

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP BOARD OF TRUSTEES Special Meeting Informational Meeting – Cuddy Drain Tuesday, July 16, 2013 Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333 7:00 p.m. MINUTES</p>	<p>FINAL MINUTES Approved Aug 28, 2013 As presented</p>
<p>Meeting called to order at 7:22 PM by Supervisor Mark Englerth.</p> <p>Roll Call: Jerkatis, J. Lippert, Englerth, B. Campbell (4 present) (Quorum present)</p> <p>Absent with notice: Mary Cook</p> <p>PLEDGE OF ALLEGIANCE:</p> <p>Moment of Silence Observed for M. Cook, who is recovering in Pennock Hospital after a recent emergency surgery.</p> <p>Staff Present: Recording Secretary.</p> <p>Visitors: (5) Signed in. Fran Faverman, Newspaper Reporter, was present as well.</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>PLEDGE</p> <p>Moment of Silence Observed</p>
<p>PUBLIC COMMENT:</p> <p>J. Lippert, Clerk, commented that a meeting was held at 5:30 p.m., Thursday, July 11, 2013 prior to the Regular Board Meeting at 7:00 p.m. A proposal was discussed and J. Lippert was not made aware of this meeting. J. Lippert noted that a letter had gone out from the Supervisor calling this meeting. J. Lippert remarked that Trustee Cook was not informed as well. Also, the letter (distributed by the Supervisor) was not copied to the Board Members.</p> <p>Discussion occurred regarding the meeting as an “Informational Meeting”.</p>	<p>PUBLIC COMMENT:</p> <p>J. Lippert, Clerk</p>
<p>Clerk read the Memorandum from John Lohrstorfer dated 7-15-13:</p> <p>The two-page memorandum was discussed. ***This document will be attached to the minutes of this meeting***.</p> <p>J. Lippert pointed out that after the meeting of July 23, 2013 (Meeting of Practicability), a Meeting of Necessity will take place. After the Meeting of Necessity, the third item is the Assessment Roll.</p> <p>Jerkatis, Treasurer noted that in reference to the last paragraph on page 2, this is the prime time for the township to present its wants and needs for the Cuddy Drain project.</p> <p>Mark Englerth, Supervisor commented that everyone was in agreement that the culvert is rusted out and that safe roads are needed.</p> <p>Rich Beukema, of the PC, and Valley Drive resident, commented that these channels are now a physical part of this body of water (pointing to Gun Lake). R. Beukema also gave the analogy of a swimming pool. If you install a pool, on your land, and your neighbor does some landscaping and doesn't take necessary precautions and the run off (from your neighbor) gets into your pool, it's not your fault. You are not liable for the damage.</p>	<p>Memorandum from John Lohrstorfer dated 7-15-13:</p> <p>Discussion</p> <p>Page 1 of 4 July 16, 2013 Board Trustees</p>

R. Beukema feels this is the same scenario with the Cuddy Drain situation and the residents of the channels. Beukema commented that he and other residents paid for the dredging of the channels when they bought their lots.

Greg Purcell, PC (Planning Commissioner), and Valley Drive resident, apologized to Jan Lippert regarding not being informed of the meeting on July 11, 2013, at 5:30 p.m. G. Purcell was one of the key persons in getting the notices/letters to people. Purcell commented that he did the original draft for the Yankee Springs Resolution and Petition for the Cuddy Intercounty Drain and John Lohrstorfer, YS Twp. Legal Counsel drew up the Resolution before the Board and audience this evening. February 4, 2013 was the first involvement of Purcell. He had attended a meeting of the Drain Commission in Hastings. G. Purcell also attended the meeting on the Gun Lake Improvement Board (GLIB) on Saturday, July 13, 2013. Purcell attended the GLIB because the Cuddy Drain project has potential negative consequences on the Gun Lake area. It could affect value of real estate. Also, debris will not be a benefit to those residents on the channels and into Gun Lake. Purcell mentioned that Allegan County will have the benefit of proper drainage. However, residents east of Patterson will have to deal with other items such as debris, floating waste, and other material flowing through the culvert and draining into the Cuddy Channel and into Gun Lake. Another issue for channel residents would be sediment flowing through the culvert and into the channel making it difficult for navigational purposes. E-coli and a fair and equitable cost are other items as well as regular maintenance. Purcell mentioned that R. Beukema, who also lives on Valley Drive, has a tree growing on a pile of sand/sedimentation that has been deposited in the channel right next to his home. R. Beukema mentioned that kids are swimming in the channel with E-coli ratings way over the safe level. G. Purcell commented that he does mind paying for something that will be to his detriment and to others residents as well. Purcell encouraged the board to piggyback on what Wayland Township has done with its Resolution. With its Resolution, Yankee Springs can expand the scope of the project. Purcell asked that the board do something as part of the overall project, not something down the line. Purcell also asked for the board to adopt the Resolution this evening and thanked the board as well for its consideration.

J. Lippert thanked Greg Purcell, Deb Masselink and Rich Beukema for all of their work done on this matter. J. Lippert asked G. Purcell to read the second paragraph on page two of Wayland Township's Resolution. Purcell proceeded to read:

"Your petitioner further respectfully declares that the consolidation of the Cuddy Intercounty Drain and all or a portion of the Gardiner Drain, to be know as the Cuddy Intercounty Drain, and the consolidation of the Cuddy Intercounty Drain Drainage District with all or a portion of the Gardiner Drain Drainage District to be know as the Cuddy Intercounty Drain Drainage District, and the cleaning out, relocating, widening, deepening, adding of branches, straightening, tiling, extending or relocating along a highway, installing structures or mechanical devices to properly purify or improve the flow, or pumping equipment necessary to properly assist or relieve the flow of the drain, or constructing one or more relief drains, which may consist of new drains or extensions or consolidation with one or more existing drains or enlargements or connections to existing drains, or adding one or more branches, to any portion thereof, will be necessary and conducive to the public health, convenience or welfare of said Township."

After the reading of the previous passage, J. Lippert commented that this (paragraph above) is for Wayland Township. "What is for Yankee Springs?" asked J. Lippert. G. Purcell went on to read the following goals from page two of Yankee Springs Resolution draft dated 7-10-13:

1. That the project be designed and engineered in a manner that limits debris of all manner, including large woody debris, branches, floating waste, and other material

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from flowing through the culvert and draining into the Cuddy Channel and subsequently into Gun Lake.

2. That the project be designed and engineered in a manner that limits sand and other sediment from flowing through the culvert and into the channel depositing silt and rendering the channel unfit for navigational purposes.
3. That the project be designed and engineered in a manner that minimizes the flow of e-coli and other deleterious bacteria from flowing through the culvert into the channel and subsequently into Gun Lake.
4. That the cost of the entire project shall be incorporated into one consolidated project that is paid for in a "fair and equitable" manner for all residents and users of the drain and Patterson Road, unless deemed not financially feasible by the Township Board.
5. That the Drainage Board authorizes maintenance of the project by a third party on an ongoing basis to ensure regular maintenance of the drainage district.

Discussion from citizens

After reading this portion of the YS Resolution, discussion turned to the use of Patterson Road. It was noted that a lot more people use Patterson Road than just those who live on the channels. **R. Beukema** remarked that in one hour today, (7-16-13), over 30 gravel and logging trucks went down Patterson Road.

J. Lippert highly recommended that Allegan County be involved with Yankee Springs' goal #5 (above), regarding maintenance. **G. Purcell** mentioned that best practices can be and should be used to keep ill effects minimized. He recommended MSU as a good source of information/education for this particular issue. **M. Englerth** remarked that a local farmer has changed things to be more accountable. Englerth also spoke of Mike Varano, a Gun Lake resident who has dealt with the drain issue years ago. Englerth mentioned that the third party (goal #5) will make this work.

J. Lippert asked **Deb Masselink** if Allegan County received notice when Wyoming Water Plant injections come in. **D. Masselink** was told by the manager of the Bio-Solid program that all injections are supervised. They kill the pathogens in the sludge first, and then treat with lime. Masselink added that any pooling that you see on a field will come from farms, not the injections. Discussion occurred on monitoring of spreading.

John Jerkatis asked if anyone had sent the e-coli readings to the Health Department. **Deb Masselink** mentioned that the Health Department has been following the situation for twenty years or so. Jerkatis suggested going to State legislators. Masselink commented that when she got sky high readings she notified several individuals including the DEQ and Health Department. Masselink commented that when it comes to the State, Yankee Springs is insignificant.

M. Englerth spoke of an occurrence earlier today, 7-16-13 (2:00 p.m.), regarding the spike in readings (done by the State) at the State Park was due to pulling of stumps and testing in the area of murky water around the stumps.

M. Englerth thanked **Deb Masselink**, **Rich Beukema**, and **Greg Purcell** for all of their efforts in the Cuddy Drain situation.

J. Lippert asked when the readings were done that **Deb Masselink** received such high counts of e-coli on. It was confirmed that these readings were done on May 29th prior to the major June rainfall event.

Motion by **J. Lippert** with support from **Bruce Campbell** to adopt Yankee Springs Resolution and Petition dated July 10, 2013 as presented, drafted by YS Township regarding Cuddy Intercounty Drain, RESOLUTION # 07-16-2013, to be presented at the July 23, 2013 meeting at Wayland Township at 10:00 a.m. ROLL CALL: Jerkatis- yes, J. Lippert-

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yes, Englerth- yes, Campbell- yes. Mary Cook- absent. Yes- 4, No- 0 and Absent -1.
MOTION CARRIED. A round of applause came from those in attendance.

M. Englerth thanked those in audience for coming and commented that the resolution was a big step and there are many steps yet to take place. An audience member thanked M. Englerth and the Board for keeping residents informed.

ACCOUNTS PAYABLE: Presented by J. Lippert, Clerk

Motion by Campbell with support from M. Englerth to approve accounts payable check #s 912090 thru 912119 dated 7/15/13 for the amount of \$39,410.90.

The Township Hall server was installed today. J. Lippert notified the Board members and personnel that passwords have to be changed. J. Lippert also commented that the computer server company will return tomorrow.

ADJOURNMENT

Motion by Englerth with support from J. Lippert to adjourn meeting at 8:27 p.m. MOTION CARRIED.

Respectfully submitted:
Deb Mousseau
Recording Secretary
7-16-13

Approved: _____
By: Janice C. Lippert, Clerk

Date: _____

Final Approval of Minutes: Aug 28, 2013

Board of Trustees

Motion carried to adopt resolution

Accounts Payable Approved

New Server Installed

Adjournment

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