

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES</p> <p style="text-align: center;">Regular Meeting</p> <p style="text-align: center;"><u>Thursday, June 13, 2013</u></p> <p style="text-align: center;">Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p>FINAL MINUTES Approved July 11, 2013 As presented</p>
<p>Meeting called to order at 6:59 PM by Supervisor Mark Englerth.</p> <p>Roll Call: Jerkatis, J. Lippert, Englerth, M. Cook and Campbell. (All Present).</p> <p><u>PLEDGE OF ALLEGIANCE</u></p> <p>Staff Present: Constable Jim Orr, Interim Zoning Administrator Larry Knowles, Alice Jansma, Frank Fiala, and Sandy Marcukaitis.</p> <p>Visitors: 13 (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"> • Addition: Starr Adams, of Whispering Pines to Acknowledgement of Visitors. 	<p>ADDITIONS TO AGENDA</p>
<p>APPROVAL OF MINUTES:</p> <p>Motion by M. Cook with support from J. Lippert to approve May 9, 2013 Board of Trustee Regular Meeting minutes as presented. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from Campbell to approve minutes of May 22, 2013 Special Meeting – Work Session of the Board of Trustees as presented. All Ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from Jerkatis to approve minutes of June 4, 2013 Cuddy Drain Informational Meeting as submitted. All Ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MINUTES</p> <p>Motions to approve May 9, 2013 Board of Trustee Regular Meeting minutes, May 22, 2013 Special Mtg./Work Session minutes, and June 4, 2013 Cuddy Drain Info. Meeting minutes as presented. MOTION CARRIED.</p>
<p>ACKNOWLEDGEMENT OF VISITORS:</p> <p><u>Starr Adams, of Whispering Pines</u>, requested a temporary permit for docks that have been out in prior years until the zoning issue is resolved. M. Englerth, Supervisor, explained the process and the current involvement of two attorneys, the Interim Zoning Administrator and the President of the Gun Lake Association. S. Adams commented that they are complying with everything to come to the meeting on June 20, 2013 (Planning Commission meeting). Adams would like to accommodate renters to get through this year to pay the taxes. Englerth explained that the Board of Trustees meeting was not the place for the discussion taking place. M. Englerth gave S. Adams his phone number and would be willing to speak to her regarding the matter.</p>	<p>ACKNOWLEDGEMENT OF VISITORS</p> <p><u>Starr Adams, of Whispering Pines</u></p> <p>Page 1 of 8 YST Bd Trustees 6-13-13</p>

ACKNOWLEDGEMENT OF VISITORS cont'd

BARRY COUNTY COMMISSIONER'S REPORT: Craig Stolsonburg

Equalization values have been finalized and revenue should increase 1.5 to 2%. He has suggested eliminating the Agricultural Preservation Board. Strategic Planning Committee will meet July 1, 2013 to continue discussion on jail needs as well as other items.

TTES REPORT: David Middleton – No report

VETERAN'S MEMORIAL - Jim Orr, Constable

1. Clearing of the future site of the memorial will take place on June 29 & 30th. Heavy equipment will be on site. The start time each day for volunteer work is 8:00 a.m.
2. The Veteran's brick order will be available soon.
3. The next meeting will occur at the Fire Station, but a date has not been set yet.

Discussion took place on parking at the fire station for the site and donations being tax deductible.

TREASURER'S REPORT: John Jerkatis

Motion by M. Cook with support by Campbell to accept the May Financial Treasurers report as presented. All ayes. MOTION CARRIED.

M. Cook commented that she appreciated the inclusion of the Veteran Memorial Fund in the Treasurer's report.

Motion by Jerkatis with support from Campbell to approve and adopt a resolution of June 13, 2013 rescinding the 1% administration fee included in township property taxes and to disregard late fee for tax payments during the period of February 14, 2014 and February 28, 2014. ROLL CALL: Jerkatis: yes, J. Lippert: no, Englerth: no, M. Cook: no, Campbell: yes. NO – 3, Yes – 2. MOTION FAILED.

Discussion took place regarding usually voting on this item after the budget is set. Also discussion included that all other townships collect the administration fee. It was noted that the 1% fee would amount to approximately \$76,000.

CLERK'S REPORT: by Jan Lippert

Motion by M. Cook with support from J. Lippert to approve May payroll check #s 4877-4896 including EFT24 for the total amount of \$13,106.68. ROLL CALL: J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes, Jerkatis: yes. Yes: 5. No: 0. MOTION CARRIED.

Principles of Governanace (MTA) read by M. Englerth. This document was sent to all townships. Jan will frame for display at the Township Hall.

ACKNOWLEDGEMENT OF VISITORS cont'd

BARRY COUNTY COMMISSIONER'S

REPORT: Craig Stolsonburg

TTES REPORT: David Middleton – No report

VETERAN'S MEMORIAL - Jim Orr, Constable

TREASURER'S REPORT:

Treasurer's Report approved May Financial Report

Motion to approve and adopt a resolution of June 13, 2013 rescinding the 1% administration fee included in township property taxes and to disregard late fee for tax payments during the period of February 14, 2014 and February 28, 2014. MOTION FAILED.

Payroll Approved May Payroll

Motion by M. Cook with support from J. Lippert to adopt Principles of Governance as documented by MTA, Resolution #06-01-2013. All ayes. MOTION CARRIED.

Omega Systems – Server Quote for the main server for all the computers in the township office. It will take 35 to 40 hours to install upon approval. Discussion regarding possible interruption with tax bills being printed and sent out on July 1. Discussion also took place regarding difficulty of internet service issues in the township hall. Three board members have been having trouble getting service.

Motion by M. Englerth with support from Campbell to obtain new server for the quote of \$3,637.50 from Omega Systems and installed before July 1, as not to interfere with tax bills. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

DEQ Permits-

Lakeridge Dr. - 142' seawall & 165' seawall
England Drive- Remove existing seawall
Valley Drive – 55' seawall
Palmer Drive – Barlow Lake – Excavation of 22 cubic yards of material in 50' area.
Payne Lk. Rd. – Sea wall – Denied.

MTA Annual Dues 2013-2014 to be paid 7-01-13:

Motion by M. Cook with support from Englerth to pay MTA dues of \$3,996.67 by July 1. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

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

Motion by Jerkatis with support from Englerth to approve accounts payable checks #912050 - 912079 for the total amount of \$21,974.14. ROLL CALL: J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes, Jerkatis: yes. Yes: 5. No: 0. MOTION CARRIED.

Budget Amendments: (2012-13 Fiscal Yr)

Alice Jansma reviewed the 2012-13 budget amendments that were a result of the Workshop meeting held last Tuesday, June 11th.

Motion by M. Cook with support from J. Lippert to approve and adopt **Resolution #06-02-13** Amendment to the General Fund budget for the **Revenues** amount from \$725,000 to \$782,000. ROLL CALL: J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes, Jerkatis: yes. Yes: 5. No: 0. MOTION CARRIED.

Expenditure Budget Amendment 2012-13

CLERK'S REPORT: by J. Lippert

Motion to adopt Principles of Governance as documented by MTA, Resolution #06-01-2013. MOTION CARRIED.

Motion to obtain new server for the quote of \$3,637.50 from Omega Systems MOTION CARRIED.

Motion to pay MTA dues of \$3,996.67 by July 1. MOTION CARRIED.

Accounts Payable approved

Motion to approve and adopt **Resolution #06-02-13** Amendment to the General Fund budget for the **Revenues** amount from \$725,000 to \$782,000. MOTION CARRIED.

Motion by M. Cook with support from Jerkatis to approve and adopt **Resolution #06-03-13 Amendment** to the Budget to correct **Expenditures** amount to \$1,193,286.00. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

Mark Englerth thanked Alice Jansma and Jan Lippert for all of their work on the budget. Discussion to conduct a Special Meeting to prepare for the adoption of the Budget 2013-14. Consensus is June 18th at 7:00 p.m. John will be absent.

On Wednesday, June 26th at 6:30 p.m. will be the Public Hearing to Adopt the 2013-14 Budget.

PUBLIC COMMENT:

Shelli Smith, of the Barry-Eaton Health Department, spoke of summer activity sheets offered to all elementary and middle schools. These sheets outline free and low-cost family friendly activities occurring throughout the summer. Both the Barry County and Eaton County Summer Activities information sheets are available at www.barryeatonhealth.org under NEWS. S. Smith also noted that the health department has started a Health Impact Assessment for Complete Streets in Middleville. This program, “Complete Streets”, considers health items when planning streets and construction. Also, the B. Healthy coalition website launching in June in Barry County is www.bhealthybarrycounty.com. Another website available is <http://do1thing.com>. This website helps families prepare a plan in the event of a disaster or emergency. Lastly, <http://www.barryeatonhealth.org> is a website residents can go to find information about safely capturing a bat in their homes.

FEMA- Paul Heystek- gave an update on the current FEMA situation. FEMA will be doing an update as of September 16. With these changes, some people will be in the flood plain that weren't in it before. These residents will have an opportunity to give information to FEMA. There is an approximate 60 day window of opportunity as of tonight's meeting date. P. Heystek would like to get information to these residents as a township. Approximately four or five properties are involved. Mary Ann Gehrke of Park Drive received a letter that gave the impression that FEMA was “correcting” maps. M. Gehrke feels it would be a nice courtesy to notify residents involved. County Surveyor, Brian Reynolds, was very complimentary to the work of Paul Heystek (per M. Englerth). Greg Purcell of the Planning Commission also complimented Paul's work and mentioned that it would be nice for the media to comment on the FEMA information. Fran Faverman of The Sun & News requested a copy of the FEMA letter. She also mentioned that she had first heard of the FEMA information (that her residence was in the flood plain) through her mortgage company, and inquired as to whether or not the County Geographer could be involved in this issue.

Mike Cunningham, of the Planning Commission, referred to the Board's decision earlier in the meeting not to waive the 1% Administrative fee for the property tax roll. M. Cunningham wanted to comment that at least one resident believes the way to

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

Motion to approve and adopt **Resolution #06-03-13 Amendment** to the Budget to correct **Expenditures** amount to \$1,193,286.00. MOTION CARRIED.

PUBLIC COMMENT

Shelli Smith, of the Barry-Eaton Health Department

control government spending is not to give them money in the first place. Cunningham commented that he was saddened that the board voted against the motion of John Jerkatis to waive the 1% administrative fee. M. Cook mentioned that the issue was not dead and there will be one more budget and special work session meeting before the taxes are sent out by July 1st.

BREAK: 8:19 p.m. RESUME: 8:34 p.m.

ZONING ADMINISTRATOR’S REPORT: by Larry Knowles, Interim ZA

SPR’s:

- Fence (May go to Planning Commission for recommendation).
- Storage Building on Bowen’s Mill Road.
- Deck on Elmwood Beach
- House on Griffeth
- Fence on Briggs Rd.
- Deck on Gun Lake Rd.

PCI Permits:

- Electrical: 8
- Building: 7

ZBA:

- Meeting was held June 11, 2013 for a setback variance and there will probably be another meeting on July 9th for a setback hearing on England Dr.

Planning Commission:

- Items for meeting of June 27th (instead of July 4th meeting date):
- Perrin Excavating is requesting a SEU for a C-3 zoning area.
- McCloskey accessory building on Beatrice.

Also, on Oct. 18, 2012 it was agreed upon by the Planning Commission to change the maximum square footage of outbuildings to 1600 sq. feet from the previous maximum of 1280 sq. feet. This change was presented as a “first reading” to be considered at the next Board meeting in November. It was not formally approved by the Township Board.

Motion by M. Cook with support from Campbell to approve and adopt amendment of maximum outbuilding square footage to 1600 sq. feet in all zoning except Rural Residential and Rural Agricultural. This change is Ordinance #06-01-13. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

Frank Fiala, Planning Commission Chairman, commented about the workings of the Planning Commission. Requested workshop meetings extended to December.

Motion by Jerkatis with support from M. Cook to approve additional monthly meetings of the Planning Commission. All ayes. MOTION CARRIED.

PUBLIC COMMENT:
cont’d

BREAK

Motion to approve and adopt amendment of maximum outbuilding square footage to 1600 sq. feet in all zoning except Rural Residential and Rural Agricultural. This amendment is Ordinance #06-01-13. MOTION CARRIED.

Frank Fiala; Chr. P/C

Fiala also commented about the continuation of the Interim Zoning Administrator (ZA) and two assistants. The Planning Commission would like to continue with the current arrangement. M. Englerth commented that all three individuals are comfortable in their positions and doing a good job with customer service.

Motion by M. Cook with support from Campbell to continue arrangement with Larry Knowles as Zoning Administrator (no longer "Interim"). ROLL CALL: Jerkatis: yes, J. Lippert: no, Englerth: yes, M. Cook: yes, Campbell: yes. Yes – 4, No- 1. MOTION CARRIED.

F. Fiala mentioned that seven people attended the Placemaking Seminar today (6-13-13). He thanked the Board for the opportunity to attend.

SUPERVISOR'S REPORT: Mark Englerth

- May Water Report & Update
- Fire Station Facility Update-

Motion by Jerkatis with support from Campbell to approve \$1,015.00 to Yankee Electric to change meter socket and consolidate two meters into one meter to avoid unnecessary meter fees every month.

The flag pole at the Fire Station has been damaged and needs to be replaced. Request up to \$300. For replacement. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

- Informal meeting on June 4th at Thornapple Township – Alice Jansma attended the meeting as well. Fire Chief was on vacation. Thornapple Township will be getting back to YS Township on some prices (equipment that was presented at last months' meeting from Fire Chief)
- DNR Update Re: Canada Goose Roundup/Removal Program-The DNR is seeking a letter of support from the YS Township.
- Cuddy Drain (Minutes 6-4-13)

OTHER PUBLIC COMMENT:

Rich Beukema, of Valley Dr., commented that there was another 2" layer of "chocolate pudding" in the channel after the previous night's rain.

Greg Purcell, of Valley Dr., plans on walking the west side of the Cuddy Drain area with Deb Masselink from the GLPA. G. Purcell welcomed others to join them. G. Purcell commented that one message the neighbors in the Cuddy Drain area would like him to deliver is that they would like support from the YS Township. The residents do not want YS Township to just do the box culvert.

The residents would like to know that the township supports them and will litigate action against debris and sedimentation.

Rich Beukema commented that the DNR will be part of the issue.

Motion to approve additional monthly meetings of the Planning Commission. MOTION CARRIED

Motion to continue arrangement with Larry Knowles as Zoning Administrator (no longer "Interim"). MOTION CARRIED.

SUPERVISOR'S REPORT: Mark

Motion to approve \$1,015.00 to Yankee Electric to change meter socket and consolidate two meters into one meter. Replacement of light up to \$300 to change flagpole light at the Fire Station. MOTION CARRIED.

OTHER PUBLIC COMMENT

Further discussion regarding Cuddy Drain:

OTHER PUBLIC COMMENT: continued

M. Englerth, Supervisor, commented that the culvert needs to be replaced, but just replacing the culvert will not solve the issue. Wayland Township did pass a resolution and petition to combine their drainage district. Englerth mentioned that one of the important things that came out of the informational meeting (held June 4, 2013) was that the drain had to be fair and equitable for all involved.

John Jerkatis, Treasurer, commented that as soon as a township starts dictating the design of the culvert/solution, then the township is held liable. Jerkatis also mentioned dredging.

R. Beukema added that dredging has to be done every year. The problem is the volume of sedimentation because of neglect. Beukema wants the board to stand along with the residents of the drain area and say to Allegan County, "Clean up your mess."

Jan Lippert, Clerk, took pictures after the rain storm and saw the debris accumulated on the West side of the culvert (Allegan). A 2x6 was sticking out of the debris along with several branches (cut).

Englerth encouraged everyone to take a look at First Street, and the situation there.

R. Beukema commented that the culvert could be put in, but also the sand trap should be cleaned out, and the debris also cleaned out of the channel, as well as, human and cow manure. Beukema mentioned that he pulled an 8 foot plus log out of channel. Beukema referred to the channel as "Barry County's Aquatic Landfill".

J. Lippert also mentioned the petition signed by Wayland, commenting that it would force YS Township to have a document to "amend" their action, and define what needs to be addressed.

Englerth added that the resolution should be well-written, with a mission statement ready. "Fair and equitable" are words that need to be involved in the document.

J. Lippert questioned when the next informational meeting would take place. **G. Purcell** commented that the group is pretty close to sitting down with the township attorney to write up a companion piece to Wayland Township's document.

Mary Ann Gehrke, Area Director of the GLPA, commented that one of the families who received the letter regarding the Perrin SEU permit, did not realize where the equipment involved in the issue was actually located. A Patterson Rd. address was given. Gehrke asked if letters could go out to people who live on the channel and people living on Park Drive be notified of the situation. M. Gehrke, contacted a DEQ representative out of Grand Rapids and was assured that Perrin is not to be dredging without permits.

Gehrke also mentioned at other times a semi truck is parked overnight with refrigeration units humming all night long. Weed cutting equipment is stored there in their neighborhood.

G. Purcell commented that Carl Perrin will be coming to the Planning Commission meeting to be held on June 27th and agreed that people on the channels should be notified. Also, conversation turned to the possibility of the Perrin's dredging work becoming a full-time business and if he is buying a lot and "setting up shop".

Tim Gehrke mentioned the location of the discussed situation and questioned if this was a sign of future development near this residential area.

G. Purcell volunteered to deliver notices on Valley Drive, if the township would be willing to print the notices. M. Gehrke volunteered to cover Park Drive. G. Purcell noted that the location has to be clearly identified. Englerth commented that he would get the address and name.

M. Gehrke mentioned that signage could be a future issue too.

OLD BUSINESS:

Sandy Marcukaitis distributed information on playground equipment. S. Marcukaitis mentioned the continued need for baby or toddler equipment at the YS Township Park. Marcukaitis also commented that parents are dragging a table into the play area to view their children while playing on the equipment. The tables in the play area are a potential hazard, so benches are needed. The park committee is looking for volunteers to excavate ground in preparation for the installation of play equipment. Discussion took place regarding consulting Warren Wheeler, YS resident, for a possible competitive bid (of playground equipment).

M. Englerth will contact W. Wheeler. Also mentioned by Jerkatis was the need for restrooms at the park. A main issue involved would be staffing to daily open and close restrooms.

Motion by Jerkatis with support from Campbell to approve up to \$12,500 to purchase equipment, but W. Wheeler must be contacted first. ROLL CALL: Jerkatis: yes, J. Lippert: yes, Englerth: yes, M. Cook: yes, Campbell: yes. All Yes – 5. MOTION CARRIED.

NEW BUSINESS:

M. Cook commented that the ZBA doesn't function well with "part" of a board. A request was made to have a fifth member by the July meeting. The ZBA is getting into the busy season. It was determined that a ZBA appointment will be at the June 26, 2013 meeting.

ADJOURNMENT:

Motion by M. Cook with support from Jerkatis to adjourn at 10:15 p.m. Approved by all.

Respectfully submitted:
Deb Mousseau
Recording Secretary 6-13-13

Date: _____
Approved: _____
Janice C. Lippert, Township Clerk

Final Approval of Minutes: July 11, 2013

OLD BUSINESS

Motion to approve up to \$12,500 to purchase equipment, but W. Wheeler must be contacted first. MOTION CARRIED.

NEW BUSINESS

ADJOURNMENT