

YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting

Thursday, November 9, 2023

6:00 pm

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

MINUTES

MINUTES
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YS Board of Trustees –
Regular Meeting
November 9, 2023

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

PLEDGE OF ALLEGIANCE

INVOCATION

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

Staff Present: Frank Fiala, Dennis Buist, Rich Beukema, Sandy Marcukaitis

Visitors: 14

ADDITIONS/CHANGES TO AGENDA:

The major additions are:

- Christmas On the Corridor presentation
- Fire Station Roof Replacement
- Removal of GLASWA Budget approval

Motion by Heethuis with support from Cunningham to add any and all items in red text to the agenda. Roll Call Vote: Cunningham: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

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

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

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

- Board minutes 10/12/2023 Regular BOT meeting and 10/25/2023 Special meeting.
- October 2023 Accounts Payable: Checks #917665 through Check #917713 total amount \$85,745.34.
- October 31, 2023, Payroll Checks #7687 through Check #7706 = \$16,877.89 net amount: October 2023 Fed P/R withholding \$4,904.17.

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

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

PLEDGE OF
ALLEGIANCE

INVOCATION

ROLL CALL

MOTION TO AMEND
AGENDA

MOTION TO ACCEPT
AGENDA

MOTION TO APPROVE
CONSENT AGENDA

ACKNOWLEDGEMENT OF VISITORS:

Ocean Inc staff (here to adjust audio system as needed)

Catherine Getty (County Commissioner): gave a report on what has been done at the County level since the last meeting, including passing the 2024 budget. Despite the local opposition to legislation pre-empting local control of wind and solar facility siting, that legislation has passed.

Terry Cole (Christmas on the Corridor): shared that the plans are coming together for the event which will include food, music, and pictures with Santa as well as the tree lighting. The committee has done a great job talking with all the local businesses and getting their support.

PUBLIC COMMENT: (Limit 3 minutes)

John Lake (Irving Township Resident): He is a member of the GOP Executive Committee. He is here to share his concerns about the bills that are being considered regarding gun legislation and infringing on Second Amendment rights. He is asking the township to adopt a resolution for Yankee Springs Township to be a Second Amendment Sanctuary township. He would also like the Board to submit to the Barry County Board of Commissioners a request to adopt the resolution that was submitted in March to make the county a Second Amendment Sanctuary County.

TREASURER’S REPORT: By Deb Mousseau, Treasurer

- October 2023 Financial Statement and Investment reports were reviewed.
- Auditors were here in October and have sent their report this week.

Motion by Heethuis with support from Cunningham to accept the Treasurer’s Report. Roll Call Vote: Heethuis: yes; VanHouten: yes; Knowles: yes; Cunningham: yes; Mousseau: yes.

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

CLERK’S REPORT: By Mike Cunningham, Clerk

- November 2023 Current Invoice Journal as of 11/09/2023 \$83,238.28.

Motion by Knowles with support from VanHouten to approve the November 2023 Current Invoice Journal as of 11/09/2023 totaling \$83,238.28. Roll Call Vote: Cunningham: yes; VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.

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

- Election Update:
 - The legislature approved a resolution this morning for the final adjournment of the session next Tuesday, 11/14/2023 at noon. This means that, assuming that they actually adjourn on the 14th, the presidential primary will be Tuesday, 02/27/2024.
 - 9-day early voting would start on Saturday, 02/17/2024 and end on Sunday, 02/25/2024 from 8:00 AM to 4:00 PM each day in Yankee Springs Township.
 - This primary date (probably) forces the Republican party to only allocate a small portion of its delegates based on 02/27/2024 voting and the majority of the delegates in a March 2nd closed-door caucus due to Republican National Party rules.

ACKNOWLEDGEMENT OF VISITORS

PUBLIC COMMENT

TREASURER’S REPORT

MOTION TO APPROVE TREASURER’S REPORT

CLERK’S REPORT

MOTION TO APPROVE INVOICE REGISTER

**RECYCLING
COMMITTEE REPORT**

**PARK COMMITTEE
REPORT**

ZBA REPORT

PC REPORT

**WATER ADVISORY
COMMITTEE REPORT**

FIRE/EMS REPORT

COMMITTEE REPORTS:

Recycling Committee:

- Next meeting will be 12/04/2023.
- Recycling security camera PAR PLAN grant was denied because the resolution was not received by the deadline.

Park Committee:

- Activity update:
 - Waiting for an answer on the Pickleball/Basketball court grant.
 - The pet waste collector has been ordered.
- Parking Lot project final cost: \$153,686.61.
 - Another invoice for engineering was received from Fleis & Vandenbrink for \$494.32. The total engineering cost was almost double what they had predicted it to be.
 - No additional invoices from Fleis & Vandenbrink are expected. The Board discussed that they would not pay any more if received.
 - The Board discussed how to prevent engineering cost overruns on future projects.

Zoning Board of Appeals:

- No October or November meetings.
- Next meeting will be 12/12/2023 if needed.

Planning Commission:

- PCI October 2023 report in packet.
- October 2023 Complaint log in packet.
- Regular meeting held 10/19/2023.
 - This was a public hearing for the zoning amendments that will be voted on tonight.
 - The committee discussed a backyard chicken ordinance. Planner Rebecca Harvey is putting together an ordinance for a public hearing this month.
 - A draft of a new solar ordinance will go to public hearing as well.
 - Discussed the Master Plan and the possibility of using an outside planner to assist at a cost of \$15,000 to \$20,000. The Board would need to consider that and possibly vote on it next month.
- Next meeting 11/16/2023.

Water Advisory Committee:

- No meeting 11/07/2023.
- GLASWA meeting 11/02/2023.
 - Their attorney is working on a draft of an agreement to take to each township to approve for consistency throughout the serviced area.

Fire/EMS Report:

- October 2023 Fire/Emergency Medical response in packet.
- Alice Jansma has been chosen to be the new Fire Committee Chairperson.
- The committee is working on a measurement system for how the fire department is doing overall.
- Fire Station Roof replacement completed. The cost to the township was \$1,000 which is the insurance deductible.
- Next meeting 12/06/2023.

- The EMS said that our township does a good job of sending the appropriate amount of first responders when needed.

Veterans Memorial Committee:

- 11/11/2023 @ 11:00 AM Veterans Day Ceremony. There will be music and speakers as well as food and a silent auction for a painting donated to the Memorial.
- Cards and letters were received from Star Elementary School and some of these will be read at the event.

Board Action Items:

- Audio system update:
 - The audience gave feedback and it was felt that the system was working well and they could hear the Board more clearly.
- 2023 Kitchen Renovation Project Update:
 - This project is on the capital budget for an estimated \$30,000.00.
 - The current Township policy states: *Hall usage is limited to the entry, hallway, main hall room and restrooms regardless of whether or not other rooms are locked. Use of the kitchen is not allowed.*
 - This policy was unanimously approved at the 5/13/2021 board meeting.

Motion by Heethuis with support from Knowles to make the kitchen available to groups

using the hall. Discussion: The board reviewed some possible reasons to NOT allow food in the meeting hall versus possible reasons TO allow food in the meeting hall.

- The primary use of the hall is for meetings (not social gatherings). The area could be considered more of a “break room” than a kitchen. Some items stored in the kitchen have been purchased by staff and should not be available for public use. Due to the fact that there is now carpeting and upholstered chairs it could be more difficult to keep clean if food is allowed.
- If changed, groups that have meetings here could use the kitchen on a limited basis. This renovation is taxpayer dollar supported and that is one reason to allow the use.

Roll Call Vote: *Cunningham: no; Mousseau: yes; VanHouten: yes; Heethuis: yes; Knowles: yes.*

Yes: 4, No: 1. **MOTION CARRIED**

Motion by Heethuis with support from Knowles to strike the sentence in the Township Hall Policy “use of kitchen is not allowed”.

Discussion includes the same reasons as above. It was discussed if there could be a requirement of a deposit that would be returned after the event if no additional cleaning was needed. At this time there is no charge for using the hall. It’s possible that more groups would ask to use the hall if they are allowed to have food and drink.

Roll Call Vote: *Cunningham: no; Knowles: yes; Mousseau: yes; Heethuis: yes; VanHouten: yes.*

Yes: 4, No: 1. **MOTION CARRIED**

- The revised scope was created based on the 10/25/2023 Special Meeting discussions and consensus agreement.

Motion by Cunningham with support from Heethuis to approve the 10/25/2023 kitchen renovation scope revisions.

Discussion: This was the scope of work that was revised on 10/25/2023. There are other items that could be changed such as not including a garbage

**VETERANS MEMORIAL
COMMITTEE REPORT**

AUDIO SYSTEM UPDATE

**KITCHEN RENOVATION
PROJECT UPDATE**

**MOTION TO MAKE
KITCHEN AVAILABLE
TO GROUPS USING THE
HALL**

**MOTION TO AMEND
TOWNSHIP HALL USE
POLICY**

**MOTION TO APPROVE
REVISION TO SCOPE OF
KITCHEN RENOVATION
PROJECT**

disposal to reduce costs. Further revisions could be done as the quotes are received.

KITCHEN RENOVATION SCOPE OF WORK (REVISED)

- *Lower the suspended ceiling.*
 - *New ceiling tiles, lights & grid.*
 - *Lights to have switches with occupant detection feature.*
- *Remove the large stove hood/vent including exterior equipment & switch.*
- *Remove the old cabinets and countertops & sink next to stove.*
 - *The water filter, sink & faucets will be reused.*
 - *Install garbage disposal.*
- *The existing refrigerator will be reused.*
- *The existing stove will be replaced with a new stove of standard width.*
- *Remove the old pass-through window shutter.*
- *Check the existing wiring & replace as needed.*
 - *Install plug (and switch) under right hand sink for garbage disposal.*
- *Install new cabinets in the same locations as existing.*
- *Install overhead cabinets on the west wall.*
 - *Install the existing or new microwave above the stove.*
 - *Vent existing or new microwave to the outside.*
 - *Patch hole in exterior wall from old vent.*
- *Paint the walls.*
- *Remove existing flooring.*
- *Install new flooring to match the hallway flooring. Material already purchased.*
- *Install new locks on both kitchen doors.*
- *Close off the pass-through opening leaving a recess on the meeting hall side with hard surface countertop matching similar surfaces in the hall.*
- *Provide option to install new, hard surface countertops vs laminate countertops.*

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

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

- *There is one estimate so far (Mugen Construction) which indicates that the budgeted amount is far too low.*
- *An advertisement has been placed in the newspaper for additional estimates but none have been received.*
- *HWC has measured and inspected the kitchen and will provide an estimate.*
- *Two other contractors have been called. One is busy until May and the other has not called back. Additional contractors may be called.*
- *If all estimates come in high, we will need to reduce the project scope or increase the budget. Mugen & HWC have been provided with the 10/25/2023 scope revision which should provide some savings.*
- *We have ordered the remaining stock of flooring which is now discontinued. The flooring should arrive in a few weeks.*
- **Zoning issues update:**
 - *The inventory of the car junkyard has been completed and 122 vehicles have been logged with the vehicle identification numbers.*
 - *The township will go back in six months to evaluate progress.*
 - *The agreement requires it will be cleaned up within two years from the start date of 10/01/2023.*

- Meeting was held with regard to the short-term rental moratorium.
 - Some definitions may be changed.
 - A cap may be put in place on short term rentals.
 - There will be a change in the fees.
- Possible rezoning/2001 clerical error correction:
 - A property owner on Russell Drive came to the township with a question on why his property is zoned Residential Lakefront when it is not on the lake. It was determined that this was most likely a clerical error and it should actually be Residential Single Family.
 - This needs to be corrected and it is felt there should be no cost to the resident to do this.
 - Our attorney recommended that going through the normal rezoning process is the best approach. The township can waive the fee and include it with another public hearing so that there is no cost to the owner.

**MOTION TO REZONE
PROPERTY ON RUSSELL
DRIVE**

Motion by Cunningham with support from Knowles to waive the public hearing fee and submit this to the Planning Commission for inclusion in the next public hearing 12/21/2023.

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

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

- Ordinance text amendments: The Planning Commission recommended changing some language regarding SEUs for home occupations from “will” do an annual inspection to “may” do an annual inspection.

**MOTION TO ADOPT
ORDINANCE #11-09-2023
AMENDING TOWNSHIP
ZONING ORDINANCE**

Motion by Knowles with support from VanHouten to adopt Ordinance #11-09-2023 amending Section 1, Article IV, Sections 4.2 and 4.3 of the Township Zoning Ordinance.

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

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

- 2024 Annual Road Commission meeting will be 01/08/2024 at 10:00 AM. A new four-year plan will be presented to the Board by the Road Commission. This is an informational meeting, and no decisions will be discussed or made.

PUBLIC COMMENT:

PUBLIC COMMENT

John Lake (Irving Township): Provided some additional information regarding his request to the township for a resolution pertaining to the Second Amendment.

Robin Lansma (Township Precinct Delegate): She supports the proposal by John Lake. She also expressed her appreciation for the Christmas on the Corridor event. She has concerns about the 88% overrun on the engineering costs for the park project. She feels that there should not be outside entities brought in to work on the Master Plan. Looking forward to the Veterans Ceremony.

David Lansma (Township Precinct Delegate): He also supports John Lake request. He appreciates the Board’s stand to be vigilant against outside agendas and maintaining local control over issues that affect the township. Expressed his thanks for the planning of the events for Veterans Day and Christmas.

Rich Beukema (Valley Drive): Shared his strong support of the 2nd Amendment and appreciates the effort of these gentleman.

Jim Hooker (Township Delegate): Thanked John Lake for his service and supports this resolution being adopted. The township needs to familiarize themselves with the new rules regarding open carry and CPL rules regarding elections and absentee ballots. A lot of people are not aware of these rules and there could be issues.

Todd Fox (Wayland Township): Thanked all the veterans for their service and the Board for upholding the constitution. Encouraged the Board to support Mr. Lake and the resolutions he has proposed to the Board.

BOARD COMMENT:

Mousseau: Thanked Dave VanHouten for all his hard work on the Veterans Ceremony and Christmas on the Corridor. Happy Thanksgiving and your tax bills will be coming out soon thereafter.

VanHouten: Don Williamson places the bricks on the pathway to the Memorial. We just got two new ones and he already has them installed. Any veterans out there are welcome to join the Committee.

Cunningham: Thanks to Dave and the Veterans Committee for the quality of the ceremony. Christmas on the Corridor is a 100% private enterprise. Board members are involved and support it, but the township is not funding it. Hope to see it continue after this year and be an annual event like Gun Lake Winterfest. With regard to the resolution about the pre-emption of township local rule, there was a lot of chatter on the MTA forums (pro and con). The MTA lobbied against it and found 87% of the people they surveyed were also against it, but it has passed anyway. Appreciate everyone's effort to communicate with their legislators even though it was a doomed effort.

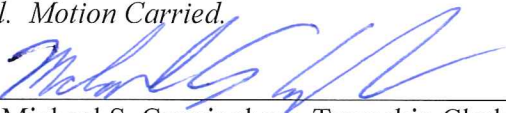
Knowles: The state is coming at us with a lot of stupid stuff like this, it's a shame. We heard about the 2nd amendment thing. It's quite deep. Larry thanked Dave for taking on the Christmas event.

Heethuis: Please join us on Saturday for the Veterans Day ceremony.

ADJOURNMENT:

Motion by Mousseau with support from Knowles to adjourn the meeting 7:52 PM.

Approved by all. Motion Carried.

Approved by:  Date: 12/01/2023
Michael S. Cunningham, Township Clerk

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
November 10, 2023

BOARD COMMENT

ADJOURNMENT