

<p style="text-align: center;"><b>YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES Regular Meeting</b></p> <p style="text-align: center;"><b>Thursday, March 8, 2012 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</b></p> <p style="text-align: center;"><b>MINUTES</b></p>	<p><b>DRAFT MINUTES</b></p>
<p>Meeting called to order at 7:02 PM by Supervisor Al McCrumb.</p> <p><u>Roll Call</u>: All Present: Jerkatis, J. Lippert, McCrumb, M. Cook, Schwennesen</p> <p>PLEDGE OF ALLEGIANCE</p> <p><u>Staff Present</u>: Frank Fiala, Alice Jansma, Zoning Administrator Robert Lippert, Constable Jim Orr.</p> <p><u>Visitors</u>: 19 (not including staff present).</p>	<p><b>CALL TO ORDER</b></p> <p><b>ROLL CALL</b></p> <p><b>PLEDGE</b></p>
<p><b>ADDITIONS OR CORRECTIONS TO AGENDA:</b></p> <ul style="list-style-type: none"> <li>• Add to Acknowledgement of Visitors: Jerry Artz of the Gun Lake Protective Association</li> <li>• McCrumb will also have an addition under New Business.</li> </ul>	<p><b>ADDITIONS TO AGENDA</b></p>
<p><b>APPROVAL OF MINUTES:</b></p> <p>The following amendments are to be made to the minutes of the <u>Joint Meeting</u> of the Board of Trustees, Planning Commission and ZBA on February 1, 2012:</p> <ul style="list-style-type: none"> <li>• Population figure for 2011 needs to be changed from 4,550 to 4,065 to reflect correction made at Planning Commission meeting of 2/16/12.</li> <li>• Education Class Participation- Patrick Jansens did attend a Hot Topics Seminar in 2011.</li> </ul> <p>Motion by M. Cook with support from Schwennesen to accept the minutes of the Joint Meeting of February 1, 2012 as amended. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from J. Lippert to approve minutes of Regular Board meeting of February 9, 2012 as submitted. All ayes. MOTION CARRIED.</p>	<p><b>APPROVAL OF MINUTES</b></p> <p><b>Motion to accept minutes of Joint Meeting held Feb. 1, 2012 as amended. Motion Carried.</b></p> <p><b>Motion to accept minutes of Regular Board of Trustees Meeting of February 9, 2012. Motion Carried.</b></p>
<p><b>ACKNOWLEDGEMENT OF VISITORS:</b></p> <p><b>TTES REPORT: David Middleton, Fire Chief</b></p> <p><b>Total TTES Calls for <u>February 2012</u>: 105</b></p> <p><b>Total <u>Yankee Springs</u> Calls for <u>February</u>: 11 (0 Fires, 10 Medical, and 1 Fire/EMS)</b></p> <p><b>Total TTES Calls Year-To-Date: 267 / Total <u>YS Twp.</u> Calls Year-To-Date: 32</b></p>	<p><b>ACKNOWLEDGEMENT OF VISITORS</b></p> <p><b>TTES REPORT: David Middleton, Fire Chief</b></p> <p>Page 1 of 7 YST Bd Trustees 3-08-12</p>

**ACKNOWLEDGEMENT OF VISITORS: TTES Report (cont'd)**

Middleton said that TTES was shattering 100 calls a month. They have been above that for six months now. Most calls are medical emergency calls.

D. Middleton attended the Michigan Fire Chief Workshop in February. The new fireworks law was discussed at this workshop. As for every inch of a firework's diameter, he commented that you have to have 70 feet in distance from the point of detonation. The ordinance takes 30 days to be in effect. A local fire department can investigate (both the sale and user sides of) fireworks. The findings must be turned over to the state. A first offense is a mandatory \$10,000 fine. Middleton strongly recommends that the ordinance restricts tent sales to an area NOT within 200 feet of a structure. McCrumb requested that Middleton go to a Planning Commission meeting to get the PC started on the firework ordinance. Middleton remarked that the township has to stick to the state statute. Jerkatis asked why the township should make an ordinance if the township cannot make the ordinance stricter or less strict than the state statute. It was mentioned that the issue could become a zoning issue. If so, firework sales could be limited to a certain area. D. Middleton remarked that it would be very advisable to have legal team help so that the township doesn't step over the line and get into hot water. Middleton also commented that when it comes to fireworks, local authorities can only document, not confiscate, fireworks.

Normally the first woods fire is seen in the first part of May, but Yankee Springs had its first brush fire at approximately 12:30 a.m. today. Middleton commented that this year has the potential to be extremely dangerous with the lack of snow. He said that people should use good common sense when burning. Burn barrels need to have a screen over the top. To obtain a burn permit, residents need to call: 795-3350. It was also noted that a resident can call 911 or go on-line to see if there is a burning ban in effect.

McCrumb asked if the Smokey the Bear sign would be up soon. Middleton commented that visibility is an issue.

**BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg**

A strategic meeting will be held, Thursday, April 12 at 9:00 a.m. Items to be discussed are:

- Farmland Preservation and Open Spaces
- Road Commission bill just passed by the governor
- Court Security – the chief judge formed a committee for court security
- State Revenue Sharing
- Current audit in process

**GUN LAKE PROTECTIVE ASSOCIATION: Jerry Artz for Jim Riehl**

Jerry Artz of the Gun Lake Protective Association was present to represent Jim Riehl. The GLPA has asked the Yankee Springs Township to act as a go-between the Barry County Sheriff Dept. and the GLPA. The Barry County Sheriff Dept. cannot accept funds from private entities. This was reiterated by Julie Jones of the BCSD. The Gun

**ACKNOWLEDGEMENT OF VISITORS: Cont'd**

**TTES REPORT: David Middleton, Fire Chief**

**Fireworks Law - Discussion**

**BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg**

**Gun Lake Protective Association – Jerry Artz**

Lake Protective Association would like to have more patrol on the lake during the upcoming summer. If an agreement is made, the funds for this extra patrol will come from the GLPA to the township and then the township will reimburse the Barry County Sheriff's Department. Supervisor McCrumb has requested a contract that specifically eliminates the township from liability of any form. Julie Jones of the BCSD said that the (Sheriff's) department is insured and the township would have no liability. J. Lippert asked J. Artz where the GLPA is getting its funds from. Artz remarked that the membership elected the board and the board voted on it (additional marine patrol). Ron Knoll, of Marsh Rd., said that the first time he heard about it (extra patrol) was in the newspaper. Artz said that \$2,000 had been budgeted for this upcoming season. Knol commented that he sees the patrol go round and round weekly on the lake, during the summer season and he didn't see a need for additional patrol. Knol also added that he didn't think \$2,000 wasn't going to add much more patrol (in hours). Al McCrumb advised that the GLPA Board and its membership should discuss this situation. Further discussion took place between the audience and Jerry Artz. McCrumb repeated his advice to have the GLPA Board consult its membership. McCrumb added that the YS Township would most likely serve as the middleman, but the Board and membership needed to get things settled first. Greg Purcell commented that there appeared to be a failure of communication. "Sometimes it's not what you do, but how you do it," added Purcell. "A little more information and "prior to" would help," remarked Purcell. Purcell felt that the township would do well to be the conduit between the GLPA and the Barry County Sheriff's Dept. McCrumb added that a simple thing like a cost per member (\$ figure) would help. Julie Jones of the BCSD commented that their budget is being cut, but they are able to adjust the budget so that hours will not be cut. Jones added that they will be able to cover the \$2,000 worth of extra marine patrol by either hiring another person or using part-timers. No overtime will be incurred.

**PUBLIC COMMENT:**

**Rick Berens, of Park Dr.,** read a letter of complaint involving R. Lippert, Zoning Administrator and Berens' stepson parking his semi-trailer/truck on an open lot next to his (Berens') house.

**TREASURER'S REPORT:** by John Jerkatis

Motion by M. Cook, with support by Schwennesen to accept the Treasurer's Report as presented. Approved by all. MOTION CARRIED.

Jerkatis also distributed an unofficial, 2011 report regarding the recent property tax collection. 91% of Yankee Springs Twp. taxes were paid on time. Total amount received was \$7,323,633.06. This collection involved 5,465 transactions and 104 disbursements were made to taxing agencies. \*\*\*THIS REPORT WILL BE ATTACHED TO MINUTES.\*\*\*

**BREAK: 8:10 P.M.**

**RESUME: 8:30 P.M.**

**SUPERVISOR'S REPORT:** Al McCrumb

- **February Water System Report-** the Supervisors voted to try to hold a meeting

**ACKNOWLEDGEMENT OF VISITORS: cont'd**

**GLPA request to YS Twp. to serve as a "conduit"**

**Discussion between GLPA Board member and membership**

**PUBLIC COMMENT**

**TREASURER'S REPORT**

**Treasurer's Report approved**

every other month. They will meet again in May.

- **2012-13 Fire Agreement-** the amount of this agreement, \$98,760, is down from last year, approximately \$8,000. Except for the financial figure, the rest of the agreement is the same. It was noted that the current amount is down approximately \$32,000 from 2005 due to budget cuts and better use of tax payer dollars. Discussion occurred on extra ambulance service for summer months. Possibly casino funds could be used for this. Ambulance coverage will be on the April agenda. M. Cook asked for an explanation regarding the “administrative fee” on the contract which is 1% of the budget equaling \$3,636. Possibly this amount should be split with other entities involved in the contract.

Motion by J. Lippert with support from Jerkatis to accept the 2012-2013 Fire Agreement with TTES with the clarification of the administrative fee (explanation) for the amount of \$102,396. ROLL CALL: Jerkatis: Yes, J. Lippert: Yes, McCrumb: Yes, M. Cook: Yes, Schwennesen: Yes. Yes: 5, No: 0. MOTION CARRIED.

- **Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test Resolution No. 03-08-2012**

McCrumb read the resolution at J. Lippert’s request. The board adopts this every year.

Motion by M. Cook with support from McCrumb to approve Resolution #03-08-2012 Poverty Exemption Income Guidelines and Asset Test. ROLL CALL: Jerkatis: Yes, J. Lippert: Yes, McCrumb: Yes, M. Cook: Yes, Schwennesen: Yes. All YES. MOTION CARRIED.

- **Motion on Schedule B Parking Lot Township Hall**

Motion by M. Cook with support from J. Lippert to officially accept Scheme B for the YS Fire Station Parking Lot (50 spaces) and Scheme B for the YS Township Hall Parking Lot (60 spaces). ROLL CALL: Jerkatis: Yes, J. Lippert: Yes, McCrumb: Yes, M. Cook: Yes, Schwennesen: Yes. Yes: 5, No: 0. MOTION CARRIED.

(Both drawings (Scheme(s) B) are drawn up Fleis & VandenBrink Engineering and are dated Sept. 2011).

- **Facilities Committee Minutes**

The next meeting is scheduled for Monday, March 19. The committee will be moving ahead on the best way to utilize space that the township hall/office already has and possibly adding additional space.

**ZONING ADMINISTRATOR’S REPORT:** by Robert Lippert

**February SPR’s:** (1) New garage construction

**Planning Commission:**

- Modification of special exemption use/existing use involving ATT and the cell

**SUPERVISOR’S REPORT:**

Al McCrumb

**Motion to accept 2012-13 Fire Agreement with clarification of admin. Fee. Motion Carried.**

**Motion to approve Resolution #03-08-2012 Poverty Exempt. Income Guidelines & Asset Test. Motion Carried.**

**Motion to accept Scheme B for YS Fire Station Parking Lot & Scheme B for YS Township Hall Parking Lot. Motion Carried.**

tower was discussed.

- Richard Beukema is now on the Planning Commission and there has been discussion about Rich being a co-chair.
- The Fireworks Ordinance was discussed.
- Changing of size standards for accessory buildings was discussed. R. Beukema offered to put proposals together on this.

**ZBA** - a meeting was not held in February.

**Complaints:** No formal complaints for February. An inquiry was made on funneling on Patterson Road, but it was checked out and the individual was not in violation. Another inquiry came in regarding “No Wake” buoys in the Sunrise Channels of Gun Lake, and various marked areas within the Township (Gun Lake).

Regarding the parking of semis – R. Lippert said that a semi (18 wheeler with Cab) was parked two doors down from his residence. R. Lippert planned on covering this in his report, but he was preceded by Mr. Berens. As far as professionalism, R. Lippert commented that he identified himself when he approached the owner of the semi. R. Lippert cited the violation. The individual acted belligerently and said that he would challenge it. R. Lippert contacted Township attorney regarding the matter on February 16<sup>th</sup>, 2012.

R. Lippert asked the Board of Trustees if they would refer this issue ( trucks parking in residential areas) to the Planning Commission. A model ordinance from Kalamazoo was received from Twp. Attorney. Discussion occurred after this referral request.

Motion by M. Cook with support from Schwennesen to recommend the issue of safety, health and welfare of trucks parking in residential areas to be sent on to the Planning Commission. ROLL CALL: Jerkatis: No, J. Lippert: Yes, McCrumb: Yes, M. Cook: Yes, Schwennesen: Yes. Yes: 4. No: 1. MOTION CARRIED.

**FEMA** - Additional LOMA’s came through this past month.

- The current total of Letter of Map Amendments is:

**268 LOMA’s of 465.**

Paul Heystek has been sorting through and contacting a variety of people for a solution on this issue. Allegan County has gone to the expense of hiring an aerial map company. Contacts have also been made with the DEQ and State Coordinator Les Thomas. Important steps have been made on this. Al McCrumb added that Paul Heystek is doing a lot of this communication from his (Heystek’s) home in Florida. “Hats off to Paul Heystek,” added R. Lippert.

**McKenna Billing-**

Motion by J. Lippert with support from M. Cook to pay McKenna billing of February for the amount of \$1,125.00 and forward to the Planning Commission for their

**ZONING  
ADMINISTRATOR’S  
REPORT:** by Robert Lippert

**Motion to recommend the issue of semi parking in residential areas sent to the Planning Commission. Motion Carried.**

information and approval. YES: McCrumb; Lippert; Cook; and Schwennesen.  
NO: Jerkatis. Motion passed 4-1.

Motion to approve McKenna February billing. Motion Carried. 4-1

**CLERK’S REPORT:** by J. Lippert

**CLERK’S REPORT:** by J. Lippert

Clerk Lippert fielded any questions and explained any items relating to accounts payable checks presented.

Motion by M. Cook with support from Jerkatis to approve accounts payable checks #911424-911472 for the total amount of \$85,991.25. All ayes. MOTION CARRIED.

**Accounts Payroll & Payables approved.**

Motion by M. Cook with support from Schwennesen to approve payroll checks #4511-4534 (including the IRS – EFT auto deposit) for the total amount of \$15,865.94. All ayes. MOTION CARRIED.

**Presidential Primary Report 2/28/12:**

**Primary Election Report**

**Precinct # 1** has **1,778** registered voters, and **441** ballots were cast. Rick Santorum received 164 votes and Mitt Romney received 146 votes.

**Precinct #2** has **1,398** registered voters, and **373** ballots were cast. Mitt Romney received 162 votes and Rick Santorum with 114 votes.

**For the Delton-Kellogg millage: 17 yes, and 12 no.**

The EPB (Electronic Poll Book) went over quite well, thanks to Marge VanderMeyden and Alice Jansma who programmed it.

**PCI:** \$71,000 value was added last month.

**DEQ Permit:** (1) for a seawall on Park Drive.

**Public Notice:** 1818 Heritage Bay Dr (Barlow Lake)

**OTHER PUBLIC COMMENT:**

**OTHER PUBLIC COMMENT**

**Mark Englerth** commented that he has observed the Board for the past 20 years. He asked the Board, “Would it benefit the board to have (four) trustees instead of (two)? Englerth said that it concerns him greatly that the Board doesn’t ask the question. **Supervisor McCrumb** commented that the board has discussed this (increasing the number of trustees) amongst themselves. **M. Cook** said that she did support the increase of the number of trustees. M. Cook commented that diversity is a really important thing in getting more people involved.

**Frank Fiala** represented Brad Lamberg from the Barry County Road Commission. The BCRC has found a less aggressive stone that may be used for the proposed road work. The BCRC is going to do the meetings for the proposed subdivision work. Fiala asked if the meetings could be held at the township hall. Fiala commented that the meetings would be informational meetings, not public hearings. McCrumb responded that the meetings would still be published.

**Shane Vandenberg** commented about the verbiage used earlier in the board meeting regarding the term “belligerent” used by R. Lippert describing the behavior of a resident. Vandenberg thought that it was a rude comment and that he didn’t think it was right to call people names. McCrumb responded that the complaint would be investigated.

**Robert Lippert** clarified that he said the resident’s conduct with him (R. Lippert) was belligerent. R. Lippert added that the only critics he has noticed are those who have been breaking the law.

**Patrick Jansens** asked if anything was being done with the casino funds. He suggested curbside recycling.

**Alice Jansma** inquired about the light at the corner of Patterson and Bowens Mill Road. Al McCrumb said that he hasn’t heard anything yet. Possible locations for “Smokey the Bear” were mentioned.

**Frank Fiala** commented that he was attending a county meeting regarding recycling on March 9. He spoke of how Grand Traverse Bay handles recycling and also about the new recycling policy for the City of Grand Rapids.

**OLD BUSINESS:**

A Board of Review member has been appointed. Nancy Near will be the alternate. McCrumb would still like to have another alternate.

**NEW BUSINESS:**

McCrumb said that he’d like to have the Planning Commission work on coming up with a zoning area concerning Medical Marijuana.

**ADJOURNMENT:**

Motion by M. Cook with support from Schwennesen to adjourn at 9:55 PM. Approved by all.

Respectfully submitted:

D. Mousseau

Recording Secretary 3-12-12

Draft Approved Date: March 13,2012/Board Apprv. \_\_\_\_\_

Janice C. Lippert, Township Clerk

**OTHER PUBLIC COMMENT: cont’d**

**OLD BUSINESS/NEW BUSINESS**

**ADJOURNMENT**

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