

YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting

Thursday, October 10, 2024
6:00 pm
Yankee Springs Township Hall
284 N. Briggs Rd., Middleville, MI 49333
MINUTES

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YS Board of Trustees – Regular
Meeting
October 10, 2024

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

PLEDGE OF ALLEGIANCE

INVOCATION

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

Staff Present: Dennis Buist, Rich Beukema, Frank Fiala

Visitors: 10

ADDITIONS/CHANGES TO AGENDA:

Motion by Heethuis with support from Cunningham to add or delete all items in red text to the agenda. The main items are the BS&A credit card payments, Robbins fence, land division request and Evans Lane. **Roll Call Vote:** VanHouten: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; Mousseau: yes.

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

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

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

- Board minutes 09/12/2024 Regular BOT meeting.
- September 2024 Accounts Payable: Checks # 918166 through Check # 918197 Total Amount \$39,541.15.
- September 30, 2024 Payroll Checks #7997 through Check #8019 = \$19,622.83.
September 2024 Fed. P/R withholding \$5,580.75. 3rd quarter 2024 State withholding tax payment \$3,598.79.

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

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

ACKNOWLEDGEMENT OF VISITORS:

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

**MOTION TO AMEND
AGENDA**

**MOTION TO ACCEPT
AGENDA**

**MOTION TO APPROVE
CONSENT AGENDA**

**ACKNOWLEDGEMENT OF
VISITORS**

Dan Miller (Deputy Fire Chief)
Greg Chandler (View Newspaper Group)
Greg Purcell (Water Advisory Committee Representative)

PUBLIC COMMENT: (Limit 3 minutes)

Pat Jamison (S. Bowens Mill Rd.): He is concerned about the Fire Department. The township has signed an agreement with Wayland in 2023 and now he's heard about either a stand alone department or an agreement with Thornapple. He is not opposed to looking for the best option. He would rather see the money wasted on parks spent on the Fire Department. He feels the Fire Department should make more money and the Board less money.

TREASURER'S REPORT: By Deb Mousseau, Treasurer

- September 2024 Financial Statement and Investment reports were reviewed.

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

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

- Resolutions regarding penalties and interest on tax payments.
 - For the last 19 years the township has passed a resolution to waive the interest and penalty charges for residents who pay their taxes during the period of February 14 and February 28.
 - March 1 is the time when all unpaid bills go to the county.
 - If the Board adopts these two resolutions, they will stay in effect until they are changed so it won't be necessary to pass a resolution every year.
 - The Board will still have the discretion to end the resolutions at any time.

Motion by Heethuis with support from Cunningham to approve Resolution # 10-10-2024 1 to waive the 1% interest on deferred summer taxes paid after February 14th. Roll Call Vote: VanHouten: yes; Heethuis: yes; Knowles: yes; Cunningham: yes; Mousseau: yes.

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

Motion by Heethuis with support from Cunningham to approve Resolution # 10-10-2024 2 to waive the 3% late penalty charge. Roll Call Vote: Cunningham: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

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

- The township uses BS&A online services and this will allow the township to begin offering the option for residents to pay their tax bills online with a credit card.
- A short video from BS&A was played which explained how residents could use their website to make payments.
- This is something that has been requested by residents but has not been cost effective up to this point. It is now available from BS&A at no cost to the township. Residents would pay a fee when they go online to make their payments.

Motion by Mousseau with support from Cunningham to authorize the treasurer to initiate the use of BS&A payments for taxes. Roll Call Vote: Cunningham: yes; Knowles: yes; Heethuis:

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PUBLIC COMMENT

TREASURER'S REPORT

**MOTION TO APPROVE
TREASURER'S REPORT**

**MOTION TO APPROVE
RESOLUTION 10-10-24 1
REGARDING INTEREST ON
TAX PAYMENTS**

**MOTION TO APPROVE
RESOLUTION 10-10-24 2
REGARDING PENALTY ON
TAX PAYMENTS**

**MOTION TO INITIATE THE
USE OF BS&A PAYMENTS
FOR TAX BILLS**

yes; Mousseau: yes; VanHouten: yes.

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

CLERK'S REPORT: By Mike Cunningham, Clerk

- October 2024 Current Invoice Journal as of 10/10/2024 totaling \$139,619.64.

Motion by Cunningham with support from Knowles to approve the October 2024 Current Invoice Journal as of 10/10/2024 totaling \$139,619.64. Roll Call Vote: Cunningham: yes; VanHouten: yes; Knowles: yes; Heethuis: yes; Mousseau: yes.

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

- Election Update:
 - AV ballot delivery was delayed until 09/27/2024 due to litigation regarding which candidates would be printed on the ballot. The ballots have been received and put in the mail.
 - The election commission meeting was rescheduled to 10/10/2024
 - Preliminary accuracy testing was delayed until 10/08 and 10/09.
 - The Public Accuracy Test will be 10/11/2024 at noon.
 - Early voting will be Saturday, 10/26/2024 through Sunday, 11/03/2024.
 - REMINDER – The permanent AV list used to send out AV ballot applications will end in 2024. In the future, voters will need to send in applications on their own or request to be put on the permanent ballot list.
- Cemeteries update:
 - A township resident wishes to donate funds for a privacy fence along the south property line at Robbins Cemetery.
 - Three estimates have been received for removal of the old wire fence and installation of 6' high vinyl fencing.
 - Two estimates have been obtained for surveying the south property line.
 - The Board needs to decide whether or not to accept the donation and install the fence.
 - Documents will be created by the township attorney for the resident and the township to sign indicating the donated funds will be used only for the costs associated with properly installing the fence and for the refund of any unused funds to the resident.
 - A 5% contingency amount and legal costs will be included in the amount of donated funds to ensure that there should be no cost to the township.

Motion by Cunningham with support from Knowles to approve Resolution 10-10-2024 3 approving the installation of a fence along the Robbins Cemetery south property line and authorizing the clerk and the treasurer to receive the donation and manage the project. Roll Call Vote: VanHouten: yes; Mousseau: yes; Knowles: yes; Heethuis: yes; Cunningham: yes.

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

Motion by Cunningham with support from Heethuis to approve the installation of the Robbins Cemetery fence by Straight Line Fence for a total of \$19,704.68. Roll Call Vote: Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.

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CLERK'S REPORT

MOTION TO APPROVE INVOICE JOURNAL

ELECTION UPDATE

CEMETERIES UPDATE

MOTION TO APPROVE RESOLUTION 10-10-2024 3 REGARDING INSTALLATION OF FENCE AT ROBBINS CEMETERY

MOTION TO APPROVE STRAIGHT LINE FENCE TO INSTALL FENCE AT ROBBINS CEMETERY

Yes: 5, No: 0. MOTION CARRIED

Motion by Cunningham with support from Knowles to approve Yonker Land Surveys PC to survey and stake the south property line at the Robbins Cemetery for the purpose of installing a fence at the cost of \$500. Roll Call Vote: Cunningham: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes; Knowles: yes.

Yes: 5, No: 0. MOTION CARRIED

Motion by Cunningham with support from Knowles to approve the installation of Robbins Cemetery fence by Straight Line Fence as surveyed by Yonker Land Survey PC including legal cost of \$1,000 and a 5% contingency of \$1,060.23 for a total cost of \$22,264.91. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Knowles: yes; Cunningham: yes.

Yes: 5, No: 0. MOTION CARRIED

COMMITTEE REPORTS:

Recycling Committee:

- 9/14/2024 survey event took place and 20 people using the facilities were surveyed.
- Next meeting 10/22/2024.
- The committee is looking for a new member.

Park Committee:

- No activity update.
- The next thing will be the update on rebidding the pickleball court project.

Zoning Board of Appeals:

- No October meeting.
- Next meeting 11/12/2024 if needed.

Planning Commission:

- PCI September 2024 report in board member packet.
- September 2024 Complaint log in board member packet.
- 09/19/2024 regular meeting:
 - Approved an SEU for living quarters in an outbuilding on Elmwood Beach.
 - Will be holding public hearings next week on 10/17 for the following:
 - The ZA recommended changes to Section 20.8 to allow a variance.
 - Changes to the STR ordinance.
 - A proposed shipping container ordinance.
 - Also discussed the Master Plan and touched on a mining ordinance.

Fire/EMS Report:

- September 2024 Fire/Emergency Medical responses in board member packet.
 - The number of calls were about the same.
 - 25 of 32 medical calls were answered by EMR personnel.
- New fire truck status: It is in service as of last Saturday and the department has used it on one call. They are still working on arranging everything on the inside.
- Water Tender accident/insurance claim: It was backed into a tree on a mutual aid call. It is at Spencer's for repair and will be back in service in two weeks.

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**MOTION TO APPROVE
YONKER LAND SURVEY TO
SURVEY PROPERTY LINE AT
ROBBINS CEMETERY**

**MOTION TO APPROVE
INSTALLATION OF FENCE
AT ROBBINS CEMETERY**

**RECYCLING COMMITTEE
REPORT**

**PARK COMMITTEE
REPORT**

ZBA REPORT

PC REPORT

FIRE/EMS REPORT

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**VETERANS MEMORIAL
COMMITTEE**

**WATER ADVISORY
COMMITTEE**

- Lost one personnel for health reasons so current staff is at 19.
- The sub-committee of Rob Heethuis, Dave VanHouten and Greg Purcell is looking into the stand-alone department feasibility. They have talked to several other departments that are stand-alone and will be meeting again with Wayland personnel. They are not ready to make a recommendation at this time but that will be coming.

Veterans Memorial Committee:

- 10/09/2024 meeting.
- Veteran’s Day Ceremony will be Saturday, 11/09/2024 at 11:00 AM.
- The ceremony will include a few more local residents and students.

Water Advisory Committee:

- 10/01/2024 meeting.
- GLASWA October 2024 minutes in board member packet.
- YST Water System Rate Study Public Hearing 09/24/2024.
 - Greg Purcell, chair of the Water Advisory Committee, is here presenting their recommendation to approve the rate increase to go into effect on January 1st.
 - The recommendation is based on analysis completed by John Monsees of the Michigan Rural Water Association.
 - The base rate will be raised 6.5% for 3/4” lines and other sizes to go up proportionately.
 - The rate of usage will go from \$2.25 to \$2.30 per 1000 gallons.
 - Included a provision to allow the rate to increase annually by 5% or the rate of inflation, whichever is less.
 - Mr. Purcell thanked the other board members: Mike Piffer, Dan Roberts, Rich Beukema, and Todd Delamar for their work as well as John Monsees from Michigan Rural Water.
 - This is to be voted on tonight in Board action items.

Board Action Items:

- Update on kitchen renovation project.
 - Project was started on Monday, October 7.
 - The flooring is scheduled to be installed on October 11.
 - The project should be completed before the election.
- Planning & Zoning office HVAC modification
 - The work has been completed and based on the heat usage so far it seems that it will improve the situation.
- Wenger – Farmland Development Rights Agreement
 - Copies of their application have been sent to the Barry County Planning Commission and the Conservation District. The Barry County Planning office has reviewed and approved it. The Conservation District has not but they have 30 days to review.
 - The form indicates that the Township Board must consider the application at the next regular meeting. The Board must approve the application before it goes to the state for final approval.
 - The application seeks to restrict development of 12.91 acres for a period of ten years.

**UPDATE ON
KITCHEN RENOVATION
PROJECT**

**HVAC MODIFICATION
FOR PLANNING & ZONING
OFFICE**

- If approved by the state, the applicant can apply for tax credits. The resident needs to have it approved by November 1st to get the tax benefit.

Motion by Heethuis with support from Knowles to approve the Wenger application for farmland agreement. Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

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

- Request to approve land split for Parcel 16-015-004-50.
 - The request meets all of the requirements for the Rural Agricultural Zoning District according to the ZA's analysis.
 - The request also has the support of the tax assessor.

Motion by Cunningham with approval from Knowles to approve PSD 24-10-04 for Parcel 16-015-004-50 per the Zoning Administrator's analysis and recommendation. Roll Call Vote: Knowles: yes; Cunningham: yes; Heethuis: yes; VanHouten: yes; Mousseau: yes.

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

- Approval of water rate increase.

Motion by Heethuis with support from Knowles to adopt Resolution 10-10-2024 4 to establish water rates effective with the January 1, 2025 billing cycle. Roll Call Vote: Knowles: yes; VanHouten: yes; Heethuis: yes; Mousseau: yes; Cunningham: yes.

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

Motion by Heethuis with support from Knowles to approve the Water Advisory Committee's request to send a letter thanking Mr. John Monsees for his work on and presentation of the water rate study. Roll Call Vote: VanHouten: yes; Mousseau: yes; Heethuis: yes; Cunningham: yes; Knowles: yes.

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

- Evans Lane Special Assessment District update:
 - Evans Lane was paved during the week of 09/09/2024 and the paving project went well.
 - Payment of \$76,155 for the work is included in tonight's current invoice journal and has been approved.
 - Evans Lane residents have asked if a catch basin costing \$3,762.50 could be installed as part of the SAD to handle the water flow through the culvert installed under the road.
 - The township attorney has advised that this is not possible without new petitions and hearings.
 - Evans Lane residents may opt to create the catch basin themselves.
- Zoning Issues Update:
 - Received one land division request that was approved tonight.
 - Board members received a letter requesting forgiveness of a fine for an STR violation. The township attorney was consulted and this can't be done by the Board.
 - The STR changes that the PC is recommending are relatively small and include

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MOTION TO APPROVE WENGER APPLICATION FOR FARMLAND AGREEMENT

MOTION TO APPROVE LAND SPLIT FOR PARCEL 16-015-004-50

MOTION TO ADOPT RESOLUTION 10-10-2024 4 TO ESTABLISH WATER RATES EFFECTIVE JANUARY 1, 2025

MOTION TO APPROVE THANK YOU LETTER TO MR. JOHN MONSEES

EVANS LANE SAD UPDATE

ZONING ISSUES UPDATE

removing the two-week provision. They did not include language to allow STR if the rental is within a certain distance of the owners' primary residence.

- Mr. Cunningham is in favor of including that language so he is not in support of the revised ordinance.
 - This was the recommendation of the committee per Mr. Heethuis.
 - Mr. VanHouten and Mrs. Mousseau both support including that provision and hopes that the Planning Commission discusses that further.
 - The Board can opt not to approve what the PC recommends or can also change it. They do not have to approve it as put forward by the Planning Commission.
 - Mr. Cunningham also suggested that the Board should look at how sub-committees are formed.
- Blood Drive was held Wednesday, September 11, at the Fire Station and 11 units were donated. There will probably not be any more blood drives until spring of 2025.

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BLOOD DRIVE

PUBLIC COMMENT:

Frank Fiala (township resident): Discussed the Barry County Solid Waste Oversight Committee and how successful their recent event was. 40,000 pounds of material was collected, 15,000 pounds of electronics, and three semi-truck loads of tires. Thanked Rob Heethuis and Tom Mawson for their work on that day. A new group is being formed and Mr. Heethuis, Mr. Mawson and Mr. Fiala are all being considered to be part of that to make a new plan for recycling and keeping things out of the landfill.

Pat Jamison (S. Bowens Mill Rd): Stated that sending out the master plan survey was appreciated. There's a little problem with having to do that online as some areas have horrible cell service. Thanked Dan Miller for being here tonight although he thinks it may be wasting his time to make him sit through the meetings. Also wondered about the "Sergeant at Arms" as this is the first time he has heard that announced and would like to know what the duties are.

Steve Morgan: Thanked the Board for approving the land split and rushing it through. Appreciated Mike and Joe working to make it happen tonight and that makes their family very happy as they can now sell the home.

BOARD COMMENT:

Mousseau: Thanked the Board for passing those resolutions to waive the penalties and the online payment resolution. It will be better for the residents.

VanHouten: Thanked Frank Fiala and Sally Smith for all their work on the Recycling Committee. He is now doing curbside recycling at home.

Cunningham: We have been really busy with the election and appreciates the help from everyone, particularly those at the county level and the new County Clerk for all the work they are doing.

Knowles: Thanked the clerk's office with the election coming up, everything went exactly as it was supposed to with early voting and he appreciates it.

Heethuis: We won't have a meeting again until after the Veterans Day celebration. I have

PUBLIC COMMENT

BOARD COMMENT

seen the itinerary and I know it will be another good one. Also I hope everyone votes. The most important thing we can do is vote so I hope everyone in the township votes.

ADJOURNMENT:

Motion by Heethuis with support from VanHouten to adjourn the meeting at 7:19 PM.

Approved by all. Motion Carried.

Approved by: 
Michael S. Cunningham, Township Clerk

Date: 11/25/2024

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
October 11, 2024

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ADJOURNMENT