

**KEELER TOWNSHIP
VAN BUREN COUNTY, MICHIGAN
OFFICE OF THE CLERK
64151 TERRITORIAL RD. W.
HARTFORD, MI 49057**

MINUTES OF THE REGULAR TOWNSHIP BOARD MEETING HELD ON TUESDAY, AUGUST 1, 2023

The Keeler Township regular monthly meeting was called to order by Supervisor, Don Blackmond at 7:00 p.m.

The pledge of allegiance was recited.

Roll call of members present: Trustee Matthew Sexton, Trustee Jerry Morin, Treasurer Sharon Clupper, Clerk Angie Sexton, and Supervisor Don Blackmond. Five members were present.

Approve agenda: Motion by Sexton, seconded by Morin to approve the agenda as presented. Motion Passed.

Public comment: At 7:02 p.m. Supervisor opened the floor for public comment time. One person asked questions about her sewer bill. The Supervisor then closed the public comment time at 7:06 p.m.

Approval of Township Board Meeting Minutes of July 11, 2023. Motion by Morin, seconded by M. Sexton to approve the regular meeting minutes as presented. Motion Passed.

Guest of the Board:

Tina Leary, Van Buren County Commissioner gave her report on what the commissioners activities were. The county will have a public hearing on the proposed budget on August 8, 2023, at 12:50 p.m., just before their board meeting. The proposed budget is 27.6 million which is a 3.8 percent increase over last year. There was a 5.2 percent increase in taxable value, 1.2 percent based on new construction and 4 percent on the consumer price increase. The county is digitalizing paperwork stored in the basement of the annex. The county clerk is coordinating to use the previous county public health building to hold the nine days of early voting in the building for all the townships. Capital improvements are \$450,000 and they are reviewing what ARPA (American Rescue Plan Act) funds are left. She was open to questions. Blackmond asked if there was any further development on the ROBIN (Realizing Opportunity for the Broadband Infrastructure Networks) grant. Leary said she would check on it and should know more next week.

Rick Boze, Van Buren County Road Commissioner gave his report on what the road commission activities were. Most crews are out on chip seal, and they have chip sealed 90 miles of road so far this season and have another 50 miles to do. At the end of August, the crews will go on to fog sealing. The crews will begin the second round of mowing and the second application for dust control around the middle of the month. He was open to questions.

Kalli Marshall, Recycling and Materials Management Coordinator for Van Buren County Conservation District when over updates. The new recycling guides are out, there are still a few summer programs left to be a part of Healthy Water Week in the week of August 21, 2023. Residents can bring in samples of their water to be tested for nitrates and nitrites. Keeler Township will host a tire and electronics recycling event on June 26, 2024, from 3 to 7 p.m. A recycling insert was placed in all township residents tax bills.

Hearing for the Keeler Lake Weed Special Assessment District was noticed in the paper and notices were mailed to all property owners involved in the district. The hearing was to begin at 7 p.m. Due to some wording issues on the notice the floor will be open for any public comments and then the board will reconvene on August 8, 2023, at 7 p.m. The floor was open to public comments at 7:16 p.m., there was one statement from the Keeler Lake Property Owners Association President that they were ready for the meeting on the 8th. Hearing no other comments, the floor was closed to public comments at 7:19 p.m. and the Supervisor adjourned the public hearing on the Keeler Lake Weed Special Assessment District until August 8, 2023, at 7 p.m.

Sheriff's Deputy John Horton was not present to go over his report.

Fire & Ambulance reports:

Sister Lakes Fire in July responded to a broken communications pole, two fire alarms, tree-power line issue, transformer fire-no active fire, natural gas leak and a collapsed basement due to the excessive water received.

Keeler Fire for the month of July had sixteen EMS calls, four fire calls, of which one was an assist to Sister Lakes Fire for a structure fire in Bainbridge Township, one assist to Hartford Township for fair coverage, a call for a tree across the road on 80th Ave. with a power line down. The department held training for ropes and knots and common medical assessments. 1620 had a water level gauge replaced. 1660's roof saw carburetor had a fuel line and filter replaced. The department will submit a cost recovery bill to AEP for the power line down as crews were present from about 12:45 a.m. to 5 a.m. before AEP took over.

Pride Care did not submit a report before the meeting started. A report was requested.

Treasurer's report: The initial balance in the General Fund was \$282,313.67. There were deposits of \$126,648.48 and interest of \$72.04. Bills were paid \$77,122.55 with an ending balance of \$331,911.57. The Treasures report stood as read. Bills and claims were circulated, and Morin motioned to pay bills & claims as presented. M. Sexton seconded. A roll call of Clupper, Blackmond, M. Sexton, Morin, A. Sexton. Motion carried.

Zoning Administrator Allyn Anthony was not present to present the zoning report.

Trustee Jerry Morin, the representative for the Planning Commission met for a meeting on July 25, 2023. There was an approved Site Plan Review for All Brands Heating & Cooling. The commission worked on the townships Zoning Ordinances. The next meeting is scheduled for August 22, 2023, at 7 p.m.

Trustee Matt Sexton, the representative for the Zoning Board of Appeals noted that there was not a meeting for the month of July.

Legal update:

Lake Court – It is settled. The state entities were added to the lawsuit by agreement and a consent judgement is being worked on. After the consent judgement is agreed upon, there will be a hearing set to approve the judgement, once that is done then the re-platting process may continue.

Old business:

Township Property – Inventory & Maintenance Policy is still on hold as legal counsel has not been able to meet to go over to get questions answered.

Lakeshore Drive drainage issue: Victory to West – The Supervisor met with the Van Buren County Road Commission and found out the water is meant to flow to the east and west from a high point in the road, but it is not doing that. The road commission may take new measurements to verify elevation of the road to make a current cost proposal for ditching the west half of the street. The east half of the road still has other issues but not water problems. Supervisor Blackmond has asked the VBCRC (Van Buren County Road Commission) to strongly encourage homeowners that have filled in their ditches to reestablish the ditches at the homeowner's costs with approved contractors that are bonded with the state to work in the road right-of-way.

ARPA Funding and Project Use- Still waiting for the ROBIN Funding Grant Application decision to be finalized.

The \$600 fee and escrow agreement are still on hold as Blackmond has been unable to speak with township legal counsel on the matter.

Round Lake M-152 Lake Access – 80-12-031-045-00 – 20'x375' walkway and 45'x70' beach – Has washed out more due to the recent heavy rains. Township counsel is working on determining who has a deeded easement to or ownership in the access. A homeowner that previously spoke to the board on the access had a tree come down that needs to have a crane brought in to remove the tree. The crane needs to use the township access to get to the tree. The homeowner is proposing to grade the township access and install the necessary stone for the crane to drive down the township access road to retrieve the tree at his expense. The board felt this was in the best interest of all parties and the Supervisor will get a contract together for the work to be done by the homeowner. The board will continue to work with counsel to see who has legal responsibility for the access road.

Radarsign Quote – Morin received a quote for two speed signs that can be placed within the township. The Corridor Improvement Authority and the Round Lake Improvement Association agreed to pay for 1/3 of the proposed \$8,181.00 cost for two speed notification signs. Keeler Township would maintain ownership of the signs. The township would need road commission approval to place the signs on any pole in the road right-of-way. Motion by Morin for Keeler Township agrees to pay 1/3 of the cost of the signs, not to exceed \$2,800, to share in the cost with the C.I.A and the Round Lake Improvement Association, with the stipulation that Keeler

Township owns the signs. Blackmond seconded the motion. Three questions were asked by the public. Roll call vote taken of M. Sexton-nay, Blackmond-support, Sharon-nay, Jerry-support, A. Sexton-support. Three in support, two against, the motion carried.

Magician Lake Fire Lane Parking and usage. The township currently allows parking on lake access sites for the sole purpose of accessing the lake. This access has a dry hydrant located on it and does not allow parking to obstruct access within 50' of the hydrant. The board's consensus was to maintain the townships current stance and let the lake access parking ordinance still apply. Several public comments were heard concerning issues and recommendations with access. The board will investigate the possibility of placing signs on the accesses giving guidance of allowable uses on the property and sign estimates. Michigan Law allows people to park on a lake access to gain access to a lake for fishing. Michigan law does not consider sunbathing and swimming allowable access uses.

Magician Lake Fire Lane replacement fencing quote for Wiltse Fencing was \$1,640 for the installation of 80 lineal feet of chain link fence and posts. A township tree fell, and the roots took out the township's fence. A neighboring homeowner's contractor asked the township to hold off on the fence replacement after the tree's removal and asked to remove an additional portion of the township's fence to gain additional access to remove the house. The township agreed to allow that with the stipulation that whatever the contractor removed, they agreed to pay to replace. The homeowner will pay to have Wiltse replace the portion of fence that their contractor removed. Blackmond will measure the area to find the township and contractor's portion. Blackmond moved to pay the Wiltse invoice totaling \$1,640 and bill the contractor for reimbursement of their portion. M. Sexton seconded and a roll call vote was taken. Clupper-support, A. Sexton-support, Morin-support, M. Sexton-support, Blackmond-support. Motion carried.

The 2023 L-4029 was filled out with the current millage rates for the township. The Supervisor and Clerk have filled it out and the Clerk will submit it where required so the millages can be applied to the winter tax bills. Blackmond moved to submit the L-4029 as presented. Morin seconded. Roll call vote of Blackmond-support, M. Sexton-support, Clupper-support, A. Sexton-support, Morin-support. Motion carried.

New Business:

Keeler Township Master Plan Resolution- Resolution to adopt the Master Plan was read by Blackmond. Blackmond moved to adopt the resolution with the correction to the July 11, 2023, date with August 1, 2023, and replace Clerk Carl Davis with Angie Sexton's name. Morin seconded and a roll call vote of Morin-support, Clupper-support, Blackmond-support, M. Sexton-support, A. Sexton-support. Motion carried.

CR690 proposal & resolution- The Corridor Improvement Authority has been working to improve the safety of CR690 from M-152 to 95th Ave. and then 95th to Lion's Park. The CIA has found that it is not feasible to add a nonmotorized biking trail to the roadway. The CIA has modified their plan to repave the existing portion of CR690 from M-152 to 95th, repainting all lines, painting crosswalk symbols and crosswalks at various locations along CR690, painting share road symbols in the travel portion of the lanes designating bicycle travel, painting pedestrian symbols on the paved shoulder to show where people should be walking, re-

establishing no parking signs along CR690 and enforce them. The current estimated cost to accomplish this project is \$230,000.00. The CIA is proposing to pay \$100,000.00 of the cost, Keeler Township to cover \$100,000 of the cost and the remaining balance to be paid by the Van Buren County Road Commission. The VBCRC does not plan for this to be completed until the 2024/2025 season if placed on the books now. The VBCRC would still need to work out details and approve the project. Keeler Township has a Future Road Account that it adds to and received \$184,936 from the road millage and \$54,106 from the Van Buren County millage this year and should receive similar funding in the future. The road is not scheduled for maintenance by the county for 5 years without this proposal. Blackmond moved to approve the proposed resolution. M. Sexton seconded. Roll Call of A. Sexton-support, Clupper-support, Blackmond-support, M. Sexton-support, Morin-support. Motion carried.

Bank accounts – Motion by Blackmond to remove Carl Davis as signatory on all Keeler Township bank accounts. Seconded by Clupper. Roll Call of Clupper-support, Morin-support, M. Sexton-support, A. Sexton-support, Blackmond-support. Motion carried.

Motion Blackmond to add Angie Sexton as a signatory on all Keeler Township bank accounts. Clupper seconded. Roll Call of Morin-support, M. Sexton-support, Blackmond-support, Clupper-support, A. Sexton-support. Motion carried.

Angie Sexton nominated Sharon Clupper to be the Account Administrator for Keeler Township bank accounts. Seconded by Blackmond. Supervisor Blackmond moved to appoint Keeler Township Treasurer, Sharon Clupper, as the Administrator to the bank accounts. Matt Sexton seconded. Roll call of Morin-support, Blackmond-support, Clupper-support, A. Sexton-support, M. Sexton-support. Motion carried.

Public Comment- The floor was opened to public comments at 8:48 p.m.

- Rick Boze's informed the crowd that a bike lane with one chevron means the lane is for bikes only, a bike lane with two chevrons means that it is a shared lane. Golf carts and ORV's are not legally allowed on township roads. Public interest was not heard at the meeting for the township to pursue an ordinance allowing either.
- It was asked if a statewide short term rental ordinance has been addressed by the state. Dead at the state level. Township Planning Commission reviewing whether to address or not.
- It was asked where to report a road issue. C-Click Fix on the Van Buren County Road Commission is the proper place to report a road issue. County has a legal responsibility to maintain the travel lanes, they have a right, but not the duty, to maintain the non-traveled shoulder portion of the road.
- It was asked how long a resident can stay in a camping trailer on their single-family residential property. Currently a resident may use/occupy a personal trailer no more than 14 days in a calendar year on their property.
- Would like the weeds beginning to grow around the township hall addressed.

The floor was closed to public comments at 9:03 p.m.

Correspondence- The township received several correspondences from residents concerning standing water and flooding. The township clerk received correspondence to remove a streetlight from the Street Light District.

Motion to adjourn was made by Jerry Morin. Matt Sexton seconded, and the meeting was adjourned at 9:05 p.m.
Submitted by,

Angie Sexton, Keeler Township Clerk
August 6, 2023

**KEELER TOWNSHIP
VAN BUREN COUNTY, MICHIGAN
(Resolution No. 8-1-2023-01)**

At a regular meeting of the Keeler Township Board held on July 11, 2023, at the Keeler Township Hall, the following Resolution was offered for adoption by Board Member Don Blackmond and was seconded by Board Member Jerry Morin.

**A RESOLUTION ADOPTING THE PROPOSED
KEELER TOWNSHIP MASTER PLAN**

WHEREAS, the Michigan Planning Enabling Act, MCL 125.3801 et seq. ("MPEA") authorizes the Planning Commission to prepare a Master Plan for the use, development, and preservation of all lands in the Township; and

WHEREAS, the Planning Commission prepared a new Master Plan and submitted such plan to the Township Board for review and comment; and

WHEREAS, on February 7, 2023, the Keeler Township Board received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized the distribution of the Master Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and

WHEREAS, the Planning Commission held a public hearing on June 27, 2023, to consider public comment on the proposed Master Plan, and to further review and comment on the proposed Master Plan; and

WHEREAS, after the public hearing was held, the Planning Commission voted to approve the proposed Master Plan on June 27, 2023, and recommended adoption of the proposed Master Plan to the Township Board; and

WHEREAS, the Township Board finds that the proposed Master Plan is desirable, proper, and reasonable and furthers the use, preservation, and development goals and strategies of the Township.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

- ***Adoption of Master Plan.*** The Keeler Township Board hereby approves and adopts the proposed Master Plan, including all of the chapters, figures, descriptive matters, maps, and tables contained therein.
- ***Distribution to Notice Group.*** Pursuant to MCL 125.3843, the Township Board approves distribution of the amended Master Plan to the Notice Group.
- ***Findings of Fact.*** The Township Board has made the foregoing determination based on a review of existing land uses in the Township, a review of the existing Master Plan provisions and maps, and input received from the Planning Commission and the public, as well as the assistance of a professional planning group. The Township Board also finds that the proposed Master Plan will accurately reflect and implement the Township's goals and strategies for the use, preservation, and development of lands within Keeler Township.
- ***Effective Date; Repeal.*** The proposed Master Plan shall become effective on the adoption date of this resolution. The prior Master Plan is hereby repealed upon the Master Plan becoming effective.

YEAS: Jerry Morin, Sharon Clupper, Don Blackmond, Matt Sexton, Angie Sexton

NAYS: None

ABSENT/ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Township of Keeler Township Board of Trustees at the time, date, and place specified above pursuant to the required statutory procedures.

submitted,
Dated: August 1, 2023

Respectfully

By

Angie Sexton
Keeler Township
Clerk

Resolution Requesting Improvements on Primary Road

WHEREAS, Keeler Township desires to work with the Van Buren County Road Commission to fund a project on CR 690 beginning at M-152 and ending at 95th Avenue; and,

WHEREAS, a brief description of the requested improvement project Keeler Township wishes to fund is as follows: repaving CR 690 from M-152 to 95th Avenue and painting lane markers, crosswalks, sharrows and pedestrian symbols; and painting sharrow symbol on 95th Avenue.

WHEREAS, Keeler Township will monetarily support the referenced work on CR690 in the amount of \$100,000, to include Township funds; and,

WHEREAS, Keeler Township will financially support this improvement project the following year(s): 2024-2025.

NOW, THEREFORE, IT IS RESOLVED that Keeler Township will monetarily support the referenced improvement project on CR690 in the amount of \$100,000 beginning at M-152 and ending at 95th Avenue in the year (s) 2024-2025.

The foregoing Resolution offered by Blackmond, second offered by M.

Sexton.

Yes: A. Sexton, Clupper, Blackmond, M. Sexton, Morin

No: None

Absent: None

Resolution Adopted/Rejected. Adopted.

The Supervisor declared the Resolution adopted/rejected (circle one) on August 1, 2023, at a Regular Meeting of the Township Board.

Angie Sexton

Keeler Township Clerk