

COLDSPRINGS TOWNSHIP

REGULAR BOARD MEETING MINUTES

COLDSPRINGS TOWNSHIP HALL-COUNTY ROAD 571

MONDAY, APRIL 13, 2009

Supervisor Neubecker 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 Neubecker, Clerk Hodges, Treasurer Lambert, Trustee Bondy and Trustee Corrado. County Commissioner Lou Nemeth and six members of the public were also present.

Adoption of the Agenda - Let County Commissioner Nemeth report 1st under Planning & Maintenance and add TBA Tax Collection Agreement as item C under New Business. M/Bondy S/Corrado to adopt the agenda as amended. All in favor. Motion carried.

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

Approval of Minutes - Approve the minutes from the March 9, 2009 Budget Hearing and the March 9, 2009 regular board meeting - Neubecker asked that the minutes for the budget hearing read \$40.00 for extra non-statutory meetings and also change the word use to used on page 3, 1st paragraph, line 5. M/Neubecker S/Corrado to approve the minutes for the March 9, 2009 budget hearing as corrected. All in favor. Motion carried. M/Lambert S/Bondy to approve the minutes for the March 9, 2009 regular board meeting as written. All in favor. Motion carried.

Correspondence was reviewed. A letter from the DNR stating that the Local Watercraft Control WC-40-91-002 on Manistee Lake is indeed no longer in effect. They earlier sent a letter stating that they needed proof since they did not have a record of receiving the documents previously, and Hodges sent them a copy of the tear sheet from the May 18, 1994 newspaper in which it had been published. Also received was a copy of the proposed amendments to the Kalkaska County Solid Waste Management Plan. The clerk will have a copy on file. Neubecker said that he had a letter dated March 26, 2009 from the law offices of Cohl, Stoker, Toskey & McGlinchey, P.C. and he said that he would like to have it recorded for the record that we did receive the letter as correspondence. He said that it was addressed to Denny Corrado because he is the representative of the township board to the road commission. Neubecker read the letter, which was in regards to the \$40,421.67 that the Road Commission charged the Township for equipment rental for the Starvation Lake Road project. Neubecker said that we would discuss the letter further under road commission. Copy of the letter will be on file.

Committee Reports - (A) County Commissioner Lou Nemeth - Nemeth had a number of handouts which included, total real and personal taxable value 2008 vs. 2009 of all twelve townships in the county, report on the road commission, a report on the Grand Vision status, the public affairs meeting held recently to discuss/complain about the recently enacted requirement to have septic tanks inspected at point of sale or transfer of property in Kalkaska County, opportunities in agriculture in Northwest Michigan, how the state budget cuts may affect the county and the revenue and expenditures portions of the March 2009 Kalkaska County budget. Copies of all the reports are on file. (B) Planning & Maintenance - Trustee Bondy presented price quotes for a dock at Sands park at Manistee Lake. Prices ranged from \$1,800 to \$3,480. She said that even though they are all vinyl they are all different. Discussion followed. Dan Cole mentioned that the docks that the DNR have are made in Grayling and said that they are very strong and would be the least damageable type structure that you could buy. Neubecker wondered if they would construct for townships. Bondy will look into it. (C) Fire Board - Minutes from the April 1, 2009 fireboard meeting were presented. Neubecker said that the fireboard authorized to go out for bids for a Mini-Pumper and they expected the cost to be over \$200,000.00 and he said that it appears that there will be the money within the budget this year and he said that they are also looking at putting out for grants to see if they couldn't get some of the money through the Homeland Security. Neubecker also said that the pancake breakfast would be April 26th. Copy of the minutes will be on file. (D) Road Commission - Trustee Corrado reported on the April 13th road commission meeting. He said that the road commission said that if Coldsprings Township does not pay the \$40,000 plus within thirty days of the letter (mentioned earlier) that the township received, that they (the road commission) would sue the township. Corrado told the road commission that if that is what they feel that they need to do, then it is his opinion that we should request a jury trial. Corrado told the road commissioners that they still have not showed us where they can legally charge us a rental fee for equipment. He said that the road commission claims that we broke the contract and he told them that they broke the contract because they still have not completed the Starvation Lake project. Corrado also reported that the road commission is expecting somewhere between \$349,000 and \$429,000 in Stimulus Money but that according to Jamie Woodham the money can only be used for rural major collection roads. Neubecker said that he wanted to go on record, that what is recorded in their minutes and also what Stuart Rogers has on tape that prior to John Rogers leaving the road commission, John Rogers brought forth to the road commission a proposal, a resolution, that under no circumstances would any township ever be charged for equipment rental for any road work that is done within the township. Neubecker said that the road commission approved that resolution unanimously. Lengthy discussion followed. Neubecker said that he is putting together a package to take to our attorney. Corrado then said that the road commission is going to start charging an 18% interest on any funds that are not paid to them on time from now on. He also said that any contract that comes before the road commission from now on will have to pay 50% of the actual cost before they start the project, then 40% when the project is half done then the remaining 10% when the project is completed. More

discussion. (E) Liquor Enforcement - Good reports were received on Kiootee's Bar & Grill. Crime reports were also received for the month of March along with the year to date. Copy of the reports will be on file.

Treasurers Report - Treasurer Lambert presented the monthly reconciliation report for the month of March. The report showed that there was \$488,157.55 in the various bank accounts, \$19,729.47 in the Township Improvement MM account, \$3,113.08 in the Tax account and \$100.00 in the petty cash fund. She said that she will be purchasing a CD in the amount of \$100,000.00 for the Township Improvement Fund that was approved in the 2009/2010 Budget. M/Neubecker S/Hodges to accept the treasurers report as presented. All in favor. Motion carried.

Old Business - (A) Ordinance Enforcement Officer - Nothing to report this month. (B) Salary Resolutions - Neubecker said that we had a budget hearing on March 9th and we did pass the budget and part of the budget was a resolution on salary increases. He said that each of those increases do actually have to be approved by the board, by resolution. The resolutions were offered as follows: 1. Effective April 1, 2009 the salary of the Township Supervisor shall be \$10,192.46 per year. Offered by Hodges supported by Lambert. Roll call vote. Bondy yes, Corrado yes, Lambert yes, Hodges yes and Neubecker yes. 5 yes 0 no. The supervisor declared the resolution adopted. 2. Effective April 1, 2009 the salary of the Township Clerk shall be \$15,942.00 per year. Offered by Neubecker supported by Lambert. Roll call vote. Corrado yes, Neubecker yes, Hodges yes, Lambert yes and Bondy yes. 5 yes 0 no. The Supervisor declared the resolution adopted. 3. Effective April 1, 2009 the salary of the Township Treasurer shall be \$15,138.94 per year. Offered by Neubecker supported by Corrado. Roll call vote. Bondy yes, Lambert yes, Hodges yes, Neubecker yes and Corrado yes. 5 yes 0 no. The Supervisor declared the resolution adopted. 4. Effective April 1, 2009 the salary of the two Trustees shall be \$2,784.60 each per year. Offered by Neubecker supported by Lambert. Roll call vote. Corrado yes, Bondy yes, Neubecker yes, Lambert yes and Hodges yes. 5 yes 0 no. The Supervisor declared the resolution adopted. Copies of the resolutions will be on file.

(C) Charter Franchise - This item was tabled at the March meeting so that the Clerk could get more information regarding the Franchise Fee. The clerk spoke with Mr. Kavanaugh from Charter Communications and found out that the franchise fee is a fee that the township can charge Charter who passes the fee along to the customer. Charter collects the fee and then quarterly sends the money to the township then the township can use it as income. Discussion followed. The board felt that if we charged a franchise fee it would be just like another tax for services and did not feel that the township needed to charge a franchise fee. M/Neubecker S/Lambert to approve the franchise as presented. All in favor. Motion carried.

Supervisor Neubecker asked to open up the agenda to add a new item under Old Business, which would be item D - a new table for the board. M/Neubecker S/Hodges to

open up the agenda. All in favor. Motion carried.

(D) Table - Neubecker explained that we have talked about getting a new board table for years. He said that he has finally found a three sectional table through Michigan Office Solutions. Cost would be \$1,386.00. Discussion. M/Lambert S/Hodges to purchase the table. Roll call vote. Bondy yes, Corrado yes, Neubecker yes, Hodges yes and Lambert yes. All in favor. Motion carried.

New Business - (A) Fire Agreement for Oliver Township - M/Neubecker S/Lambert to approve the contract with Oliver Township as proposed for \$4,350.00. All in favor. Motion carried. (B) MTA Workshops June 5th and June 18th - M/Neubecker S/Lambert to approve the two trustees, clerk and treasurer to attend the June 5th MTA District meeting and the clerk and treasurer attending the June 18th MTA workshop. All in favor. Motion carried. (C) TBA summer tax collection agreement - M/Neubecker S/Hodges to approve the agreement with TBA for summer tax collection. All in favor. Motion carried.

Approval of bills - Add \$445.00 for the MTA meetings. M/Corrado S/Bondy to approve the bills with the one addition. Roll call vote. Lambert yes, Hodges yes, Neubecker yes, Corrado yes and Bondy yes. All in favor. Motion carried. Checks #11194 through #11223 in the amount of \$125,200.40 were issued for payment.

M/Neubecker S/Lambert to approve payment to the election workers prior to the next board meeting. All in favor. Motion carried.

Public Comments - Mary Caskey was present and said that she had brought a picture of the township hall as it looked 100 years ago and also of county road 571. She also had pictures of the Davis family and postcards.

M/Lambert S/Bondy to adjourn.

Meeting adjourned at 9:17 p.m.

Mary Hodges
Coldsprings Township Clerk