

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES <u>VIRTUAL Regular Board Meeting Postponed from: July 9, 2020</u> <u>To: Wednesday, July 15, 2020</u> <u>COVID-19</u> 7:00 p.m. Yankee Springs Township Hall 284 N. Briggs Rd., Middleville, Michigan 49333 MINUTES </p>	<p> FINAL MINUTES Page 1 of 6 YS BOT – Regular Mtg. Virtual Mtg. Covid-19 July 15, 2020 </p>
<p> Meeting called to order at 7:01 p.m. by Supervisor Mark Englerth. <u>PLEDGE OF ALLEGIANCE</u> <u>Roll Call:</u> All Present: Jansma, Knowles, Englerth, VandenBerg, Lippert. <u>Staff Present:</u> Brad Williams (seated in office area), On Zoom: Rich Beukema, Dave VanHouten, Frank Fiala. <u>Visitors:</u> 5- Attendees on Zoom (not including staff present). Four (4) in-house attendees. No reporter present. </p>	<p> CALL TO ORDER PLEDGE ROLL CALL </p>
<p> <u>ADDITIONS/CHANGES TO AGENDA:</u> <u>Strike from Board Action:</u> Cemetery Contract renewal and put on agenda for next month. L. Knowles noted that last month well-testing was tabled to this meeting. Englerth noted that Well-testing would be <u>under his (Supervisor’s) Report.</u> L. Knowles also noted that he would like to address a <u>high water bill of a customer and possible forgiveness</u> towards bill to be discussed. Board members commented that it would be <u>in the August meeting agenda.</u> </p>	<p> <u>ADDITIONS/CHANGES TO AGENDA</u> </p>
<p> <u>ACKNOWLEDGEMENT OF VISITORS:</u> Heather Wing will speak under Public Comment. </p>	<p> <u>ACKNOWLEDGE</u> </p>
<p> <u>APPROVAL OF CONSENT AGENDA:</u> June 17, 2020 COVID-19 Board Minutes & June 29th, 2020 Board Minutes; Accounts Payable Check Register #915788 through #915839 = \$81,176.21 June Payroll Register: Checks #6738 through #6759 = total Net \$12,698.41 <u>Motion by Jansma with support from VandenBerg to approve Consent Agenda as presented.</u> <u>Roll Call Vote:</u> Jansma: Yes, VandenBerg: Yes, Englerth: Yes, Lippert: Yes, Knowles: Yes. Yes: 5, No: 0. <u>MOTION CARRIED.</u> </p>	<p> <u>MENT OF VISITORS</u> CONSENT AGENDA APPROVAL OF CONSENT AGENDA </p>
<p> <u>PUBLIC COMMENT: - 3 minutes</u> <u>Mrs. Heather Wing</u> announced that she will be running for Barry County Register of Deeds. The following email from Yankee Springs Township resident, <u>James Piaskowski</u> was read into record by Clerk Jan Lippert: (Email follows on next page.) </p>	<p> <u>PUBLIC COMMENT</u> </p>

To: Janice Lippert, Yankee Springs Township Board

Hello-

Since I can't be present in person due to Covid limitations I am writing my opinion in regards to the pickleball topic. I request that this be read into the public comments at the Yankee Springs Township Board meeting on July 15.

First, let me say that I am both a tennis and pickleball player with two daughters who play tennis. I am in opposition to the proposed movement of the basketball hoop to the tennis base court area, or to any other area for that matter. The park was designed/constructed with something for everyone in mind including a walking path, open fields, one basketball court, one tennis court and two pickleball courts. By moving the basketball hoop to the tennis court you are in effect eliminating one of those sports when players are present for both as the current space will not allow play at the same time. While both basketball and tennis courts may not be in use very often at the same time, it would be unfair to limit their use when the situation arises. Especially while pickleball has already been given an additional two courts from two to four. Although two courts are temporary by being taped on the basketball court, this does allow all three sports of tennis, basketball, and pickleball to exist at the same time if necessary. In effect, pickleball has four courts. Keep the basketball and tennis courts separate of each other as well.

While pickleball is gaining in popularity among younger kids it has been and remains predominantly a sport for older persons. Older persons also tend to be retired as is the case for the majority of players using these courts. There are many pictures of crowded courts being presented to the YST board as evidence of why more courts are needed. It is precisely because the majority of players are retired and able to play in the morning that the courts are full. I walk my dog in the park almost every day. I work out of my home 2-3 days per week so sometimes I'm there in the morning, sometimes afternoon, or on away from home work days in the evening. For all of the early morning days when the courts are full I see many other times when the courts are empty. See attached picture taken today, July 15 at 10:40 am. All of the courts, tennis, basketball, and pickleball were empty. If the courts are always full in the morning then play later in the morning (10:40 appears to be a good time), or afternoon, or evening. Just because the mornings are full doesn't mean the courts are full all day, at all times. See the other attached picture taken July 14 at 8:17 pm. The tennis court was being used and only two of the four pickleball courts. In this case, if someone wanted to play basketball they would not have been able to as the proposed tennis/basketball court combination was already in use. While the basketball players would not have been able to play, two pickleball courts sat empty.

Everyone should be able to play when they desire. No one sport should be given preference over the other. If full in the mornings, wait to play, cycle in/out as have been doing, or play at another time when not as full. Or, as my daughters do when the Township tennis court is full, drive to another court.

Just because the money is available to be 'gifted' to the township doesn't mean we have to take it and eliminate another sports court by combining tennis and basketball. Use the money as a base for new courts but, leave the other courts as is/were intended to be used when the park was built-as individual tennis, basketball, and pickleball courts.

Thank you.

Dave VanHouten of 870 Rock Drive, provided the following typewritten comment, "My name is Dave VanHouten, 870 Rock Dr., and it is no secret that I am running for Trustee. Last month, Mark, you accused me of 'being a guy running for office that would like to throw rocks but really doesn't know what he is talking about'. I take exception with that statement and believe me I know right from wrong. As a trustee, it will be my sworn duty to look out for and vote in the best interests of Yankee Springs. The job of overseeing budgets, setting health, safety and zoning ordinances, and overseeing programs and services will be duties I will take very seriously. I will never:

- 1) Propose the Purchase of a product or service without proper specs, procedures and bids.
- 2) The purchase submittal would be timely and complete.

You did not do that with the purchase of the generator.

- 1) I will never use public money to have my personal well test.
- 2) I will follow recommended well testing procedures from Fleis and VandenBrink.
- 3) I would make sure the results were shared with the citizens of Yankee Springs.

Mark, I still believe you need to reimburse Yankee Springs the cost of testing your personal well.

Last month the board agreed that Fleis and VandenBrink would be at the July Board meeting to explain why these wells were tested and why the monitoring wells were not tested. I don't see this on the agenda. Well testing and water quality are extremely important and we need to be transparent on the testing, results and costs. A trustee is an individual or member of a board given the administrative powers to monitor actions of the board to ensure they operate for the benefit of the township. That is exactly what I will do.

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Mike Cunningham, of 1908 Heritage Bay Dr., commented that he was running for Yankee Springs Township Clerk. Cunningham commented on the poor quality of the zoom meeting so far with lots of reverberation, "It's the worst one (meeting)." Cunningham commented that if these meetings were to continue, "We would probably have to get better equipment, or do it like the ZBA and Planning Commission and everybody do it from home. In the office, (where this meeting is held), it seems to be really bad."

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TREASURER'S REPORT: By Alice Jansma, Treasurer.

- June, 2020: Financial Statement & Investment Report
- GLASWA – July 2020 Report

*A. Jansma noted that a CD was transferred to another bank to get a better interest rate.

Motion by VandenBerg with support from Lippert to accept Treasurer's Report as presented.

ROLL CALL VOTE: Englerth: Yes, Jansma: Yes, VandenBerg: Yes, Lippert: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.

TREASURER'S REPORT: By Alice Jansma, Treasurer.

BOARD ACTION ITEMS:

- Resolution No. 07-01-2020; Establishing an Absentee Voter Counting Board

Motion by Lippert with support from Jansma to adopt Res. #07-01-2020- Establishing an Absentee Voter Counting Board. ROLL CALL: Englerth: Yes, Knowles: Yes, VandenBerg: Yes, Jansma: Yes, Lippert: Yes. Yes: 5, No: 0. MOTION CARRIED.

BOARD ACTION ITEMS

- Resolution No. 07-02-2020; Establish Absent Voter Counting Board August Primary 2020 and November General Election 2020

Motion by Jansma with support from VandenBerg to Establish Absent Voter Counting Board August Primary 2020 and November General Election 2020. Roll Call: Englerth: Yes, Jansma: Yes, VandenBerg: Yes, Lippert: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.

- Siegfried Crandall Engagement Services for Audit June 30, 2020

Brief Discussion requested by L. Knowles asking whether a quote was received.

Motion by Jansma with support from VandenBerg to approve engagement services of Siegfried Crandall for Audit June 30, 2020. Roll Call: Englerth : Yes, VandenBerg: Yes, Lippert: Yes, Jansma: Yes, Knowles: Yes. Yes: 5, No: 0. MOTION CARRIED.

- Cemetery Contract Renewal – Moved to next month's meeting agenda. (See Adds & Changes to the Agenda -on page 1).

SUPERVISOR REPORT: by Mark Englerth, Supervisor

- **PICKLEBALL GROUP REQUEST:** Phyllis Wordhouse, of the Promote Pickleball Team (PPT) asked to speak. Mrs. Wordhouse commented that this is the ninth time that pickleball has been a topic at a Yankee Springs Board meeting. Wordhouse commented on progression of the "pickleball family" at the park since October 2019 when the board approved taping more courts as a temporary solution. Wordhouse commented that the pickleball group continues to explode with 220 Pickleball players on their email list and approximately half are taxpayers living in the township. Eighteen to 20 pickleball players are at the YST Park from 7 to 10 a.m. on dry mornings with little or no conflict with people shooting baskets. Wordhouse commented that Michigan weather causes "issues with the tape adhering and today's meeting is about making some quick changes yet this summer. With the Phase II proposal of four (4) new

pickleball courts on hold, we refocused our attention to the original plan of moving the basketball pole. Today, nine months after we gave you our first pickleball proposal, and promised to gift the pickleball courts to the township, the PPT (Promote Pickleball Team) would like you to demonstrate your continual support by voting unanimously to accept our Phase I gift. This small adjustment to the park involves moving the basketball pole possibly to the north end of the tennis court or to a location of your choice and creating two permanent pickleball courts funded by the pickleball team. The potential for conflict between basketball players and tennis players is very unlikely because they're typically not there. You hopefully have a copy of the Phase 1AA proposal which was given to you. If you need a copy, Ken (Pechumer) has another copy for you. We are so happy that you are all in favor of pickleball and are looking for a positive, unanimous vote to execute this plan to improve this park for more taxpayers, their families, and their friends. So Ken now will pass out the proposals if you want one and if you have any questions, he has talked to all the contractors so he knows all those details."

P. Wordhouse clarified to Lippert that the two Phases were: Phase 1) Move basketball pole. Phase 2) is adding four (4) more Pickleball courts.

Lippert noted that she thought this proposed project was to go before the Planning Commission. Discussion took place about issue of Planning Commission's public hearing.

K. Pechumer commented that the space set aside for basketball is way beyond what is needed. Pechumer also commented that there is very little time when basketball and tennis players are there.

A. Jansma noted that the park was designated as a "Pocket Park" and for 3-on-3 basketball.

Pechumer replied to Jansma, "We are dealing with today not ten years ago..."

VandenBerg felt the park needed to adapt with changes in the community noting he rarely sees anyone "even shooting baskets", and also noting "there are a lot of people playing Pickleball."

Englerth noted that he spoke with a basketball player who is 50 to 60 years of age. Englerth commented that the basketball player approved of what was going on in the park.

Motion by Englerth with support from VandenBerg to move forward moving basketball hoop/pole to the other side of the court (at the cost of the Pickleball group) with the blessing/letter in writing from the insurance company. Roll Call Vote: Knowles: No, Englerth : Yes, VandenBerg: Yes, Lippert: No, Jansma: No. Yes: 2, No: 3. MOTION FAILED.

Discussion occurred before Roll Call vote regarding post positioning, basketball pole and Risk Management's assessment and proposal presented to the Planning Commission.

Ken Pechumer noted a six foot long sitting area between the two pickleball courts. "That's a hazard." Pechumer commented about someone running into the post.

Lippert asked if the accident was reported.

K. Pechumer commented, "We're not like that." Pechumer added that an incident took place with his wife running into the fence. Pechumer commented to have the insurance people look at that, "and it (six foot sitting area) should be moved or eliminated."

Trustee Larry Knowles commented that he didn't know what the hold up was with the Planning Commission, but he (Knowles) was more comfortable having a hearing and having the public decide what was going to be done with their park. Knowles commented that he thought the PPT group's idea was a really good idea but would like to hear from the public as well.

P. Wordhouse commented that they (PPT) would move the pole wherever the board would like. "If you want to put up a slab or something, we'll put it there," added Wordhouse.

SUPERVISOR
REPORT: by
Mark Englerth,
Supervisor

MOTION to MOVE
Basketball Post at
YS Twp. Park.

Trustee VandenBerg commented, "...to send a product? like this to the Planning Commission, to move a basketball hoop, we should be spanked."

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Well-Testing: Englerth commented that he has contacted Don DeVries (of Fleis & VandenBrink) and they (F & VDB) are going to come back out and test the 4th well "and I asked them if they would do another one for free, and he said, 'tentatively we have an agreement. We're going to have the test in and the results back at the next month's meeting.'"

L. Knowles asked, "Is that 4th well included in the money that was from the original quote?"

Englerth confirmed that there was no additional fee/money.

L. Knowles asked if there was an address for "this well?"

Englerth commented it (location) would be "just about centerpoint on the west side of Robbins' Bay between what is historically known as Baughman's Channel and at the end of Edwin Drive. So that would be #4, that was which was originally agreed upon and then #5 which basically is a freebie, that we're going to do everything within our means to get legal permission to get and test some of the old DEQ monitoring wells, so or one. So we will have the outside perimeter of the contaminated aquifer, and then we'll have closer to the old landfill and like I said, I lived through it. They didn't definitely define where the contamination came from but they did know that it came from the north of Section 19 or north of 179 and east of Patterson Road. So there are some test wells on the television tower and so that would be the other well as long as we can get permission to do that. If we don't, we're going to have the four samples that we originally discussed and I did talk to Don a little bit too, kind of recapping what happened last fall is actually the individual that was doing the testing, and I don't have his name, was the one that pretty much led the charge and agreed that there is some concern that the well on my property somehow benefited me. An aquifer is a lake under the ground. You're testing the water 30 feet down. Where you do it- that well hasn't been used in my house in 28 years, and I spent a day and a half getting it going. And it will (not?) be used in the next 28. In fact if we put an addition on that part of the house, where we can get to it because it's under a deck, it will be grouted shut."

CLERK'S REPORT by J. Lippert, Clerk

- PCI June Report
- YS Fire Department May and June Reports
- Current (7-14-20) Invoice Register Approval

CLERK'S
REPORT by J.
Lippert, Clerk

Recess: 7:55 p.m.

Resume: 8:03 p.m.

Recess

Motion by Lippert with support from Englerth to approve current invoice register of \$62,768.52.

Roll Call: Englerth : Yes, VandenBerg: Yes, Lippert: Yes, Jansma: Yes, Knowles: Yes. Yes: 5,

No: 0. MOTION CARRIED.

- Yankee Springs Township Election Commission meeting immediately following tonight's meeting. This commission is made up of: M. Englerth, A. Jansma and J. Lippert.

OLD BUSINESS

- **Generator** to be installed next Monday.
- **Ad regarding Robbins Cemetery.** No bids have been received on Driveway. Englerth commented that he will do the ad in the paper. Bidders will contact Mark.
- **Data Mining Companies** will be contacted by Shane, who will work with Alice, regarding missing data. An RFP is needed (Request for Proposal). Three bids will need to be obtained. Brad Williams will be consulted as well. Discussion took place.

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OLD BUSINESS

PUBLIC COMMENT:

Mike Cunningham, 1908 Heritage Bay Dr., commented again regarding the poor quality of tonight’s zoom meeting. Cunningham recommended that the Board do Zoom-only meetings until the technology to do the “both” (Zoom meeting **inside** the township hall with all board members present) is better or as things are opened up so everyone can attend the meeting. M. Cunningham noted there was no agenda online for Zoom attendees to view. Cunningham also commented that he has been to a couple of other meetings where there has been talk about emails missing, “but I don’t know how anybody can know they are missing because we don’t know when. We don’t know what. We don’t know how. We don’t know anything. I don’t know how we’d even know if we found it, because nobody knows anything. There’s been no proof given that the township needs to do anything. I want to hear the proof not just all kinds of accusations. What’s the information that indicates that this ‘witch hunt’ if you want, is even needed. There’s got to be something to justify a township expense and all this hassle that’s being conducted over it...”

PUBLIC COMMENT

BOARD COMMENT

Clerk Lippert commented that the Complaint Log submitted by Brad Williams will be made as an attachment to the minutes. Englerth commented, “You can give that to anybody at anytime and you can make it a matter of the minutes in the next meeting.”

BOARD COMMENT

Full audio recording of this meeting has been downloaded to the township office computer system on 7/15/2020 immediately following meeting.

ADJOURNMENT:

Motion by Englerth with support from Lippert to adjourn at 8:12 p.m. Approved by all. (No roll call taken). Motion Carried.

ADJOURNMENT

Respectfully submitted:
Deb Mousseau
Recording Secretary 7/15/2020

Date: By Board of Trustees Aug. 13, 2020

Approved : _____
Janice C. Lippert, Township Clerk