

## **Kalamazoo Regional Water & Wastewater Commission**

c/o Charter Township of Comstock

PO Box 449 / Comstock, MI 49041

Chair: Jeff Sorensen <[supervisor@coopertwp.org](mailto:supervisor@coopertwp.org)> (269-207-1156)

Vice-Chair: Nick Loeks <[nloeks@texas township.org](mailto:nloeks@texas township.org)> (269-375-1591)

Secretary-Treasurer: Lysanne Harma <[lharma@richlandtp.net](mailto:lharma@richlandtp.net)> (269-269-4921)

Director: Libby Heiny-Cogswell <[libby.hc@gmail.com](mailto:libby.hc@gmail.com)> (269-290-1929)

Assistant Director: Tim Hudson <[thudson5653@charter.net](mailto:thudson5653@charter.net)> (269-384-5113)

**Membership:** Alamo Township; Brady Township; Charleston Township; Comstock Charter Township; Cooper Charter Township; Kalamazoo Charter Township; Oshtemo Charter Township; Pavilion Charter Township; Richland Township; Ross Township; Schoolcraft Township, Schoolcraft Village, Texas Charter Township

Established 1998 by Intergovernmental Agreement(s)

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## **NOTICE OF REGULAR MEETING**

Members of the **Kalamazoo Regional Water & Wastewater Commission**

("KRWWC") will meet **in Person**

Thursday, January 11<sup>th</sup>, 2024 at 10:30 AM

At **Oshtemo** Township Hall

### Accessing the Meeting

Voting members are asked to attend in person. Zoom availability for interested attendees is below:

Join Zoom Meeting

<https://us02web.zoom.us/j/83740238398>

Meeting ID: 837 4023 8398

One tap mobile

+13092053325

### Public Input and Participating in the Meeting

Once published, the agenda packet will be available by contacting Director L. Heiny-Cogswell at [libby.hc@gmail.com](mailto:libby.hc@gmail.com) or text your request to 269-290-1929.

Persons who wish to contact members of the KRWWC to provide input or ask questions about items on the meeting agenda may do so during the meeting at designated times for public comments. To address the members, meeting participants will need to "raise their hand" to indicate they want to speak.

To raise your hand while participating online, click the "Raise Hand" icon at the bottom of the Zoom Screen

To raise your hand while participating via phone, press \*9

After you raise your hand you will be informed when it is your turn to speak, and your microphone will be unmuted at that time. Your microphone will be muted again when you have finished your comments or when your speaking time has expired.

### Instructions for Persons with Disabilities

Persons with disabilities who need accommodations to effectively participate in this meeting should contact Director Heiny-Cogswell at [libby.hc@gmail.com](mailto:libby.hc@gmail.com) by 5:00 p.m. the day before the meeting to request assistance.

## Kalamazoo Regional Water and Wastewater Commission

MINUTES – Regular meeting

**Wednesday      December 13<sup>th</sup>, 2023      1:30 PM      Oshtemo Township (in person)**

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This meeting was available via Zoom

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- **Call to Order by Chair Jeff Sorensen:** Chair Sorensen called the meeting to order at 1:31 pm. Director Pierson noted a quorum of voting members were present in person (see attendance list page 4).
- **Set agenda:** Chair Sorensen noted the agenda. There were no other changes or additions. Motion by Loeks seconded by Harma to approve the agenda as presented. **Motion carried, all ayes.**
- **Introductions / Guests:** Chair Sorensen asked each person to introduce themselves. Attending via zoom were Legal Counsel Mr. Ferrand and Thomas Cole (left the meeting after ½ hour).
- **Minutes of October 26<sup>th</sup>, 2023 Special meeting.** Motion to approve the minutes of the October 26<sup>th</sup> meeting was made by Miller seconded by Thompson. **Motion carried, all ayes.** It was noted there was no Closed Session at the October 26<sup>th</sup> meeting.
- **Public Comments:** None.
- **Correspondence:** None
- **Old Business**
  - **WW Service Issues:** Director Pierson asked if any wastewater service issues needed to be noted. There were none. (Water service issues are discussed under UPC updates.)
  - **Any Other Old Business:** None noted.
- **Committee Reports:**
  - **Executive Committee:** Chair J. Sorensen; Vice-chair N. Loeks; Sec-Treas. L. Harma  
Function: Agenda review + preparation; Administration; Attend Strategy + Work Sessions + Water Utility Policy Committee meetings, etc.
    - **Executive Committee meetings update** – it was noted there had been (1) meeting of Executive Committee held since last Reg Comm mtg of 10/26.
  - **Planning Committee:** Reps from: K -Twnp; Oshtemo Twnp; Texas Twnp; Comstock Twnp; Cooper Twnp  
Function: Non-quorum advisory group to Regional Comm / Contract Negotiation
    - **Planning Committee meetings:** - it was noted there had been (0) meeting of Planning Committee held since 10/26.
  - **Regional Commission WW Negotiation Team:**

- WW negotiation meetings with the City are proceeding monthly.
    - It was noted the City had not reviewed/responded to the document submitted 9/28.
    - It was noted the City had not reviewed/responded to the Rates Article submitted 11/9.
  - On-going WW Workgroup meetings continue to be held.
- Water Utility Policy Committee (“UPC”) Report / Update:
  - It was noted regular monthly meetings continue to be held by the Water Utility Policy Committee: (Meetings are monthly on 2<sup>nd</sup> Thursday @ 8:30 am at Oshtemo + via zoom)  
(UPC info: <https://www.kalamazooocity.org/Government/Boards-Commissions/Utility-Policy-Committee>)
  - It was noted the following material was included in the Regional Commission packet
    - UPC 9.14.2023 Minutes
    - UPC 10.12.2023 Minutes
  - The following update on Water UPC items was given by Director Pierson:
    - Update: Implementation schedule for Water Rate Increase
    - Update: Water System Buy-in Capacity Fee: (Water Agreement Amendment)
    - Update: Wellhead Protection Ordinance adoption:
    - Update: UPC Policy Proposal: Watermain Extensions w/in Twp: (tentative: info only)
      - Discussion on the UPC proposal for a policy for non-emergency watermain extensions into existing residential areas that do not have water currently. Libby Heiny Cogswell + Tom Wheat noted this policy is currently under review at the City.
    - Service Issues: None presented.
- Financial Reports / Budget:
  - Financial report.
    - Director Pierson noted the November Bank Statement and Balance of \$147,277
    - Director Pierson handed out the Treasurer’s Report and Bills Payable and Paid
      - Motion by Hutchings seconded by Bell to accept Treasurer’s Report / Pay Bills. **Motion carried, all ayes.**
    - Reaffirm two signature requirement for disbursements.
      - Pierson noted that the Intergovernmental Agreement of the Regional Commission required two signatures for disbursements and asked for reaffirmation.
      - Motion by Loeks seconded by Bell to designate Harma, Thompson and Sorensen as signatories on disbursements. **Motion carried, All Ayes.**
    - Fifth Third Bank Request for designated custodian.
      - Director Pierson briefly reviewed the request (FDIC requirement) from 5/3 regarding a Designated Custodian.
      - Motion by Bell seconded by VanderRoest to designate Lysanne Harma (Secretary/Treasurer) as Custodian and to have Chairperson Sorensen sign the document. **Motion carried, all aye.**
- New Business:
  - Reaffirm Planning Committee Membership
    - Pierson noted that Randy Thompson was now the Voting Member from Comstock and asked that the Planning Committee membership be reaffirmed as follows: Cooper Twp (as Chairperson), Oshtemo Twp, Texas Twp, Comstock Twp and Kalamazoo Twp.
      - Motion by Bell seconded by Hutchings to reaffirm as noted above. **Motion Carried, All Ayes.**
  - Selection/Transition Committee: Regional Commission Director recommendation
    - VanderRoest made a motion that Director Pierson’s contract be extended for 3 months for continuity on the wastewater negotiations. Pierson asked that the motion not be supported and that the Committee make its recommendation as planned, and noted his contract was through 2024 but he had elected to step down as of 12/31 (for personal reasons) but was willing to assist in the transition and in wastewater negotiations as needed going forward into 2024.

- Chair Sorensen brought forth the Selection Committee recommendation to appoint Libby Heiny Cogswell as Director.
  - Motion by Hutchings, seconded Bell to appoint Heiny Cogswell as Regional Commission Director and to close the nominations and cast a unanimous ballot on her behalf. Pierson asked if the motion included approval of Heiny Cogswell's contract that had been distributed the day prior to the meeting. After further discussion, Loeks noted the Committee also recommended a 6-month review of performance be included in the motion. Hutchings amended her motion to include the above and Bell seconded the amended motion. Roll call vote was requested. **Motion carried, 9 ayes, one nay by Chair Sorensen.**
  - Discussion on Assistant Director. Mr. Hudson, currently Assistant Director, agreed to continue on in support of the Regional Commission as needed. Motion by Miller seconded by VanderRoest to reaffirm Hudson as Assistant Director. **Motion Carried, All Ayes.**
- Member Speeter made a motion to add John Crumb (GLSWA Director + UPC appointee) to the WW Negotiation Team, seconded by Harma.
  - Discussion ensued on the motion and whether Mr. Crumb's addition to the WW Negotiation Team possibly created an Open Meeting's Act violation during negotiation with the City and/or internal work sessions of the WW Negotiations team. Further discussion ensued on whether it was appropriate to consider the motion, given it was not on the agenda that had been set at the beginning of the meeting. Chair Sorensen tasked Mr. Ferrand (Legal Counsel) to review and prepare a memorandum for review by the Commission in this matter and requested Speeter withdraw the motion. Speeter and Harma agreed to withdraw the motion for consideration at the next meeting.
- Closed session request from legal counsel
  - At 2:29 pm, Miller made a motion that pursuant to legal counsel request, the Commission go into closed session to discuss exempt matters. Motion seconded by Thompson. **Roll call vote, all ayes.** All present stayed for the closed session.
  - Motion to come out of closed session made by Miller seconded by Harma, at 2:42 pm. **Motion carried, all ayes.**
  - Motion to accept legal counsel's recommendation as presented closed session was made by Hutchings seconded by Loeks. **Motion Carried, All Ayes.**
- Commission Member Comments: Closing comments around the room including a round of applause for Mr. Pierson's long tenure as Regional Commission Director and included Happy Holiday wishes from and to all.
- Next meeting: Scheduled for Thursday, January 11<sup>th</sup>, 2024, at 10:30 am at Oshtemo
- Adjourn 2:45 pm.

Prepared by R. Pierson, Director, Libby H Cogswell and T. Hudson, Asst. Director      Regmin 12.13.2023

## Regional Commission Meeting Attendance:

<u>Kalamazoo Regional Water and Wastewater Commission:</u>		Wednesday, December 13th, 2023	1:30 PM	In Person mtg at Oshtemo Twp
<b>Attendance Sign In</b>				
<b>Members:</b>	<b>Present</b>	<b>E-mail address (please verify)</b>	<b>Please Distribute:</b>	
Brady Township Supervisor		<a href="mailto:bradysupervisor@comcast.net">bradysupervisor@comcast.net</a>	Tracy Locey	
Charleston Township Supervisor	<b>JVR</b>	<a href="mailto:charsupervisor@charlestantownship.org">charsupervisor@charlestantownship.org</a>	Jerry VanderRoest	
Comstock Township Supervisor	<b>RT</b>	<a href="mailto:supervisor@comstockmi.com">supervisor@comstockmi.com</a>	Randy Thompson	
Cooper Township Supervisor	<b>JS</b>	<a href="mailto:supervisor@coopertwp.org">supervisor@coopertwp.org</a>	Jeff Sorensen	
Kalamazoo Township Trustee	<b>MM</b>	<a href="mailto:mmillere@ktwp.org">mmillere@ktwp.org</a>	Mark E Miller	
Oshtemo Township Supervisor	<b>CB</b>	<a href="mailto:cbell@oshtemo.org">cbell@oshtemo.org</a>	Cheri Bell	
Pavilion Township Supervisor	<b>JS</b>	<a href="mailto:jspeeter@gmail.com">jspeeter@gmail.com</a>	John Speeter	
Richland Township Supervisor	<b>LH</b>	<a href="mailto:lharna@richlandtwp.net">lharna@richlandtwp.net</a>	Lysanne Harma	
Ross Township Supervisor	<b>CH</b>	<a href="mailto:supervisor@rosstownshipmi.gov">supervisor@rosstownshipmi.gov</a>	Christina Hutchings	
Schoolcraft Township Supervisor	<b>DU</b>	<a href="mailto:dulsh@schoolcrafttownship.org">dulsh@schoolcrafttownship.org</a>	Don Ush	
Texas Township Supervisor	<b>NL</b>	<a href="mailto:nloeks@texastownship.org">nloeks@texastownship.org</a>	Nick Loeks	
Schoolcraft Village President*		<a href="mailto:gunnettenterprises@yahoo.com">gunnettenterprises@yahoo.com</a>	Keith Gunnett	
Alamo Township Supervisor*		<a href="mailto:supervisor@alamotownship.org">supervisor@alamotownship.org</a>	Gail VanderWeele	
	*via zoom			
<b>Alternates: (Voting Member only in the absence of Regular Member)</b>				
Texas Township		<a href="mailto:lkerr@texastownship.org">lkerr@texastownship.org</a>	Linda Kerr	
Kalamazoo Township		<a href="mailto:robinsonc@ktwp.org">robinsonc@ktwp.org</a>	Clara Robinson	
Oshtemo Township	<b>NS</b>	<a href="mailto:nsikora@oshtemo.org">nsikora@oshtemo.org</a>	Neil Sikora	
Comstock Township				
Richland Township Treasurer		<a href="mailto:mdrouin@richlandtwp.net">mdrouin@richlandtwp.net</a>	Marsha Drouin	
Ross Township Trustee	<b>DL</b>	<a href="mailto:langshaw@rosstownshipmi.gov">langshaw@rosstownshipmi.gov</a>	Diana Langshaw	
	*via zoom			
	<b>10</b>	<b>MEMBERS IN ATTENDANCE TOTAL (*)</b>	<b>6 of 11 Voting Members needed for quorum</b>	
	<b>10</b>	<b>VOTING MEMBERS IN ATTENDANCE</b>	<b>(*) Sitting members have no w / ww customers connected to Kal City.</b>	
<b>Regional attendees:</b>				
Superintendent - Texas Township		<a href="mailto:superintendent@texastownship.org">superintendent@texastownship.org</a>	Eric Wilson	
Superintendent - Comstock Township	<b>SH</b>	<a href="mailto:superintendent@comstockmi.gov">superintendent@comstockmi.gov</a>	Scott Hess	
Manager - Kalamazoo Township		<a href="mailto:manager@ktwp.org">manager@ktwp.org</a>	Dexter Mitchell	
Regional Commission Engineer	<b>TW</b>	<a href="mailto:twheat@preinnewhof.com">twheat@preinnewhof.com</a>	Tom Wheat	
Regional Commission Director -	<b>RP</b>	<a href="mailto:rp5343@yahoo.com">rp5343@yahoo.com</a>	Rich Pierson	
Regional Commission Legal Counsel-	<b>TF*</b>	<a href="mailto:tferrand@cnda-law.com">tferrand@cnda-law.com</a>	Tim Ferrand	
Regional Commission Asst Director	<b>TH</b>	<a href="mailto:thudson5853@charter.net">thudson5853@charter.net</a>	Tim Hudson	
Rate Cons. - Utility Financial Solutions		<a href="mailto:mbeauchamp@ufsweb.com">mbeauchamp@ufsweb.com</a>	Mark Beauchamp	
Oshtemo Township Legal Counsel	<b>JP</b>	<a href="mailto:jposhtwp@oshtemo.org">jposhtwp@oshtemo.org</a>	James Porter	
Accountant - Peter Haefner, CPA		<a href="mailto:phaefner@vh-cpas.com">phaefner@vh-cpas.com</a>	Peter Haefner	
Gull Lake Sewer + Water Auth Director	<b>JC</b>	<a href="mailto:crumbj@qlswa.org">crumbj@qlswa.org</a>	John Crumb	
Oshtemo Twp Engineer	<b>ME</b>	<a href="mailto:melliott@oshtemo.org">melliott@oshtemo.org</a>	Mark Elliott	
	<b>AH</b>	<a href="mailto:ahorner@oshtemo.org">ahorner@oshtemo.org</a>	Anna Horner	
Kalamazoo Township Supervisor		<a href="mailto:supervisor@ktwp.org">supervisor@ktwp.org</a>	Don Martin	
Libby H Cogswell, ret Oshtemo Sup	<b>LHC</b>	<a href="mailto:libby.hc@gmail.com">libby.hc@gmail.com</a>	Libby H Cogswell	
	*via zoom			
<b>Interested Public Guests</b>				
Thomas Cole*	<b>TC*</b>	No introduction - left mtg at 1:50 pm		