

**OSHTEMO CHARTER TOWNSHIP BOARD**  
**7275 West Main Street**  
**Kalamazoo, MI 49009**

**October 26<sup>th</sup>, 2021**

Refer to [www.oshtemo.org](http://www.oshtemo.org) home page for Virtual Meeting Information

**REGULAR MEETING**  
**6:00 P.M.**  
**AGENDA**

1. Call to Order
2. Roll Call & Remote Location Identification
3. Pledge of Allegiance
4. Public Comment on Non-Regular Session Items

**WORK SESSION ITEMS**

5. Discussion on Board Rules
6. Discussion on Trustee Compensation
7. Other Updates & Business

**BREAK (Time Permitting) – 7:05 P.M.**

**REGULAR SESSION ITEMS – 7:15 P.M.**

8. Consent Agenda
  - a. Approve Minutes – October 12, 2021 Regular Meeting & October 19, 2021 Joint Boards Meeting
  - b. Receipts & Disbursements Report
  - c. 2022 Township Board Meeting Dates
  - d. 2022 Property & Liability Insurance Renewal
  - e. Employee Handbook Amendments – Cell Phones
9. Consideration of OHS Volunteer Recognition
10. Consideration of KL Avenue MDOT Transportation Alternatives Program (TAP) Grant Application and Resolution in Support
11. Consideration of 3<sup>rd</sup> Quarter Budget Amendments
12. Consideration of Resolution to Accept the Clerk's Determination of Insufficiency on the Petitions for Referendum
13. Request to Enter Closed Session to Discuss Oshtemo Residents Association, Inc. v Oshtemo Charter Township, Case No 2020-0163 CZ and Pending Litigation
14. Other Township Business & Question Updates
15. Public Comment
16. Board Member Comments
17. Adjournment

**Policy for Public Comment  
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email ([oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org)), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)  
(revised 5/14/2013)  
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at [www.oshtemo.org](http://www.oshtemo.org), email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to [oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org) and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<b><u>Supervisor</u></b>		
Libby Heiny-Cogswell	216-5220	<a href="mailto:libbyhc@oshtemo.org">libbyhc@oshtemo.org</a>
<b><u>Clerk</u></b>		
Dusty Farmer	216-5224	<a href="mailto:dfarmer@oshtemo.org">dfarmer@oshtemo.org</a>
<b><u>Treasurer</u></b>		
Clare Buszka	216-5260	<a href="mailto:cbuszka@oshtemo.org">cbuszka@oshtemo.org</a>
<b><u>Trustees</u></b>		
Cheri L. Bell	372-2275	<a href="mailto:cbell@oshtemo.org">cbell@oshtemo.org</a>
Kristin Cole	375-4260	<a href="mailto:kcole@oshtemo.org">kcole@oshtemo.org</a>
Zak Ford	271-5513	<a href="mailto:zford@oshtemo.org">zford@oshtemo.org</a>
Kizzy Bradford	375-4260	<a href="mailto:kbradford@oshtemo.org">kbradford@oshtemo.org</a>

<b>Township Department Information</b>			
<b><u>Assessor:</u></b>			
Kristine Biddle	216-5225	<a href="mailto:assessor@oshtemo.org">assessor@oshtemo.org</a>	
<b><u>Fire Chief:</u></b>			
Mark Barnes	375-0487	<a href="mailto:mbarnes@oshtemo.org">mbarnes@oshtemo.org</a>	
<b><u>Ordinance Enf:</u></b>			
Rick Suwarsky	216-5227	<a href="mailto:rsuwarsky@oshtemo.org">rsuwarsky@oshtemo.org</a>	
<b><u>Parks Director:</u></b>			
Karen High	216-5233	<a href="mailto:khigh@oshtemo.org">khigh@oshtemo.org</a>	
Rental Info	216-5224	<a href="mailto:oshtemo@oshtemo.org">oshtemo@oshtemo.org</a>	
<b><u>Planning Director:</u></b>			
Iris Lubbert	216-5223	<a href="mailto:ilubbert@oshtemo.org">ilubbert@oshtemo.org</a>	
<b><u>Public Works:</u></b>			
Marc Elliott	216-5236	<a href="mailto:melliott@oshtemo.org">melliott@oshtemo.org</a>	

## Zoom Instructions for Participants

### Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

### To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 831 1987 9224**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

### To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **831 1987 9224#**

### Participant controls in the lower-left corner of the Zoom screen:



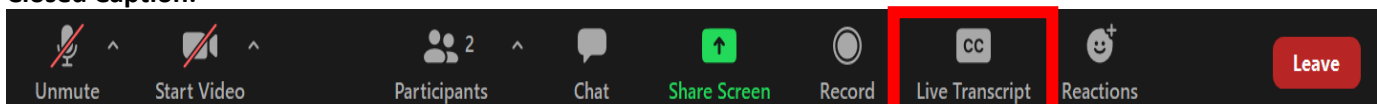
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press \*9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

### Closed Caption:



### Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

# Oshtemo Township Board Meeting Policy and Procedure

## Board meetings

The Board sets and adopts the meeting schedule annually. All meetings are held and noticed in accordance with state law. The Board normally meets the second and fourth Tuesday of each month. Meetings begin at 6 PM with Work Session Items, followed by Regular Session Items at 7:15 PM. ~~Regular meetings begin at 7:15 PM, Work Sessions begin at 6 PM, and~~ Joint Meetings begin at 6 PM. Joint meetings occur ~~three~~ twicetimes annually. Budget meetings may be scheduled outside of the second and fourth Tuesday schedule. Special meetings will be scheduled as ~~needed, and~~ needed and noticed accordingly.

## Meeting agenda

The Board meeting agenda is developed by the Supervisor working with staff. Elected Officials may request an agenda item. By statute, the Supervisor is the Chair of the meeting. The standard sequence for most meeting agendas is:

- ~~Call to order~~ Order
- Roll Call (Virtual Meetings include Location Identification)
- Pledge of Allegiance
- Public ~~comment~~ Comment on ~~non~~ Non-Regular Session agenda items
- Work Session Items
- Consent agenda
  - ~~Information updates~~
  - ~~Item consideration~~
- New or ~~unfinished~~ continued business
- ~~Other Township business~~
- Public comment
- Board member comments
- Adjournment

## Board meeting materials

Board members are requested to review all materials sent in advance and to fully participate in meeting discussions. The goal is to have these materials available the Friday before the Board meeting. The materials include the agenda and background material on agenda items. Another goal is to have simplified and accessible meeting materials, with large packet items at a separate link on the website, and to include an explanatory memo. Special meeting packets will be sent out as soon as possible.

## Consent agenda

Individual formal votes can be avoided on routine matters where there is no opposition and no discussion is required. All consent agenda items are read and approved as one agenda item. If there is a question regarding any item by anyone in attendance, it can be removed from the consent agenda and placed ~~in the Other Township Business~~ later on the agenda.

## Discussion and action items

Each agenda item is described as an update, consideration, or discussion. The Board meeting materials will include a discussion of the item and often a recommended action. Discussion of each item will generally proceed as follows:

- a) Chair will open the agenda item.
- b) Staff/official or professional may present a report or frame the issue for discussion.
- c) Chair will ~~call~~ ask for questions from the Board.
- d) Chair will allow the applicant to address the Board.
- e) Chair will ~~call~~ ask for questions from the Board.

f) Chair will ~~call~~ask for public comment.?

g) Chair will open the issue for Board deliberation.

h) Chair will entertain a motion.

h)i) Public comment will be taken on action items before the vote; discussion items may or may not include public comment (Note: members of the public can submit comment prior to any meeting).

## Resolutions

Board resolutions are worded to be very specific. The legal department or requesting body determines if a resolution is necessary.

## Meeting minutes

Minutes reflect official actions taken, not what was said at the meeting, and are sent to Board members prior to the next meeting. The minutes are intended to document legally binding actions. Minutes are posted on the Township website and in the Clerk's office where they can be viewed by Board members and the public.

## Oshtemo Rules of Order (summary)

A motion is a proposal that the entire Board take action or a stand on an issue. The purpose of a motion is to introduce items to the Board for their consideration. A motion cannot be made when any other motion is on the floor. Individual Board members can:

- Make a motion.
- Second motions.
- Debate motions.
- Vote on motions.

## Deliberation

This is the time after staff/official and/or professional reports, and after public comments, when the Board speaks amongst themselves to attempt to come to a consensus on the item before them.

## Making a motion

Any Board member will make the motion clearly and concisely. State the motion affirmatively ("I move that we..." rather than, "I move that we do not..."). Another member will second the motion or the Chair will call for a second. If there is no second to the motion it is lost.

The Chair repeats the motion: "It has been moved and seconded that we...", thus placing the motion before the Board for consideration and action. The chair asks for discussion on the motions, followed by a request to vote.

## Voting on a motion

The method of vote on any motion depends on the situation. The most common method used by the Board is by voice. The Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count. Virtual meetings will follow voting procedures in state law.

## Adjournment

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Appropriate staff or official will follow up with items needing signatures or future processing.

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# Memorandum

**Date:** 21 October 2021  
**To:** Township Board  
**From:** Josh Owens, Assistant Supervisor  
**Subject:** Trustee Compensation

## Objective

Township Board discussion regarding Elected Officials compensation for Fiscal Year 2022.

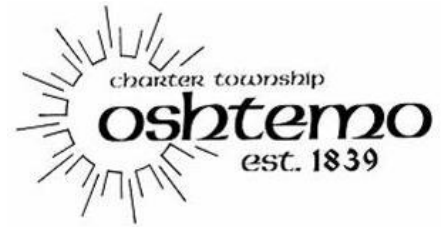
## Background

In 2020, staff was asked to review compensation data to see how the Township’s Trustee compensation compares to like Townships in Michigan. This comparison showed that, compared to townships of similar size and taxable value, Oshtemo’s Trustee compensation is lower than average. However, last April, staff still recommend that compensation levels remain the same because of the uncertainty of Covid-19’s impact at that time.

Since no changes were made to the compensation based solely on external forces, the Supervisor’s Office feels it is a prudent time to once again discuss this topic among the Board. The data used is mostly the same data from the previous year with the addition of some numbers from the neighboring Townships of Texas, Comstock, and Kalamazoo. The “Per Diem” column estimates thirty (30) board meetings a year. The current compensation for Township Trustees is an annual salary of \$2,520 plus \$100 per board meeting and \$50 per committee meeting.

In the following table you can see how Oshtemo’s compensation level compares to others (using an average of 30 board meetings a year):

Township Name	Population	Taxable Value	Annual Compensation	Per Diem for Board Meetings	Totals
Allendale Township	26,059	\$566,208,920	\$3,816		\$3,816
Byron Township	23,835	\$1,127,399,089	\$6,270		\$6,270
Cascade Township	19,245	\$1,472,708,902	\$9,403		\$9,403
Davison Township	19,222	\$533,183,255	\$14,730		\$14,730
Delhi Township	25,887	\$764,836,279	\$11,075	\$60 per meeting	\$12,875
Delta Township	33,256	\$1,468,853,584	\$13,133	\$50 per meeting	\$14,633
Gaines Township	27,021	\$835,868,306	\$12,845		\$12,845
Genesee Township	20,529	\$299,538,266	\$12,845		\$12,845
Grand Haven Township	17,544	\$776,017,608	\$3,983		\$3,983
Muskegon Township	17,922	\$357,297,130	\$7,920		\$7,920
Saginaw Township	39,216	\$386,409,220	\$5,100	\$35 per meeting	\$6,150
Kalamazoo Township	22,677	\$434,361,426	\$5,000		\$5,000
Comstock Township	15,231	\$559,832,152	\$6,000	125 for special meetings	\$6,500
Texas Township	17,250	\$877,537,212	\$3,500	130 per meeting	\$7,400
<b>Average</b>					<b>\$8,884</b>
Oshtemo Township	23,175	\$826,354,876	\$2,520	\$100 per meeting	\$5,520



# Memorandum

**Date:** 21 October 2021  
**To:** Township Board  
**From:** Libby Heiny-Cogswell, Supervisor  
**Subject:** 2022 Township Board Meeting Schedule

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## **Objective**

Oshtemo Township Board consideration of 2022 regular meeting schedule.

## **Background**

The Township Board annually sets the regular meeting schedule. For decades the meetings have been the second and fourth Tuesdays. The frequency of the fourth Tuesday meeting has varied over the years, depending on workload. The past several years, meetings have been scheduled for both the second and fourth Tuesdays of every month, except December, which has only the second Tuesday meeting. Three years ago the Board increased the number of fourth Tuesday meetings, recognizing the need for additional time to address Township business. No change is proposed to the meeting schedule or frequency for 2022. If a meeting is not needed due to lack of business items, the meeting can be cancelled.

The schedule continues the format of a consolidated single regular meeting for each date at 6 pm. The schedule includes annual budget work session meetings that begin at different times to provide 1) sufficient time for the Board to meet with department staff and 2) opportunity for the public to attend at varying times.

## **Information Provided**

2022 Meeting Schedule (Draft)

## 2022 Oshtemo Township Board Meeting Dates

All meetings are Tuesdays and begin at 6:00 p.m. except where noted otherwise.

January 11

January 25

February 8

February 22

March 8

March 22

April 12

**April 19 Joint Boards Meeting\* 6 p.m.**

April 26

May 10

May 24

June 6 – Budget Meeting, All Day Monday 8:15 am

June 14

June 28

July 12

July 26

August 9

August 22 – Budget Meeting, Monday 1 pm

August 23

September 13

September 27

October 11

**October 18 Joint Boards Meeting\* 6 p.m.**

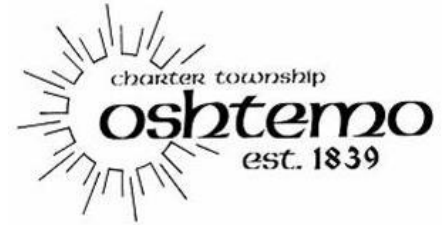
October 25

November 8

November 22

December 13

\*Joint Boards TB / PC / ZBA / SoDA / DDA / FOP



# Memorandum

**Date:** 21 October 2021  
**To:** Township Board  
**From:** Libby Heiny-Cogswell, Supervisor  
**Subject:** 2022 Municipal Insurance Coverage Proposal

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## **Objective**

Oshtemo Township Board consideration of 2022 municipal insurance renewal.

## **Background**

The Township is in receipt of a Michigan Municipal Insurance Coverage Proposal from The Hartleb Agency for insurance coverage for property, liability, workers comp, and vehicle coverage for the 2022 calendar year.

The contract with the Hartleb Agency follows staff review of coverages for property, vehicle, and liability listings and limits. The recommendation is to remain with the Hartleb Agency in 2022.

The premium for 2022 property, liability, cyber, and vehicle coverage totals \$91,219, and reflects about 4% increase over 2021.

The premium is broken out as follows:

- General Fund \$44,840.82 (includes \$298 from RLI)
- Fire Department \$43,873.94
- Police \$ 5,818.68
- Parks \$ 2,281.57

The 2022 Township Budget includes itemization for this cost. If you have any questions about this coverage please reach out to schedule a meeting with our Agent.

# Memo

**To:** Oshtemo Charter Township Board

**From:** Sara Feister, HR/Benefit Coordinator

**Date:** 10/26/21

**Re:** Cell Phone Use Employee Handbook Amendment

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**OBJECTIVE:**

Township Board consideration to amend the Employee Handbook to add the General Maintenance position to the list of employee positions required to have cell phones.

**BACKGROUND:**

Current eligibility for a Township issued cell phone or the cell phone reimbursement includes employee positions where a cell phone is required “at all times to further their official duties.” Full time employees in maintenance work mostly in the field throughout Township facilities. They therefore are required to have cell phones to use throughout their workdays for safety and communication. The Oshtemo Maintenance Director supports the addition of the General Maintenance employees to the handbook list of those provided a cell phone or the standard cell phone reimbursement. This change adds two full time employees to the qualified list.

**PROPOSED REVISION:**

See attached for revised policy.

## Cell Phone Use

The cell phone policy shall be as follows:

A. Employees required to have cell phones.

The Township will provide cell phones and a selected service plan for employees who the Township Board determines require cell phones at all times to further their official duties, which include full-time Elected Officials (Supervisor, Clerk and Treasurer), the Ordinance Enforcement Officer, Maintenance Director, General Maintenance Person, ~~Dept. Head~~, IT, Assistant Supervisor, Fire Chief, Assistant Fire Chief, and those firefighters the Fire Chief determines require cell phones.

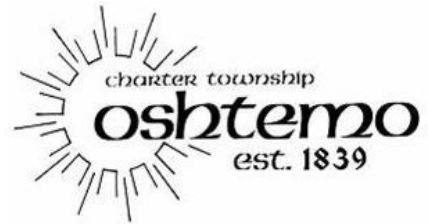
1. Township employees required to have a cell phone, but who do not use this cell phone for personal use, will not incur any expense. Those employees wishing to use the Township cell phone for personal use may do so by paying one-half of the per month cost for the service in addition to any other charges not deemed necessary by the Township.
2. Those employees required to have a cell phone at all times but who wish to maintain their own cell phone service may request reimbursement of up to one-half of the cost of the Township's service plan.

B. Employees required to have cell phones periodically.

Township employees with duties and responsibilities which take them from the Township Offices should have a cell phone available while on Township business. Employees have the option of using their own cell phone and making that phone number available to the Township, or, in the alternative, may secure a cell phone from the front desk by logging out the same and returning the same upon their return from the field.

## **APPENDIX G**

*Addition of Cell Phone Use Guidelines - Effective 10/13/09*  
*Amendment of Cell Phone Use Guidelines - Effective 7/28/11*  
*Amendment of Cell Phone Use Guidelines ¶ A- Effective 10/9/12*  
*Amend. of Cell Phone Use Guidelines ¶A1& 2 & New ¶B – Eff. 10/08/13*  
*Amend. of Cell Phone Use Guidelines ¶A – Eff. 08/09/16*



# Memorandum

**Date:** October 21, 2021  
**To:** Township Board  
**From:** Anna Horner, P.E., Deputy Director of Public Works  
**Subject:** KL Ave Nonmotorized Path Project

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## **OBJECTIVE**

Township Board consideration of resolution of support for KL Avenue Non-Motorized Path project.

## **BACKGROUND**

In preparation for the future construction of the non-motorized path along the north side of KL Avenue, between Drake Road and Copper Beech Blvd (The Paddock Apartments), the Township is actively pursuing grant funding opportunities. The Township was already awarded a Transportation Alternatives Program (TAP) grant from the Kalamazoo Area Transportation Study (KATS, the local Metropolitan Planning Organization) for Phase 1, and is now applying for a TAP grant from the MDOT Office of Economic Development (OED) for Phase 2.

Michigan's Federal TAP funds are allocated to different organizations, such as MDOT and KATS, to award within their own process while meeting the goals and criteria of the program. Local groups like KATS select projects strategically to align with a capital project list submitted every three years and prioritized by local agency members serving on the KATS Technical and Policy committees. Funds at the State MDOT level are very competitive as they receive requests 1.5 times the amount of funds available each year.

An emphasis within the State application is demonstration of support & commitment for the required matching funds from the local municipality. The grant monies are applied to eligible construction costs and require a minimum 20% local match. In the attached budget outline, the two phases are shown with respective costs for design, construction, and administration as well as the requested grant amounts.

Oshtemo met with MDOT Staff to discuss the projects' feasibility, scope, and schedule. The application narrative is completed and submitted, which is the beginning of the full application process. This KL Avenue path project aligns well with the TAP programs' mission and vision since there is a lack of safe pedestrian facilities and occurrences of accidents and fatalities in this densely populated KL corridor. The narrative includes a list of non-motorized facilities the Township recently worked to build throughout the Township to improve the quality of life of residents and provide access between neighborhoods, bus transit, recreation, and shopping.

## **STATEMENT OF REQUESTED BOARD ACTION**

Staff recommends Resolution of Support for KL Avenue Non-Motorized Path MDOT TAP application.

## **ENCLOSURES**

Preliminary Budget Outline

## KL AVE PROJECT COSTS

<b>PHASE 1 - EAST SIDE OF BRIDGE</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>NOTES</b>
Professional Services					
OCBA	\$ 14,300	\$ 15,625	\$ 7,910	\$ 17,185	
Wightman	\$ 13,000	\$ 79,250	\$ 7,000	\$ 99,750	
Easement Acquistition	\$ 30,000	\$ 30,000			split 50/50 per year, survey for exhibits
MISC (Wetlands, SHPO, etc.)		\$ 15,000			estimate, as needed
Construction Costs			\$ 300,000		
Non-Participating			\$ 20,000		Work for easement acquisition?
RCKC OH			\$ 36,000		8% OH 4% plus labor and fringes
	<u>\$ 57,300</u>	<u>\$ 139,875</u>	<u>\$ 370,910</u>	<u>\$ 116,935</u>	
KATS TAP GRANT			\$ (240,000)		
TOWNSHIP	\$ 57,300	\$ 139,875	\$ 130,910	\$ 116,935	\$ 445,020
<b>UNDER US 131</b>					
MDOT - Incidental Scope				\$ 100,000	Sheet piling, grading, etc.
TOWNSHIP				\$ 20,000	Asphalt Paving
<b>PHASE 2 - WEST SIDE OF BRIDGE</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>NOTES</b>
Professional Services					
OCBA					
Wightman					
Easement Acquistition					
MISC (Wetlands, SHPO, etc.)					
Construction Costs				\$ 1,700,000	
Non-Participating					
RCKC OH				\$ 204,000	8% OH 4% plus labor and fringes
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,904,000</u>	
MDOT TAP GRANT				\$ (1,275,000)	75% grant
TOWNSHIP	\$ -	\$ -	\$ -	\$ 629,000	\$ 629,000



OSHTEMO CHARTER TOWNSHIP  
KALAMAZOO COUNTY, MICHIGAN

RESOLUTION OF IN SUPPORT OF  
TRANSPORTATION ALTERNATIVES PROGRAM:  
KL AVENUE SHARED-USE PATH NON-MOTORIZED FACILITY  
FROM COPPER BEECH DRIVE TO CONCORD PLACE DRIVE

October 26, 2021

WHEREAS, the Fixing America's Surface Transportation Act ("FAST Act"), provides funding towards transportation alternatives for pedestrian and bicycle facilities, access to public transportation, enhanced mobility and safety, and the Michigan Department of Transportation is soliciting new competitive project applications for Transportation Alternatives Program ("TAP") grants; and

WHEREAS, in partnership with the Kalamazoo County Road Commission, Oshtemo Township has identified the need to provide safe facilities to accommodate pedestrian and bicycle traffic along KL Avenue; and

WHEREAS, the Kalamazoo County Road Commission will consider Oshtemo Township's TAP application to request funding for a non-motorized facility improvements in the form of a 10-foot wide, shared-use pathway, along the north side of KL Avenue, (to provide a barrier-free non-motorized access to Drake Road, connect to the larger non-motorized path network and other intermodal types of transportation, , and provide necessary pedestrian access to student and high density residential housing, commercial centers, schools, commercial corridors, and places of employment within this well-traveled urban corridor) at their October 26, 2021 meeting; and

WHEREAS, the Township Board approved the preparation of non-motorized project plans, has submitted a TAP application to Kalamazoo County Road Commission to build a non-motorized facility within the public right of way, and has initiated negotiations with the Kalamazoo County Road Commission for Oshtemo to be responsible for the grant's required local matching funds plus all non-eligible safety project costs; and

WHEREAS, upon ratification of the award of the funding and execution of the necessary inter-local agreements for the TAP project between the Kalamazoo County Road Commission and Oshtemo Charter Township, the project will proceed toward construction letting for phase II by fall of 2023 for construction in 2024;

NOW, THEREFORE, BE IT RESOLVED that the Oshtemo Charter Township Board:

1. Supports the Kalamazoo County Road Commission's application for the use of federal FAST Act and TAP grant funds for the KL Avenue Shared-Use, Non-Motorized Facility; and

2. Authorizes the Township Supervisor to sign the project agreement upon receipt of the TAP grant funding award on behalf of Oshtemo Charter Township; and

3. Commits to operating the constructed KL Avenue Shared Use Path Non-Motorized Facility and funding and/or implementing a maintenance plan for operation and maintenance of such path in perpetuity; and

4. Commits to being responsible for engineering, permits, administration, potential cost overruns, and any non-participating items relating to the costs of construction of the KL Avenue Shared Use Path Non-Motorized Facility;

5. Requests consideration and a public resolution of support for the KL Avenue Shared Use Path Non-Motorized Facility TAP grant application from the Kalamazoo County Road Commission for this essential public facility.

A motion was made by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Resolution.

Upon a roll call vote, the following voted "Aye":

The following voted "Nay":

The following were Absent:

The following "Abstained":

The Supervisor declared the motion carried and the Resolution duly adopted.

\_\_\_\_\_  
Dusty Farmer, Clerk  
Oshtemo Charter Township

\*\*\*\*\*

**CERTIFICATE**

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF KALAMAZOO        )

I, Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held, via permitted ZOOM video conference during COVID-19 public health crises as authorized by PA 254 of 2020, on October 26, 2021, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this \_\_ day of October, 2021.

\_\_\_\_\_  
Dusty Farmer, Clerk  
Oshtemo Charter Township

Oshtemo Township 2021 3rd Quarter Budget Amendments

<b>General</b>		
New Hire Expenses		\$ 3,000.00
Contracted Appeals		\$ 35,000.00
PW Road Project Costs		\$ 75,800.00
PW legal fees		\$ 1,220.00
PW Postage		\$ 50.00
Grave Openings		\$ 5,000.00
BOR/MTT		\$ 1,456.00
Health and Life Insurance		\$ 26,000.00
<b>Parks</b>		
<b>Fire</b>		
Computer Operations		\$ 2,700.00
<b>Police</b>		
<b>Street Lighting</b>		
<b>SoDA</b>		
<b>Building</b>		
<b>Sewer</b>		
Engineering and Legal Fees		\$ 17,200.00
<b>Water</b>		
<b>SoDA</b>		
<b>DDA</b>		
<b>Total New Expenditure Overall</b>		<b>\$ 167,426.00</b>



# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/21/2021


Department Head Name: Kristine Biddle

Fund Name: 101 General

		Amount	
Additional Funds Request for: <u>101-209-80700</u> (description and GL number) _____ _____ _____	<u>Contracted Appeals</u> _____ _____ _____	<span style="border: 1px solid black; padding: 2px;">\$ 35,000.00</span> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 35,000.00</span>
Funds requested from: <u>101-101-40100</u> (description and GL number) _____ _____ _____ _____	<u>Carryover</u> _____ _____ _____ _____	<span style="border: 1px solid black; padding: 2px;">\$ 35,000.00</span> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 35,000.00</span>

Explanation of request:

Due to the increase and number of commercial appeals. additional funds are requested for the appraisal and legal work. All appeals have either been settled or are in the process of being settled.

Supervisor/Clerk/Treasurer Review:  10-21-21  
 (pending or date reviewed)

Board Authorization:   
 (pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/22/2021


Department Head Name: Libby Heiny-Cogswell

Fund Name: 206 Fire Operations

		Amount	
Additional Funds Request for: (description and GL number)	<u>206-336-71600</u>	Health & Life Insurance	\$ 2,340.00
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	\$ 2,340.00
Funds requested from: (description and GL number)	<u>206-336-70400</u>	In Lieu of Insurance	\$ 2,340.00
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	\$ 2,340.00

Explanation of request:

Corrected the in lieu of insurance allocation from 70400 to 71600.

Supervisor/Clerk/Treasurer Review:  10-22-2021  
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 09/24/2021

Department Head Name: M. Barnes, Fire Chief

Fund Name:

		Amount	
Additional Funds Request for:	Computer Operations	206-340-80900	\$ 2,700.00
(description and GL number)			
			\$ 2,700.00
Funds requested from:	Carryover Fund Balance	206-001-40100	\$ 2,700.00
(description and GL number)			
			\$ 2,700.00

Explanation of request:

There is a difference between the blue line budget detail and the line item total for computer operations in the 2021 budget. The detail includes funds and listing for 3 computers, but the total dollar amount line only includes funds for 2. Also, the per unit computer cost of \$1,800 has increased slightly from projections. The above requested amount is for the additional 3rd computer and for the cost increase.

Supervisor/Clerk/Treasurer Review:   
 (pending or date reviewed)

Board Authorization:   
 (pending or date authorized)



# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/20/2021

Department Head Name: M Elliott (Public Works)

Fund Name: 101 General

		Amount	
Additional Funds Request for:	<u>101-506-87000</u>	Mileage	\$ 390.00
(description and GL number)	<hr/>		\$ 390.00
	<hr/>		
	<hr/>		
Funds requested from:	<u>101-506-97600.NMDRTA</u>	South Drake Rd Non-Motorized TAP	\$ 390.00
(description and GL number)	<hr/>		\$ 390.00
	<hr/>		
	<hr/>		
	<hr/>		

Explanation of request:

Actual expenses higher than approved budget amount.

Supervisor/Clerk/Treasurer Review:  10-21-21  
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/20/2021

Department Head Name: M Elliott (Public Works)

Fund Name:

		Amount	
Additional Funds Request for:	<u>490-000-81000</u>	Legal Fees	<input type="text" value="\$ 10,000.00"/>
(description and GL number)	<u>490-000-82000</u>	Engineering Fees	<input type="text" value="\$ 7,200.00"/>
			<input type="text" value="\$ 17,200.00"/>
Funds requested from:	<u>490-000-40100</u>	Sewer Fund Carryover	<input type="text" value="\$ 17,200.00"/>
(description and GL number)			<input type="text" value=""/>
			<input type="text" value=""/>
			<input type="text" value=""/>
			<input type="text" value="\$ 17,200.00"/>

Explanation of request:

When originally budgeted, Legal Expenses related to the Sanitary Sewer (Fund 490) were not fully projected. Three expense categories are affected: the recording/re-recording of individual parcel Utility Installment Payment Agreements for sewer connections, internal legal department service billings, and bond counsel assistance. Similarly, Engineering consulting services are greater. Engineering services have been used in support of bond counsel and related to re-evaluations for bond funding of planned sewer construction projects through USDA financial assistance.

Supervisor/Clerk/Treasurer Review:

(pending or date reviewed)

Board Authorization:

(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/20/2021

Department Head Name: Elliott

Fund Name:

		Amount	
Additional Funds Request for:	<u>101-506-73000</u>	Postage	<input type="text" value="\$ 50.00"/>
(description and GL number)	_____	_____	<input type="text"/>
	_____	_____	<input type="text" value="\$ 50.00"/>
	_____		
Funds requested from:	<u>101-506-72800</u>	Supplies	<input type="text" value="\$ 50.00"/>
(description and GL number)	_____	_____	<input type="text"/>
	_____	_____	<input type="text"/>
	_____	_____	<input type="text" value="\$ 50.00"/>
	_____		

Explanation of request:

Supervisor/Clerk/Treasurer Review:   
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/19/2021

Department Head Name: Farmer/Heiny-Cogswell

Fund Name: 101 General

			Amount
Additional Funds Request for: (description and GL number)	<u>101-249-95800</u> <hr/> <hr/> <hr/>	<u>Education and Dues</u> <hr/> <hr/> <hr/>	<div style="border: 1px solid black; padding: 2px;">\$ 2,000.00</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px;">\$ 2,000.00</div>
Funds requested from: (description and GL number)	<u>101-249-95700</u> <hr/> <hr/> <hr/>	<u>Public Education</u> <hr/> <hr/> <hr/>	<div style="border: 1px solid black; padding: 2px;">\$ 2,000.00</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; padding: 2px;">\$ 2,000.00</div>

Explanation of request:

Board requested retreat in 2021 was not budgeted. Total education budget was reduced in 2021 due to less seminars from COVID, but the monies was needed.

Supervisor/Clerk/Treasurer Review: DF/LibbyHC 10-21-21  
 (pending or date reviewed)

Board Authorization:   
 (pending or date authorized)

## BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/20/2021

Department Head Name: M Elliott (Public Works)

Fund Name: 101 General

			Amount																			
Additional Funds Request for: (description and GL number)	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"><u>101-506-95200.RDMAIN</u></td> <td style="width: 50%; border-bottom: 1px solid black;"><u>Road Project Costs</u></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	<u>101-506-95200.RDMAIN</u>	<u>Road Project Costs</u>					<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span></td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td style="text-align: right;"><span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span></td> </tr> </table>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>		<span style="border: 1px solid black; padding: 2px;"></span>		<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>								
<u>101-506-95200.RDMAIN</u>	<u>Road Project Costs</u>																					
<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>																						
<span style="border: 1px solid black; padding: 2px;"></span>																						
<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>																					
Funds requested from: (description and GL number)	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"><u>101-001-40100</u></td> <td style="width: 50%; border-bottom: 1px solid black;"><u>General Fund Carryover</u></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	<u>101-001-40100</u>	<u>General Fund Carryover</u>									<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span></td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;"><span style="border: 1px solid black; padding: 2px;"></span></td> <td style="text-align: right;"><span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span></td> </tr> </table>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>		<span style="border: 1px solid black; padding: 2px;"></span>		<span style="border: 1px solid black; padding: 2px;"></span>		<span style="border: 1px solid black; padding: 2px;"></span>		<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>
<u>101-001-40100</u>	<u>General Fund Carryover</u>																					
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<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 75,800.00</span>																					

Explanation of request:

On February 23, 2021 (realizing that sewer construction would not occur in FY21), the Board approved an expanded expenditure of \$316,000 under the PAR roadway maintenance contract with RCKC. During Board discussion, the expressed intent was to supplement the budget appropriation for roadway "PAR" maintenance with funds initially anticipated to be applied towards sewer-project related roadway reconstruction. By oversight, a budget amendment to increase the PAR General Ledger Project Code "RDMAIN" was not presented to the Board for formal action. [Note: Source of funds is from carryover because the General Fund transfer to the Sewer Fund for sewer expansion did not occur.]

Supervisor/Clerk/Treasurer Review:  10-21-21  
 (pending or date reviewed)

Board Authorization:   
 (pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/19/2021

Department Head Name: Farmer

Fund Name: 101 General

			Amount
Additional Funds Request for:	<u>101-218-80800</u>	Grave Openings	<u>\$ 5,000.00</u>
(description and GL number)	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u>\$ 5,000.00</u>
Funds requested from:	<u>101-001-40100</u>	Carryover	<u>\$ 5,000.00</u>
(description and GL number)	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u>\$ 5,000.00</u>
	<u></u>	<u></u>	<u></u>

Explanation of request:

The Township conducted more grave openings than expected.

Supervisor/Clerk/Treasurer Review: DF

(pending or date reviewed)

Board Authorization:

(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/21/2021

Department Head Name: Karen High

Fund Name:

			Amount
Additional Funds Request for: (description and GL number)	<u>Capital Outlay/Improvements</u>	<u>107-756-97400.GRNGHL</u>	<b>\$ 3,000.00</b>
	_____	_____	<input type="text"/>
	_____	_____	<input type="text"/> <b>\$ 3,000.00</b>
Funds requested from: (description and GL number)	<u>Consultant Services</u>	<u>107-756-80800</u>	<b>\$ 3,000.00</b>
	_____	_____	<input type="text"/>
	_____	_____	<input type="text"/>
	_____	_____	<input type="text"/>
	_____	_____	<input type="text"/> <b>\$ 3,000.00</b>

Explanation of request:

The Grange Hall road cycling staging area Dero Fixit Station, message board, and installation is planned for installation per a grant from Bike Friendly Kalamazoo. A sidewalk was not envisioned in the original scope since the location of the staging area was unknown. A concrete walk is now included. No new money requested.

Supervisor/Clerk/Treasurer Review:

(pending or date reviewed)

Board Authorization:

(pending or date authorized)

## BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/20/2021


Department Head Name: M Elliott (Public Works)

Fund Name: 491 Water

		Amount	
Additional Funds Request for: <u>491-000-82600</u> (description and GL number) _____	<u>Legal Fees</u> _____	<span style="border: 1px solid black; padding: 2px;">\$ 1,220.00</span>	
_____	_____	<span style="border: 1px solid black; padding: 2px;"></span>	
_____	_____	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 1,220.00</span>
Funds requested from: <u>491-000-40100</u> (description and GL number) _____	<u>Water Fund Carryover</u> _____	<span style="border: 1px solid black; padding: 2px;">\$ 1,220.00</span>	
_____	_____	<span style="border: 1px solid black; padding: 2px;"></span>	
_____	_____	<span style="border: 1px solid black; padding: 2px;"></span>	
_____	_____	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">\$ 1,220.00</span>

Explanation of request:

Internal legal department service billings related to Public Water (Fund 491) have been running above expectations.

Supervisor/Clerk/Treasurer Review:  10-21-21  
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)



# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/05/2021

Department Head Name: Iris Lubbert

Fund Name: 101 General

			Amount
Additional Funds Request for: (description and GL number)	<u>Consultant</u>	<u>101-805-80800</u>	<b>\$ 10,000.00</b>
	<hr/>	<hr/>	
	<hr/>	<hr/>	<b>\$ 10,000.00</b>
Funds requested from: (description and GL number)	<u>Postage</u>	<u>101-805-73000</u>	<b>\$ 2,000.00</b>
	<u>Legal Fees</u>	<u>101-805-82600</u>	<b>\$ 4,000.00</b>
	<u>Legal Notices</u>	<u>101-805-90300</u>	<b>\$ 4,000.00</b>
	<hr/>	<hr/>	
	<hr/>	<hr/>	<b>\$ 10,000.00</b>

Explanation of request:

Request for planning consultant work for 5G ordinance amendment work, broadband planning, and supplemental development review consulting. The amended fee schedule as proposed will cover the cost of the development review consulting. No new money requested as the above uses funds already in the 2021 budget but that are not anticipated to be expended.

Supervisor/Clerk/Treasurer Review: *Iris Lubbert* 10/5/2021  
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)

# BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 10/19/2021

Department Head Name: Farmer

Fund Name:

		Amount	
Additional Funds Request for:	<u>101-249-96100</u>	BOR/MTT	<input type="text" value="\$ 1,456.00"/>
(description and GL number)	<hr/>	<hr/>	<input type="text"/>
	<hr/>	<hr/>	<input type="text" value="\$ 1,456.00"/>
Funds requested from:	<u>101-001-40100</u>	Carryover	<input type="text" value="\$ 1,456.00"/>
(description and GL number)	<hr/>	<hr/>	<input type="text"/>
	<hr/>	<hr/>	<input type="text"/>
	<hr/>	<hr/>	<input type="text" value="\$ 1,456.00"/>

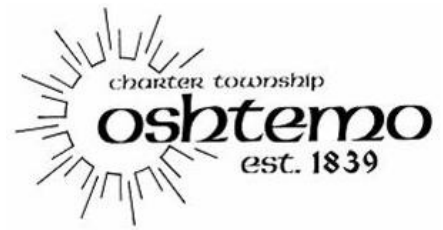
Explanation of request:

Board of Review and Michigan Tax Tribunal decisions cannot be anticipated.

Supervisor/Clerk/Treasurer Review:   
(pending or date reviewed)

Board Authorization:   
(pending or date authorized)





# Memorandum

**Date:** October 4, 2021  
**To:** Township Board  
**From:** Dusty Farmer, Clerk  
**Subject:** Bond Petitions

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## **Objective**

*To update the Board regarding the status of the bond petitions that were circulated August 12, 2021-September 26, 2021 and turned in to the Clerk's Office on September 24, 2021 and September 27, 2021.*

## **Background**

The Oshtemo Board voted to publish notice of bonds on August 12, 2021. This began a 45 day period when citizens of the Township could gather signatures to place the bond issue on the ballot at a future election. The Clerk's Office has completed the process of verifying those signatures and the results are below. Clerk's staff searched the voter file using both printed names and addresses to confirm signatures and voter registration. Using data from the Qualified Voter File, 18,322 people were registered to vote in Oshtemo Township through September 26, 2021. Total number of signatures for a valid petition is 1,832.

## **Results**

**Signatures invalidated:** 79

Not registered: 56

Signature does not match: 15

Wrong date: 2

Duplicate: 3 (totaling 6 signatures)

**Petition sheets invalidated:** 117

Improper notarization (notary did not provide a signature, notary name does not match the registry): 117

**Number of valid signatures:** 1297

In consultation with legal counsel, it has been determined that there were not enough valid signatures to move the bond referendum to an election.

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**OSHTEMO CHARTER TOWNSHIP  
COUNTY OF KALAMAZOO, MICHIGAN**

**RESOLUTION TO ACCEPT THE CLERK'S DETERMINATION OF INSUFFICIENCY  
FOR THE PETITION REFERENDUM ON THE INTENT TO ISSUE CAPITAL  
IMPROVEMENT BONDS**

Adopted: October 26, 2021

Effective: October 26, 2021

WHEREAS, the Township Board adopted a Resolution of Intent to Issue Capital Improvement Bonds to complete the Phase 1 and Phase 2 USDA sewer project (and the associated roads) at its meeting on August 10, 2021; and

WHEREAS, The Township published notice of Intent to Issue Capital Improvement Bonds in the Kalamazoo Gazette on August 12, 2021, which notice included information on the right of the Township's electors to request a referendum on the issuance of the proposed bonds; and

WHEREAS, petitions were circulated to request a referendum on the proposed bond issue and delivered to the Township Clerk on September 24, 2021; and

WHEREAS, as of September 26, 2021, Oshtemo Charter Township had 18,322 registered voters, and the Revised Municipal Finance Act (MCL 141.2517) requires 10% or 15,000 (whichever is less) of the registered electors to sign such a referendum petition to put the bond issue on the ballot; and

WHEREAS, the Township Clerk canvassed the submitted petition sheets pursuant to her authority under the Home Rule City Act (1909 PA 279, MCL 117.25); and

WHEREAS, the Township Clerk reported the results of her review of the petition sheets at the Township Board meeting of October 12, 2021; and

WHEREAS, the Township Clerk determined, in addition to other deficiencies, that 117 of the petitions could not be accepted because they were not verified by a person under oath in compliance with MCL 141.2517 and the Michigan Notary Act.

WHEREAS, the Township Clerk reported that the referendum petitions accepted contained only 1,297 valid signatures of the required 1,832 valid signatures to put the bond referendum on the ballot; and

WHEREAS, the Township Board has reviewed the analysis of the Township Clerk and Township Counsel on the number of valid signatures for the referendum petition.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Oshtemo Charter Township Board:

1. Accepts and Adopts the Township Clerk's determination of insufficiency for the petition referendum on the Intent to Issue Capital Improvement Bonds, and
2. Declares that the bond referendum will not appear as a ballot proposal.

Motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, to adopt the foregoing Resolution.

Upon roll call vote the following voted "Aye":

The following voted "Nay":

The following were Absent:

The following Abstained:

The Supervisor declared the motion carried and the Resolution duly adopted.

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Dusty Farmer, Clerk  
Oshtemo Charter Township

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**CERTIFICATE**

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF KALAMAZOO        )

I, Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held, via permitted ZOOM video conference during COVID-19 public health crises as authorized by PA 254 of 2020, on October 26, 2021, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this \_\_\_ day of October, 2021.

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Dusty Farmer, Clerk  
Oshtemo Charter Township