping into the road which ends up in her backyard. This continues to be a long-term concern.

Marc Rose (Vineyards Development) reported that the Drain Office project is progressing well, and the retention ponds are lower than what they have been.

Jerry Robbins (N Eagle Lake Drive) reported that the east side of the road still remains an issue with the DeLoof pond overflowing during large rain events.

John Casper (Bass Lake) reported that Bass Lake is up about 1 ½ inch since the pumping resumed last week. GEI came out to test the water quality because of the algae growth this year. He stated that the appreciates the Township having the testing done.



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Nick McLaughlin (Pine Island Lake) reported that Pine Island Lake is down about 4 inches due to the dry weather. This is good news for them.

Christine Morse, Kalamazoo County Commissioner, advised that she did not have an update from the County. They are still waiting for the Courts to open to get the Lake Level petition on the docket.

3. SHORT TERM PROJECT UPDATE

Balkema Contract Amendment

Julie VanderWiere reported that the Balkema Contract had to be amended because it only included 12 months of pump monitoring for Eagle Lake and 18 months for Crooked Lake. Balkema agreed to amend the contract for 12 additional months of monitoring on Eagle Lake at only at 3% COLA. The total 12-month increase is \$60k. The contract is based on "per units", so if we are not able to get the easements extended, we would only pay the per month cost. If we are able to get the easements extended, then the contract will need to be amended again to include monitoring for Crooked Lake as well.

Budget Shortfall

Last Task Force Meeting, we presented the projected budget and thought that we would only have approximately \$13k shortfall. We did not know that the Balkema contract need to be amended as well. We now will need to update the projections as the shortfall will be much greater if we are able to extend the easements and the permit and continue pumping to September 2021. The Township Board will have to determine how this shortfall will be addressed.

Easements

Julie VanderWiere reported that the Township and some of the Task Force members are meeting with the property owners for the temporary easements to ask for an extension. They are drafting a letter to be sent to those out of town to explain why the extension is so crucial to the project.

Status of Permit Extension Request

Julie VanderWiere reported that she submitted a formal request to Derek Haroldson, EGLE, to extend the pumping permit one year. Derek confirmed that he had received the request and they will be reviewing it.

Other

Tom Wheat reported that the Crooked Lake pump shut down last week due to being overheated from the high temperatures we have been experiencing. Balkema has since added equipment to help prevent this from occurring.

Tom Smith reported that in March the NOAA rainfall projections were dire. However, the newest projections just updated this week showed average rainfall for our area and this is really good news.

4. DRAIN COMMISSION UPDATE

Long-Term Solution

Len Bosma explained that the long-term solution subcommittee met and exchanged information. He thanked Tom Wheat, Tom Smith, Jeff VanBelle and the Township Representatives for their continued



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assistance. He believes that we are currently on schedule and that they are waiting for the Engineering Study from Prein & Newhof to be released.

Lake Level Study

Jeff VanBelle reported that the draft Lake Level report is completed and has been reviewed. There were some minor revisions that needed to be made to the report. The Attorney wants to release the report to the Township and the Lake Association Representatives for review. They will then set up a Zoom meeting to go over the report. At this point the report is still protected under Attorney-Client privilege because of ongoing litigation. The Attorney hopes to be able to release it after the Associations and the Township have been able to review it.

Tom Wheat stated that the final draft report has been presented. They have made the final revisions to the report so it should be ready for release to the associations and Township yet today.

Jeff VanBelle stated that the operation of the augmentation pumps will be included in the court decree in the operational plan. The Attorney agreed that the Drain Office did not want oversight on the operation of the augmentation pumps, but she still wants to make it an exhibit that will be presented in court to show the operating agreements.

Len Bosma asked about the previous draft operating agreement for the augmentation pumps, and inquired if that will be used in the court decree?

Jeff VanBelle advised that it would be used.

5. COMMENTS/QUESTIONS

Russ Walters asked about the status of the FEMA Grant.

Tom Smith replied that our FEMA grant request was rejected. We are fortunate because there is an additional FEMA grant this year that we can revise our grant request and re-submit next month. We have been reviewing their comments to make the necessary revisions and some are very tricky, but they will continue to work on it. Our project is tricky, but he still feels good about our chances with receiving the FEMA Grant.

Tim Brown inquired if the FEMA Grant applications usually requires a fee.

Tom Smith replied that there is no fee associated with this FEMA Grant.



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Tim Brown asked about the pumping in the road that Dian Latora reported. He inquired if something needed to be done about it.

Dian Latora responded that, yes it does need to be dealt with. She said they had to get an attorney to make them stop.

Travis Bartholomew stated that Dian's neighbor is pumping into the storm water drains, which drain to Dian's back yard which is the retention basin. He advised that he thought this had all been worked out. Stating that we can't stop water from draining to the lowest point, which is the retention basin.

Dian Latora commented that they did not want a 4' hose pumping into their backyard.

Travis Bartholomew advised that he would discuss with Dian outside of the Task Force. He also stated that if they tell one person to stop pumping, they have to tell everyone to stop. He asked for some direction from the Task Force.

Nick McLaughlin stated as a member of the Task Force he wanted it to stop.

Dian Latora commented that the Road Commission was able to come up with a solution for the Vineyards and asked why they haven't come up with one for Pine Island Development.

Travis Bartholomew responded that was the Drain Commission that created a drainage district at the Vineyards. He said there could be a project, but it will all end up in the lake because it is the lowest point.

Jeff VanBelle stated that the Drain Office can't do anything in Pine Island Development because of the lawsuit that had been filed.

Jerry Robbins stated that everything flows to the lake including the DeLoof pond.

Derek Haroldson advised confirmation that EGLE is in receipt of the extension request. EGLE will be reviewing the request and will consider it, assuming the lakes are still above the target elevation.

He further reported that the replacement monitoring well had been installed. This was to replace the one that was vandalized in Al Sabo. He also advised that no vegetative stress has been observed so far and that they are comparing against last year. He reported that the prolonged dry weather has been great for the lakes, but the wetlands have not come down as much. EGLE has also received several complaints about algae this year. He advised that they were forwarded a copy of the draft lake level report and they will continue to work with the Drain Office and Prein & Newhof on it. Lastly, in reference to the letter to the Fleck's for the easement extension request, he agrees that we need to acknowledge their assistance with the project, but he will not be able to sign on behalf of EGLE.

Kyle Alexander commented that there has not been any observed vegetative stress yet this year.



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Jim Roberts added that on behalf of the lake associations, he would like to thank John Casper and Clare Todd for being part of the solution to the flooding crisis. The residents appreciate their help very much.

Len Bosma responded that he concurs with Jim's statement. He too is very appreciative of all the Bass Lake residents. He then asked if the Long-Term members wanted to meet soon.

Keshia Dickason asked if the meeting summary could be sent to her when it was completed.

The next Task Force Meeting has been scheduled for Thursday July 23, 2020 at 10:30 a.m.

Submitted by Superintendent Julie VanderWiere
June 29, 2020