

**YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting**

Thursday, December 14, 2023

6:00 pm

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

MINUTES

MINUTES
Page 1 of 8
YS Board of Trustees –
Regular Meeting
December 14, 2023

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

PLEDGE OF ALLEGIANCE

**PLEDGE OF
ALLEGIANCE**

INVOCATION

INVOCATION

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

ROLL CALL

Staff Present: Dennis Buist, Brad Williams, Joe Shea, Frank Fiala

Visitors: 14

ADDITIONS/CHANGES TO AGENDA:

- One minor change: Removing the appointment to the Recycling Committee

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

**MOTION TO AMEND
AGENDA**

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

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

**MOTION TO ACCEPT
AGENDA**

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

- Board minutes 11/09/2023 Regular BOT meeting.
- November 2023 Accounts Payable: Checks #917714 through Check #917759 total amount \$95,120.59.
- November 30, 2023, Payroll Checks #7707 through Check #7726 = \$17,656.16 net amount. November 2023 Fed P/R withholding \$5,240.91.

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

**MOTION TO APPROVE
CONSENT AGENDA**

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

ACKNOWLEDGEMENT OF VISITORS:

Rob Heethuis: Acknowledged **Donna Archer** for her work on “Christmas on the Corridor” and acknowledged **Chuck Shira** for his work on writing the grant application for the Parks

**ACKNOWLEDGEMENT
OF VISITORS**

Committee.

PUBLIC COMMENT: (Limit 3 minutes)

David Lansma (Payne Lake Road): Added his thanks to those that were recognized tonight for the work they do for the Township. He requested that the Board adopt both resolutions provided by John Lake with regard to the Second Amendment and discussed some of the reasons for that support.

Robin Lansma (Payne Lake Road): Also provided her support for the adoption of the resolutions presented by John Lake for all the reasons stated by her husband. Thanked everyone for the Christmas on the Corridor event.

Jim Hooker: Asked the Board to support the Second Amendment Resolution.

Al Schwenneson: Spoke against short term rentals being allowed in areas of single-family dwellings.

TREASURER'S REPORT: By Deb Mousseau, Treasurer

- November 2023 Financial Statement and Investment reports were reviewed.

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

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

- Winter tax bills were mailed 12/01/2023 and are due 02/29/2024.
- Office will be open until 5:00 PM on 12/28/2023 and until noon on 12/29/2023 to assist those who wish to make their payments by the end of the year.
- The tax bills contain an error that indicates the office is open until 5PM 12/28/2024, rather than 2023. A correction notice will be in the newspaper.

Motion by Mousseau with support from Cunningham to collect 50% of the 2024 Wayland Union School tax levy at a cost of \$2.50 per parcel. Roll Call Vote: VanHouten: yes; Mousseau: yes; Knowles: yes; Heethuis: yes; Cunningham: yes.

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

- Siegfried Crandell has completed the 2022/2023 audit. Adjusting entries have been made, and board members have been provided with copies.

CLERK'S REPORT: By Mike Cunningham, Clerk

- December 2023 Current Invoice Journal as of 12/14/2023 \$35,367.79.

Motion by Cunningham with support from Knowles to approve the December 2023 Current Invoice Journal as of 12/14/2023 totaling \$35,367.79. Roll Call Vote: Cunningham: yes; Mousseau: yes; Knowles: yes; VanHouten: yes; Heethuis: yes.

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

- Election Update:

PUBLIC COMMENT

TREASURER'S REPORT

**MOTION TO APPROVE
TREASURER'S REPORT**

**MOTION TO COLLECT
WAYLAND UNION
SCHOOL TAX**

CLERK'S REPORT

**MOTION TO APPROVE
INVOICE REGISTER**

- The 2024 presidential primary will be Tuesday, 02/27/2024.
- 9-day early voting will 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.
- Precinct 1 and Precinct 2 early voting will be at the Township Hall. 02/27/2024 election day voting will take place in the usual Hall (Precinct 1) and Fire Station (Precinct 2) locations.
- The 2022 election law requires some additional informational mailings, and AV ballot application procedures that have changed. Please pay attention to any election information that you receive during this election cycle.
- There will be a 911 millage renewal on the ballot in addition to the presidential candidates.

COMMITTEE REPORTS:

Recycling Committee:

- The last meeting was 12/04/2023. The next meeting will be 01/08/2024.
- The committee plans to have a table at the 2024 Winterfest on Saturday, 02/17/2024.

**RECYCLING
COMMITTEE REPORT**

Park Committee:

- Activity update:
 - Recreation Passport grant was approved.
 - After January 1st they will start with getting engineering done and then start to solicit bids and go forward from there.

**PARK COMMITTEE
REPORT**

Zoning Board of Appeals:

- No November or December meetings.
- Next meeting will be 01/09/2024 if needed.

ZBA REPORT

Planning Commission:

- PCI November 2023 report in packet.
- November 2023 Complaint log in packet.
- Regular meeting held 11/16/2023.
 - Public hearings will be next week on these items: Solar Ordinance, Backyard Chicken Ordinance, and rezoning parcel on Russell Drive.
- Starting work on a Wind Power ordinance.
- PC wants to know if the Board wants them to work on a burning ordinance.
 - No ordinance is in effect at this time.
 - The Board will discuss if this is something they want addressed.
- Next meeting 12/21/2023.

PC REPORT

Fire/EMS Report:

- November 2023 Fire/Emergency Medical response in packet.
- Meeting 12/06/2023.
 - Mr. VanHouten gave an overview of issues discussed at that meeting.
 - Mr. Cunningham mentioned that the township is being charged for more hours from Wayland and it is something to keep an eye on.
- The EMS meeting will not be held until January.
- Shared a picture of the new fire truck. The first payment is currently scheduled for February 2024.
- Next meeting is 01/10/2024.

FIRE/EMS REPORT

Water Advisory Committee:

- No meeting 12/05/2023. No meetings scheduled until spring.

**WATER ADVISORY
COMMITTEE REPORT**

- GLASWA meeting 12/07/2023. More discussion under Board Action Items.

Veterans Memorial Committee:

- 11/11/2023 Veterans Day Ceremony Review
 - Approximately 160 attendees. There was one medical issue, but the Fire Department and the EMS handled it very well.
 - The letters that were read by the students were very nice and all the letters were delivered to the Grand Rapids Veterans Home.
 - Appreciated the support from the community and the donated food from the Curly Cone.
 - Appreciated Annie VanHouten singing and donating her painting to the committee.

MINUTES
Page 4 of 8
YS Board of Trustees –
Regular Meeting
December 14, 2023
**VETERANS MEMORIAL
COMMITTEE REPORT**

Board Action Items:

- Audio system update:
 - The new system is being used now. Adjustments were made to improve the quality of the sound.
 - The cabinet has been installed, but the front door and access panel have been sent back for some modification.
 - The Board had approved up to \$21,000 for this project. Costs so far are \$19,133 from Ocean Inc. The cabinet is being paid for by the township and with that it should come out right at the estimated amount.
- 2023 Kitchen Renovation Project Update:
 - This project is on the capital budget for an estimated \$30,000.00.
 - Three estimates received:
 - Mugen Construction \$41,887 with laminate; \$47,137 with hard surface countertops.
 - HWC (Home Works Corp.) \$45,821 with laminate; \$49,858 with hard surface countertops.
 - Koval Construction \$23,860 with laminate; \$27,660 with hard surface countertops.
 - Koval’s bid included oak or hickory cabinets. The other two quotes included painted cabinets.
 - The remaining stock of flooring which is now discontinued has been delivered. The cost is around \$1,000.
 - The township has not selected any colors or styles yet. This could result in some change orders.
 - In addition to the contract cost the township will need to supply:
 - A new, standard width electric stove (up to \$800).
 - Change order to cover any hidden electrical costs (unknown amount).
 - New, over the range microwave oven (up to \$300).
 - Any costs related to change orders (unknown amount).

AUDIO SYSTEM UPDATE

**KITCHEN RENOVATION
PROJECT UPDATE**

**MOTION TO AWARD
THE KITCHEN
RENOVATION TO
KOVAL CONSTRUCTION**

Motion by Knowles with support from Cunningham to award the kitchen renovation project to Koval for a total cost of \$27,500 including 10% contingency and laminate countertops.

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

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

ZONING ISSUES UPDATE

- Zoning issues update:
 - Short Term Rentals: Main feeling is that STRs don’t belong in RSF zoning.

The main ideas so far:

- Find a way to eliminate STR from SF neighborhoods.
- Get back to the traditional STR where the owner is living on premises. If owner is present STR would be allowed in all zones.
- Commercial STR allowed in all but RSF, RLF, SR zones.
- Requesting an increase in the registration fee to \$500 for those who are renewing their permits for 2024.
- There is a company that can be hired to monitor who is offering short term rentals versus who is registered to do so with the township. They do offer other services for a higher fee.
- These items can be added to the January Board Meeting agenda.

Property owner on Bowens Mill Road is asking approval to split property into three separate parcels. It has been approved by Joe Shea and Dan Scheuerman.

Motion by Heethuis with support from Cunningham to approve the 8121 Bowens Mill Road 08-16-014-006-00 parcel split. Roll Call Vote: Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.

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

- Sewer System Service Contract and Franchise Agreement: This proposed agreement would turn this into something more like a utility run by the GLASA board which is one member from each of the four townships served.

Motion by Knowles with support from Cunningham to adopt Resolution #12-14-2023 authorizing the Yankee Springs Township Supervisor and Clerk to sign the water system service contract and franchise agreement. Roll Call Vote: Cunningham: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

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

- Mr. Knowles shared that there have been posts on social media about an upcoming rate increase and he wants to make sure everyone knows that there is a rate increase coming but it will not be in effect until January 2025.

Motion by Cunningham with support from Knowles to approve the 2024 service contract with Ocean Inc. for a total of \$3,710.00. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

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

Motion by Cunningham with support from Mousseau to approve the 2024 annual meeting schedule. Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; VanHouten: yes.

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

Motion by Cunningham with support from Mousseau to establish seven (7) business days as the ADA assistance noticing time to be used for all Township OMA/ADA meeting notices and establish the Supervisor as the contact official. Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

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

MINUTES
Page 5 of 8
YS Board of Trustees –
Regular Meeting
December 14, 2023

**MOTION TO APPROVE
THE 8121 BOWENS MILL
ROAD PARCEL SPLIT**

**MOTION TO ADOPT
RESOLUTION #12-14-2023
REGARDING THE
WATER SYSTEM
SERVICE CONTRACT**

**MOTION TO APPROVE
2024 SERVICE
CONTRACT WITH
OCEAN INC.**

**MOTION TO APPROVE
2024 ANNUAL MEETING
SCHEDULE**

**MOTION TO ESTABLISH
7 BUSINESS DAYS AS
THE NOTICING TIME
FOR ALL TOWNSHIP
MEETINGS**

- 2023 Required Annual Review of the Township Attorney Contact Policy

Motion by Cunningham with support from Knowles to not make any changes to the current Township Attorney Contact policy for the year 2024. Roll Call Vote: Cunningham: yes; Mousseau: yes; VanHouten: yes; Heethuis: yes; Knowles: yes.

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

- Planning Commission and Zoning Board of Appeals Reappointments

Motion by Heethuis with support from Knowles to appoint Rich Beukema to a new PC 3-year term ending 12/31/2026. Roll Call Vote: Cunningham: yes; VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.

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

Motion by Heethuis with support from Knowles to appoint Lee Kooistra to a new PC 3-year term ending 12/31/2026. Roll Call Vote: Knowles: yes; Mousseau: yes; Cunningham: yes; VanHouten: yes; Heethuis: yes.

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

Motion by Heethuis with support from VanHouten to appoint Mike Boysen to a new ZBA 3-year term ending 12/31/2026. Roll Call Vote: Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.

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

- Request from the Village of Middleville Ad-Hoc Library Committee for a donation of \$2,500 toward the Needs Assessment Survey.
 - Our township attorney advises that we can make a contribution but advises against it at least at this time.
 - The township did not make a contribution to the Henika Library Committee.
 - This is likely to be an issue on the ballot in the future.

Motion by Cunningham with support from Knowles NOT to make a contribution of \$2,500 to the Middleville Library Committee towards the Needs Assessment Survey. Roll Call Vote: Cunningham: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes; Knowles: yes.

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

- 2024-2026 Cemetery Maintenance Agreement
 - The current contract has been in place for three years at \$20,900 per year.
 - The contract covers maintenance of the three active and two (smaller) inactive cemeteries in the township.
 - The new contract is for another three years.
 - The new contract cost is \$22,990 per year, which represents a 10% increase over the three years or a compounded 3.28% increase each year.

Motion by Cunningham with support from Mousseau to approve a new three-year contract with Wickham Cemetery Care LLC as the Township's Cemetery Sexton at a cost of \$22,990 per year. Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

MOTION TO NOT MAKE CHANGES TO THE TOWNSHIP ATTORNEY CONTACT POLICY FOR 2024

MOTION TO APPOINT RICH BEUKEMA TO A 3-YEAR TERM ON THE PC

MOTION TO APPOINT LEE KOOISTRA TO A 3-YEAR TERM ON THE PC

MOTION TO APPOINT MIKE BOYSEN TO A 3-YEAR TERM ON THE ZBA

MOTION TO NOT MAKE A CONTRIBUTION TO THE MIDDLEVILLE LIBRARY COMMITTEE

MOTION TO APPROVE A NEW CONTRACT WITH WICKHAM CEMETERY CARE

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

Motion by Heethuis with support from Knowles to set the 2024 BOT/PC/ZBA Joint Meeting for Wednesday, January 24, 2024 at 6:00 PM. Roll Call Vote: Cunningham: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

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

- Second Amendment Resolution request discussion
 - The township board was presented with two resolutions at our 11/09/2023 board meeting.
 - In researching this, it was discovered that the oath book used by the township should be replaced as it uses the word “perform” where it should be using the word “discharge”. A new oath book with the correct wording will be purchased.
 - Our township attorney provided some comments regarding these resolutions:
 - Regulation of firearms is primarily limited to the State and Federal government.
 - The township has no jurisdiction regarding gun legislation.
 - The Second Amendment does apply in Yankee Springs Township.
 - Declaring the township to be a Second Amendment Sanctuary would be largely symbolic.
 - The township should be hesitant to be seen as attempting to interfere with lawful actions carried out by State and Federal authorities with regard to gun legislation.
 - While the Board members support the Second Amendment it was not felt that this was something that should be adopted.

Motion by Heethuis with support from VanHouten NOT to adopt these two resolutions, one declaring Yankee Springs Township to be a Second Amendment Sanctuary Township, and the second requesting the Barry County Board of Commissioners do the same for Barry County. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

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

PUBLIC COMMENT:

Dave Lansma (Payne Lake Road): He appreciated the discussion regarding the Second Amendment.

Jim Hooker: He is disappointed on the vote regarding the Second Amendment resolutions.

Robin Lansma (Payne Lake Road): Expressed her sincere appreciation of the Veterans Day Event. With regard to the Middleville Library, she feels it is a pretty loose group and encourages the Township to stay “hands off” that project.

BOARD COMMENT:

Mousseau: On Thursday, December 28, 2023 we will be open 9:00 AM to 5:00 PM for tax payments. Also thanked Barb and Mike Cunningham for the decorations for the two entrances.

VanHouten: He really enjoyed the “Hallmark moment” Christmas event and working with

MINUTES

Page 7 of 8
YS Board of Trustees –
Regular Meeting
December 14, 2023

**MOTION TO SET THE
2024 JOINT MEETING
DATE**

**MOTION TO NOT ADOPT
TWO RESOLUTIONS
REGARDING
SANCTUARY TOWNSHIP
AND SANCTUARY
COUNTY**

PUBLIC COMMENT

BOARD COMMENT

the committee: Terry Cole, Alice Jansma, Deb Mousseau, Donna Archer. It was difficult to get it put together but it worked out pretty well and we have ideas for next year. The guess is that there was about 1500 people there.

Cunningham: It was really special to see how many people turned out for the Christmas event and the Veterans Day Ceremony.

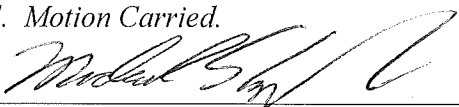
Knowles: What a great community here from the Veterans Ceremony to the Christmas event and the library.

Heethuis: Appreciates this Board and there isn't anything that doesn't get discussed and then decisions are made and we abide by them. Proud to be part of it.

ADJOURNMENT:

Motion by Heethuis with support from Cunningham to adjourn the meeting 7:59 PM.

Approved by all. Motion Carried.

Approved by:  Date: 1/18/2024
Michael S. Cunningham, Township Clerk

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
December 18, 2023

ADJOURNMENT