

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES <u>Regular Board Meeting</u> Thursday, June 8, 2017 7:00 p.m. Yankee Springs Township Hall 284 N. Briggs Rd., Middleville, Michigan 49333 MINUTES </p>	<p> FINAL MINUTES Page 1 of 7 YST Bd Trustees 6/8/17 Approved July 13, 2017 </p>
<p> <u>Meeting called to order at approximately 7:01 p.m. by Supervisor Mark Englerth.</u> <u>PLEDGE OF ALLEGIANCE:</u> <u>Roll Call:</u> J. Lippert, Englerth, Rottschafer, VandenBerg. Absent with notice: A. Jansma <u>Staff Present:</u> Larry Knowles, Cathy Strickland, Frank Fiala, Constable, Chuck Biggs; Rich Beukema, Greg Purcell, John Frigmanski, Dave VanHouten, Todd Delamar, S. Marcukaitis. <u>Visitors:</u> 13 (not including staff present). C. Yonkers was also present from J-ad. </p>	<p> CALL TO ORDER PLEDGE ROLL CALL </p>
<p><u>ADDITIONS/CHANGES TO AGENDA: None at this time.</u></p>	<p><u>ADDITIONS/CHANGES TO AGENDA</u></p>
<p><u>APPROVAL OF CONSENT AGENDA:</u></p> <ul style="list-style-type: none"> ➤ Minutes: May 11th – 2017 ➤ Minutes Special Meeting 5-15-17 12:00 p.m. Closed Session ➤ Minutes Special Meeting 5-16-17 1:30 p.m. Lawn Care Award ➤ Minutes Special Meeting 5-22-17 6:00 p.m. 2017-2018 Proposed Budget Work Session (#1) ➤ ACCOUNTS PAYABLE: May 18th, 2017 Checks # 914120 - #914129 = \$16,630.91 <p> Also: April Payroll Check #'s 5862 - #5880 Net Amount: \$11,935.03 May Payroll Check #'s 5883 - #5903 Net Amount: \$12,872.06 </p> <p> <i>Motion by Rottschafer with support from VandenBerg to approve the <u>Consent agenda for tonight's meeting as presented.</u> ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.</i> </p>	<p>APPROVAL OF Consent Agenda</p> <p>Approval of Consent Agenda as presented. MOTION CARRIED.</p>
<p><u>PUBLIC COMMENT:</u> (Limit 3 minutes)</p> <p><u>Dan Parker - Barry County Board of Commissioners</u> gave the monthly report.</p> <p><u>Sandra Cook- YS resident-</u> referred to a recent article in the <u>Sun & News</u>. She asked for clarification on the comment of Shane VandenBerg saying he was "vexed about power snatch." S. Cook inquired about the Supervisor's responsibilities in speaking with public entities. "They want to change that and hire in a Township Manager instead of a Supervisor. What is this all about? Can you explain this to me?"</p> <p><u>Mark Englerth, Supervisor</u> commented that this was a time for Public Comment. "I would be glad to talk to you afterwards," replied Englerth. Englerth also noted that there would be a Board Comment time toward the end of the meeting.</p>	<p>PUBLIC COMMENT</p>

David Neeson- owner of property in Yankee Springs, commented that he was really confused about the resolution passed in 2016 limiting the Supervisor's duties. D. Neeson feels that the Board has made an error in its resolution. Neeson felt the Board was "ignoring the will of the voting public". "...Obstruction is no good for anybody. The trustee spearheading is gone four to five months out of the year voting by proxy. He's not 100% in tune with township business when he is at arm's length." Neeson cited Charter Township Act 359 of 1947 – "42.9 says the township board may upon recommendation of the Supervisor, create additional offices to administer the affairs of the township. No recommendation was made." Neeson noted that Mark (Englerth) has set up Memorial Day Services, spear headed trail/trash pick ups, was instrumental with the Y. S. fire barn, open air market, talks with the DNR on state park infrastructure and with the press. "It just speeds everything up. It's just makes common sense. All this is done with no expense to the township. Any expense has to be approved through the board. So I would think you guys would be way ahead just by letting Mark do his job. If you tie up someone's hands, that's where government really gets muddied up. This transaction by the board doesn't really make sense to me, unless it's strictly political. I would like to request time on the agenda next month for you guys to have an open meeting so that all of the residents will be able to hear the complaints by the board members. So we all can come up to speed on what the heck is going on because this is real confusing, and makes no sense to me at this time."

ACKNOWLEDGEMENT OF VISITORS:

Vivian Conner briefly added to what Dan Parker reported on in Public Comment earlier.

BOARD ACTION ITEMS:

Water Contract Renewal (Tabled last month) :

Motion by Rottschafer with support from VandenBerg to accept GLASWA Water Contract Renewal (Resolution 06-01-17). ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

Resignation Chuck Biggs ZBA Alternate - Letter of resignation of Chuck Biggs was accepted by the Board - All ayes.

It was noted that Chuck Biggs has served the township since 1970. A round of applause was given for C. Biggs. Clerk Lippert added that C. Biggs is still the township's constable and liquor inspector.

ZBA Appointments – 1 member – 1 Alternate:

Motion by Rottschafer with support from Lippert to place Dave VanHouten as the fifth member of the ZBA and John Frigmanski as alternate. ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

(D. VanHouten and J. Frigmanski were sworn into their position by Clerk Lippert at the end of this meeting.)

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PUBLIC COMMENT:

(Limit 3 minutes)
continued

ACKNOWLEDGEMENT OF VISITORS

Barry County Board of Commissioners –

Vivian Conner

BOARD ACTION ITEMS

Motion to renew GLASWA Water Contract

MOTION TO APPOINT MEMBER & ALTERNATE to ZBA

TREASURER'S REPORT: Written report submitted by Alice Jansma, Treasurer

- *Motion by Rottschafer with support from VandenBerg to accept the previous month's (May 2017) Treasurer's Report as presented. All ayes. MOTION CARRIED.*

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TREASURER'S REPORT: (Written Report Submitted by A. Jansma)

TRUSTEE REPORT/FIRE COMMITTEE: Roger Rottschafer

TRUSTEE ROTTSCHAFFER – FIRE REPORT

Calls for May 2017: 22 MFR 3 Fire Calls

\$500 cost for replacement hose – (Rottschafer reported compression test issue last month.)

Trustees VandenBerg & Rottschafer- Robbins Cemetery Estimates

Robbins Cemetery: Shane VandenBerg commented on the estimate he received for tree cutting, excavating, stump removal and \$600 worth of top dirt included – at \$4,200. Englerth noted the dirt may not be needed.

Motion Englerth with support from VandenBerg to allow \$4,500 for clean up of Robbins Cemetery. ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

MOTION TO ALLOW \$4,500 FOR ROBBINS CEMETERY CLEAN UP

J. Lippert called for discussion commenting that care must be taken with stump removal due to headstones date back to the early 1800's, at the West end markers.

CLERK'S REPORT: Jan Lippert, Clerk

CLERK'S REPORT: J. Lippert

A Thank You note will go out from the township board to Jorge Martinez – for flowers donated for the Memorial Day Service at the Fire Station. Also a whiteboard was donated by township residents as well.

Resolution No. 06-02-2017 – Principles of Governance - MTA- Read by J. Lippert

*Attachment to Minutes

Motion by Lippert with support by Englerth to accept Resolution No. 06-02-2017, Principles of Governance, for Yankee Springs Township. All Ayes. MOTION CARRIED.

MOTION TO ACCEPT PRINCIPLES OF GOVERNANCE

Current to Date 6-6-17 Invoice Register

Motion by Rottschafer with support from VandenBerg to approve invoice registers #2779 – 2812 in the amount of \$27,072.64. ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

MOTION TO APPROVE CHECKS #2779-2812.

Aug. 8th- Election - for Precinct #2 –the Delton Kellogg School will be conducted (consolidated) held at Orangeville Twp. for this Election only.

ZONING ADMINISTRATOR REPORT: Larry Knowles – (Written report submitted.)

- **Rezoning Request: Owner Quada: RR to – C.3 Parcel #08-16-018-011-30:** (NW Corner of Loew Dr. & Cobb Lake Rd.)

Motion by Rottschafer with support from VandenBerg - to approve Ordinance #06-01-2017 to rezone Parcel #08-16-018-011-30 owned by David & Dorothy Quada to C-3 (from Rural Residential). ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

*J. Lippert noted the township within 15 days after this evening to publish Ordinance(s) adoption in the newspaper. It then becomes effective eight (8) days following publication in The Sun & News.

- **MAP rezoning Correction Owner- Loew: (491 S. Patterson Rd.)**

*Motion by J. Lippert with support from Rottschafer to adopt Ordinance #06-02-2017 -Parcel #08-16-018-011-00 property owners Wilbur & Marilyn Loew, Todd Delamar & Sally Loew to rezone from RR to C-3 (**Map correction**). ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.*

- **The Planning Commission will hold a public hearing regarding land splits.**
- **ZBA Report – Two Hearings held – One scheduled for June 13th, 2017**

ZBA held 2 hearings: (May 23, 2017):

- 1) Dollar General - ZBA granted variance to parking spaces.
- 2) A variance request was denied for request of variance to setbacks and lot coverage (on Parker Drive).

June 13 – Tuesday – ZBA meeting for K. Bird – setback variance for shed on Briggs at Payne Lake.

PLANNING COMMISSION REPORT: Greg Purcell, Chairman

G. Purcell noted a **MTA Training Seminar is coming up on June 23rd** in Grand Rapids. Currently seven people are interested. \$140 per person.

Motion by J. Lippert with support from Rottschafer to allow for attendance (not to exceed \$1500) to the MTA – June 23rd Land Use Seminar. ROLL CALL: Jansma: absent, Lippert: yes, Englerth: yes, Rottschafer: yes, VandenBerg: yes. Yes: 4, No: 0, Absent: 1. MOTION CARRIED.

G. Purcell also noted the Planning Commission addressed a change in the Planning Commission By-laws which the PC has the authority to change. The PC tabled the matter of its by-laws amendment by request of Shane VandenBerg. The change (amendment) is to require any comment made or allegation of improper behavior on the part of a PC member to be placed in writing to be acted on. Then it would go to the township attorney and then if necessary to the

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ZONING ADMINISTRATOR REPORT: Larry Knowles

MOTIONS TO APPROVE REZONING & MAP CORRECTION. (Quada & Loew).

PLANNING COMMISSION REPORT: Greg Purcell, Chairman

MOTION TO APPROVE UP TO \$1500 FOR MTA TRAINING SEMINAR – LAND USE.

township board. Shane thought it was a good idea to have this discussed at a Joint meeting. A vote was taken to go to the board for a joint meeting on this amendment. Purcell requested that the PC amendment discussion be held at a future joint meeting.

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SUPERVISOR, Mark Englerth:

**SUPERVISOR
REPORT- MARK
ENGLERTH**

- **Robbins Cemetery Estimates** (*covered earlier in meeting-motion was made).
 1. **Excavating - \$1,650**
 2. **Cutting Trees - \$2,000**
 3. **Dirt (if needed) \$600**

M. Englerth commented on recycling and noted that the Board Commissioners reported tonight on having hired a consultant for recycling. M. Englerth commented on how recycling is different for every community. With the consultant, the township will have guidance with its decisions on recycling.

Frank Fiala spoke of the work on recycling the Solid Waste Oversight Committee has been doing for the county. F. Fiala spoke on the need for a recycling coordinator in order for recycling to prosper. The SWOC will pay \$40,000 a year for 2 years for a coordinator to come in and educate the community. This person will be met with tomorrow a.m. by the SWOC.

Englerth commented on the awesome Veteran's Memorial Service held on May 28th.

M. Englerth also went to a recent medical marijuana seminar and commented on the seminar-pamphlets are available.

- **Request Joint Meeting of Boards with MDOT after July 4th – 2017**
Meeting will address access management plan for M-179 Corridor. (No meetings will be called until after July 4th, due to budget meetings for the fiscal year beginning July 1st.)
- **Request Joint Meeting of Boards regarding Gun Lake Marina**

Englerth commented on talking with J. McManus' office (County Zoning). Englerth mentioned overlay work for Gun Lake area approximately five years ago. Not all of the Gun Lake townships adopted the overlay. In looking at the Gun Lake Marina (in Orangeville Twp.), Englerth felt the township had to wait for the DEQ to make a decision.

Englerth added comments regarding the current recycling efforts of the township.

BOARD COMMENT

BOARD COMMENT:

J. Lippert – commented on her disappointment of the overflow at the Papergator. J. Lippert noted the signage on the gator which says “no cardboard”. J. Lippert thanked M. Englerth who cleared it out with the help of a resident. Lippert also noted that an older tube TV was left near the gator, as well.

BOARD COMMENT continued on next page.

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BOARD COMMENT

continued

R. Rottschafer: In reference to public comments made earlier, R. Rottschafer noted that he was the trustee that suggested looking at the Township Manager. "If you had been present over the past four years you would know some of the reasons behind it. I'm not going into that now. The Board is aware of it and we've set up a committee to look at it. The committee may come back and say, "No. We don't need to do it. We have to adjust it. The main thing is – is that the supervisor would do supervisor tasks. Not personal issues." Rottschafer also commented that if the supervisor had not made issues with entities outside of our government becoming upset with the township, "none of this would be going on." "That's all I am going to say on it. I'm not going to throw out the dirt. If you have been here for the last four years, you would understand what was going on," commented Rottschafer. "As for me being down in Florida on what Shane called "vacation", Shane and I talked about this. I retired last year and I'm doing consulting work. And just like I asked Shane, "If someone asked you to build a house down in Florida for \$1,000,000, would you go down there? Would you be calling in? You can ask Jan (Twp. Clerk) or if Alice (Treasurer) was here. I spend more time on the phone with this township for free. I only get paid for when I go to these meetings which I don't even want that money. I also talk to Danny at the fire station and Joe (Miller) a couple times a week. So as for me being down in Florida, I'm doing more work down there than most people on this board are. But the other thing is that the committee will come back in the next month with a suggestion of what we're going to do. It was voted on by the board, and that's what we're going to do. We're not going to hold a special meeting to explain to everybody what's going on. If you had been at the meetings you would know what is going on. I don't feel like I'm going to air out dirty laundry on the supervisor or the township or what's going on in the meantime."

S. VandenBerg – commented that he was all for having a meeting to discuss this issue. S. VandenBerg commented that he believed some of the people wanted to know "the blood and guts. They want to know what's going on". VandenBerg commented that it looked like a lot of the people were "in the dark". VandenBerg commented that M. Englerth was doing more than he (VandenBerg) was. "So how could I want to shovel dirt on a guy that's working harder than me? I just personally can't do that." VandenBerg commented that maybe at next month's meeting he'd like to see the Resolution in 2016 done away with. VandenBerg felt the board should be under the same restrictions (as Englerth). "But what we've done to Mr. Englerth, we've got him under those restrictions. I don't think its reasonable. I'll leave it at that. People want transparency. They want to know what's going on. If you want to bring people and set them up in front of the microphone, Roger, and you want to have them swear out that Mark Englerth does everything wrong, well bring those people in."

Rottschafer commented to S. VandenBerg "And I'll say the same thing to you. If you had been at these meetings for the last four years, you would know what was going on. I don't think the board has to take the time to double and go through everything in order to catch you up."

VandenBerg commented on the Principles of Government from the MTA (covered earlier in meeting), which he felt was fantastic. "It talks about treat all persons with dignity, respect, impartiality, without prejudice, or discrimination," noted VandenBerg.

Rottschafer asked VandenBerg to keep reading the part about "not doing things for personal purpose."

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J. Lippert commented that she would like to go back to Old Business. “In the consent agenda (this evening) we did approve Special Meeting Minutes of May 15th of Closed Session. We came out and documented our findings.” J. Lippert asked that the minutes be read and initialed and she would put them in a sealed envelope.

Upcoming Meetings for the remainder of June:

June 10 - Veteran’s Memorial meeting at the Township Hall at 10 a.m.

June 14 - 10 a.m. - Intercounty Cuddy Drain & at 11:00 a.m. a meeting on the Gun River.

June 19 – 2nd Budget work session at 8 a.m.

June 21 – Public Hearing on the Adoption of Budget 2017-18

M. Englerth commented “We will address your concerns with the struggle we are having with the board. I’ve heard all kinds of allegations and nothing in writing or nothing documented. I don’t have the answers tonight and I apologize. But this has been going on for some time and it will be addressed and the public will be made aware.”

ADJOURNMENT

ADJOURNMENT:

Motion by Rottschafer with support from Vandenberg to adjourn at 8:07 p.m. Approved by all.
Motion Carried.

Respectfully submitted:
Deb Mousseau
Recording Secretary 6.8.17

Date: July 13, 2017 by Board of Trustees

Approved : draft date: 6-14-17

Janice C. Lippert, Township Clerk