

**Town Hall and Special Board Meeting  
Municipal Water to Ross Township  
Approved Meeting Minutes  
ROSS TOWNSHIP  
KALAMAZOO COUNTY, MICHIGAN  
October 3, 2023, at 6 pm**

<b>Attendee Name</b>	<b>Title</b>	<b>Roll Call Status</b>
Christina Hutchings	Supervisor	Present
Mary Stage	Clerk	Present
Syndee Genung	Treasurer	Present
Diana Langshaw	Trustee	Present
Michael Bekes	Trustee	Present
Lynn Harmon	Trustee	Present
Mike Sulka	Trustee	Present
Rob Thall	Attorney	Present

Also in attendance were about 110 interested people present as the meeting started and 22 interested people present at the end of the Town Hall.

Supervisor Hutchings called the meeting to order at 6:00 pm with all rising to Pledge Allegiance to the Flag.

**APPROVAL OF AGENDA:**

Trustee Bekes motioned to accept the agenda as presented. Trustee Langshaw supported. The motion was carried unanimously.

**PRESENTATION:**

Supervisor Hutchings asked officials to identify themselves. In attendance was Lisa Fischer, a toxicologist from [Michigan Department of Health & Human Services](#), a representative from Bill Huizinga's office, [Tom Wheat](#), the Township Engineer and presenters James Baker of the City of Kalamazoo ~~Water & Wastewater~~ [Public Services Director and City Engineer](#) and Lucas Pols, [Environmental Health Division Manager](#) of ~~the Kalamazoo County~~ Health and Community Services Department. James Baker and Lucas Pols presented the material to all in attendance with Lisa Fisher available as a potential contributor during the public comment and question period. The presentation discussed the potential municipal water expansion within an area in Ross Township in areas where PFAS samples measured greater than State and/or Federal established limits. The current acceptable limit is 8 PPT (Parts Per Trillion), though the EPA, a Federal Agency, just dropped their limit to half, or 4 PPT in March 2023. Michigan will be required to match or get lower than the EPA's limit within 18 months.

The presentation highlights included:

- A short history on PFAS groundwater contamination in the area that is directly due to Production Plated Plastics (PPP Plant) on 34<sup>th</sup> Street.

- The location of three of eight monitoring wells in Ross Township where PFAS measured greater than Michigan established limits. Each monitoring well holds three ‘nested’ sets: shallow, medium and deep groundwater test wells.
- Tables of data were presented and monitoring well/residential well sampling trends were discussed. All wells are being tested for PFAS/PFOA and metals.
- Identification of the investigation area including the Gull Vista Plat, East CD, D and DE Avenue, M89 Highway, Greer Drive and North 36<sup>th</sup> Street as these are listed as ‘areas of concern’ due to the groundwater plume having a known direction moving south easterly.
- Long term drinking water recommendations were discussed because EGLE is no longer extracting water contaminated with PFAS & PFOA from the 34<sup>th</sup> Street PPP plant. The State has chosen to cease remediation of this contaminated site.
- Carbonated filters are not long-term strategies for protecting public health. Additionally, if there is only one filter at the kitchen sink, there are still exposures at other faucets. Whole house filters are not guaranteed to eliminate PFAS/PFOA.
- The proposed alternative of the Kalamazoo Regional Water System Expansion to provide municipal water to impacted areas was provided.
- The proposed alternative map of water mains was provided.
- An overview of the City of Kalamazoo Water & Wastewater supplying water to Ross Township, in terms of connections, miles of water main, capacities, and that 11 municipal jurisdictions are a part of the entire user system was given.
- An overview of the next steps in the process if Ross Township wants to move forward with the initiative was shared.

Specifically, if Ross Township would like to move forward with the initiative to provide an option of municipal water to impacted areas, the following was presented along with action deadlines:

- The first step would be the “Notice of Intent to Apply”, a one-page document to accompany the application to the State to request grant funding for all costs to be covered.
- A formal commitment from the Board to enter into an official relationship with the City of Kalamazoo is required.
- Once the engineering starts, the project plan itself requires a public hearing.
- There is a grant program called Drinking Water Safe Revolving Fund (DWSRF) and is administered by EGLE and grant awards would be known September 2024.
- The program is highly competitive and based on correcting unsustainable drinking water systems like PFAS/PFOA contamination and lead water system replacements.
- Projects are scored based on a point system.
- There is no guarantee of funding but the history that EGLE awarded Richland Twp grant dollars to connect to municipal water is encouraging since Ross Township has contaminated wells because of the same site, the PPP Plant on 34<sup>th</sup> Street.
- For application of the \$13 million funding opportunity for Ross Township, the City of Kalamazoo would need a formal agreement with Ross Township.
- The Utility Policy Committee (UPC) needs to approve the expansion of the water system into Ross Township, and give approval to do a capital program like this.
- There will be no cost to Ross Township through the process until funding is known from EGLE.
- If the project is not funded, all costs to that date would be covered by the 11 Jurisdictions of Kalamazoo’s Utility Policy Committee. ~~Water Utility.~~

- Sharing a recent example, James Baker shared there was a project that scored 80 points and ~~since shared~~ the grant-fundable ~~projects rates~~ need to score a minimum of 85 points of 100 or greater, ~~so the City of Kalamazoo's proposed the~~ project was not funded.
- The plan being discussed tonight is to combine that specific project with the Ross Township project, to score high enough for funding both projects together.
- The Notice of Intent to Apply from the board remains a priority and needs to be in place by the UPC meeting date on October 12, 2023.
- The Notice of Intent to Apply is binding only if project funding is obtained. EGLE is the entity that awards the projects.
- The project is not engineered at the present time.
- If the Letter of Intent to Apply were not timely, it would delay any project at least one year. If Ross Township misses the October 2023 UPC meeting and applies in November ~~2024, 2023~~, we would not know about funding until September ~~2025 2024~~ and as no project can begin without engineering being completed, the start date would be in ~~2026 2025~~. This is a long process.

The presentation concluded and the presenters/board were then open to questions and public comment.

#### **BOARD QUESTIONS:**

Board discussion confirmed the areas of impact, confirmed the test results, determined the maps of the proposed water mains presented are not yet engineered and the grant program the funding request will utilize is the Drinking Water Safe Revolving Fund (DWSRF).

#### **PUBLIC COMMENT AND PUBLIC QUESTIONS:**

Per the Town Hall format, public comments and public questions were addressed more with a conversational tone rather than the normal three minutes to speak with no expectation of a response rule. Therefore, these meeting minutes will capture the spirit of the questions and the associated answers for the record.

Several residents asked about the timing of bringing in municipal water as in 'why now?' The responses discussed the testing for PFAS in the areas and the current test results that prove the contaminants are in our water plume and when taken over time, the contaminants have been shown to be migrating with the water plume. The project to bring municipal water as an option to impacted homeowners would take three years from start to finish and any delay in the Board providing a letter of intent to become a retail franchise customer of the proposed water system would put the schedule back at least a year, if not more. The project will be combined with a project in another area that failed approval with a project score of 85 and it is expected for the combined project to score high enough to warrant funding. The timing for this is now because a year from now the costs of construction may change, the amount of funds available from the DWSRF may change and the project that will be combined now may not be available for combination with the Ross Township project.

Several residents inquired about the odds of the project being approved. James Baker addressed those questions by saying although not guaranteed, there are several factors why the score would be higher with the combined project including the project addresses PFAS, the project addresses water quality, the project addresses fire flow as fire hydrants in the areas will be built, the project demonstrates

consolidation as Richland and Ross Township come together versus Ross Township going alone with the project and finally the combination with other projects at the time of the ask is a “points getter” as well.

One resident asked the board if anyone of them currently lives in the impacted area and when it was determined none did, the question became ‘how does that give the board the right to make decisions on this for those in the impacted areas’? The response was board members do not need to reside in impacted areas to make decisions based on the health, safety and care of residents living in other areas. Concerns about PFAS contamination is in the forefront of any decision in this regard. Concerns about cancer, altered immune and thyroid function, kidney disease, reproductive harm and abnormal fetal development were raised. The audience was asked to consider the impact on not only them, but their children and/or grandchildren too. PFAS is known to enter the body via skin contact with some studies showing it is excreted by only half over a four-year period. Because of these concerns, the board felt responsible for making decisions on whether to move forward with the project or not.

Several residents shared high concern on the cost of the project with many sharing they had no interest in the pursuit of installing the water mains and many sharing they would sign up for service immediately when available. Through a very lengthy discussion, several attributes of the project became clear. The funding amount that will be requested will be enough to install the water mains and hook up to each home on the ‘route’ free of charge. The hook up would include water well [capping/closure](#) as well. If funding is not attained for that level of service, the Township would then look at other options to attain the funding such as other grant sources. The worse case scenario was described as homeowner participation in the cost should all other avenues collectively come up short of the goal.

Many asked if hooking up to the municipal water would be mandatory. The answer to those questions included confirmation by Attorney Thall that the State of Michigan does not have a mandatory hook up on water, only [a mandatory connection to sewer](#). Therefore, mandatory hook up [to water](#) is not part of the project. However, additional information suggested if the water lines were available and there was a well failure in a contaminated area, the Health Department may not allow a new well to be drilled due to the safety concerns of the contamination. In addition, it was clear if homeowners do not hook up as part of the project, but [if](#), later down the road they become interested in hooking up to municipal water, the cost (currently estimated close to \$7000) will be charged to said homeowner.

Some residents suggested that water from Kalamazoo not be brought into Ross Township because of their experience with said water in other areas of the County, specifically stating the amount of “boil your water warnings” and lack of water pressure in some areas. The response from James Baker shared they are aware of some water pressure issues in areas where homes are greatly elevated (on tops of hills) and far away from the main as well. He shared several current projects to improve the water pressure in those situations with some success to date. He also shared the boil your water warnings are due to pipelines being exposed when cut into for the addition of other pipes to the main or when the pipeline is exposed due to necessary repairs. He stated there has never been a boil your water warning due to bacteria in the water. The City of Kalamazoo has never had a bacterium requiring this warning. Their testing of water is comprehensive, following all guidelines established by the State and having all test results tracked. He reiterated there has never been a bacteria problem with the water treated by the entity.

With no further people approaching the microphone, Supervisor Hutchings closed the Town Hall and proceeded to the Special Board Meeting.

**BOARD ACTIONS:**

Trustee Bekes moved to approve and authorize Supervisor Hutchings and Attorney Rob Thall to enter into negotiations with the City of Kalamazoo to seek to become a retail franchise customer of the master Water Services Agreement and to request Utility Policy Committee (UPC) approval for both expansion and to become a retail franchise customer at their 10-12-2023 UPC meeting. This motion is made today to be timely for the upcoming UPC meeting on October 12<sup>th</sup> when the decision to approve the expansion of the water system and to provide retail service to Ross Township can be made only if this Letter of Intent is in hand. It is fully understood if this motion does not pass tonight, the City of Kalamazoo will not be a resource to help our impacted citizens for at least one additional year and maybe longer. Supervisor Hutchings supported it. On a roll call vote, the motion was carried unanimously.

**SECOND PUBLIC COMMENT:**

Messages to the board included thanks for doing a very transparent job in dealing with bringing municipal water to Ross Township, reiteration of some problems experienced in other areas with Kalamazoo supplied water and wishes that funding can be obtained for the project.

**ADJOURNMENT:**

Trustee Harmon moved to adjourn the meeting and Supervisor Hutchings seconded. The motion passed unanimously and the meeting adjourned.

Michael Bekes  
Township Trustee  
Temporary Acting Recording Secretary