

YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Special Meeting

Virtual only (Zoom) Meeting

Wednesday, April 7, 2021

6:00 pm

Yankee Springs Township Hall
284 N. Briggs Rd., Middleville, Michigan 49333

DRAFT MINUTES

DRAFT MINUTES
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YS BOT – Special Meeting
April 7, 2021

Routing 4/13/21
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Meeting called to order at 6:00 p.m. by Supervisor Rob Heethuis

PLEDGE OF ALLEGIANCE

INVOCATION

Roll Call: Present: Cunningham at Township Hall, Heethuis at Lisa Lane, Mousseau at Heritage Bay Dr., VanHouten at Rock Dr., and Knowles at Beatrice.

ROLL CALL

Staff Present: Brad Williams, Frank Fiala

Visitors: 1 via ZOOM

ZOOM HOST: John R. Smith at Florida residence

ADDITIONS/CHANGES TO AGENDA:

Motion by Cunningham with support from Knowles to accept the agenda as presented.

Roll Call Vote: VanHouten: yes, Heethuis: yes; Knowles: yes; Cunningham: yes; Mousseau: yes.
Yes: 5, No: 0. **MOTION CARRIED**

MOTION TO APPROVE
AGENDA

ACKNOWLEDGEMENT OF VISITORS:

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OF VISITORS

Catherine Kaufman

Brad Williams

PUBLIC COMMENT: (Limit 3 minutes)

PUBLIC COMMENT

None

Discussion of Arhana Crest issue to provide direction for attorney:

ARHANA CREST
SUBDIVISION
DISCUSSION

- Attorney Kaufman received an email from the Packer family (residents of the Arhana Crest subdivision) asking if the Township would enforce a ruling if they (the Packer's) go to court and receive a ruling regarding usage of Park A.
- Catherine's opinion is that the township would enforce zoning violations but would not be involved in enforcement of any court ruling as that is not proper for the township to do so. However, she is requesting input from the Board on how they would like her to respond.
- Discussion about whether this is a matter of the Township enforcing the funneling regulation as was done previously with a dispute on Cobb Lake.
- Discussion about what the township's involvement would be if a court order did exist. The township could send out the enforcement officer to let residents know that they are in violation or send a letter.

- It would be possible, if a judgment was in place, for the township to simply advise any residents that are in violation of that judgment of its existence. It would then be up to the county legal authorities to follow up from there.

Motion by Knowles with support from Mousseau to inform the Packers that the Township will do anything within its power to get a judgment enforced.

MOTION REGARDING
ARHANA CREST
MATTER

- Catherine suggested changing the wording from “within its power” to “within its authority”.
- That would allow the township to communicate to residents when they are in violation and help with enforcement through the ordinance enforcement officer.
- This is a policy decision of the Board to decide how involved they want the Township to be with enforcement after a judgment. The township must be careful that funds are expended for public purposes as opposed to enforcing someone’s private property rights.
- Any action will depend on whether or not the Packers go to court and get the order.

Amended motion by Knowles with support from Mousseau to inform the Packers that the Township will do anything within its authority to get your judgment enforced.

AMENDED MOTION
REGARDING ARHANA
CREST MATTER

Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: no; Knowles: yes.
Yes: 4, No: 1. **MOTION CARRIED**

- Attorney Kaufman will communicate the board’s action to the Packers in a timely manner.
- Clarification was given by Kaufman on the difference between what is legal advice and what is policy decisions that are made by the Board.

Discussion about a COVID-19 policy for the township:

COVID-19 POLICY
DISCUSSION

- Board has been provided with a copy of the sample MTA policy.
- The proposed policy designates Cunningham to be the Township’s Workplace Coordinator and Marge VanderMeyden as the back-up Workplace Coordinator.
- Two issues at hand: to approve the COVID policy and to make up the lost wages to Brad Williams.

Motion by Cunningham with support from Heethuis to adopt the COVID policy and to make up Brad’s lost wages.

Discussion: Could it be made as two separate motions?

Amended motion by Cunningham with support from Heethuis to adopt the COVID policy as put in front of the Board.

MOTION TO ADOPT
COVID-19 POLICY

- Discussion about the relevancy of the policy in an ever changing situation with guidelines that keep changing, and if it is necessary to put a policy in place.
- It was stated that it is the advice of the Township attorney that a policy be adopted as soon as possible.
- Discussion about the importance of following a policy if one is adopted.

Roll Call Vote: Knowles: no; Cunningham: yes; Heethuis: yes; VanHouten: no; Mousseau: no.
Yes: 2, No: 3. **MOTION FAILED**

Motion by VanHouten with support from Mousseau to pay Brad Williams for time off due to COVID illness.

MOTION TO PAY LOST
WAGES TO BRAD
WILLIAMS

Discussion: He missed two weeks of work and his normal hours are six hours per week, so he would receive payment for twelve hours missed.

Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; VanHouten: yes.
Yes: 5, No: 0. **MOTION CARRIED**

PUBLIC COMMENT: (Limit 3 minutes)

Frank Fiala: The road commission has a sick leave policy that covers the pay issue and they do have a simpler policy for COVID.

John Smith: In Florida the COVID is not doing very well and Michigan is worse off than Florida and he wants to make sure everyone is protecting themselves.

Betsy Frigmanski: Asked the board to reconsider their stand on not answering questions during the public comment time. While it makes sense not to have ongoing discussion back and forth, there are times when a straightforward question can be answered and then the answer would be part of the public record.

BOARD COMMENT:

Cunningham: Will need to decide what to do without having passed a policy on COVID-19.

VanHouten: Asked Frank Fiala if they could see a copy of their streamlined policy.

Mousseau: Looking for a simpler version of a COVID policy so that we can follow it.

Knowles: Sorry for Deb having to be the tie-breaking vote.

Heethuis: Looking at all the committees and everyone doing such a wonderful job, with the philosophy that we are better off taking care of in-house matters in-house, in the future we should look at moving our zoning person back in-house.

ADJOURNMENT:

Motion by Cunningham with support from Mousseau to adjourn at 7:24 p.m. Approved by all. Motion Carried.

Respectfully submitted:
Betsy Frigmanski
Recording Secretary 4/9/21

Date _____

Approved _____
Michael S. Cunningham, Township Clerk

Full audio recording of this meeting has been downloaded to the township office computer system on 4/8/21.

PUBLIC COMMENT

BOARD COMMENT

ADJOURNMENT