



MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON August 29, 2022

Via Zoom

A meeting of the Charter Township of Texas Flooding Task Force was held on August 29, 2022, commencing electronically via Zoom at approximately 10:30 a.m.

1. INTRODUCTIONS

Supervisor Nick Loeks opened the meeting, thanking everyone for taking the time to attend. The following members of the Task Force were present

- Engineer Tom Smith, Prein & Newhof
- Engineer Tom Wheat, Prein & Newhof
- Derek Haroldson, EGLE
- Amy Coon, Eagle Lake Association
- Len Bosma, Eagle Lake Association
- Jerry Robbins, N Eagle Lake Road
- Dale Shugars, Kal County Commissioner
- Zena Vos, Kal County D/Drain Commissioner
- Jason Wiersma, Kal County Drain Commissioner
- Russ Walters, Crooked Lake Association
- Representative Christine Morse
- Texas Township Supervisor Nick Loeks
- Texas Township Superintendent Julie VanderWiere
- Stacy Hissong, (FSBR) Drain Office Attorney
- Kyle O'Meara, (FSBR) Drain Office Attorney
- Dave Rachowicz, Kal County Parks Director

2. STATUS OF FLOODING

Amy Coon (Eagle Lake) reported Eagle Lake measured 899.98 this morning. We started measuring in May 2019 and this is the lowest we have been since then. Eagle Lake is about 7 inches from the Normal Lake Level.

Russ Walters (Crooked Lake) reported that he had nothing to report. At this time there is no one at risk of flooding that he is aware of.

Jerry Robbins (N Eagle Lake Drive) reported that N Eagle Lake Drive is doing good, the road has been paved and the culverts have been installed.

3. DRAIN COMMISSION UPDATE ON LONG-TERM PROJECT/NORMAL LAKE LEVEL

- Status of Easements: Tom Wheat reported that the Block easement has been signed and that he is meeting with members of ELGAE Point Assoc and the Loedeman's to answer questions about the project and the easements.
- EGLE Permit Status: Tom Smith explained that they have submitted the permit to EGLE a few times and each time there has been request for more information or detail. As of the last submission, Derek Haroldson asked for some more changes in reference to the infiltration bed. Those changes were submitted last Monday and Tom Smith indicated that he spoke to Derek this morning before the meeting. Derek is working on reviewing the updated information.



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Derek Haroldson advised that the comments were mainly regarding the infiltration basin. This is fairly technical. He does expect the permit to be considered administratively complete fairly soon. Once it has been deemed administratively complete, he can draft the public notice and set the public hearing. This should about 30 days after the permit has been deemed administratively complete. The hearing will likely be via Zoom. There will be a large joint mailing of the public notice and the public hearing.

Len Bosma once the application is complete, does that mean that all the questions have been answered.

Derek Haroldson advised the application nearing complete. We will have all the information to sufficiently describe the project. All of the associated time lines will then kick in.

Len Bosma asked Derek Haroldson if from his perspective, if the State of Michigan is ok with the project?

Derek Haroldson responded that being deemed administratively complete does not mean the project has been approved. It means we have enough information to make a decision and now we need public feedback.

Len Bosma then asked Tom Wheat what his schedule looked like for constructing the project and he inquired where the pumps would be located at Eagle and Crooked Lakes.

Tom Wheat responded that they are working towards completing the final design and they are making progress. We know where all the infrastructure is going to be located. The project design is 90% complete and the pump station is 50% complete. When the permit is issued it should be 90% complete and they should be able to turn it around rather quickly and bid it out.

Derek Haroldson advised that the Inland Lakes and Streams allows 120 days to review and approve/deny the permit.

Stacy Hissong explained that after they receive the bids, the Drain Office will hold a public hearing for the cost of the project this should be early 2023. There will be no assessments on the winter tax bill. Construction will start in March at the earliest given where we are at today.

Russ Winters asked Derek Haroldson after his review of the permit, if he any questions have come up in your review that may be a problem.

Derek Haroldson responded that they have had the application for some time. The same folks from the first application will be involved in the review. The concerns remain on these three items: 1) Fluctuation in the lakes and the operation the augmentation wells. 2) Confidence in the invasive species treatment and effectiveness. 3) Downstream impact. This long-term permanent connection will require a review of the benefits vs the detriments and making sure that the project can meet all the criteria. Once the application is complete he will take it back to his team to get internal comments.



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Russ Walters commented that he is concerned about all of the extensions. He is trying to see that there isn't any issue that we know will come up in the review.

Derek Haroldson advised that they are at the point where they can review how each thing will be weighed. They are in a good position to continue dialogue with the Township and Prein & Newhof.

Len Bosma advised Derek that he is making him nervous when he goes back to the operation of the augmentation wells. They have been in place since 1960's and this has been discussed for a long time.

Stacy Hissong responded that we have been talking in general. The augmentation wells require permitting from EGLE. This permit will ensure that there is a permit and the Drain Office will ensure that they are being operated in accordance with that permit. She advised that she was not sure how they have been operated in the past but they must be consistent with permitting.

Derek Haroldson advised that in the long-term project they can't separate these two issues. They need to have the augmentation pump operation written on paper and agreed to. If there was new work on the augmentation pump, EGLE would have required a permit.

Kyle O'mera reported that they will be meeting next Tuesday with the Associations to discuss the augmentation well operation.

Len Bosma responded that this is a big deal for the lakes. The Associations want you to understand that.

Stacy Hissong responded that they do understand and advised that they want the lakes to be able to operate their augmentation pumps as they have as long as EGLE is ok with it.

Russ Walters commented that they do not have a EGLE permit for the augmentation well so they don't know what the restrictions will be. They have always been allowed to operate the pumps as they saw fit.

Stacy Hissong advised that the associations would be seeing these same restrictions in the future.

Russ Walters commented that Derek Haroldson said something would have to trigger the need for a permit.

Nick Loeks stated that Eagle Lake has a normal lake level, there is a max and a min.

Derek Haroldson stated that they do not have an obligation for a minimum level only the maximum. Our interest is understanding what does this mean to the lakes. Understanding the historical operation with the permanent outlets how does this impact the lakes.



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Len Bosma added that the augmentation wells did not contribute to the flooding in any way.

Stacy Hissong commented that they consider the augmentation wells part of the County's responsibility operate it with the association consistent with the EGLE permit. Derek mentioned a trigger point. Technically pumping triggers the need for the permit, whether there is a lake level or not.

Derek Haroldson confirmed that the operation of the augmentation wells is a triggering event and would require a permit.

Len Bosma advised that the Lake Associations are not opposed to operating the pumps under a policy. They just want you to be aware of what our policy has been for many years. The issue is changing what those parameters have been.

Stacy Hissong responded that they are asking to memorialize how these have been operated as long as EGLE approves.

Jerry Robbins asked if there was anything with the augmentation wells that may come up that we might have to address or be concerned about?

Tom Wheat added that they just plan to add communication devices to the augmentation wells so we will know when they are on or off.

Stacy Hissong added that they are submitting that the operation is how they have been historically operated. This will make it easier should a pump go out because it will have already been reviewed.

Derek Haroldson commented that they really don't have questions on the augmentation wells, they just need to understand how often they will be used and what is the operation and we need agreements in place to know when they are on/off.

Russ Walters advised that they set these limits over time where the majority of the lake residents want the levels at. Not everyone is happy with the levels but most certainly are. Our policy is published on our website.

- Interlocal Agreement: Stacy Hissong reported that they are working on the agreement with the Township and the County. County will be the owner eventually but the Township has to be the owner to accept the grant then once it's constructed the Township will turn it over to the County. This will ensure the financing can still move forward. We met with the Township and the County Bond Council to work through the agreement.
- FEMA Grant: Tom Smith reported that they received a Request for Information about a month ago. They have since re-submitted and he feels we are in good shape with the grant. MSP has submitted the grant to FEMA for consideration.

Jerry Robbins asked for Tom Smith to explain the difference between the first and second submittal.



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Tom Smith explained that because the project changed, we had to resubmit the grant with the new project description. FEMA should not take away the original amount of the grant award but when they resubmitted they included the full cost of the project. We are still well above the cost benefit ratio which is key and there is still money available to award to us. He added that they asked for more than double the original amount.

4. COMMENTS/QUESTIONS

None

The next Task Force Meeting has been scheduled via Zoom for Monday October 10th, 2022, at 10:30 a.m.

Submitted by Superintendent Julie VanderWiere
September 2, 2022