

YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting

Thursday, October 12, 2023

6:00 pm

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

MINUTES

MINUTES
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YS Board of Trustees –
Regular Meeting
October 12, 2023

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

PLEDGE OF ALLEGIANCE

**PLEDGE OF
ALLEGIANCE**

INVOCATION

INVOCATION

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

ROLL CALL

Staff Present: Frank Fiala, Rich Beukema, Brad Williams, Joe Shea, Sandy Marcukaitis,
John Frigmanski, Dennis Buist

Visitors: 5

ADDITIONS/CHANGES TO AGENDA:

The major addition are:

Visitors

Pet Waste Dispenser Request (RCV)

GFWC payment (RCV)

Discontinued flooring (RCV)

Renewable energy preemption resolution (RCV)

Website update decision (RCV)

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

**MOTION TO AMEND
AGENDA**

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

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

**MOTION TO ACCEPT
AGENDA**

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

- Board minutes 09/14/2023 Regular BOT meeting.
- September 2023 Accounts Payable: Checks #917623 through Check #917664 total amount \$75,193.33.
- September 30, 2023, Payroll Checks #7667 through Check #7686 = \$17,387.66 net amount; September 2023 Fed P/R withholding \$5,107.04; 3rd quarter State withholding \$2,998.40.

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

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

ACKNOWLEDGEMENT OF VISITORS:

Greg Chandler (J-Ad Graphics)

Catherine Getty (County Commissioner): Gave a brief overview of activities in the County. Shared plans for the proposed Commission on Aging Building to be built in conjunction with Harvest Point. There are going to be retirement receptions coming up for Pam Palmer and for Brad Lambert of the Road Commission.

Cindy White (Barry County Clerk)

PUBLIC COMMENT: (Limit 3 minutes)

None

PAYNE LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT 23-4 PUBLIC HEARING

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

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

- Tonight’s meeting is for approval of the assessment roll.
- This is the last opportunity for anyone to make a complaint who wishes to be taken off the tax roll.
- No public comment was made at the meeting.
- One letter in opposition was received from Ernest Olivier of Payne Ridge Dr.

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

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

Motion by Cunningham with support from Knowles to adopt Resolution 10-12-2023 1 confirming the assessment roll as submitted for the Payne Lake Aquatic Plant Control Special Assessment District No. 43-4. Roll Call Vote: Cunningham: yes; VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.

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

TREASURER’S REPORT: By Deb Mousseau, Treasurer

- September 2023 Financial Statement and Investment reports were reviewed.

Motion by Cunningham with support from VanHouten to accept the Treasurer’s Report.

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

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

MINUTES

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**MOTION TO APPROVE
CONSENT AGENDA**

**ACKNOWLEDGEMENT
OF VISITORS**

PUBLIC COMMENT

**PAYNE LAKE WEED
CONTROL SPECIAL
ASSESSMENT PUBLIC
HEARING**

**MOTION TO OPEN THE
PUBLIC HEARING**

**MOTION TO CLOSE THE
PUBLIC HEARING**

**MOTION TO ADOPT
RESOLUTION 10-12-2023 1
CONFIRMING THE
PAYNE LAKE AQUATIC
PLANT CONTROL
SPECIAL ASSESSMENT
DISTRICT**

TREASURER’S REPORT

**MOTION TO APPROVE
TREASURER’S REPORT**

**MOTION TO APPROVE
RESOLUTION 10-12-2023 2
TO NOT IMPOSE
PENALTY ON TAXES
PAID BY 02/28/2024.**

**MOTION TO APPROVE
RESOLUTION 10-12-2023 3
TO NOT IMPOSE
INTEREST ON TAXES
PAID BY 02/28/2024.**

CLERK'S REPORT

**MOTION TO APPROVE
INVOICE REGISTER**

**RECYCLING
COMMITTEE REPORT**

Motion by Cunningham with support from Mousseau to approve resolution # 0-12-2023 2 to not impose the 3% penalty fee for any 2023 Winter bill taxes paid on/after February 15, 2024, through February 29, 2024. Discussion: This has been done since 2008, so why can't the due date just be changed. Mrs. Mousseau will look into that. Mr. VanHouten feels that the bill should just be due when it's due. **Roll Call Vote:** Knowles: no; VanHouten: no; Cunningham: yes; Heethuis: yes; Mousseau: yes.

Yes: 3, No: 2. **MOTION CARRIED**

Motion by Mousseau with support from Cunningham to approve resolution # 10-12-2023 3 not impose the 1% interest fee for any 2023 Winter bill taxes paid on/after February 15, 2024, through February 29, 2024. Discussion: Same as the last resolution. **Roll Call Vote:** Knowles: no; Cunningham: yes; Heethuis: yes; VanHouten: no; Mousseau: yes.

Yes: 3, No: 2. **MOTION CARRIED**

CLERK'S REPORT: By Mike Cunningham, Clerk

- October 2023 Current Invoice Journal as of 10/12/2023 \$66,518.77.
- This includes the final pay application from B&R for the park parking lot project and also an invoice from the Greater Federation of Women's Club for the park berm maintenance.

Motion by Heethuis with support from Knowles to approve the October 2023 Current Invoice Journal as of 10/12/2023 totaling \$66,518.77. **Roll Call Vote:** Cunningham: yes; Mousseau: yes; VanHouten: yes; Heethuis: yes; Knowles: yes.

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

- Mr. Cunningham attended the 2023 MTA Clerks Retreat 9/26 and 9/27. There were good sessions on meeting management, board authority and responsibility, payroll procedures, internal controls, current legislation, and surveillance. The BOE provided some new early voting information.
- A major benefit of in-person attendance is interacting with clerks from around the state and MTA staff and presenters.
- A request for an early voting tabulator and laptop computer is in the board action items.
- Mr. Heethuis also attended the Supervisors Retreat and felt proud of the fact that this Board is in compliance with how the Board should act.

COMMITTEE REPORTS:

Recycling Committee:

- Recycling survey held 10/07/2023 at the recycling site.
- Meeting was held on 10/09/2023; next meeting will be 12/04/2023.
- Informational postcards mailing has been fully reimbursed. No YST funds needed.
- Recycling security camera PAR PLAN grant has been submitted.
- While proper use of the recycling system is improving, use of the metal bin is worse due to people removing materials from the bin which is unsafe and creates potential liability for the township. The Board agreed that signs should be put up saying that nothing should be removed from any of the bins.

Park Committee:

- Activity update:
 - Pickleball/Basketball court grant has been resubmitted with additions approved by the BOT 09/14/2023.
 - Request made for a pet waste bag dispenser with a 6' 4x4 mounting post, all made of recycled plastic.

**PARK COMMITTEE
REPORT**

Motion by Heethuis with support from Mousseau to approve the purchase and installation of a PWPST Pet Waste Bag Dispenser with 6' post for the Township Park for \$412.00. Roll Call Vote: Cunningham: yes; Mousseau: yes; Knowles: yes; VanHouten: no; Heethuis: yes;

**MOTION TO APPROVE
PURCHASE OF PET
WASTE BAG DISPENSER**

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

ZBA REPORT

Zoning Board of Appeals:

- No August, September, or October meetings.
- Next meeting will be 11/14/2023 if needed.

Planning Commission:

- PCI September 2023 report in packet.
- September 2023 Complaint log in packet.
- Regular meeting held 09/21/2023.
 - Discussed SEU Annual Inspections Section 4.3.
 - A public hearing will be next week approving the wording change from “shall inspect an SEU at least once a year” to “may review annually”.
 - Discussed preparation of the Master Plan and reviewed the new Barry County Master Plan to possibly use for guidance.
 - Discussed preparation of a new solar ordinance and Planner Harvey provided a draft ordinance and an additional municipality’s ordinance for review.
 - Will be coming to the next meeting prepared to discuss those.
- Next meeting 10/19/2023.

PC REPORT

Fire/EMS Report:

- September 2023 Fire/Emergency Medical response in packet.
- Fire Station Roof completed 10/10/2023 except for gutters and downspouts. Tentatively scheduled to be done on Friday. 10/13/2023 depending on weather.
- Next meeting 10/18/2023.
- The fire truck is supposed to be delivered to Spencer in January and is on schedule at this time.

FIRE/EMS REPORT

Water Advisory Committee:

- 10/03/2023 meeting
 - Completed their training and received certificates.
 - Meetings will be held as needed for now and will pick back up in the spring.
- GLASWA meeting 10/05/2023.

**WATER ADVISORY
COMMITTEE REPORT**

Veterans Memorial Committee:

- 10/05/2023 meeting – Planning for 11/11/2023 @ 11:00 AM Veterans Day Ceremony.
- More details to come at the next meeting.

**VETERANS MEMORIAL
COMMITTEE REPORT**

Board Action Items:

- Audio system update:
 - The audio system should be in use for our 11/09/2023 BOT meeting.
 - A cabinet to house the equipment rack is being estimated. The cabinet may not be in place for the 11/09/2023 meeting.

- 2023 Kitchen Renovation Project: This project is on the capital budget for an estimated \$30,000.
 - We have one estimate so far which indicates that the budgeted amount is too low. An advertisement will be put in the paper for additional estimates (not sealed bids).
 - The estimates should be received in November so a decision may be made at the December Board meeting.
 - If the estimates all come in high, it will be necessary to reduce the project scope or increase the budget. There may be discussion as to whether it needs to be a full kitchen or a break room which would require less cabinetry, etc.
 - Mugen Construction checked on the availability of the flooring that was used in the hall and discovered it has been discontinued. There is enough available now if we want to purchase it and store it until needed.

Motion by Cunningham with support from Mousseau to purchase the remaining stock of flooring material matching the existing hall entry for use in the kitchen renovation project for up to \$1,000.00. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

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

- Recycling Security Camera Par Plan Grant Request: A motion was passed to approve applying for the grant in September. The grant application requires a resolution.

Motion by Cunningham with support from Knowles to approve Resolution 10-12-2023 4 to apply for a PAR PLAN grant to install a security camera close to the recycling bins for a total of \$8,101.50. Yankee Springs Township would pay \$3,101.50 and the grant would pay \$5,000.00. Roll call vote: Cunningham: yes; Knowles: yes; Mousseau: yes; Heethuis: yes; VanHouten: yes. Yes: 5, No: 0. MOTION CARRIED

- Short Term Rental Moratorium: Mr. Shea, Zoning Administrator, stated that he worked with Attorney Catherine Kaufman to draft this resolution and moratorium.
- Much of this is based on complaints received with regard to short-term rentals and this will allow the Township time to review and make recommendations for any needed revisions.
- This is a temporary measure and will not result in any harm to current STR permit holders. This is a good time frame to do this since rentals are not as busy during winter months.

Motion by Heethuis with support from Cunningham to approve Resolution 10-12-2023 5 establishing a 6-month moratorium on the acceptance of new permit applications for short-term rentals. Roll call vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

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

AUDIO SYSTEM UPDATE

**KITCHEN RENOVATION
PROJECT UPDATE**

**MOTION TO APPROVE
PURCHASE OF
FLOORING MATERIAL
FOR USE IN THE
KITCHEN RENOVATION
PROJECT**

**MOTION TO APPROVE
RESOLUTION 10-12-2023 4
TO APPLY FOR A GRANT
FOR RECYLING AREA
SECURITY CAMERA**

**MOTION TO APPROVE
RESOLUTION 10-12-2023 5
ESTABLISHING A SIX-
MONTH MORATORIUM
ON SHORT TERM
RENTAL APPLICATIONS**

Motion by Heethuis with support from VanHouten to approve payment to the GFWC for 2023 park berm maintenance. Discussion: The payment amount is \$3,000 for the season. It was raised in 2022 from the previous amount of \$2,000. **Roll call vote:** *Cunningham: yes; Heethuis: yes; Mousseau: yes; Knowles: yes; VanHouten: yes.*

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

- Zoning Administrator evaluation:
 - Mr. Heethuis shared that Mr. Shea has exceeded expectations. Adding the position has been a positive change.
 - He and his team have fulfilled the needs of the township.
 - His input has been very helpful to the ZBA.

Motion by Heethuis with support from Knowles approving the Supervisor’s assessment of the Zoning Administrator’s job performance. **Roll call vote:** *Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.*

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

- Mr. Shea shared his positive comments about his position. Now that he has learned the job, he has been able to reduce hours to about 20 hours per week.
- Wants to take the MSU Citizen Planner on-line class this winter while the building season has slowed.
- Feels fortunate to be a member of a great team and appreciates the help from Larry Knowles and the work done by Sandy Marcukaitis, and Brad Williams.
- Zoning issues update – 11857 W M179 Highway - junk car storage.
 - An agreement has been reached with both parties.
 - The Code Enforcer has begun the process of documenting everything that is there on the property.
- Renewable Energy Preemption Resolution 10-12-2023 6
 - MTA is opposing the state’s attempt to pre-empt local control regarding renewable energy facilities (solar farms, large battery facilities, etc.). They provided a sample resolution to be modified by our township if wanted.
 - This is getting discussed this fall in the state legislature.
 - While this may not greatly affect our township, the township opposes preemption of local government authority for all purposes.
 - If approved the resolution will be sent to our state representative.

Motion by Cunningham with support from Heethuis to adopt Resolution 10-12-2023 6 opposing legislation that would preempt local control in the siting and permitting of large-scale renewable energy facilities. **Roll call vote:** *Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.*

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

- Early voting tabulator and laptop purchase

Motion by Cunningham with support from Knowles to approve purchase of an Imagecast Precinct 2/SE Tabulator and Ballot Bin and a Lenovo 21DJ15.6 Laptop Computer, Bag, and

**MOTION TO APPROVE
PAYMENT FOR 2023
PARK BERM
MAINTENANCE**

**MOTION TO APPROVE
ASSESSMENT OF THE
ZONING
ADMINISTRATOR’S JOB
PERFORMANCE**

**ZONING ISSUES UPDATE
– JUNK CAR STORAGE**

**MOTION TO ADOPT
RESOLUTION 10-12-2023 6
TO OPPOSE
LEGISLATION
REMOVING LOCAL
CONTROL WITH
REGARD TO
RENEWABLE ENERGY
FACILITIES**

**MOTION TO APPROVE
PURCHASE OF VOTNG
TABULATOR AND
LAPTOP**

Mouse for up to \$8,100.00. Roll call vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes.

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

- Website update needed.
 - Our website technology (software) is 13 years old.
 - We have experienced issues such as the “robot” for most of 2023. We have had people place links on our website that are not ours.
 - Website visitors state that they have had major issues with their computers after visiting our website.
 - Ocean Inc. cannot effectively deal with all these issues using our older technology.
 - Ocean Inc. has proposed an upgrade to our website for \$2,800. They will build it offsite and then install it.

Motion by Cunningham with support from Mousseau to approve an upgrade to our website for \$2,800.00 using Ocean Inc. Roll call vote: Cunningham: yes; VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.

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

PUBLIC COMMENT:

Cindy White: newly appointed Barry County Clerk. She attended tonight to observe the meeting and to say hello.

Sandy Marcukaitis: As Park Chair, she thanked the Board for approving the Pet Waste Dispenser and thanked the Board for hiring Joe Shea.

BOARD COMMENT:

Mousseau: Thanked everyone for all the work they do. An audit is being done next week.

VanHouten: On the M-179 junk car negotiations, Joe, Brad, and Rob did a good job negotiating that situation and achieved a good settlement.

Cunningham: The junk car removal will be a two-year process, so we’ll have to keep our attention on it.

Knowles: Expressed his appreciation of Joe Shea and the Board made the right decision.

Heethuis: The attorneys did a fabulous job on the junk car situation. Marge made a beautiful centerpiece for the conference room and that is the kind of thing that makes our group really special.

ADJOURNMENT:

Motion by Mousseau with support from Knowles to adjourn the meeting 7:12 PM.

Approved by all. Motion Carried.

Approved by:  Date: 11/16/2023
Michael S. Cunningham, Township Clerk

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
October 13, 2023

**MOTION TO APPROVE
UPGRADE TO
TOWNSHIP WEBSITE**

PUBLIC COMMENT

BOARD COMMENT

ADJOURNMENT