

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES Regular Meeting</p> <p style="text-align: center;">Thursday, February 14, 2013 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p>FINAL MINUTES Approved March 14, 2013 As presented</p>
<p>Meeting called to order at 7:00 PM by Supervisor Mark Englerth.</p> <p><u>Roll Call</u>: All Present: Jerkatis, J. Lippert, Englerth, M. Cook, Campbell.</p> <p><u>PLEDGE OF ALLEGIANCE</u></p> <p><u>Staff Present</u>: Constable Jim Orr, Zoning Administrator Robert Lippert, Alice Jansma, Sandy Marcukaitis, and Frank Fiala.</p> <p><u>Visitors</u>: 12 (not including staff present).</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>PLEDGE</p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA:</p> <ul style="list-style-type: none"> • Under Acknowledgement of Visitors: <u>Add</u> Scott Havens with sprinkling quote for Township Hall. • Under Supervisor's Report: <u>Add</u> Robbins Cemetery • Under Supervisor's Report: <u>Add</u> Letter from Depot Law Office regarding Whispering Pines. 	<p>ADDITIONS TO AGENDA</p>
<p>APPROVAL OF MINUTES:</p> <p>Motion by M. Cook with support from Campbell to accept the Meeting Minutes of the Special Meeting of January 9, 2013 with Barry County Road Commission as submitted. All ayes. MOTION CARRIED.</p> <p>Motion by Jerkatis with support from Campbell to accept minutes of January 9, 2013 Chief Noonday Improvement Signage meeting at 4:30 p.m. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from Jerkatis to approve minutes of Regular Board Meeting of Trustees on January 10, 2013. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from Jerkatis to approve Special Meeting Board Minutes of Joint Meeting of the Board of Trustees, Planning Commission and ZBA held on January 30, 2013. All ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MINUTES</p> <p>Motion to accept the minutes of the Special Meeting of January 9, 2013 with Barry County Road Commission as submitted. MOTION CARRIED.</p> <p>Motion to accept minutes of January 9, 2013 Chief Noonday Improvement Signage meeting at 4:30 p.m. MOTION CARRIED.</p> <p>Motion to approve minutes of Regular Board Meeting of Trustees on January 10, 2013. MOTION CARRIED.</p> <p>Motion to approve Special Meeting Board Minutes of Joint Meeting of the Board of Trustees, Planning Commission and ZBA held on January 30, 2013. MOTION CARRIED.</p>
<p>ACKNOWLEDGEMENT OF VISITORS:</p> <p>Dan Scheuerman, Township Assessor was present at tonight's meeting to update the Board and public on the Yankee Springs Meadows Trailer Park.</p>	<p>Page 1 of 8 YST Bd Trustees 2-14-13</p>

The Trailer Park located east off Patterson Rd. has gone into foreclosure and has been bought out of foreclosure. It has changed hands two or three times since. The new owner is out of Canada. This is in Michigan Tribunal Court. Current owner Ohas appealed the township's appraisal of the trailer park. There is a difference of \$800,000 between the township's appraisal and the owner's. The case has been settled closer to the township's appraisal. The amount of appraisal settled on is \$1.85 million. The township's appraisal was at \$2.1 million. Schools collect the most from the millage of taxes. Schools getting 25 mills and the township getting 1 mill. Jerkatis pointed out that this could mean tens of thousands of dollars. Discussion on proceeding to address the issue of contributions towards the township's costs in this case with the County and Thornapple-Kellogg Schools.

Motion by Jerkatis with support from J. Lippert for M. Englerth to write letter to TK Schools and Barry County to contribute to legal costs of case (YS Meadows). All Ayes. MOTION CARRIED.

C. Stolsonburg, Barry County Commissioner, suggested having all the bills before sending the letters out.

Jim Orr, Veteran's Memorial Update: A meeting was held last Saturday, Feb. 9 with approximately 7 people attending. Several good ideas were given. A committee has not been formed yet. It was decided that the memorial should probably be on township property. Orangeville Township's memorial involved approximately \$26,000 and over 1,000 hours in labor were logged.

TTES REPORT: David Middleton apologized that he didn't have a report for the Board members. He is on vacation this week and the report will be faxed into the Township office.

Total January 2013 runs for TTES: 98

For Yankee Springs:	21
Investigations (smoke alarm/CO Detector)	2
Auto Accidents	2
Medical Emergencies	17

BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg

C. Stolsonburg informed those in attendance that all BC Commissioner Meetings will be video streamed as soon as equipment is in place. Website: barrycounty.org

The sewer leak at the State Park has been found at the channel. A dye test was used to find the leak. Petitions are out to completely re-do the sewer line. C. Stolsonburg has been calling Callton's office. They (Callton's office) are trying to contact the DNR. Mike Callton may come out to Yankee Springs Township personally. There are major concerns with this issue one of them being the falling of real estate prices. Two sewer bids are being worked on.

One is to completely replace the whole infrastructure and another to replace the broken part only.

ACKNOWLEDGEMENT OF VISITORS

Dan Scheuerman, Township Assessor

Motion to write letter to TK Schools and Barry County to contribute to legal costs of case (YS Meadows). MOTION CARRIED.

VETERAN'S MEMORIAL -

Jim Orr, Constable

TTES REPORT: David Middleton

BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg

At the County level, a strategic planning meeting is scheduled for March 20, 2013 at 7 p.m. The main topic of discussion will be facilities such as the courts and the jail.

An inter-governmental workshop is being scheduled for April. Some of the topics to be discussed will be FOIA, Open Meetings Act and Robert Rules of Order.

J. Lippert commented that a letter should go out from the Board (Yankee Springs Twp) to the office of Mike Callton regarding the Sewer/Gun Lake issue.

ALICE JANSMA, DEPUTY TREASURER announced a grant of \$49,986 of the Land & Water Conservation Fund. . Also, a notice was published in The Sun & News to notify the public that they are welcome to come into the Township Hall and see the plans for the YS Township Park. Sandy Marcukaitis would like to see swingsets for young children added. Jerkatis also mentioned some editing should be done on the bottom of page 5 of the report regarding donation of time/equipment from Warren Wheeler. C. Strickland commented that this report/plan needs to be published and available. It is a tool the township can use to obtain grant funds.

A. Jansma also wrote a letter to Allegan County Road Commission regarding the chatter bumps at Patterson and M-179. The response to the letter was that this intersection area will be scheduled to be milled and refilled.

Jansma checked on interest rates on bonds (ref. Mika, Meyers, Beckett & Jones letter dated 1-14-13). The township was advised that 2.5% and 2.0% will probably be the lowest available. The debt of the arsenic removal plant and water tower generated the check on interest rates.

Mark Englerth thanked Alice Jansma for all of her work with the above-mentioned items.

SCOTT HAVENS presented a quote for the sprinkling system. S. Havens installed the original system. The quote was a not to exceed figure including any disruptions that could be involved but couldn't be inspected at this time due to weather conditions. Havens does not foresee the actual bill reaching the quoted amount. Lengthy discussion occurred regarding the obtaining of other proposals.

Motion by Jerkatis with support from Englerth to allow work to be done by Gun Lake Sprinkling Systems for the sprinkling system/irrigation of the lawns surrounding the Township Hall not to exceed \$1,457.00. Roll Call: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. Yes: 5, No: 0. MOTION CARRIED.

PUBLIC COMMENT:

Sandy Marcukaitis suggested S. Havens giving a quote to install a sprinkling system at the YS Township Park.

SUPERVISOR'S REPORT: Mark Englerth

Robbins Cemetery- The deed for the 1969 expansion (parcel) of Robbins Cemetery is at the township hall. It has never been taken to the Register of Deeds.

ACKNOWLEDGEMENT OF VISITORS cont'd:

BARRY COUNTY COMMISSIONER'S

REPORT: Craig Stolsonburg cont'd

Alice Jansma, Deputy Treasurer

Scott Havens, Sprinkling & Irrigation

Motion to allow work to be done by Gun Lake Sprinkling Systems for the sprinkling system/irrigation of the lawns surrounding the Township Hall not to exceed \$1,457.00. MOTION CARRIED.

Motion by J. Lippert with support from M. Cook to properly record deed to expansion of Robbins Cemetery subject to attorney's approval. All Ayes. MOTION CARRIED.

SUPERVISOR'S REPORT:
Mark Englerth

Letter from Depot Law Office- Letter received dated 2/14/13 from lawyer Robert Byington representing Whispering Pines. Englerth sees it as positive steps. J. Lohrstorfer feels comfortable giving Depot Law Firm documents needed to do its job.

Motion to properly record deed to expansion of Robbins Cemetery subject to attorney's approval. MOTION CARRIED.

BREAK: 8:06 p.m. RESUME: 8:20 p.m.

Technology/Meeting/Minutes Recording- Al McCrumb, former Supervisor, commented that his son takes video of the TK football games with a video camera that picks up sound. The camera is less than \$200. Videos can be erased.

BREAK

Discussion occurred as to what other townships are doing to record their meetings. M. Englerth asked M. Cook and Campbell to do a little homework on the legal end and more on the technical end of recording minutes in the future for YS Township meetings. J. Lippert mentioned that ZBA tapes have to be kept forever. Englerth also mentioned that Craig Stolsonburg could be a resource. Stolsonburg commented that the county commissioners have just approved a system for \$2,500 that includes three cameras.

"I" Replaced in Yankee Spr"Ing - This has occurred on the Fire Barn off of Payne Lake Rd.

Township Planner- M. Englerth mentioned that the current township planner has been driving out of Detroit. Englerth mentioned that this might be an opportune time to get involved with a pilot program involving the use of County resources with the help of Jim McManus. Englerth remarked that McManus could come in and work with the local board as needed with a potential savings of \$6,000 a year. Discussion occurred regarding the thoughts of the Planning Commission regarding this, whether or not the Planning Commission should discuss this at their next meeting and then comment on the matter, the possibility of breaking a contract or not with current professional planner, proposed costs/charges from the county, whether the board is asking the PC to put this item on their agenda for consideration. And whether the board is suggesting county assistance is the way to go. Purcell, of the PC feels it is a great opportunity to explore and save money with. Purcell mentioned about not being sure that McManus's services would be free. J. Lippert asked if this would be the first time Barry County has used the services of McManus as a professional planner. Englerth confirmed that this would indeed be the first time the County has entered into this type arrangement.

Englerth commented that he wants to continue YS Township's own Planning and Zoning. He thinks that this is a good opportunity to get help closer to home and save some money and provide better service to the community with funds saved from this move.

Motion by Jerkatis with support from Campbell to have Supervisor Englerth meet with county reps to iron out economic and timing criteria to have county planning

and zoning technical assistance to YS Township with the Planning Commission discussing this information and presenting findings to the Board at next month's regular meeting. Roll Call: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. Yes: 5, No: 0. MOTION CARRIED.

Fiala mentioned having many of the straight forward items being handled by McManus, but not alleviating outside help when needed.

Winter Use of Township Park- Discussion occurred regarding snowplowing, and use of the Township Park during the winter months. It was decided that this discussion will be on next month's meeting agenda.

Recycling Dumpster- currently the township is paying almost \$400.00 a load. M. Englerth commented that he has received quotes of \$325 to \$350 a load which would be a savings of \$15,000 a year. Englerth would like to do a RFP in the paper in the next few weeks and actively go after bids.

Chief Noonday Heritage Route- MDOT- M. Englerth spoke with Rutland Township. Their Supervisor is on board with the Heritage Route program. Englerth will be contacting Wayland Township as well. Englerth noted that the community has benefited from having this designation in the past. J. Lippert asked if G. Purcell had contacted George London (former Supervisor). G. Purcell has not had a chance to make the contact. J. Lippert also asked if the Shell station should have curb cuts. Fiala recalled that Shell was supposed to have special egress and ingress but it didn't occur.

Board of Review Appointments- A couple of people have resigned leaving a vacancy for appointees. M. Englerth commented that advertisement will go out this week for applicants to the Board of Review. A class for the members of the Board of Review will be on February 28. This class would be beneficial for new members, but timing will be very close to the date of approval by the Board. Englerth has two potential appointees. A special meeting could be held if needed by 18 hour notice if necessary to approve appointments.

Drain Commission- Greg Purcell and Rich Beukema went with Mark Englerth to the Drain Commission meeting regarding Cuddy Drain. Both Purcell and Beukema live within close proximity to the Cuddy Drain. Discussion occurred regarding the lack of details for the project, increase of flush and sedimentation, sizes of culverts, vague answers to township representative's questions, GLPA receiving plans and studying the project, and nature taking care of this if something isn't done.

G. Purcell defined what he thought were the three groups of players on this project 1) Traffic perspective 2) Agricultural Community 3) Lake and recreation area. Purcell feels that GLPA (Gun Lake Protective Association) could do an analysis through a professional engineering firm. The Township should ask for plans to give to the GLPA.

At this point, Purcell thinks the Board shouldn't do anything (yet). J. Lippert

Motion to have Supervisor Englerth meet with county reps to iron out economic and timing criteria to have county planning and zoning technical assistance to YS Township with the PC discussing this information and presenting findings to the Board at next month's regular meeting. MOTION CARRIED.

commented that two years ago YS Board sent a letter to the Gun Lake Improvement Board, Allegan Drain Commission & Barry County Drain Commission saying Yankee Springs stood against it. Further discussion took place regarding what was involved in the project, Allegan County's role in this project, a letter dated Feb. 8th saying the cost to YST would be \$76,000, dredging costs, designing a rapids, and still not having a final cost amount to the project. M. Englerth commented that the township should continue to organize people and make this work the way it was supposed to. He commented that he didn't think further action is needed at this time.

MTA Conference Reports- the conference in Detroit was attended by Frank Fiala, Mark Englerth and Bob & Jan Lippert. All four attendees gave a brief summary of the seminars they participated in and information they received.

January/February Sewer and Water Report- report was included in the board member's folders. It was noted that the sewer system is 30 years old.

Gun Lake Menu –

- **Buoys**
- **Park Sewer**
- **Overlay Zoning**
- **Cuddy Drain**
- **Decibel Meter law enforcement**
- **Disturbing the Peace Ordinance**
- **Contract with Township/Sheriff Dept. and Lake Assoc.**
- **Water Testing Section 19**
- **Auxiliary Marine Patrol**
- **Whispering Pines Site Condos**

Regarding the information above, Englerth commented that if anyone had an interest or wants to get involved with anything, they are welcome to it.

Nitrate Levels- it has been reported that there are high levels of nitrate in Cobb Lake and Barlow Lake.

Williams & Works Letter- Rebecca Fleury of Middleville has invited YS Township to be involved in a Joint Planning Proposal with Irving, Thornapple Townships, and Caledonia. At this time, YS Township wants to continue the conversation but is not ready to sign a contract.

December SPR's : (2): 1- house addition, 1- garage addition

PCI Report: January: Added value: \$278,800. Six permits were issued. Permit Fees: \$1,796.00

Planning Commission: At the PC's January meeting, the following officers were announced: Chairman: Frank Fiala, Vice-Chair: Greg Purcell, Representative to

SUPERVISOR'S REPORT:
Mark Englerth cont'd

March Agenda Item

ZBA: Rich Beukema, and Secretary: Cathy Strickland. The PC concurred with the Board of Trustees on suspension of sign enforcement until resolved.

McKenna Billing: The January bill was \$450.00.

Motion by M. Cook with support from J. Lippert to pay \$450 to McKenna & Assoc. for January services. Roll Call: Jerkatis: no, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. Yes: 4, No: 1. MOTION CARRIED.

ZBA: No meeting was held this month. Notification of the resignation of Keith Middlebush (Secretary) was received. Ad will go in the paper this Saturday requesting applications for a replacement. Discussion occurred regarding members that are in Florida, Scott Havens preferring to stay as an alternate.

BUOY UPDATE: Letters were issued and documents were received from all but two on Gun Lake. There have been no objections so far. Englerth commented that he would like the locations of the buoys mapped out. R. Lippert replied that the buoy map was in his 2006 report to the Board and gave a word of caution advising that the DNR has the right to say no to the locations of buoys.

FEMA - The current total of Letter of Map Amendments is: (No additions for January)

278 LOMA's of 465.

There has been some disagreement with the application within FEMA. FEMA is questioning whether a public meeting has taken place. A public legal posting will take place in The Sun & News advising that a map is in the township hall for public viewing. This will meet FEMA requirements. Discussion took place on whether or not the map will be available on the YS Website. Purcell remarked that it would be easier for access if it were on the website.

Cathy Strickland commented that every June the PC members have to renew their Master Planner certification. The date this year is June 13, 2013 for re-certification.

TREASURER'S REPORT: by John Jerkatis

Motion by M. Cook, with support by J. Lippert to accept the Treasurer's report as presented. All Ayes. MOTION CARRIED.

CLERK'S REPORT: by J. Lippert

Motion by M. Cook with support from Campbell to approve payroll checks #4791-4811 for the amount of \$11,330.67. Roll Call: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. Yes: 5, No: 0. MOTION CARRIED.

Clerk Lippert fielded any questions and explained any items relating to accounts payable checks presented. The current ledger format gives details for every check.

Motion by Jerkatis with support from M. Cook to approve accounts payable

ZONING ADMINISTRATOR'S REPORT: by Robert Lippert

Motion to pay \$450 to McKenna for January services. MOTION CARRIED.

TREASURER'S REPORT: by John Jerkatis

Treasurer's Report approved.

checks #911907- 911941 dated 1/15/13 thru 2/14/13 for the total amount of \$46,992.96. Roll Call: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. Yes: 5, No: 0. MOTION CARRIED.

CLERK'S REPORT: by J. Lippert cont'd

Audit Presentation: Discussion occurred as to when this presentation will take place. If necessary, a special meeting could be held and an 18 hour notice posted.

Accounts Payroll approved

Telephone System Upgrade Proposals-J. Lippert commented that the office staff is complaining about the current phone system which drops calls along with other issues. J. Lippert has obtained three quotes. Discussion took place on the current problems of the system, features offered by new systems, new phones vs. a new system, and other office issues such as floors, storage space and need for more space, (possibly an addition to the current office area). M. Englerth mentioned that maybe a meeting could be held on a Saturday and some of these issues could be discussed. Maybe a workshop could take place and have all the staff attend and talk about what could be done over a 30, 60, and 90 day period. Possibly a small conference room addition could be considered. M. Englerth feels there's a need to look at doing things short term and make things a little easier for the office and more work-friendly.

Accounts Payable approved.

R. Lippert requested that he would like a new phone for current use at this time.

BSA Software Update: J. Lippert experienced a complete shut down of the system on Jan. 19th. The correction took over a week. A report will be coming in regarding the shutdown. The township's system was not compromised at any time during the shutdown.

Water System Reliability Study dated 8/11/2011: The Board previously allocated funds for a water system reliability study. This was taken out of the water system account. The township never received the report. The water company received it.

Township Hall Rented: The twp. hall has been rented for a CCW class to be held Feb. 19 and 23rd.

OTHER PUBLIC COMMENT:

OTHER PUBLIC COMMENT

Length of meetings was brought up by B. Campbell. Campbell noted that it really didn't seem to be "community friendly" when the meetings lasted 3 to 4 hours. M. Cook mentioned that maybe a time limit could be placed on parts of the meeting. "Maybe we need some self-timing," commented M. Cook. Discussion occurred about rearranging the order of reports.

ADJOURNMENT:

ADJOURNMENT

Motion by Jerkatis with support from M. Cook to adjourn at 10:58 PM. Approved by all.

Respectfully submitted:
D. Mousseau
Recording Secretary 2-14-13

Date: 2-21-13 draft jcl
Final Approval of Minutes: March 14, 2013