

**APPROVED MINUTES  
COLDSPRINGS TOWNSHIP  
REGULAR BOARD MEETING MINUTES  
COLDSPRINGS TOWNSHIP HALL-COUNTY ROAD 571  
MONDAY AUGUST 12, 2019, 7:00 P.M.**

Supervisor Hoffman called the meeting to order at 7:00 p.m. Pledge of Allegiance was said by all. Board members present at roll call were Supervisor Hoffman, Clerk Collins, Treasurer Smith, Trustee Schaller, and Trustee Cervone. Thirteen members of the public were present and Deputy Brian Peacock.

**Adoption of the Agenda:** Clerk Collins would like to remove item E from the agenda under New Business and place on next month's agenda. A **Motion** by Schaller to amend the agenda by deleting Item E **Supported** by Cervone. All in favor Motion Carried.

**Establish any conflict of interest of items that are on the agenda:**  
None were presented.

**Approval of Minutes from the July 8, 2019 Regular Board Meeting and the July 29<sup>th</sup> Special Meeting minutes:** **Motion** by Smith to approve the Regular Board Meeting minutes and the Special Meeting Minutes as presented. **Supported** by Cervone. All in favor. Motion Carried.

**Correspondence was reviewed:**

Clerk Collins received the approved DEQ permit for the work on the culvert on Tower Rd the Kankaska County Road Commission will be replacing it. The clerk also said an account has been placed on Facebook for the Township by our Web designer. If any of the Township Board members want, they can contact him and he would create an administrator page for them. Our maintenance man Joe Ruiz wanted to know if he could get rid of the broken tables in the garage which are taking up space. A **Motion** was made by Collins to have the maintenance man dispose of the broken tables. **Supported** by Schaller. All in favor. Motion Carried.

**Assessor's report:**

Busy, busy! I am working quickly to get familiarized with the township. At this point in time, that largely involves working on the database and conducting audits to determine the size and scope of any deficiencies. Soon, I hope to begin conducting site inspections to examine the status of building permits and becoming acquainted with the neighborhoods. If there are any owners that are averse to site inspections--I would appreciate some details and advanced notice of that. As always, please feel free to contact me if you have any questions or concerns 231.499.7682 or sallyannakerley@yahoo.com

**Committee Reports:**

(A) Planning & Maintenance-Trustee Schaller reported that EPS have done their annual inspection on the camera system at Sands Park. The new parking lot posts have all been cut and are being installed over the next coming weeks. The oak wilt disease has killed off more trees in the park. Trustee Schaller would like to go out for bids to remove 28 trees in the fall. So the bids can be opened at next month's meeting. Also we have had a request

to have one parking space marked for handicapped boater parking down by the boat launch.

A **Motion** by Schaller to have one parking space marked handicapped boater. **Supported** by Smith. All in favor. Motion carried. Trustee Cervone will check with the Road Commission and ask about a sign for the handicapped boater parking spot.

(B) Fireboard – Supervisor Hoffman presented the minutes for the August 7, 2019

Fire Board Meeting and it showed that there were 11 Fire runs and 14 Rescue runs for the month of July. Frederic ALS had 29 calls, 4 transported to Kalkaska, 11 to Munson, 5 to Grayling, 1 inter-facility transfers, 2 Cancelled, 6 Refusal. The installation of the smoke detector's that the State Fire Marshall had awarded is going well if you qualify they will install them in your home. A complete copy of the minutes are on file in the clerks' office.

(C) Road Commissioners Meeting – Trustee Cervone stated that she attended the Road Commission meeting. The brining is now complete in Coldsprings Township. The Work on Rita Ln. and Woodland Dr. is now nearing completion. The Trees that were left along the road on Woodland and Rita Dr. will be picked up by the Road Commission if the residents request it. The ditches will not have guard rails put up, but they will be seeded.

(D) Sheriff Department – Officer Brian Peacock is our Township liaison please contact the Township with any ordinance violations and officer Peacock will be notified. Or call 231-258-3350 to leave a message for Officer Brian Peacock. Officer Peacock stated that he handled 4 Civil complaints, 0 Township Ordinance, 9 Property checks, 0 Misdemeanors, and 1 Felony for the month of July. A copy of Officer Peacock's report is on file in the Clerks' office.

(E) County Commissioner – Leigh Ngirarsaol stated that the Kaliseum is being studied and will possibly be on an upcoming election in 2020. The Point of Sale Ordinance is still being looked into. She said that is all she had for us.

(F) Hospital Board – Supervisor Hoffman stated everything is going good at the hospital and the construction is on time. The Hospital had their Strawberry Social and had over 700 people that attended. The Hospital is having a Community Sharps Disposal day on September 17, 2019 from 8:30-10:30 a.m. The talking points are on file in the clerks' office.

### **Treasurers Report:**

Treasurer Smith presented the monthly reconciliation report for the month ending July 31, 2019. The report showed that there was \$476,095.92 in the various Bank accounts, \$10.00 in the Forest Area Federal CU, \$10,734.06 in the Building Fund at Chemical Bank, and \$269,728.55 in the Tax account at Chemical Bank and \$200.00 in the Cash on hand Fund. A **Motion** by Collin to accept the Treasurer's report as presented **Supported** by Schaller. All in Favor. Motion Carried.

**PUBLIC INPUT ON BUSINESS ITEM (as listed on the agenda):7:29**A resident asked that our Townships amended fireworks ordinance match other Townships in the area. Supervisor Hoffman stated that our Township Attorney drew up the amended ordinance to meet the State of Michigan's fireworks ordinance.

**Old Business:**

**(A)Look over bids for new Furnace-**Clerk Collins presented the Township Board with three different bids. After a brief discussion. A **Motion** by Smith to accept the bid from Moore Plumbing and Heating in the amount not to exceed \$4,595.00. **Supported** by Hoffman. Roll call vote Schaller, yes, Collins, yes, Cervone, yes, Hoffman, yes, Smith, yes. All in favor Motion Carried.

**New Business:**

**(A)Look over the amended Firework Ordinance-**The Clerk presented the amended firework ordinance to the Township Board. After a Brief Discussion. A **Motion** by Collins to adopt the amended fireworks ordinance. **Supported** by Schaller. All in favor. Motion Carried.

**Coldsprings Township  
Ordinance Number 1 of 2017  
Amended August 12, 2019**

AN ORDINANCE TO REGULATE THE IGNITION, DISCHARGE AND USE OF  
FIREWORKS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE  
ORDINANCE

**The Township of Coldsprings Ordains:**

**Section 1. Purpose**

In the interest of maintaining public health, safety and the general welfare and the comfort and repose of Coldsprings Township residents, The Coldsprings Township Board hereby provides for the regulation and use of fireworks in Coldsprings Township.

**Section 2. Definitions**

For purposes of this Ordinance, the definitions provided in MCL 28.452 shall apply to this Ordinance.

**Section 3. Novelties**

Except as otherwise provided herein, this Ordinance does not regulate the use of Novelties or low impact fireworks in Coldsprings Township.

#### **Section 4. Consumer Fireworks**

1. Consumer fireworks may be ignited, discharged and used any day in Coldsprings Township, but only as provided herein:
  - a. Except as otherwise provided herein, consumer fireworks are prohibited from being ignited, discharged and or used between the hours of 12:00 p.m. (Midnight) to 9:00 a.m. the following morning.
  - b. Except as otherwise provided herein, consumer fireworks are prohibited from being ignited, discharged and or used on any day in which the State of Michigan Department of Natural Resources or its successor agency has prohibited the issuance of burning permits for Coldsprings Township.
  - c. Consumer fireworks are prohibited from being ignited, discharged and or used on any public lake, public navigable stream, public property, school property, church property, public parks, or public road ends.
  - d. Except as otherwise provided herein, consumer fireworks are prohibited from being ignited, discharged and or used on private property of another, without first obtaining the property owner's express permission to ignite, discharge and or use the consumer fireworks on the property.
  - e. No person shall ignite, discharge and or use consumer fireworks or low impact fireworks while physically or mentally impaired by the use of alcohol and or drugs of any kind.
  - f. No person shall ignite, discharge and or use consumer fireworks from a motor vehicle or vessel.
  - g. No person under the age of 18 shall ignite, discharge and or use consumer fireworks.
  - h. No person permit a person under the age of 18 to ignite, discharge and or use consumer fireworks.

- i. That all persons who are permitted to ignite, discharge and or use consumer fireworks shall strictly abide by all State of Michigan laws and regulations in regards to the ignition, discharging, storage, displaying and use of consumer fireworks.
2. That this ordinance does not regulate and is not intended to regulate the ignition, discharge, or use of consumer fireworks on those dates contained in MCL 28.457(2), which section prohibits any local unit of government from the regulating the ignition, discharge, or use of consumer fireworks on certain dates after 11 a.m.

### **Section 5: Violations, Penalties and Enforcing Agency.**

1. That pursuant to MCL 28.457(3), any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction with a civil fine of \$1,000.00 for each and every violation of this Ordinance.
2. That pursuant to MCL 29.457(3), \$500.00 of the fine collected under this provision shall be remitted to the local law enforcement agency responsible for enforcing this Ordinance.
3. That the Kalkaska County Sheriff's Department is hereby designated as the local law enforcement agency authorized to enforce this Ordinance.

### **Section 7. Nuisance Per Se.**

That a violation of this Ordinance is also declared to be offensive to the health, safety and welfare of the public, and as such any violation of this Ordinance is hereby declared to be a nuisance per se.

### **Section 8: Severability**

If any section, clause or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause

irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

**Section 10: Effective Date**

This Ordinance shall become effective ten (10) days after being published in a newspaper of general circulation within the Township.

ROLL CALL VOTE

Yes: Hoffman, Smith, Cervone, Schaller, Collins

No: 0

**Township of Coldsprings**

**(B)Look over and approve Resolution #9 of 2019 Allowing local residents the right to protest in writing-** After a brief discussion a **Motion** by Cervone to adopt resolution #9 of 2019. **Supported** by Collins. Roll Call vote Hoffman, yes, Schaller, yes, Smith, yes, Cervone, yes, Collins, yes. Motion Carried.

**COLDSPRINGS TOWNSHIP  
KALKASKA COUNTY  
RESOLUTION #9 OF 2019  
ALLOWING LOCAL RESIDENTS TO PROTEST IN WRITING**

In order to ease the burden on taxpayers, the Assessor, the Board of Review and to ensure that all taxpayers have the equal opportunity to be heard by the Board of Review. The Township of Coldsprings of Kalkaska County, here by resolves, according to the provision of MCL 211.30(7) of the General Property Tax Act, that the Board of Review shall receive letters of protest from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

All notices of assessment changes and all advertisements of March Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

The Foregoing resolution offered by: Cervone

Second by: Collins

Upon roll call vote the following voted:

Yes: 5

No: 0

The Supervisor declares this resolution adopted on August 12, 2019

Raymond M Hoffman

I, the undersigned, the Clerk of the Township of Coldsprings, County of Kalkaska, MI, do hereby certify that the foregoing is a true and complete copy of certain proceedings takes by the Coldsprings Township Board of the county at its regular meeting held on August 12, 2019, relative to the adoption of the resolution therein set fourth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 267, Public Acts of Michigan, 1976 and that the minutes of said meeting were kept and will be made available as required by said Act.

August 12, 2019

Cheryl Collins, Clerk

- (C)Discuss getting bids to remove trees at Sands Park-A Motion** by Schaller to put an AD in the paper to get bids for the removal of 26 trees including stump grinding and reseeding of the affected area. **Supported** by Collins. All in favor. Motion Carried.
- (D)Look over Municipal Underwriters summary of Coverage**-Clerk Collins presented the Board members with a copy of the Municipal Underwriters Policy. The premium stayed the same with the same coverages.
- (E)Removed from agenda**

**Approval of Bills:**

Bills were reviewed. The total of the bills to be paid is \$29,098.35 including the bill for the cemetery Veteran flags. **A Motion** by Smith to approve paying the bills as presented. **Supported** by Cervone. Roll Call vote Hoffman, yes, Smith, yes, Collins, yes, Schaller, yes, Cervone, yes. Motion Carried.

**Public Comment: Started at -7:55-** A resident was wondering when the County was going to have the Point of Sale Ordinance repeal vote. County Commissioner Ngirarsaol said they may vote on it at the next meeting and she will let us know. A resident wanted to commend the Road Commission on the great job on Rita Ln. and Woodland Dr.

**Adjournment:**

**Motion** to adjourn at 8:00 p.m. by Smith. **Supported** by Cervone. All in Favor.

Cheryl Collins  
Coldsprings Township Clerk