

# **COLDSPRINGS TOWNSHIP**

## **REGULAR BOARD MEETING MINUTES**

### **COLDSPRINGS TOWNSHIP HALL-COUNTY ROAD 571**

**AUGUST 8, 2005**

**7:00 P.M.**

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 Casto, Trustee Bondy and Trustee Paladino. Approx. 30 guests were also present.

Adoption of the Agenda - Trash on Starvation Lake Rd was added under old business and Road Commission was added to new business. M/Casto S/Bondy 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 the Minutes from the July 11, 2005 regular board meeting and the July 24, 2005 special board meeting - Neubecker had four corrections to the July 11<sup>th</sup> minutes. M/Paladino S/Bondy to approve the minutes from the July 11, 2005 regular board meeting, as amended. All in favor. Motion carried. Neubecker had two corrections to the July 24<sup>th</sup> minutes. M/Bondy S/Casto to approve the minutes from the July 24, 2005 special board meeting, as amended. All in favor. Motion carried.

Correspondence was reviewed.

Committee Reports - Planning & Maintenance - Trustee Bondy said that the Afton stone on Dean St looks very good. She said that on the Laing easement, her & Chuck trimmed the trees there because they were blocking the sign and were across the access. Neubecker said that in the future to let him know and he would have Dream Lakes take care of it. He said that he's waiting for the survey to get done and then he's going to have Dream Lakes do a little more work on it. Bondy also reported that Chuck Anderson has been doing a good job keeping the park clean. She also asked the board about getting someone else to do the maintenance at the cemetery and township hall. She said that she's been getting a lot of complaints about the cemetery. Hodges said that she's gotten a number of calls also. She said that she has asked Greg several times to cut the grass before the week-end and he said he would but last week he didn't come until late Saturday. She said she realizes that he has a long way to come and she

appreciates his efforts but it's just not working. Neubecker said that he would look into it. Bondy said that she talked to the man that is taking care of the park and he said that he would be willing to take care of the cemetery at least for the rest of the season, if she needed him, and she said that there is a lot to be done. No action was taken at this time. Fire Board - Minutes from the August 3, 2005 Fire Board meeting were presented. Copy on file. Road Commission - Trustee Paladino said that the pavement portion is done on Sunset Trail and that it will be a few weeks or so before they do the stripping. He also said that it's now the county's responsibility to do the shoulders on Sunset Trail. He did say that the road commission did assure him that it would be done this fall. As to bringing the roads, the road commission said that if they have enough brine they would do both sides of the road, if they have enough manpower. Murray Young asked Paladino to ask the road commission as far as Starvation Lake Rd. goes, that with the cost of the trucks and drivers that they are using now to maintain the road versus the cost of paving the 1 and ½ miles, that they have already torn up, if they wouldn't end up saving money. Short discussion about roads. Paladino said that he would be attending a road commission meeting this month. Liquor Enforcement - Hodges received the reports for both establishments for the month of June. Both reports were good.

Treasurers Report - Treasurer Casto presented the monthly reconciliation report for the month of July. The report showed that there was \$388,417.15 in the various bank accounts, \$111,923.19 in the tax account and \$100.00 in petty cash account. M/Neubecker S/Hodges to accept the treasurers report as presented. All in favor. Motion carried. Copy of the report is on file.

Old Business - (A) Manistee Lake Association re: Lake Improvement Board Resolution - Neubecker said that we have talked this situation over at board meetings since last February to the current and we had a special meeting designed for the members affected on Manistee Lake on July 24<sup>th</sup> at which time everybody was mailed a letter and notices were posted and everyone had the opportunity to speak at the meeting. Neubecker said that he was not really desirous of taking any more pros and cons regarding the lake board at this meeting. He then asked Norm Groner, Supervisor for Excelsior Township, if they had discussed the resolution at their meeting last week. Groner said that they did discuss it but had not made a decision as yet. Neubecker said that as he stated at the meeting on July 24<sup>th</sup> it was his intention to bring forth at this meeting tonight a resolution to establish a lake board. Neubecker then read Resolution #06 of 2005. Supervisor Neubecker offered Resolution #06 of 2005 to the township board for approval. Supported by board member Bondy. Neubecker then asked if there was any further discussion from the board. Hodges said that she also represents all the taxpayers and not just the ones that can vote. She said that she feels very uncomfortable with this special assessment that the Lake Board would be able to assess. At this time we have no idea what the cost or special assessment may be. She asked Attorney Edwards if there weren't some way that they could come up with just a ballpark figure, as to the cost, so as to get some idea as to how much the

Lake Board would have to assess to the property owners, before we moved forward with this resolution. She said that what we're doing here is saying OK, let them (the Lake Board) go and do whatever they want, let them get their special assessment. She said that right now we don't know if this project is going to cost \$50,000.00 or \$100,000.00 or more and there are a lot of taxpayers that just cannot afford another \$300.00 or \$400.00 a year extra for three or four years. She asked that with the 100 or so Lake Boards around, which isn't really a lot when you consider the number of lakes in the state of Michigan, isn't there at least one that would be comparable to Manistee Lake and their problems so that we could get an idea of how much of a special assessment the Lake Board, if established, would have to assess. Neubecker said at the present time there is one Lake Board that is in the process of being dissolved and that is in the Upper Peninsular, and the reason that their Lake Board is being dissolved is because they came in and did their survey and discovered that what is going on is basically a rotational thing, plant growth within the lake. The engineering survey determined that there was really nothing that could be done, that it was on a cycle. It was a cyclic event. Neubecker then said that one thing that he stressed at the meeting on the 24<sup>th</sup> is the fact that if this resolution is approved by both boards, Coldsprings and Excelsior, that there will be a member of both township boards on the Lake Board and the reason for that is to protect the townships interest. Attorney Edwards said that the Lake Board would be like any other board, that they would have the power to assess property owners for whatever purpose the board was established. He said that that does not mean, for instance, that a Fire Board is going out and set up a special assessment for five fire trucks that they do not need. He said that you just wouldn't see that happen. Neubecker said that the Lake Board could also apply for grants. Hodges said that Manistee Lake Association has said that they have \$20,000.00 that they're going to put up for this study but nothing has been said about what the township may have to come up with and how much. Neubecker said that he feels that the township will only have to come up with very little. Paladino asked Edwards, if the Manistee Lake Association, comprised of the lake members, was not a legal entity, and could they not hire an engineer to do a study of the lake and then present the results to the local governing board, such as us. Edwards said that if the Manistee Lake Association came to this board and said that they have spent \$20,000.00 to have this study done, and presented the board with what had to be done to the lake, statutorily, the local governing board would not have the authority to do anything about it. The authority lies with the Lake Board. Casto said that she finds fault with that. She said that they're taking the authority away from the townships. Edwards said not necessarily, because on the Lake Board there will be a county commissioner, the county drain commissioner, or their representatives, a member from each township board and if the Manistee lake Association has more than 50% of the lakefront property owners in their association they also can have a member on the Lake Board. Neubecker asked Goulet how many members were in the Manistee Lake Association. Goulet said about 160 or 170 members. Neubecker said that there are 299 lakefront property owners, so they do have a majority in their association. Paladino asked, if the way the act is written, that if after they find out what it is going to take to

fix the lake, such as what kind of a program, does the petition process then start after that? Will the people that will be affected, will they have a choice as to a yes or no? Edwards said that the Lake Board makes all of those determinations. Neubecker said that there is no petition process to the Lake Board from the property owners. He said that the Lake Board has to take the engineering study and determine, working with the engineers based on the engineering study, what is necessary to accomplish short term and long term objectives with the lake. At that point in time they go out for bids, they come up with a number they look at, and who is going to be assessed, what property owners have an invested interest in that lake, then your public hearing process starts and through your public hearing process is where the determination as to whether a Lake Board is going overboard or is on track meeting the needs of the residents and doing it in a logical, cost effective manner. Paladino said that in one way he liked the idea of the Lake Board and he said that he was at the meeting on the 24<sup>th</sup> and he said that he liked some of the input. He said that what he doesn't like is the idea of taking the power away from the people by telling the people that this is what you're going to do and you're going to be assessed this amount of money. Neubecker said that we could do that at the township level without a Lake Board. Short discussion followed. Neubecker then asked for a roll call vote on Resolution #6 of 2005. Paladino yes, Casto no, Hodges no, Bondy yes and Neubecker yes. Supervisor Neubecker declared the resolution adopted. Neubecker said that this Lake Board establishment cannot be totally fulfilled unless Excelsior Township passes a joint resolution in conjunction with this to make it a reality. Copy of the resolution is on file.

7:55 P.M. Neubecker called for a five-minute recess to reconvene at 8:00 P.M.

The meeting reconvened at 8:05 P.M. with all board members present.

(B) Old Business - Trash on Starvation Lake Rd. - Murray Young said that he was present at the April meeting and that Neubecker had stated at that time that he would call North Country Sanitation and have them place a 2 or 3 yard dumpster on Buck Lane and there is still no dumpster there, and that he called North Country the first of July, and they told him that they had not heard anything about it. Neubecker said that that was not so, that they did know. Neubecker said that he called North Country again last week and they said that a work order had not been written up yet. They were supposed to get back to him but as yet they have not. Lengthy discussion followed including some zoning questions. Neubecker said that he will talk to a few people and would get back with Murray later in the week.

New Business - (A) Increase amount approved at the July board meeting for the clerks QuickBooks upgrade and support renewal. Hodges said that she had made a mistake on the amount at the July meeting. M/Neubecker S/Casto to approve the additional expenditure to \$419.90. All in favor. Motion carried. (B) Approve the Resolution for CETA - a request from CETA asking that they be recognized as a nonprofit organization operating in the

community for the purpose of obtaining a charitable gaming license be approved. Neubecker read the resolution. M/Casto S/Paladino to approve the resolution. Roll call vote. Bondy yes, Casto yes, Hodges yes, Neubecker yes and Paladino yes. All in favor. Motion carried. Copy of the resolution is on file. (C) Road Commission - Rick Spires was present to inform those present that the county commissioners would like to have the road commissioners appointed instead elected. He asked everyone to call not only their county commissioner but all of them and let them know your feelings on appointments vs. elected. Short discussion followed.

Approval of bills - M/Paladino S/Bondy to approve the bills as presented. Roll call vote. Casto yes, Hodges yes, Neubecker yes, Bondy yes and Paladino yes. All in favor. Motion carried. Checks #9829 thru #9850 in the amount of \$13,778.46 were issued for payment.

Citizens Comments - A citizen asked if the board was still planning on cleaning the half of First street over on Pickerel Lake, that belongs to the township. Neubecker said that yes we are, we're just waiting for the survey to be completed. He said that they were supposed to be around this week but they have been really backed up but as soon as the survey is done we will be doing some work on it.

Upon proper motion the meeting adjourned at 8:49 P.M.

Mary Hodges  
Coldsprings Township Clerk