

**YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting**

Thursday, August 11, 2022

6:00 pm

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

MINUTES

MINUTES
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YS Board of Trustees –
Regular Meeting
August 11, 2022

Meeting called to order at 6:00 PM by Supervisor Rob Heethuis

PLEDGE OF ALLEGIANCE

INVOCATION

Roll Call: Deb Mousseau, Mike Cunningham, Larry Knowles, Dave VanHouten, Rob Heethuis (All Present)

Staff Present: Frank Fiala, Dennis Buist, Dan Miller

Visitors: 10

ADDITIONS/CHANGES TO AGENDA:

Motion by Cunningham with support from Knowles to remove visitors Dan Miller and staff and the Recycling committee and the presentation to the Board from the Recycling committee and the presentation to the Board from the Fire station from the agenda and that we add the zoning ordinance text amendment to Board action items. Roll Call Vote: VanHouten: yes; Mousseau: yes; Knowles: yes; Heethuis: yes; Cunningham: yes.

Yes: 5, No: 0. **MOTION CARRIED**

Heethuis shared a correction from the last meeting. He had stated that the township representatives for the townships on Gun Lake are not in the Gun Lake Protective Association book and that was incorrect. The names and numbers of each representative are in the GLPA directory.

Motion by Cunningham with support from Mousseau to accept the agenda as amended. Roll Call Vote: Cunningham: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes; Knowles: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- Board minutes 7/14/2022 Regular BOT meeting.
- July 2022 Accounts Payable: Checks #916939 through Check #916988 total amount \$117,180.96.
- 08/03/2022 Payroll Checks #7299 through Check #7322 = \$14,369.12 net amount; July 2022 Fed P/R withholding \$3,933.35.

**PLEDGE OF
ALLEGIANCE**

INVOCATION

ROLL CALL

**MOTION TO AMEND
AGENDA**

**MOTION TO ACCEPT
AGENDA**

Motion by Heethuis with support from Mousseau to approve the consent agenda. Discussion: Payroll check dates were 8/3, not July 31 but the numbers were included as usual in the July report.

Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

Yes: 5, No: 0. **MOTION CARRIED**

ACKNOWLEDGEMENT OF VISITORS:

Greg Chandler (J-Ad)
Visitors from Elmwood Beach

PUBLIC COMMENT: (Limit 3 minutes)

Debra Grant: Presented her issues with a new home being built on Shady Lane. She has been in contact with PCI on multiple occasions since May as well as spoken with Rob Heethuis and the township attorney Catherine Kavanaugh Kaufman. The issue is that it does not meet the side setback requirements. Per the surveyor that just came out the house is 7" over the side setback. There is also the issue of the fireplace vent, furnace intake and exhaust pipes, air conditioner and Generac generator. The air conditioner goes an additional two feet into the side yard setback and the generator an additional 3-1/2 feet into the setback. Eric Thompson said a variance is no longer needed for a generator or air conditioner but she feels the definition of structure in the ordinance does meet the criteria. She is appealing Eric's decision to not include those items in the setback requirement and needs to know what steps should be taken.

Elmwood Beach Special Assessment 2nd Public Hearing

Motion by Cunningham with support from Mousseau to open the public hearing. **Roll Call Vote:** Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; VanHouten: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- Notice was put in the paper on 7/23/22 and 7/30/22 and notification letters were sent by the township to the parcel owners on 7/27/22.
- Reviewed the certificate of the Tax Assessor that was presented to the township with a date of 8/8/2022.
- Today would be the deadline to protest the amount or if anyone did not want their name on the tax roll but no protests have been received.
- Two citizens from Elmwood Beach thanked the board for their hard work and making this process go as smoothly as possible.

Motion by Mousseau with support from Cunningham to close the public hearing. **Roll Call Vote:** VanHouten: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; Mousseau: yes.

Yes: 5, No: 0. **MOTION CARRIED**

Motion by Heethuis with support from Mousseau to adopt Resolution 08-11-22 approving the tax roll. **Roll Call Vote:** VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes

Yes: 5, No: 0. **MOTION CARRIED**

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**MOTION TO APPROVE
CONSENT AGENDA**

**ACKNOWLEDGEMENT
OF VISITORS**

PUBLIC COMMENT

**ELMWOOD BEACH
SPECIAL ASSESSMENT
SECOND PUBLIC
HEARING**

**MOTION TO ADOPT
RESOLUTION 8-11-22
APPROVING THE TAX
ROLL**

TREASURER'S REPORT: By Deb Mousseau, Treasurer

- July 2022 Financial Statement and Investment reports were reviewed.
- Expenditures for the office renovation project have to be paid from the Installment Purchase Agreement loan so transfers are made to the general fund from the IPA to cover these bills. This month the amount paid was \$6,075.81.

Motion by Cunningham with support from VanHouten to approve the Treasurer's Report.

Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; VanHouten: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- Part time help for tax season is needed retroactive to July, continuing through August and September and then again in December through February.
- It is expected to be about \$1,300 total, probably less than that.

Motion by Knowles with support from Cunningham to approve additional help for the Treasurer's office processing tax payments at Pay Level 4 for property tax season ending Sept. 14, 2022, and upcoming winter tax season – retroactive July 1, 2022. Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

Yes: 5, No: 0. **MOTION CARRIED**

CLERK'S REPORT: By Mike Cunningham, Clerk

- August 2022 Current Invoice Register as of 8/11/2022 is \$79,849.70.
- First payment has been made to Mugen Construction. The bill goes to Fleis & Vandenbrink for their review and then forwarded for payment. The payment is then approved by the Board as part of the consent agenda. A copy of the bill will be included in the Board packet so that all board members can see it.

Motion by Heethuis with support from Mousseau to approve the invoice register. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- 2022 Elections update:
 - August 2 election has been certified.
 - Yankee Springs Township turnout was 40.4%.
 - Proposal to renew fire emergency services millage passed.
 - Wayland Union School District bonding proposal failed.
 - Henika District Library millage proposal failed.
 - 2nd District County Commissioner race is still pending per the Barry County clerk's office.
 - We will have a new commissioner in District 6.
 - All results can be found on the Barry County website on the clerk's page.
 - Election Day went smoothly for the voters. An E-Poll book and program did not function in Precinct 2 so had to use the paper Poll book. The Board of Canvassers gave the Township a good review.

TREASURER'S REPORT

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**MOTION TO ACCEPT
TREASURER'S
REPORT**

**MOTION TO APPROVE
ADDITIONAL HELP
FOR PROCESSING TAX
PAYMENTS**

CLERK'S REPORT

**MOTION TO APPROVE
INVOICE REGISTER**

ELECTIONS UPDATE

COMMITTEE REPORTS:

Recycling Committee:

- The last meetings were held on 7/15/2022 and 7/22/2022.
- Presentation is being moved to the September board meeting.

Park Committee:

- Activity update: Funfest 2022 was well attended and turned out well. The cost to put on the event was \$700. The big reason for the event was to get the park surveys completed and that was successful.
- Parking lot expansion project: no update yet.

Zoning Board of Appeals:

- Meeting 8/9/2022 had two requests for variance.
 - First one was denied as the homeowner wanted to build an outbuilding larger than the allowed 2,400 feet.
 - Second variance was approved to allow the applicant to put an addition that will be 8'4" from the road in alignment with the existing garage.
 - Requesting the board review and approve a new request for a variance form. Some minor changes have been made.
 - Requesting the PC to look at the ordinance that limits the size of an accessory building to 2400 square feet. The ordinance currently would allow the building of multiple buildings but not one larger building regardless of the size of the lot.
 - Next month the ZBA may be asked to make an interpretation relating to a variance.

Planning Commission:

- Knowles will ask the PC to do the review of the outbuilding size ordinance as requested by the ZBA.
- PCI July 2022 report *in packet*.
- July 2022 Complaint log *in packet*.
- July 21, 2022 Regular Meeting was held.
 - Hearings for text amendments that have been provided to the board.
 - Tabled a request from Gun Lake Cocina to change from C2 to C3.

Fire/EMS Report:

- Fire Department wishes to express thanks to the community for their support.
- July 2022 Fire/Emergency Medical responses attached. It was another busy month.
- A grant award was received for backup cameras through the Michigan Township Participation Plan for the amount of \$3,000.
- A donation was received from Jan and Byron Lippert of a piece of sonar equipment.
- Suggested the possibility of using firemen on YST payroll for "on call" general help since the township has a need for general help.

Water Advisory Committee:

- August 2, 2022 meeting minutes attached.
 - Financial reports were reviewed.
 - First wellhead protection meeting will be held in October.
 - No schedule yet for well testing.
- GLASWA August 4, 2022 minutes attached.

**RECYCLING
COMMITTEE REPORT**

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**PARK COMMITTEE
REPORT**

ZBA REPORT

PC REPORT

FIRE/EMS REPORT

**WATER ADVISORY
COMMITTEE REPORT**

Veterans Memorial Committee:

- One brick was sold.
- A meeting will be held in September and will start planning for Veteran’s Day.

Board Action Items:

Office/Hall Renovation Project update:

- Groundbreaking ceremony was Monday, July 18.
- First contractor’s pre-construction meeting held 7/20/22 with Dave Simpson from Mugen and his subcontractors.
- Seasonal help cleaned out the basement and removed boxes of old papers based on the record retention guidelines. The basement work was needed to allow for two footings and floor support beam to be installed.
- New server cabinet approved in July has been installed.
- The office entrance has been changed until the new addition is ready for use.
- There are three possible change order projects that will need to be considered soon (perhaps at September or October meeting):
 - Replace the shed.
 - Add a sidewalk to the shed.
 - Repair/replace the deteriorated pilaster on the east side of the hall.
 - These are add-on items that are not in the original bid.

**OFFICE RENOVATION
PROJECT UPDATE**

Great Lakes Franchise agreement update:

- After review by the township’s attorney, a new agreement was submitted by Great Lakes.
- It should be ready for the Board to approve at a meeting soon.

**GREAT LAKES
FRANCHISE UPDATE**

ARPA Yankee Springs Township roadwork update:

- The Board approved \$150,000 of additional road work for 2022 using ARPA funds at the 6/15/22 special meeting.
- The road commission is doing the projects on the 2022 Road Repair Recommendations list and will provide a detailed list and bill to the Township to meet the requirement for use of ARPA funds.

**MOTION TO APPROVE
BARRY COUNTY ROAD
COMMISSION TO
PERFORM ROAD
REPAIRS PER ARPA
PROJECT PROPOSAL**

Motion by Cunningham with support from VanHouten to approve the Barry County Road Commission to perform the road repairs described on the 2022 ARPA project proposal for an estimated cost of \$144,025. Roll Call Vote: Cunningham: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

Yes: 5, No: 0. **MOTION CARRIED**

Planning & Zoning Administrator Search Committee formation

Motion by VanHouten with support from Cunningham to create a search committee for a planning and zoning administrator and to appoint Rob Heethuis, Frank Fiala, Ron Heilman, Brad Williams and Larry Knowles as committee members. Discussion: This is something that the Township has wanted to work on for quite a while. They would like to find someone who is a township resident. **Roll Call Vote: Cunningham: yes VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.**

**MOTION TO FORM
PLANNING & ZONING
ADMINISTRATOR
SEARCH COMMITTEE**

Yes: 5, No: 0. **MOTION CARRIED**

Amend term of PC member appointed 7/14/22.

Motion by Heethuis with support from Knowles to amend the term of Planning Commission member Greg Purcell to serving out the term of Karen Kennedy who resigned May 3, 2022.

That term will expire 12/31/22. Roll Call Vote: Heethuis: yes; Mousseau: yes; VanHouten: yes; Cunningham: yes; Knowles: yes.

Yes: 5, No: 0. **MOTION CARRIED**

It is time to contract for snow plowing for the upcoming winter.

- It was decided that the Board will ask for a bid for two years.
- The residents who use the walking path in the park want to have that path cleared as well. The Board will discuss with the current contractor if they would have the ability to do that as well as the rest of the township plowing.

The Planning Commission is recommending zoning ordinance text amendments to Sections 3.10, 3.11, 3.12, 3.13, and 3.14.

- Changes would allow accessory buildings in C1 light industrial and industrial districts.
- Add a special exception to the C2 district to allow auto repairs as long as everything is done internally.
- Amend the C3 district and remove the language regarding alcoholic beverages which would put that burden on the Township board.

Motion by Heethuis with support from Cunningham to adopt Ordinance No. 08-11-22 1, Text Amendments to Article III, Sections 3.10, 3.11, 3.12, 3.13 and 3.14 of Township Zoning Ordinance.

Discussion: The amendment regarding liquor licenses was prompted by a request for an on-premises liquor license. If approved tonight the Board cannot act on the liquor license tonight because the change doesn't go into effect until 8 days after publication so that vote will have to be done at September meeting. **Roll Call Vote: Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.**

Yes: 5, No: 0. **MOTION CARRIED**

Littering ordinance adoption:

Motion by Heethuis with support from Cunningham to adopt Yankee Springs Littering Ordinance 08-11-22 2.

Discussion: This is largely a result of littering at the recycling containers but there are other township properties that will be affected as well. **Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes; Cunningham: yes.**

Yes: 5, No: 0. **MOTION CARRIED**

Training Fire Hydrant project discussion:

- The fire department has been concerned that it is difficult for the fire fighters training and for filling water tenders because there is not a hydrant available at the fire station.
- This will be safer and more accessible than using a fire hydrant on a township street.

Motion by VanHouten with support from Cunningham to approve the installation of a fire hydrant at the fire station for the purpose of filling the tender and for training at a total cost not to exceed \$16,000.

Discussion: The fire hydrant is going to be an asset of the water system and the builder/installer pays the cost of installation. Therefore, it will be paid for by the

**MOTION TO AMEND
TERM OF PC MEMBER
APPOINTED 7/14/2022**

**MOTION TO AMEND
ZONING TEXT
SECTIONS 3.10, 3.11,
3.12, 3.13, 3.14**

**MOTION TO ADOPT
LITTERING
ORDINANCE**

**MOTION TO APPROVE
INSTALLATION OF
FIRE HYDRANT AT
FIRE STATION**

township general budget.

Roll Call Vote: VanHouten: yes; Mousseau: yes; Knowles: yes; Heethuis: yes; Cunningham: yes.

Yes: 5, No: 0. **MOTION CARRIED**

Rezoning requests for 11899 W M-179 and 1707 Patterson Road as recommended by the Planning Commission.

- The reason for the one on M-179 is to have that property zoned the same as the car storage development on M-179.

Motion by Knowles with support from Cunningham to adopt Ordinance 08-11-22 3 amending the township zoning ordinance by rezoning Parcel 08-16-020-013-00 from rural agriculture district to C3 commercial district. Roll Call Vote: Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes; Knowles: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- The second request is to revert the property back to residential district because it was changed from that in the past at the request of the homeowner.

Motion by Knowles with support from Cunningham to adopt Ordinance 08-11-22 4 amending the township zoning ordinance by rezoning Parcel 08-16-185-004-00 from C3 commercial district to RSF Residential Single-Family district. Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; VanHouten: yes.

Yes: 5, No: 0. **MOTION CARRIED**

- Blood drive will be held on Wednesday, 8/31/2022 at the Fire Station from 2 PM to 6 PM.

PUBLIC COMMENT:

Kay Stolsonburg: Thanked the Board for approving the zoning change and having the change published so quickly.

BOARD COMMENT:

Cunningham: It's been a good month and gotten a lot done. Started a big project and looking forward to it being a bit slower for a couple months.

Heethuis: Happy Birthday to Mike. One big thing has been started and now another big thing with the zoning.

Knowles: Complimented Mike on all the hard work and what a nice job was done on the election.

VanHouten: Agreed with Larry, heard a lot of positive comments and everything went smoothly with the election. Also wondered about putting out a quarterly newsletter, possibly distributed by email addresses.

**MOTION TO APPROVE
REZONING REQUEST
08-11-22 3**

**MOTION TO APPROVE
REZONING REQUEST
08-11-22 4**

PUBLIC COMMENT

BOARD COMMENT

Mousseau: Marge, Mike, and Barb Cunningham did a great job on the election and they worked very hard on a Saturday and on election night. A lot of work goes on behind the scenes.

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ADJOURNMENT:

Motion by Cunningham with support from Mousseau to adjourn the meeting at 7:17 PM.

Approved by all. Motion Carried.

ADJOURNMENT

Approved by:  Date: 9/19/2022
Michael S. Cunningham, Township Clerk

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
August 15, 2022