

<p style="text-align: center;"><b>YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES</b></p> <p style="text-align: center;"><b><u>Regular Board Meeting</u></b></p> <p style="text-align: center;"><b><u>Thursday, February 13, 2020</u></b> <b>7:00 p.m.</b></p> <p style="text-align: center;"><b>Yankee Springs Township Hall</b> <b>284 N. Briggs Rd., Middleville, Michigan 49333</b></p> <p style="text-align: center;"><b>MINUTES</b></p>	<p><b>FINAL MINUTES</b> Page 1 of 6 YS BOT – Regular Mtg. 2/13/2020</p>
<p>Meeting called to order at 7:00 p.m. by Supervisor Mark Englerth.</p> <p><b><u>PLEDGE OF ALLEGIANCE</u></b></p> <p><b><u>Roll Call:</u></b> All Present: Jansma, J. Lippert, L. Knowles, Englerth, VandenBerg.</p> <p><b><u>Absent with notice:</u></b></p> <p><b><u>Staff Present:</u></b> Chuck Biggs- Constable, Rich Beukema, Frank Fiala, Karen Kennedy, Dave VanHouten, Brad Williams-Code Enforcement Officer.</p> <p><b><u>Visitors:</u></b> 11 (not including staff present).</p>	<p><b>CALL TO ORDER</b></p> <p><b>PLEDGE</b></p> <p><b>ROLL CALL</b></p>
<p><b><u>ADDITIONS/CHANGES TO AGENDA:</u></b></p> <p><b><u>Add:</u></b> Water Reliability Study (end of meeting)</p> <p><b><u>(Add at #11 after Supervisor’s Report):</u></b> Shane VandenBerg would like to talk about missing emails from Township computer.</p> <p><b><u>After meeting:</u></b> Election committee meets (for March 10, 2020 Election).</p> <p><b><u>Board Consensus:</u></b> All ayes to move forward with amended agenda.</p>	<p><b><u>ADDITIONS/ CHANGES TO AGENDA</u></b></p>
<p><b><u>ACKNOWLEDGEMENT OF VISITORS:</u></b></p> <p><b><u>Yankee Springs Meadows Representative-</u></b> M. Englerth reviewed the street light situation at the intersection (Entrance of park and Patterson Rd.) 284 homes. Over 1000 residents. <b><u>Dawn Smith of YS Meadows</u></b> (Representative) thanked Englerth for “hanging out for a day” and suggesting having arrows (signs) “in and out” entering the park. Dawn Smith, on behalf of YS Meadows, gave a check to M. Englerth for \$1,800 as YES Communities’ portion of two (2) street lights at the entrances/exits on Patterson. Check was then given to Treasurer Jansma.</p> <p><b><u>Barry County Commissioner-</u></b> M. Englerth noted Vivian Conner was at a Johnstown Township meeting this evening. Supervisor Englerth also noted that on Feb. 18<sup>th</sup> the Barry County Board of Commissioners will be at Thornapple Kellogg Middle School regarding jail facilities.</p> <p>A Shoreline Symposium will be held Friday, April 24<sup>th</sup> – at the Paw Paw District Library. This is a free conference for any waterfront property owners hoping to learn how to protect the aesthetics, recreation access, and property values of their lake, pond, or stream. (M. Englerth left information on board table for anyone interested.)</p> <p>Grants and funding are available for Fire Services per M. Englerth. “We’ll get our staff to get it to Danny,” (Dan Miller –Deputy Fire Chief) commented Englerth.</p> <p>Englerth commented on “turmoil” or recent news of refugees being voted on to come into Barry County. Contact information is on the website per Englerth.</p>	<p><b><u>ACKNOWLEDGE MENT OF VISITORS:</u></b></p> <p><b><u>Barry County Commissioner – Report</u></b> by M. Englerth in the absence of Vivian Conner.</p>

**CONSENT AGENDA:**

**Approval of Consent Agenda Minutes:**

**Board Minutes:** Regular Board Meeting: January 9, 2020; Special Meeting January 11, 2020; January 21, 2020 Joint Meeting of Boards

**January Accounts Payable**

**January Payroll**

**APPROVAL OF CONSENT AGENDA:** *Motion by Jansma with support from VandenBerg to approve the Consent agenda for tonight's meeting as presented. Roll Call: Jansma: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes, Knowles: Yes. Yes: 5, No: 0. **MOTION CARRIED.***

**PUBLIC COMMENT:**

**Rob Heethuis, of Lisa Lane,** *(provided typed manuscript)* commented, "During the last 12 years, I was on the Gun Lake Protective Association Board; the last six years as their president. One of our toughest issues that we experienced was expanded use of our crowded lakes. What I witnessed at our January board meeting was wrong. Our board's gift of 5 slips to the old Baughman's Marina was wrong. For an issue that was not on the agenda, that the board was not advised on, that Mark advised a private session on, that our attorney and zoning group advised against, that no public notice was given (especially to adjacent property owners), with property owners away for the winter season, our supervisor moved to give away five (5) slips. People, in protest, have come to me and stated that they were going to rent a slip at their private residence this summer and defy the township to come after them. It pains me that other townships poke fun of our government. We deserve good government. We must use the tools and processes we have in place. It's time for a change in our township government."

**TREASURER'S REPORT:** presented by Alice Jansma, Treasurer

- Financial Statement
- January 2020 Investments
- January 2020 Receipt Register
- GLASWA February 2020 Report
- Casino Revenue Report given.

*Motion by Lippert with support from VandenBerg to accept the Treasurer's Financial Report for January 2020. All ayes. **MOTION CARRIED.***

**BOARD ACTION ITEM(S):**

**a. Resolution No. 02-01-2020 Not to Impose additional 3% Penalty Fee – for any taxes paid on or after February 15<sup>th</sup> through March 2, 2020 for tax year 2019.**

*Motion Jansma with support from Lippert to adopt Resolution No. 02-01-2020 Not to Impose Additional 3% Penalty Fee for any taxes paid on or after February 15<sup>th</sup> through March 2, 2020 for tax year 2019. Roll Call: Jansma: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes, Knowles: Yes. Yes: 5, No: 0. **MOTION CARRIED.***

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**CONSENT AGENDA**

**APPROVAL OF CONSENT AGENDA**

**PUBLIC COMMENT**

**TREASURER'S REPORT: Alice Jansma, Treasurer**

**BOARD ACTION ITEMS**

**MOTION TO ADOPT**

**b. Resolution No. 02-02-2020 Investment and Depository for Yankee Springs Township**

**Funds-** (Noted: Hastings City Bank changed their name to Highpoint Community Bank).

*Motion by Jansma with support from VandenBerg to adopt Resolution No. 02-02-2020 Investment and Depository for Yankee Springs Township Funds. Roll Call: Jansma: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.*

**c. Barry County Road Commission 4 Year Plan Road Repair Recommendations**

**A. Jansma reviewed the Report from the Road Commission and explained the township carryover amount.**

*Motion by Jansma, support by Knowles/Englerth to continue with Four (4) year plan with the Barry County Road Commission at \$100,000 per year- 2020 thru 2023. Roll Call: Jansma: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.*

*Per Jansma: Road Commission noted Yankee Springs is next in line for tree trimming. Postcards were sent out nine or 10 months ago.*

**CLERK'S REPORT: Jan Lippert, Clerk**

- a. Yankee Springs Election Commission will Meet after this Meeting to appoint Election Inspectors for the March 10, 2020 Presidential Primary Election**
- b. PCI January Building Report**
- c. January YSTFD Statistics**
- d. Barry County 911 January Report on File**
- e. Current Invoice Register for Board Approval:**

*Motion by Lippert with support from Jansma to approve current invoice register (2/13/2020) for the amount of \$49,399.40. Roll Call: Jansma: Yes, Knowles: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes. Yes: 5, No: 0. MOTION CARRIED.*

*A positive comment by Jansma was noted regarding a detailed monthly description provided by the Fire Department.*

**SUPERVISOR'S REPORT/UPDATES: Mark Englerth**

**a. Township Hall Renovation – “Where do we go from here”?**

*Motion by Englerth with support from VandenBerg to put discussion on hold regarding Hall Renovation until April board meeting. (To be Revisited in April). Roll Call: Jansma: Yes, Knowles: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes. Yes: 5, No: 0. MOTION CARRIED.*

**b. Clean-Up State Game and Recreation Area May 9, 2020 – Dumpster Cost \$500.00**

*Motion by Englerth with support from Jansma to provide dumpster up to \$500.00 for Clean Up Day on 5/9/2020. Roll Call: Jansma: Yes, Knowles: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes. Yes: 5, No: 0. MOTION CARRIED.*

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**MOTION TO ADOPT**

MOTION to Continue with 4 Yr. Road Repair Plan

**CLERK'S REPORT: Jan Lippert, Clerk**

MOTION TO APPROVE CURRENT INV. REGISTER

**SUPERVISOR'S REPORT: Mark Englerth**

MOTION TO PUT ON HOLD DISCUSSION RE: TWP HALL RENOV.

MOTION RE: DUMPSTER for 5/9/2020

- c. **Memorial (Day) Service for Veterans** will take place **Sunday, May 24<sup>th</sup> at 5:00 p.m.** at the fire station.
- d. **Reminder Bid date Close for Generator and Robbins Cemetery – March 3, 2020**
- e. **Determined to conduct Friday -Weekly- Board Discussion Meetings** current updates **9 a.m.-** Township Hall. NO decisions are made at this point as far as financially- noted Englerth.

**February 17th, meeting set for 7 p.m.** regarding Pickleball, reconfiguring court, moving basketball hoop/post to make it safer, and written information (distributed).

***Motion by Englerth with support from Vandenberg to take Attorney/Client privilege confidential information (dated email February 4, 2020) and make it a public document for the February 17th meeting. (Drake Land Development – Court Case – is referenced in email along with deed of property with restrictions per J. Lippert). ROLL CALL: Englerth: Yes, Jansma: Yes, Lippert: Yes, Vandenberg: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.***

***\*Board Consensus was for YS Attorney not to be present. J. Lippert will notify the attorney.***

**MOTION to Take Attorney /Client privilege and make it a public.**

**Shane Vandenberg** commented that he was approached by Brad Williams (Code Enforcement Officer) who commented that we are missing emails from township computer. Vandenberg suggested an expert come in and find out which emails we’re missing, and “go to work on it.” Brad Williams commented that the emails are missing on the computer that he and Mark Englerth shares. S. Vandenberg commented “This is a serious issue. I suggest strongly that we look into this. I don’t care if we have to spend money or not to have this looked at, but we need to find out what has been destroyed. We won’t know until we have an expert go through the computers.”

**B. Williams** commented that when he first started in 2018 that several items that he was investigating were missing. “A series of them were off his computer.” The emails regarded communications.

**L. Knowles** commented asking if Williams contacted the recipients and asked them to send the emails back to Williams.

**Englerth** commented on contacting Ocean Omega to see if something is missing or not, and if there is something missing what happened...”

**Knowles** asked Williams if the missing information would lead to a court case? B. Williams responded, “No. Not at all.”

**Knowles** asked what the benefit would be if we retrieve the emails, in order to have a reason for the expense.

**Discussion regarding possible missing computer information**

**B. Williams** commented that the issues involved have already been taken care of. There was a period of time that items he was working on were gone. Williams noted that he had brought it up to the receptionist. She indicated that someone came in and worked on the computers. Brad Williams noted he has concluded his work regarding that period of time.

**S. Vandenberg** commented “I’d like to reiterate that answers cost money and I don’t care if we have to spend money. If we’re missing information, we need to retrieve it.”

**A. Jansma** commented that information can be retrieved from the server.

**S. Vandenberg** commented “But then we’re going to pay them. For me it’s not about spending money, it’s about disappearing emails.”

**J. Lippert** mentioned that the information should be in the “Cloud” and should be available somewhere.

**A. Jansma** commented that the dates of the time period (of ‘missing emails’) are needed.

**Vandenberg** commented that he’d like to move forward.

**J. Lippert** asked Brad Williams, “Was that your call sheet?”

**Williams** commented that the call sheets were part of it. Rough time frame given by B. Williams for the missing information was early 2018.

**Englerth** commented, if he could sit down with Brad “and we can get the time frame, it could be a real simple issue, ...maybe there’s a legitimate reason and we move forward.”

**Williams** commented that he has had no further problems or issues since (with the computer).

**Englerth** commented asking “Is everybody happy with that? (Contacting Ocean Omega).” L. Knowles was not in agreement.

**J. Lippert** commented that she will give Brad Williams Ocean Omega’s phone number and B. Williams will make an appointment.

**S. Vandenberg** commented that he didn’t want to “let this go.” “This was an item that was brought to our attention and if we sit here and say, ‘It’s probably nothing.’...”

**A. Jansma** commented in response to Vandenberg that no one was saying that (‘It’s probably nothing.’)

**Englerth** commented that the board was taking it sincerely “and we’ll take a look at it.”

**PUBLIC COMMENT:** (Limit 3 Minutes) - None.

**PUBLIC COMMENT**

**NEW/OLD BUSINESS/ BOARD COMMENT:**

**NEW/OLD BUSINESS**

- **Correspondence:** Set Special Meeting 2/17/2020 at 7 p.m. (mentioned in Supervisor’s Report);

- **Uniform Forfeiture Reporting Act, MCL 28.111 to 28.117:** is filled out every year (sent to State Police). A. Jansma completed the form. Nothing was reported as “forfeited”.
- **Certificate of Compliance (Treasurer): Liquor license. Report filed per A. Jansma.**

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**BOARD COMMENT**

**Reminder:** Pancake Breakfast – Saturday, February 15, 2020 at Fire Station.

**Also:** Blood Drive on Feb. 15<sup>th</sup> from 9 to 2 p.m. at Phil Eister’s Truck Garage on same day (Rison Court). (Late notice).

Winterfest (Gun Lake) – will be held this weekend.

A Water Reliability Study is due at the end of December 2020. Knowles commented that two (2) years ago it was postponed. M. Englerth recommended contacting other names besides Fleis & VandenBrink. M. Englerth would get with Knowles with other names besides F & VDB.

**M. Englerth** commented that he wants to be consistent with request for proposals.

**S. VandenBerg** commented on the township’s current bidding practice. “I don’t think it’s right that we pick and choose. And I’ll leave it at that,” added VandenBerg.

**Jansma** noted that Fleis & VandenBrink had the background information already as they have done the studies before.

*Motion by Jansma with support from Lippert to continue with Fleis & VandenBrink and get a proposal from them (F & VDB). Roll Call: Jansma: Yes, Knowles: Yes, Lippert: Yes, Englerth: Yes, VandenBerg: Yes. Yes: 5, No: 0. MOTION CARRIED.*

Nothing more has been heard on water testing per Englerth.

**NEW/OLD BUSINESS/**

**BOARD COMMENT**

**MOTION to continue with Fleis & VDB**

**PUBLIC COMMENT: NONE**

*Full audio recording of this meeting has been downloaded to the township office computer system on 2/13/2020 immediately following meeting.*

**ADJOURNMENT:**

Motion by Englerth with support from VandenBerg to adjourn at 8:02 p.m. Approved by all. Motion Carried.

Respectfully submitted: Date: Approved by Board of Trustees, March 12, 2020  
 Deb Mousseau  
 Recording Secretary 2/13/2020 Approved : \_\_\_\_\_  
 Janice C. Lippert, Township Clerk

**ADJOURNMENT**