



**CHARTER TOWNSHIP OF TEXAS BOARD MEETING, MARCH 14, 2022**

**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 Hammon in the Pledge of Allegiance.

**ROLL CALL**

Due to the absence of Clerk Beutel, Supervisor Loeks made a motion to appoint Trustee Kerr as acting secretary, seconded by Trustee Mazer, motion carried.

Trustee Kerr called the roll and the following board members were present: Trustee Donald Boven, Trustee Barbara Hammon, Trustee Linda Kerr, Trustee Wendy Mazer, Supervisor Nick Loeks, and Treasurer Trish Roberts. Absent was Clerk Beutel. Also attending were Superintendent VanderWiere, Fire Chief Tackett and approximately 12 members of the public.

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

State Representative Christine Morse updated the Board on activities of the legislature, the primary being the budget. Additionally, the State is seeking to fund local projects with additional funds from the Federal Government and the State surplus. She, along with Representative Rogers and Senator McCann, recently met with the Road Commission of Kalamazoo County and discussed the recent flooding issue and how to respond more quickly and efficiently, among other topics.

Lisa Koop, 5651 Texas Drive, shared her concern about how she was approached after the last board meeting by a resident whom she felt was intimidating. She also commented on how long it is taking for the Township staff to respond to a FOIA request submitted recently.

Ryan Flemming, a full-time Texas Township Firefighter, expressed his gratitude to Chief Tackett, Superintendent VanderWiere, and staff on their continual support during his recent medical treatment. He stated they went above and beyond what was expected to provide encouragement and support during his treatment to both him and his wife.

Connor McClain, 8798 West OP Avenue, would like to be able to process and grow marihuana through a micro-business license, which he said would allow him to continue farming and provide jobs.

Nicholas Hill, 6407 S 4th Street, addressed the shortage of on-call firefighters and questioned how many applications were submitted to the Township, how many individuals were hired, and if firefighters were the only department subject to a background investigation.

Kathy Stauffer, 5620 Texas Drive, witnessed the situation referred to by Lisa Koop and stated residents should be free to come to meetings and speak to the Board without intimidation.

**PRESENTATION/PUBLIC HEARINGS/COUNTY COMMISSIONER**

There was none.

**SUPERINTENDENT REPORT**

Superintendent VanderWiere highlighted the following items from her report to the Board:

*Administration*

- One bid submitted for the 6th Street Restroom project, which came in significantly higher than estimated. VIRIDIS is conducting a post-bid interview with the contractor to determine next steps.
- The State of Michigan notified the Township that it is re-calculating the Constitutional Revenue Sharing utilizing the new 2020 census numbers. The re-calculation will go back to October 2021, and as a result, the Township will be receiving \$401,867 additional Constitution Revenue Sharing funds for FY 2021-2022.

*Information*

- The Township is asking for letters of support for the MDNR Trust Fund grant application for the 6th Street Park, which are due by Monday, March 28th.
- Plumbing Inspector John Dobberteen and backup Plumbing Inspector Roberts Somers submitted their letters of resignation, effective March 31, 2022. Staff are seeking another inspector.

- 53 • The Board of Review is scheduled to begin on Monday, March 14<sup>th</sup>, coordinated by Assessor  
54 Stirton. At this time, only a few appointments are scheduled.
- 55 • The Eagle Lake Texas Association (ELTA) Special Assessment #2 for lake aeration has expired;  
56 however, it is estimated enough funds remain to manage lake aeration for another two years.  
57 ELTA approved extending the EGLE permit and the license agreements for the aeration  
58 equipment placed on private properties, and Superintendent VanderWiere is working with ELTA  
59 board members to get the agreements extended and the permit renewed.

#### 60 *Flood Mitigation*

- 61 • The next Task Force meeting is scheduled for Thursday, April 14 at 10:30 a.m. by Zoom.

#### 62 **ADOPTION OF MEETING AGENDA**

63 Supervisor Loeks requested to add Item 10G Approval to Hire Ken Jewell as Plumbing Inspector and  
64 Backup Mechanical Inspector under **BUSINESS**.

65 Motion by Loeks, seconded by Boven, motion carried, to adopt the meeting agenda as amended.

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

67 Motion by Boven, seconded by Hammon, motion carried, to approve the General Consent Agenda,  
68 consisting of:

- 69 • Approval of February 24, 2022, Special Meeting Minutes and February 28, 2022 Regular Meeting  
70 Minutes and Closed Session Minutes;
- 71 • Approval of Bills for \$118,791,80;
- 72 • Payroll for \$54,832.20; and
- 73 • Winter Tax Collection Report

#### 74 **BUSINESS**

##### 75 *Tabled*

76 There was none.

##### 77 *New*

##### 78 Fire Department External Review Proposals

79 The Board reviewed proposals submitted by Jeffrey Swanson, McGrath Consulting Group, and ESCI  
80 Emergency Services for a 360 External Review of the Fire Department. Based on staff, experience in  
81 other Michigan Municipalities, Board members felt that McGrath provided what the Board was seeking.

82 Motion by Hammon, seconded by Boven, motion carried, to select McGrath Consulting Firm to  
83 conduct a 360 External Review of the Fire Department for \$34,876 and authorize Superintendent  
84 VanderWiere to sign the agreement.

##### 85 Lawn Maintenance Contract Extension

86 Superintendent VanderWiere explained that Leonard Landscape took over the maintenance of the  
87 6th Street Park multipurpose fields and felt it would be beneficial to have them continue that maintenance  
88 until the fields have matured. Mr. Leonard has agreed to a one-year lawn maintenance extension  
89 through December 31, 2022.

90 Motion by Loeks, seconded by Kerr, motion carried to authorize on additional extension of the Lawn  
91 Maintenance contact with Leonard Landscaping through December 31, 2022.

##### 92 Approve Resolution 22-04 Supporting Community Inclusion

93 Trustee Hammon explained that her mother and her brothers came to the United States from  
94 Germany in the 1940's as Jewish refugees. Now anti-semitic incidents and hate crimes are at an all-time  
95 high and synagogues require security details. She wants Texas Township residents to know they are  
96 safe here and that bigotry or hate crimes against any religious, ethnic, and racial group will not be  
97 tolerated.



104 Motion by Roberts, seconded by Loeks, motion carried, to adopt Resolution 22-04 stating that the  
105 Texas Township Board will not tolerate Bigotry or hate crimes against any religions, ethnic or racial  
106 group.

107 Roll Call Vote: Ayes – Loeks, Roberts, Mazer, Hammon, Boven, and Kerr. Nays – None. Absent –  
108 Beutel.

109  
110 Authorize Hiring Temporary Office Assistant

111 Superintendent VanderWiere explained that the Board had previously authorized staff to solicit  
112 applications for a temporary office assistant. Six applications were received, and interviews are in  
113 process. Due to staff shortage and the need to get the temporary position filled, she requested that the  
114 Board give prior approval to hire once a suitable candidate is located.

115 Motion by Roberts, seconded by Mazer, motion carried, to authorize Superintendent VanderWiere to  
116 hire a temporary office assistant once a suitable candidate is located.

117  
118 Intergovernmental Fire Protection Hazardous Materials Incident Response Agreement

119 The Kalamazoo County Hazardous Materials Response Team (KCHMRT) presented a renewal  
120 agreement to the Kalamazoo County Supervisor’s Association for review and approval. Texas Township  
121 has been a member of KCHMRT for several years, allowing the Fire Department to request its  
122 assistance in responding to any Hazardous Materials incident. The cost per member is \$1,400 annually,  
123 and the renewal terms for the agreement are December 31, 2021 through January 1, 2024.

124 Motion by Boven, seconded by Hammond, motion carried authorizing Supervisor Loeks to sign the  
125 Fire Protection Hazardous Materials Incident Response Agreement on behalf of Texas Township.

126  
127 Kalamazoo County ARPA Grant Request for Pine Island Development Drainage

128 Superintendent VanderWiere stated that Kalamazoo County Commission is seeking grant requests  
129 to allocate portions of the 50 million dollars of ARPA funding it is receiving. Jason Wiersma,  
130 the Drain Commissioner, is requesting each Township submit grant requests on his offices’ behalf  
131 to fund drainage projects within their Township. As Pine Island Development suffered significant flooding  
132 due to inadequate drainage systems, this project is being recommended by the Drain Commissioner with  
133 an estimated cost of \$250,000.

134 She stated that she also received a phone call from the City of Portage who would like to utilize grant  
135 funds to do a sewer line assessment, as they did not apply for a SAW Grant which allowed Texas  
136 Township to review and evaluate its sewer lines. If the City doesn’t receive these grant funds, they will be  
137 charging each of the municipalities who tie into their sanitary system. The amount the Township would  
138 be responsible for depends on which lines are evaluated, but she has been in contact with Engineer Tom  
139 Wheat about the process. Board members discussed and decided to also provide a letter of support for  
140 that project.

141 Motion by Kerr, seconded by Mazer, motion carried, to authorize Superintendent VanderWiere to  
142 submit a letter of support in the amount of \$250,000 on behalf of the Drain Commission to repair the Pine  
143 Island Development Drainage System and also to the City of Portage for sewer line assessment.

144  
145 Approval to Hire Ken Jewell as Plumbing Inspector and Backup Mechanical Inspector.

146 Superintendent VanderWiere stated that plumbing inspectors John Dobberteen and Bob Somers  
147 provided a 30-day notice to terminate Plumbing Inspection services approximately two weeks ago. She  
148 attempted to re-negotiate but was not able to find a solution that was acceptable to both parties.

149 After being unable to find an available inspector locally, she reached out to several members of the  
150 and Michigan Plumbing Inspectors Association located in nearby counties. Ken Jewell currently provides  
151 plumbing and or mechanical inspection services to seven municipalities in southwest Michigan, with the  
152 City of St. Joe and St. Joe Township being the two largest. He is willing to take on Plumbing Inspections  
153 for Texas Township on Tuesdays and Thursdays if compensated for roundtrip mileage for his drive from  
154 Benton Harbor.



155 Motion Roberts, seconded by Boven, motion carried, to authorize hiring Mr. Ken Jewell as the  
156 Plumbing Inspector/Backup Mechanical Inspector for Texas Township, effective March 21, 2022, and to  
157 pay him the standard per inspection rate plus compensation for roundtrip milage from Benton Harbor.  
158

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

160 There were none.  
161

162 **ATTORNEY'S REPORT**

163 There was no attorney present  
164

165 **BOARD MEMBER COMMENTS**

166 Treasure Roberts stated that everything is going well with the new Deputy Treasurer.

167 Trustee Hammon thanked Board members for their support in the adoption of the Community  
168 Inclusion Resolution.

169 Trustee Boven expressed his concern how the war in Ukraine could impact us all.  
170

171 **ADJOURNMENT**

172 Motion by Boven, seconded by Roberts, motion carried, to adjourn the meeting. The meeting  
173 adjourned at approximately 6:50 p.m.  
174

175 **SUBMITTED:** March 24, 2022

176 Trustee Linda Kerr, Acting Secretary

177 Attested: Supervisor Nicholas Loeks

**APPROVED:**