

<p style="text-align: center;"> YANKEE SPRINGS TOWNSHIP <u>BOARD OF TRUSTEES</u> <u>Regular Meeting</u> <u>Thursday, February 13, 2014</u> 7:00 p.m. Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 MINUTES </p>	<p> Circulated Feb 18, 2014 FINAL MINUTES Approved March 13, 2014 As presented </p>
<p> <u>Meeting called to order at 7:00 PM by Supervisor Mark Englerth.</u> <u>Roll Call: Jerkatis, J. Lippert, Englerth, M. Cook, Bruce Campbell. (All Present).</u> <u>PLEDGE OF ALLEGIANCE</u> <u>Staff Present: Constable Jim Orr, Alice Jansma, Cathy Strickland, Frank Fiala, Larry Knowles, ZA.</u> <u>Visitors: 9 (not including staff present).</u> </p>	<p> CALL TO ORDER ROLL CALL PLEDGE </p>
<p> <u>ADDITIONS/CHANGES TO AGENDA:</u> <ul style="list-style-type: none"> • None </p>	<p> <u>ADDITIONS/CHANGES TO AGENDA</u> </p>
<p> <u>APPROVAL OF MINUTES</u> Motion by M. Cook with support from Campbell to approve January 9, 2014 Regular Board Meeting minutes as submitted. All ayes. MOTION CARRIED. Motion by J. Lippert with support from M. Cook to approve minutes of January 22, 2014 Work Session Of Board of Trustees as presented. All ayes. MOTION CARRIED. Motion by M. Cook with support from Campbell to approve minutes of Joint Meeting of the ZBA, PC and Bd. Of Trustees on January 23, 2014 as presented. All ayes. MOTION CARRIED. </p>	<p> <u>APPROVAL OF MINUTES</u> Motions by to approve minutes of Reg. Bd. Mtg. of Jan. 9, 2014, Board Work Session of Jan. 22, 2014, and Joint Mtg. of Jan. 23, 2014. MOTION CARRIED. </p>
<p> <u>PUBLIC COMMENT: None</u> </p>	<p> <u>PUBLIC COMMENT: None</u> </p>
<p> <u>ACKNOWLEDGEMENT OF VISITORS:</u> <u>TTES Report – No Report this evening, report will occur at next meeting.</u> David Middleton, Fire Chief – was unable to attend tonight’s meeting. <u>BARRY COUNTY COMMISSIONER’S REPORT: No report this evening.</u> Craig Stolsonburg –was not able to attend tonight’s meeting. M. Englerth mentioned that he, along with all township supervisors, village managers, and J. Mansfield of the City of Hastings, were given the opportunity to give input from their point of view at the county’s Strategic Planning piece that they are working on. </p>	<p> <u>ACKNOWLEDGEMENT OF VISITORS</u> <u>TTES REPORT: No Report</u> <u>BARRY COUNTY COMMISSIONER’S REPORT: No Report</u> Page 1 of 6 YST Bd Trustees 2-13-14 </p>

ACKNOWLEDGEMENT OF VISITORS: cont'd

Dennis McKees, from Consumer's Power, presented the new "smart meters" with two-way technology that will eliminate meter readers. These meters will also notify Consumers of a power outage. They will be installed in Yankee Springs Township in the second half of 2015. A 30-day notice will be given, as well as, a letter sent to residents two weeks prior to installment in homes and small businesses. The Verizon Cell Tower will be used to read the meters. McKees noted that the meters do not present a threat to anyone's health.

At this point, the meters will only be for electric. When asked if rates would go up, McKees commented that it would be an overall gain for customers because the old meters do not record as accurately as they should. It was also noted that the power source on the meters plugs into electric of home and has a battery that eventually will generate a work order that the power is out (when a outage occurs).

Jerkatis asked D. McKees to relay a word of thanks to the linemen for their service in Barry County especially in the recent ice/snow storm. McKees commented that he hears that a lot and he will definitely relay the message.

TREASURER'S REPORT: John Jerkatis. January 2014 Financial Statement

Motion by M. Englerth with support from M. Cook to accept and approve the Financial Statement as presented. All ayes. MOTION CARRIED.

CLERK'S REPORT: by J. Lippert

Motion by M. Cook with support from J. Lippert to approve payroll check #s 5052 – 5072 for the total amount of \$11,219.35. ROLL CALL: Jerkatis – yes, J. Lippert – yes, Englerth – yes, M. Cook – yes, Campbell – yes. All Yes (5). MOTION CARRIED.

Clerk Lippert explained items and answered any questions on the accounts payable register.

Motion by Jerkatis with support from M. Cook to approve Accounts payable check #s 912336-912384 for the total amount of \$68,279.38. ROLL CALL: Jerkatis – yes, J. Lippert – yes, Englerth – yes, M. Cook – yes, Campbell – yes. All Yes (5). MOTION CARRIED.

Roger Rottschafer asked if the fire station expenses should come out of the fire fund. Englerth commented that one is the operational (fire) fund and one is the fire equipment fund. "The equipment fund sounds completely astronomical until you start replacing those trucks," commented Englerth. Rottschafer asked when replacement was forecasted. Englerth commented that the trucks were about half-way thru their life expectancy at 10 years. Most of the vehicles are at the half-way point right now. Jerkatis explained, "There's been a three year millage, 2000, 2001, and 2002. There was an over \$200,000 residual after that. Some of

ACKNOWLEDGEMENT OF VISITORS:

continued

Dennis McKees, Consumer's Power

TREASURER'S REPORT:

John Jerkatis

Treasurer's Report Approved

CLERK'S REPORT:

Jan Lippert

Payroll and Accounts Payable approved

BREAK

it has been spent on turn-out equipment, etc. Then, the township came into a contractual lease agreement with Thornapple Township/TTES to use our fire station and equipment for a token dollar. In that agreement, it reduced our contractual agreement for TTES protection for about \$50,000 per year by YS Twp. supplying the equipment. Since that time, we (YS Twp.) saw fit, on an annual basis, to take \$50,000 out the general fund and deposit it in the fire department equipment purchase fund, and build that fund so that at the end of twenty years, when the equipment was all run out, hopefully we'd have a substantial amount of money in there to replace the equipment without asking for another millage. We are to use that fund only for the purchase of fire equipment only," commented Jerkatis.

BREAK: 7:36 p.m.

RESUME: 7:47 p.m.

ZONING ADMINISTRATOR'S REPORT: L. Knowles, ZA

- For January, 2014:
- SPR: 1 – New home and accessory building on Elmwood Beach. An SEU was granted because the property was bisected by a road.
- A stop order issued at the end of summer/early fall is getting closer to being resolved.
- Risk Control Questionnaire- Burnham & Flowers was contacted and the Zoning office was told that it was not necessary to fill out.
- A written report will be included in the February report for the board member's packets.

**ZONING
ADMINISTRATOR'S
REPORT: L. Knowles, ZA**

SUPERVISOR'S REPORT: Mark Englerth

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Mark Englerth**

12-26-13 Letter from Russ Yarger, Barry County Drain Commissioner- was distributed in board member's packets. Roger Rottschafer of Lynn Drive, commented on the work that has been done on Lynn Drive by Barry Cty. Drain Commissioner/CEI (the engineering firm). Rottschafer mentioned the placement of the drains and showed the Board pictures of the flooding after the project was done. Discussion occurred regarding the work the Road Commission will have to do to correct the drain placement. Another Lynn Drive resident commented on the lack of oversight and follow-up of the previous project. This comment was echoed by yet another resident, and he mentioned that the flooding situation was worse than it was before. Further discussion occurred over the authority of the County Commission and the Drain Commissioner.

It was noted that the 2nd Public Hearing Lynn Drive Road Improvement Special Assessment will be March 13, 2014 before the Regular Board Meeting.

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SUPERVISOR'S REPORT: Mark Englerth cont'd:

Jerkatis suggested a full topographical survey of what is there (Lynn Dr.) at this point. Englerth commented on his thoughts of commitment of the board back in December 2013 when he sent a letter to the Drain Commissioner. Englerth reviewed the history of what has taken place with the Lynn Drive project. J. Lippert commented that the Drain Commissioner has asked for a meeting with Englerth, Russ Yarger, and Mr. Randy Ramsey; President of CEI engineering company who performed the work on the drain project of Lynn Drive. Englerth commented that they have had meetings, and asked the Lynn Drive neighbors (present at the meeting), and they agreed that they've already had meetings. Englerth stated that the Lynn Dr. residents are paying twice; first, the Drain Commission, and now the Road Commission. Further discussion occurred regarding court proceedings, and the hierarchy of elected officials in county government.

Englerth commented that it is the responsibility of the Board to do what is right by the community. Jerkatis commented that he'd like an opinion from the township attorney on this. Campbell asked about considering the investment in legal fees for this matter. M. Cook commented about sending a return letter to the Drain Commissioner and including newer photos. Also, the letter will mention the meeting in September where the Drain Commissioner promised he would fix the problem, and that the only reason he held up (with work) was that Brad Lamberg asked him to. Englerth commented that the letter of resolution will be that the necessary repairs are made as agreed to Lynn Drive, at the cost of the Drain Commission office, or we (YS Twp.) will make the repairs necessary and bill the Drain Commissioner for the repairs, and hold his office and the County accountable. A suggestion was made to also name the Engineering Firm with the Drain Commission in the letter of resolution. This information will be given to J. Lohrstorfer. After Englerth is comfortable with the letter, one board member will take a look at it, and give approval to send it off. This way a special meeting will not be needed and the board can move forward. Jerkatis mentioned that he will be out of town most of the month of March. It was decided that J. Jerkatis or J. Lippert, will approve the letter.

Cuddy Drain- Englerth introduced Deb Masselink and Rich Beukema, who have been very active with the Cuddy Drain issue. Deb Masselink is from Orangeville, and a property owner on Valley Drive. Englerth thanked D. Masselink for all of her work regarding the Cuddy Drain. She has donated many hours towards this issue. D. Masselink is called the "Queen of Poo" as she has done a lot of work with E-coli testing. Masselink thanked the Board for writing the petition. Because of the Board's resolution/petition, the Intercounty Drain Board took it to heart and had an environmental engineer hired, and has addressed the five items requested in the petition of YS Township. Masselink added that for the first time in decades something may actually be done to reduce the sediment and stop the debris from coming down and these things will most likely reduce the E-coli counts. Also Masselink commented that at the recent Meeting of Necessity, person after person stood up to ask for the entire scope to be covered in the Cuddy Drain project to have cleaner water. Masselink mentioned that she doesn't think it's fair that people that live on the Cuddy Drain should have to pay for the bridge (box culvert-cement square). Again, Masselink thanked the board for their support.

SUPERVISOR'S REPORT:

Mark Englerth cont'd

Englerth commented that there was an awesome change in the percentages charged, hundreds of thousands of dollars to the benefit of the people of Yankee Springs. Eighty-five percent of the cost of maintaining the drain went over to Allegan County. Per request of Jerkatis, Englerth outlined the breakdown of the cost of the bridge.

Total "bridge" cost: \$330,000

(Half) will be paid by the Road Commission: \$165,000

(The Other Half - \$165,000 – will be split by Allegan and Barry Counties)

That leaves: \$82,500

The amount that Barry County and Yankee Springs will consume.

(How much goes to the property owners, and to the YS Township, and to the County, is yet to be determined.)

Englerth also mentioned the \$250,000 set aside in the overall project cost is for dredging the navigable channel. This \$250,000 is a choice of the property owners of the Cuddy Drain. This can be opted out of, or the \$ number adjusted. "If a majority of the people don't want it (dredging) to go, it's not going to happen," added Englerth.

Jerkatis asked Frank Fiala to share the maintenance responsibility apportioned for Patterson Road between Barry and Allegan Counties. Fiala commented that "There is a standard contractual agreement between all road commissions on all county lines. In this case, a little bit on the southern end and a little bit on the northern end is handled by Barry County, and that in the middle is handled by Allegan County. They (Allegan County) have a 100% responsibility for that part, as we (Barry) do those parts." Further discussion took place regarding the apportionate responsibility of road/culvert maintenance between counties.

Rich Beukema, of Valley Drive, echoed the comments Deb Masselink made earlier. R. Beukema also thanked the Board for their support. Richard Beukema was ready to rename the channel, "The Barry County Aquatic Landfill", with Allegan County being its main contributor.

Fire Station Maintenance is being done.

TTES Contract Renewal is coming up. Fire hydrant clearing/shoveling out was mentioned.

Emergency Preparedness/Services: needs to be reviewed.

Water/Sewer Authority: Negotiations continue. Englerth sees a little bit of light at the end of the tunnel.

Fire Hydrants- third time to open up in the last month and a half. Possibilities of freezing up has been an issue. The Water/Sewer Authority, the Fire Dept., and

Central Dispatch have been contacted. Dry hydrants were looked into. Accessibility to the hydrants was discussed.

PUBLIC COMMENT:

Alice Jansma commented "Good Job!" to Englerth and the Board.

Mary Cook, with deep regret, read her letter of resignation after 21 years of service. Due to the illness of her husband, she must resign from her position as Board Trustee, effective February 28, 2014. M. Cook can no longer fulfill the time requirement involved in serving as a trustee. M. Cook does not want to let down the people who graciously have put her in this position. In recognition of Mary's long time dedication of hard work and effort in the community, the audience broke out in a round of applause.

OLD/NEW BUSINESS:

J. Lippert noted that the board's packet contained a 911 report from Pam Jarvis, Water Report, a piping article, a forest management letter (regarding pine trees north and east of the parking lot) from Mark Bishop (retired from State of Michigan/State Game Planning for DNR).

Jerkatis mentioned that he cannot accept anything after midnight, February 28th, for tax payments. Jerkatis recommended allowing five days for mail service.

Alice Jansma commented that a dog census may occur in the near future within the county. Dog licenses are \$7.00. Rabies shot documentation will be checked when obtaining a license.

ADJOURNMENT:

Motion by Jerkatis with support from M. Cook to adjourn at 9:16 p.m. Approved by all.

Respectfully submitted:
Deb Mousseau
Recording Secretary 2/15/14

Date: February 18, 2014

Approved : draft 2-18-14

Janice C. Lippert, Township Clerk

Final Approval of Minutes: March 13, 2014

PUBLIC COMMENT:

Mary Cook to resign effective February 28-2014

OLD/NEW BUSINESS

ADJOURNMENT