

YANKEE SPRINGS TOWNSHIP
BOARD OF TRUSTEES Regular Meeting

Thursday, December 12, 2024
6:00 pm
Yankee Springs Township Hall
284 N. Briggs Rd., Middleville, MI 49333
DRAFT MINUTES

DRAFT MINUTES
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YS Board of Trustees
Regular Meeting
December 12, 2024

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

PLEDGE OF ALLEGIANCE

INVOCATION

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

Staff Present: Rich Beukema, Sandy Marcukaitis, Frank Fiala, Dennis Buist, Joe Shea

Visitors: 16

ADDITIONS/CHANGES TO AGENDA:

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

Yes: 4, No: 0. **MOTION CARRIED**

- Board minutes 11/14/2024 Regular BOT meeting and Board minutes Special Meeting 12/04/2024.
- November 2024 Accounts Payable: Checks # 918249 through Check # 918302 Total Amount \$68,887.33.
- November 27, 2024 Payroll Checks #8042 through Check #8090 = \$26,152.77. November 2024 Fed. P/R withholding \$6,462.12. An additional withholding for November was made in error, \$6,516.70. (We are not sure how this will be refunded.)

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

Yes: 4, No: 0. **MOTION CARRIED**

ACKNOWLEDGEMENT OF VISITORS:

Dan Miller (Deputy Fire Chief)
Brenda Mays (Wayland EMS)

TREASURER'S REPORT: By Deb Mousseau, Treasurer

- November 2024 Financial Statement and Investment reports were reviewed.

INVOCATION

ROLL CALL

MOTION TO ACCEPT
AGENDA

MOTION TO APPROVE
CONSENT AGENDA

ACKNOWLEDGEMENT OF
VISITORS

TREASURER'S REPORT

Motion by Mousseau with support from Heethuis to approve the additions to the new fire truck totaling \$16,794.94 and reimbursement of this amount back into the Fire Equipment Purchase Fund. Roll Call Vote: Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

Yes: 4, No: 0. **MOTION CARRIED**

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

Yes: 4, No: 0. **MOTION CARRIED**

- 2023/2024 Year End Audit information from Siegfried Crandall showed a clean audit. If there are any questions they can be addressed to Siegfried Crandall.
- There will be a credit on the summer tax bill for Evans Lane residents who were charged a \$10.77 administration fee in error.

CLERK'S REPORT:

- December 2024 Current Invoice Journal as of 12/12/2024 totaling \$41,467.52.

Motion by VanHouten with support from Heethuis to approve the December 2024 Current Invoice Journal. Roll Call Vote: Knowles: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes.

Yes: 4, No: 0. **MOTION CARRIED**

- Construction has been started on the fence at Robbins Cemetery. Depending on the weather, it could be done by this Friday.

COMMITTEE REPORTS:

Recycling Committee:

- New chairperson will be Tom Mawson.
- Next regular meeting 02/04/2025.

Park Committee:

- Don DeVries of Fleis and VandenBrink has suggested putting the court expansion project out to bid again, will possibly be done yet this month.

Zoning Board of Appeals:

- No December meeting.
- Next meeting 01/14/2025 if needed.

Planning Commission:

- PCI November 2024 report in board member packet.
- November 2024 Complaint log in board member packet.
- 11/21/2024 regular meeting:
 - Continued public hearing on Short-Term rentals. The recommendations for the revised ordinance are being brought to the Board tonight.
 - Biggest change is adding STRs to be allowed when an owner's primary legal residence is sharing a property line with the STR.
 - Added language to the definition using the word "grandfathered" to

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**MOTION TO APPROVE
ADDITIONS TO THE NEW
FIRE TRUCK**

**MOTION TO APPROVE
TREASURER'S REPORT**

CLERK'S REPORT

**MOTION TO APPROVE
INVOICE JOURNAL**

**RECYCLING COMMITTEE
REPORT**

**PARK COMMITTEE
REPORT**

ZBA REPORT

PC REPORT

- clear up some confusion
- Went over the results of the master plan survey.
- Continues to work on the CIP.
- PC is asking the BOT for a date for the joint meeting with the BOT and the ZBA.
- Next regular meeting 12/19/2024.

Fire/EMS Report:

FIRE/EMS REPORT

- November 2024 Fire/Emergency Medical responses in board member packet.
- Deputy Chief Miller said there were a total of 6 fire calls in November which were all mutual aid calls. Year to date call numbers are similar to 2023.
- The Fire department installed carbon monoxide detectors in one residence. These are available as well as smoke detectors at no charge to the resident.
- 28 medical calls were received in November and Yankee Springs EMRs responded to 25 out of the 28.
- Congratulations to Firefighters Dan Grezegorski and Jeff Garrett who both graduated from the Wayland EMR class this month.
- Township currently has ten EMRS, seventeen certified firefighters, one in the academy and one that will go to the academy in the fall.
- Training took place at the Yankee Springs station and also at the Caledonia station this month. The training on the new engine is ongoing.
- Fire Committee met on December 9 and will meet again on December 20 per Mr. VanHouten.

Water Advisory Committee:

WATER ADVISORY COMMITTEE

- Next meeting will be in Spring of 2025
- Had a meeting today with EGLE and Fleis & Vandenbrink regarding applying for some grant money that would be available in 2026 for the expansion of the arsenic removal system, possibly a new well, and the loop on Payne Lake Road.
- GLASWA is starting to make new rules and regulations which will take the place of current ordinances at all the townships. They have a draft copy which has been presented to the Board and will be brought up next month.

Veterans Memorial Committee:

VETERANS MEMORIAL COMMITTEE

- Veteran's Day Ceremony went very well.
- December is the last month that Mr. VanHouten will be the Chair of this committee and he is hoping someone will step forward. He will take care of ordering the two benches and getting them installed.

Board Action Items:

- Appointment of Township Clerk.

MOTION TO APPOINT TOWNSHIP CLERK

Motion by Heethuis with support from VanHouten to approve Tom Hopkins as Yankee Springs Township Clerk. Discussion: This appointment is for the next two years. At that time there will be an election. **Roll Call Vote:** Heethuis: yes; Knowles: yes; VanHouten: yes; Mousseau: yes.

Yes: 4, No: 0. **MOTION CARRIED**

- Granicus contract renewal: This is the company that the Zoning Department uses to keep track of short-term rentals.

Motion by Heethuis with support from VanHouten to approve the contract renewal with Granicus. Discussion: The cost is \$4,702.50 but that has been more than paid for with the STR fees. Mr. Shea stated that the township would not be able to identify illegal or unpermitted STRs without them. He believes that the township will want to continue to use them for at least one more year. Part of the service is a 24-hour hotline if any complaints arise which is nice since the township office isn't open at nights and weekends when complaints are usually made. **Roll Call Vote:** Mousseau: yes; Heethuis: yes; Knowles: yes; VanHouten: yes.

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

- Zoning Issues Update:
 - Memo from Zoning Administrator Joe Shea was included in board packet
 - Mr. Shea reviewed the memo that he sent to the Board and the input from attorney Catherine Kaufman. Both Mr. Shea and Ms. Kaufman think that allowing the revision regarding "next door" STRs would undermine the current ordinance and negatively impact the township's ability to enforce the ordinance. He is in favor of approval of the other changes recommended.
 - He provided the Board with seven examples of possible scenarios that would be difficult to interpret whether they "share a property line" under the revised ordinance.
 - He expressed that adopting this change would be against the advice of the Zoning Administrator, the Code Enforcement Officer, and the Township Attorney.

Motion by Heethuis with support from Knowles to reject proposed amendment to Section 10.4 which would change the definition of short-term rental traditional to include so-called next door STRs. Discussion: Five out of six planning commission members voted to make this change. **Roll Call Vote:** VanHouten: yes; Mousseau: no; Heethuis: yes; Knowles: yes.

Yes: 3, No: 1. **MOTION CARRIED**

- The other changes to the ordinance have not been rejected and the changes will be presented at a future meeting.
- ZBA Standard for Practical Difficulty.

Motion by Heethuis to accept amendment to Article XX, Section 20.8 of Township Zoning Ordinance as proposed by the Planning Commission. Discussion: There is an error in Section 3c where it should read "will not be significantly detrimental" (the word not was omitted in error). **Motion was rescinded.**

Motion by Heethuis with support from Knowles to accept amendment to Article XX, Section 20.8 of Township Ordinance with the exception of adding the word NOT in 3c as proposed by the Planning Commission. **Roll Call Vote:** Knowles: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes.

Yes: 4, No: 0. **MOTION CARRIED**

- Shipping Containers

Motion by Heethuis with support from Knowles to accept amendment to Article XII, Section 12.16 of Township Zoning Ordinance as proposed by the Planning Commission. Discussion: Under portable storage containers, #5, it says: "A Zoning Compliance Permit is required and

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**MOTION TO RENEW
GRANICUS CONTRACT**

ZONING ISSUES UPDATE

**MOTION TO REJECT
PROPOSED AMENDMENT
TO SECTION 10.4 OF
SHORT-TERM RENTAL
ORDINANCE**

**MOTION TO ACCEPT
AMENDMENT TO ARTICLE
XX, SECTION 20.8 OF
TOWNSHIP ORDINANCE
(PRACTICAL DIFFICULTY
STANDARDS)**

shall be obtained from the Township Zoning Administrator". Since this is a portable container which the resident is paying to have there and it is limited to a 90-day period, it doesn't seem that a permit should be required. **Motion was rescinded.**

Motion by Heethuis with support from Knowles to accept amendment to Article XII, Section 12.16 of Township Zoning Ordinance as proposed by the Planning Commission with the exception of striking #5 in Section 12.16, Portable Storage Containers. Roll Call Vote:

Mousseau: yes; VanHouten: yes; Heethuis: yes; Knowles: yes.

Yes: 4, No: 0. **MOTION CARRIED**

- Review and discussion of Stand-Alone Fire Department and EMS.
 - Mr. VanHouten is looking into whether the township would experience a higher cost for EMR if it were switched to Thornapple.
 - They will be meeting again on December 20 and are expecting to have a recommendation to bring to the Board in January.
 - Mr. VanHouten and Mr. Heethuis will make contact with the township attorney on this matter. If any board members need additional information please reach out to Mr. VanHouten.
- 2025 Calendar of meetings is included in the packet.
- PC and ZBA Reappointments:

Motion by Heethuis with support from VanHouten to update three-year terms of Shana Bush, John Frigmanski, and Larry Knowles to the Planning Commission. Roll Call Vote: Knowles: yes; VanHouten: yes; Mousseau: yes; Heethuis: yes.

Yes: 4, No: 0. **MOTION CARRIED**

Motion by Heethuis with support from Knowles to update three-year terms of Jake Welch, John Frigmanski, and Dave VanHouten to the Zoning Board of Appeals. Roll Call Vote: Heethuis: yes; Knowles: yes; VanHouten: yes; Mousseau: yes.

Yes: 4, No: 0. **MOTION CARRIED**

- Discuss Joint Meeting Date
 - January 21 was suggested and will be confirmed with the ZBA and the PC.

PUBLIC COMMENT:

Mike Cunningham (Yankee Springs Township resident): On the subject of the STR changes, there was a lot of talk regarding what the attorney thinks the township should do. His understanding is that once the township decides what they want to do, the attorney is supposed to do their best to craft a legal ordinance that is enforceable and proper. A lot of what was mentioned with being across the road and so forth could be taken care of by just saying it has to be a certain radius of the owner's property, just like notices for public hearings. As far as enforceability of the owner being in residence, the neighbor who is complaining will knock on the door when there's a complaint and then they would state if the person wasn't at home. He objects to the township attorney telling the Board what they should do. With regard to the independent Fire Station, he has a copy of the numbers but does not agree with them. The number that was given as the current estimate is actually the current budget. Last year the budget number was 15% higher than the actual cost so they are using a higher number to justify the stand alone. Also, it stated there were complaints about the service of

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**MOTION TO ACCEPT
AMENDMENT TO ARTICLE II,
SECTION 2.8 OF TOWNSHIP
ZONING ORDINANCE
(STORAGE CONTAINERS)**

**DISCUSSION REGARDING
STAND-ALONE FIRE DEPT
AND EMS**

**2025 CALENDAR OF
MEETINGS**

**REAPPOINTMENT OF PC
MEMBERS**

**REAPPOINTMENT OF ZBA
MEMBERS**

JOINT MEETING DATE

PUBLIC COMMENT

the firemen which he says he did not hear or have any of them reported to him as a board member. The only comment he heard was Mr. VanHouten telling the Fire Chief that the medical response numbers were unacceptable and the response to that comment was the reason there were extra labor charges of \$40,000 to \$50,000 per year. (Time was up)

Luke Miller (1941 Heritage Bay): He feels it is unfortunate that the attorney has an ironclad idea of what every place is like. He's seen township after township making amendments based on their particular area. When he found out about this ordinance, he turned himself in because he wanted to comply. He didn't know about the permits because it was printed in a newspaper that was not delivered until about 6 months ago. If the information had been sent from the township with the tax bill, he would have seen it and paid attention to it. He started his STR in 2019 and has been running a clean place. They take care of it and have been on the premises every single night that it has been rented and police it more than what is required by the ordinance. This is a case-by-case situation and thinks it is unfortunate that he can't be grandfathered in. It's not black and white. He asked about why there is a difference between short term and long term because he's had long term before and that can be a terrible situation. And it's much harder to get a long-term renter out of the house. In this case if there's a problem the neighbor is going to call and complain to the number on the permit. It should not be all black and white.

BOARD COMMENT:

Knowles: Welcome our new clerk, Tom.

VanHouten: Welcome to Tom. Looking forward to working with you.

Mousseau: Welcome to Tom. Thanks to Rob and Dave for decorating the outside of the hall and the office. Thanks to Betsy for putting up with doing our motions and everything tonight, and thanks to Marge for putting things together as much as she could. Mike, we did miss your presentation packets and information. Merry Christmas to everyone, and tax bills went out.

Heethuis: Thanks to Mike Cunningham for his years not just on the Board but with the Planning Commission and we appreciate all the things he has done. A big "atta-boy" to Tom Hopkins going forward. We feel good about our pick for clerk, and are sure Tom will do a good job. Merry Christmas to everyone and have a good night.

ADJOURNMENT:

Motion by Mousseau to adjourn the meeting at 7:04 PM. Approved by all. Motion Carried.

Approved by: _____ Date: _____

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
December 16, 2024

BOARD COMMENT

ADJOURNMENT