

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES Regular Meeting</p> <p style="text-align: center;">Thursday, July 12, 2012 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p>Circulated July 24, 2012 FINAL MINUTES Approved Aug. 9, 2012 As presented</p>
<p>Meeting called to order at 7:15 PM by Supervisor Al McCrumb. This meeting followed two Special Assessment meetings held at 6:00 p.m. and 6:30 p.m.</p> <p><u>Roll Call:</u> All Present: Jerkatis, J. Lippert, McCrumb, M. Cook, Schwennesen</p> <p>PLEDGE OF ALLEGIANCE</p> <p><u>Staff Present:</u> Frank Fiala, Alice Jansma, Constable Jim Orr, Zoning Administrator Robert Lippert.</p> <p><u>Visitors:</u> 16 (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"> • There were no additions or corrections to tonight's meeting agenda. 	<p>ADDITIONS TO AGENDA</p>
<p>APPROVAL OF MINUTES:</p> <p>Motion by J. Lippert with support from M. Cook to accept the minutes of the Special Assessment District #40 meeting of Theris Drive on June 14, 2012 at 6:30 p.m. as submitted. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from Schwennesen to accept the Regular Board of Trustee meeting minutes of June 14, 2012 as submitted. All ayes. MOTION CARRIED.</p> <p>Motion by J. Lippert with support from M. Cook to accept minutes as presented for the Proposed Budget Fiscal Year 2012-2013 Public Hearing of June 29, 2012. All ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MINUTES</p> <p>Motion to accept minutes of the Special Assessment Dist. #40 meeting of Theris Drive. Motion Carried.</p> <p>Motion to accept minutes of the Regular Board of Trustee meeting of June 14, 2012. Motion Carried.</p> <p>Motion to accept minutes of the Proposed Budget Fisc. Year 2012-13 Public Hearing of June 29, 2012. Motion Carried.</p>
<p>ACKNOWLEDGEMENT OF VISITORS:</p> <p>Pat Kreple, of N. Briggs Rd., representing the General Federation of Women's Club – Gun Lake Area, requested that the board consider the G.F.W.C's (Gun Lake) their desire to have a Memorial Garden at the YS Township Park. Three of the club's members have passed away this year. Also, if the board grants the request to have a memorial garden at the park, P. Kreple asked where the garden should be located. McCrumb asked the Club to present to the board where they'd like to have the garden. M. Cook thought it was a lovely idea and suggested having the garden near a water source. Pat Kreple will return in a month with the plans. The club already</p>	<p>ACKNOWLEDGEMENT OF VISITORS</p> <p>Pat Kreple representing GFWC (Gun Lake Area Women's Club).</p> <p>Page 1 of 7 YST Bd Trustees 7-12-12</p>

has items such as a large Crimson maple and a bench to put in the park. A memorial plaque would be placed on the bench and another plaque would be placed in the garden.

ACKNOWLEDGEMENT OF VISITORS: Cont'd

TTES- Dave Middleton- Chief Middleton was present at the meeting earlier in the evening but had to leave due to an emergency call. A monthly report was given to board members just before D. Middleton left the meeting.

BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg- C. Stolsonburg apologized for missing last month's meeting.

Regarding animal control, C. Stolsonburg will be bringing a proposal before the Board of Commissioners next week. This proposal will leave control and enforcement with the Sheriff.

An (MMRA) insurance refund will be used for improving security in the courthouses. Recently, during a high-profile trial or hearing, 60 to 70 knives were removed.

The 2013 Budget cycle will begin soon with a \$1,000,000 deficit.

Report from Paul Heystek and Frank Fiala: On June 28, Paul Heystek and Frank Fiala visited a drilling site in Kalkaska. At the site, they met with Rick Henderson who is in charge of mines and wells in the state of Michigan. At this site, they were withdrawing gas, oil and brackish water. Heystek said that they could not smell anything, but there was definitely noise. The gentlemen they spoke with had been with the company for 32 years. P. Heystek has a list of contact people for anyone with questions. This list will go to board members. Heystek also mentioned that they've had contact with a DEQ/DNR source and they were told that state land will have no well drilling. Derricks can not be on state property. It was noted that directional drilling is still permitted. The smallest are to apply for a permit is 40 acres. The Forest Manager of the DEQ commented that there cannot be drilling within a 1/4 of mile of any lake, stream or wetland. Jerkatis inquired as to how often authorities are on site to make inspections. Heystek commented that there is a high/low monitoring system on site. It will shut down the operation if there is a problem. Heystek also spoke with a secretary on site and the secretary also lives near a drilling site as well. The secretary said that she and her neighbors "watch" the site.

Heystek also mentioned that the State has a website to check on permits being filed for- on a weekly basis. The DEQ Hotline phone number, along with the list of contacts will be available to the township board. Heystek noted that the people that he has been talking with the state have been so much more helpful then in his past experience. He feels that this is a result of the governor

ACKNOWLEDGEMENT OF VISITORS: Cont'd

TTES REPORT: David Middleton - no report due to an emergency call.

BARRY COUNTY COMMISSIONER'S REPORT: C. Stolsonburg

Report from Paul Heystek and Frank Fiala

promoting the treating of individuals as “customers”. Frank Fiala added that DEQ has been “challenging” in the past to work with. There is a new concept that the governor has brought in place and they call it “regulation reinvention” They are trying to look at the purpose of the regulations and the rules and finding some that serve no purpose and they eliminate them.

PUBLIC COMMENT: (Limit to 3 minutes)

Ms. Marta Jurczykowski, of Park Drive, was just checking on the status and progress on buoys. McCrumb commented that currently the board was trying to get prices on the buoys and chains to hold them in place. The fire department will assist in putting out and taking in the buoys.

Robert Lippert, Zoning Administrator commented that is was not an overnight process. A legal procedure has to be followed for placement of the buoys. The DEQ has to issue permits for the locations of the buoys. A separate permit needs to be issue for each buoy. All of this information was provided in a report that R. Lippert made back in 2006. R. Lippert also added that there could be a liability for selective re-enforcement (placement of buoys). The buoy ordinance has been on the books since 1977.

John Jerkatis, Treasurer, inquired to whether or not the permit process could get started. **M. Cook, Trustee** would like to initiate the permitting process as well. She felt that the price of \$5,000 or \$7,500 would be a cheap price to pay for public safety.

Paul Heystek, YS Resident, a “no-wake” zone sign with the ordinance number on it.

Al Schwennesen, Trustee spoke with Bill Johnson of the Barry County Marine Division. Bill Johnson said a sign is an option. But you have to have a landowner to place it on their property. A flyer that was distributed to board members last month said the buoys were capable of handling 35 to 40 pounds of chain for the anchor. Schwennesen mentioned that a lot of the buoys on Cobb Lake are located in two feet of water. He feels these buoys will need an internal ballast. The ballasts were mentioned in the flyer that if we needed them, they were available. The depth of water should be known of placement of buoys for this reason.

Mike Cunningham, Heritage Bay Dr., would like to encourage sticking with just the fire department on placing and taking out buoys. He commented that people will change but there will always be a township. The fire department has storage area as well.

Alice Jansma, Deputy Supervisor, asked if a time frame could be on this situation. Four weeks of the summer have already passed.

Motion by M. Cook with support from Jerkatis to allow up to \$6000 for buoys needed with supplies. All ayes. MOTION CARRIED.

Clerk J. Lippert commented that the Zoning Administrator will keep the

PUBLIC COMMENT:
(Limit to 3 minutes)

Ms. Marta Jurczykowski,
of Park Drive

Robert Lippert, Zoning
Administrator

Motion to purchase up to
\$6000 in buoys and
supplies. Motion Carried.

board members informed and he'll put a memo out and copy of communication with the DNR for the permit application process. It will be available for public information.

Robert Lippert, Zoning Administrator noted that permission must be granted by each landowner adjacent to where a buoy is placed.

Bruce Campbell, Oakwood Shores Dr., asked what would happen if a landowner said no to having a buoy on their property. R. Lippert replied that they would seek an alternate site.

Tom Wallace, of First St., said that his family has a cottage on Pine Lake and it took about two weeks to get twelve buoys into Pine Lake.

Pat Krepel, N. Briggs Rd., asked, "Doesn't public safety override riparian rights?" Brief discussion occurred after that comment.

Russ Oudbier, Manitou Lane, was not at the earlier meeting regarding the road work to be done on Manitou Lane. R. Oudbier wondered how long the slag seal would last. Frank Fiala of the Road Commission was on hand and said that slag seal (stone & tar) should last five to seven years, and the 2" mill overlay would last from 15 to 20 years. R. Oudbier felt that if the landowners are going to pay for the 2" mill, the township's percentage (of payment towards the road work) should be higher because the road will last twice as long. McCrumb explained that the township is willing to pay for the slag seal. "If you want something better than that, that is where our payment stops," replied McCrumb." Also R. Oudbier mentioned that he has five lots.

McCrumb asked if they are all on one tax bill. R. Oudbier said they were not on one tax bill. McCrumb replied that R. Oudbier would probably be charged for five properties. R. Oudbier commented that he uses most of them for parking. McCrumb explained that the road work will improve the properties even though they are vacant. McCrumb mentioned the option of putting more than one on a tax bill. **Alice Jansma, Deputy Supervisor**, also mentioned that there will be another meeting on the Manitou Lane Special Assessment. A notice will go out in the mail.

TREASURER'S REPORT: by John Jerkatis

Motion by M. Cook, with support by Schwennesen to accept the June 2012 financial statement as presented. Approved by all. MOTION CARRIED.

BREAK: 8:15 P.M.

RESUME: 8:30 P.M.

SUPERVISOR'S REPORT: Al McCrumb

- GLASWA Report
- Bids on exterior water tower cleaning (YS Twp General Fund) - Discussion occurred regarding the need of the exterior cleaning. McCrumb said that no one from the general public has called in and

PUBLIC COMMENT:

cont'd

TREASURER'S REPORT

Treasurer's Report approved
June 2012 statement

BREAK

SUPERVISOR'S REPORT:

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said that the water tower looks dirty.

- Performance Resolution for MDOT State Highway right of way- Pennock Hospital is talking about a Grand Opening with a possible 5K run on M-179. Pennock will not be able to do this unless YS Township has a Performance Resolution. Discussion occurred.

Motion by Jerkatis with support M. Cook to table the resolution for 30 days to review information. All ayes. MOTION CARRIED.

Discussion: A. Jansma commented that the plans of Pennock could be held up. J. Lippert mentioned that she'd like to have an attorney look at the resolution. Fran Faverman mentioned that you have to identify what section they (Pennock) is going to use. Someone will be responsible for traffic and establishing a different route. A complete map will be needed before issuing a permit. Also mentioned was 5K equals 3.1 miles. M. Cook felt that maybe not so much information was needed on the permit, but a little more information was needed from Pennock regarding this matter.

SUPERVISOR'S REPORT: Al McCrumb cont'd

- Revenue Sharing- An invitation was extended to YS Board members to attend the Revenue Sharing announcement to be held Wednesday, July 18th for the distribution of casino funds. The event is to be held at the Wayland Township Hall at 6 p.m.
- MDOT- will be holding a series of meetings to be held to address state transportation needs through 2035.
- Campaign signs: McCrumb mentioned that there are rules and regulations regarding campaign signs. Permission must be given by landowner to put a sign up. No campaign signs are allowed on state land or YS Township property. Or in the public right-of-ways.

ZONING ADMINISTRATOR'S REPORT: by Robert Lippert

June SPR's: (4): 1- outdoor wood burner, 2 – fences, and 1 – house addition

Planning Commission:

- Driveway permits being a pre-requisite for a land split or division was discussed.
- An amendment was made to the township's Portable Business Ordinance allowing the sale of fireworks.
- Discussion occurred on a more equitable way of determining the size of an accessory building and formulas to make it relevant to the parcel size as well.

ZBA: met in July (last week) to hear a request for a variance in setback for the street side for a garage. The request was approved. As a result, the ZBA is asking the Planning Commission to review the Township's setback

Motion to table Performance Resolution for 30 days. Motion Carried.

ZONING ADMINISTRATOR'S REPORT: by Robert Lippert continued

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requirements on streets because a number of the requests that they get for variances are a result of the average distance between being skewed by one or two properties. In this particular case the average setback was 25 feet and the variance requested was 21 feet but the average was skewed greatly by two adjacent lots of 45 feet and 58 feet (which throws the average out) and there are various ways to compensate for that.

Complaints: No new complaints for June.

McKenna Billing-

Motion by M. Cook with support from J. Lippert to approve the June billing of \$517.50 and to be passed onto the Planning Commission. Ayes: (4), Nays: (1). MOTION CARRIED.

Jerkatis questioned the rate that McKenna was charging for S. Traxler. R. Lippert commented that the same rate was charged for S. Traxler as it was for G. Milliken even though S. Traxler is two levels higher in ranking or hierarchy than G. Milliken. Jerkatis asked how many certified planners were currently in the township. There are four (4 Certified) Citizen Planners from Y.S.Twp. (Bob Lippert Frank Fiala, Cathy Strickland, and Richard Beukema).

FEMA - The current total of Letter of Map Amendments is:

272 LOMA's of 465. (58% Margin of Error)

Paul Heystek hasn't heard anything from the engineering firm, but will try to contact them next week.

MTA- Hot Topics Session for Planning & Zoning- Michigan Zoning Enabling Act regarding wireless communication towers; land, lot divisions and mergers; and non-conforming use of structures are some of the items that will be covered. The closest meeting will be in Battle Creek on August 7 (Election Day). Other locations will have meetings on August 8, 9, or the 13th.

Motion by J. Lippert with support by Jerkatis to allocate up to \$800 to MTA- Hot Topics Session for Planning & Zoning. Date of attendance to be determined by attendees. All ayes. MOTION CARRIED.

CLERK'S REPORT: by J. Lippert

Clerk Lippert fielded any questions and explained any items relating to accounts payable checks presented.

Motion by M. Cook with support from J. Lippert to approve accounts payable checks #911614 - 911644 for the total amount of \$19,570.00. All ayes. MOTION CARRIED.

Motion by M. Cook with support from J. Lippert to approve payroll checks #4627-4646 for the amount of \$13,994.25. All ayes. MOTION CARRIED.

Motion to approve McKenna May billing. Motion Carried.

FEMA Update ZONING ADMINISTRATOR'S REPORT: by Robert Lippert continued

Motion to allocate up to \$800 to attend the MTA – Hot Topics Session for Planning & Zoning in August. Motion Carried.

CLERK'S REPORT: by J. Lippert

Accounts Payroll & Payables approved.

(The amount of \$13,994.25 includes the EFT to the IRS.)

Election law update- Redistricting has taken place. In accordance with state law, new voter I.D. cards were sent out from the clerk.

The Barry Amateur Radio Association will be at the Township Hall and at locations in the area to help with the Tri-Del-Sol Triathlon on July 21, 2012.

J. Lippert requested a brief Election Commission Meeting be held after adjournment to appoint election inspectors for the August 7, 2012 election.

The cemetery contract renewal will be on the agenda for August.

OLD BUSINESS:

Clerk reported the Coman Cemetery sextons will be taking care of the tree concern of Mrs. Middleton.

NEW BUSINESS:

TTES Report for month given by McCrumb:

For June: For Yankee Springs calls: Fire: 7, Medical: 20

OTHER PUBLIC COMMENT:

Frank Fiala commented that Brad Lamberg from the BCRC asked him to mention that slag sealing is done. The slag sealing will be followed up by picking up loose stones. For the subdivisions, a vacuum type procedure (subcontracted out) will be used to pick up the loose stones as well. Also the engineers, at no additional cost, are planning on doing some additional seal work where a black adhesive is sprayed to hold the stones better and give the pavement a better appearance and make it smoother. The loose stones should be taken care of before the Triathlon.

ADJOURNMENT:

Motion by M. Cook with support from J. Lippert to adjourn at 9:21 PM.
Approved by all.

Respectfully submitted:
D. Mousseau
Recording Secretary 7-16-12
Clerk

Approved Draft Date: 7-20-12 jcl

Janice C. Lippert, Township

Final Approval of Minutes: Aug. 9, 2012

OLD BUSINESS

NEW BUSINESS

OTHER PUBLIC COMMENT

ADJOURNMENT

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