

COLDSPRINGS TOWNSHIP

REGULAR BOARD MEETING MINUTES

COLDSPRINGS TOWNSHIP HALL - 6515 COUNTY ROAD 571

JUNE 13, 2005
P.M.

7:00

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. 13 guests were also present including County Commissioner Phyllis Senske and Drain Commissioner Francis Kelly.

Adoption of the Agenda - M/Casto S/Bondy to adopt the agenda as presented. All in favor. Motion carried.

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

Approval of the Minutes - M/Casto S/Paladino to approve the minutes from the May 9, 2005 regular board meeting. All in favor. Motion carried.

Correspondence was reviewed. Among the correspondence was a letter which was signed only as a concerned citizens group, which was read by the clerk. Gerry Gancer asked if it was the policy of the board to read letters signed only as concerned citizens. Supervisor Neubecker said that this is the first one we received and yes we will read them since the letter was addressed to the township officials and it is public information. Also if the concerned citizens are present, since we do not know who they are, they will know that we received their letter. Casto suggested that we turn the letter over to the assessor and ask him to check into it further. Gancer asked that if the board receives letters regarding the junk ordinance and signed only as a concerned citizen would we also read them at the meetings. Neubecker said yes we would if it is addressed to the township board. If a letter is addressed to him personally then that would be his option.

Committee Reports - Planning & Maintenance - Trustee Bondy reported that the new picnic tables have been placed over at Sands Park and that the septic tanks in the restrooms have been pumped out. She said that the restrooms at the park were a real mess and that she asked the fire department if they could hose them down, which they did, however they are a mess again. There was a short discussion about closing off the restrooms and renting port-a-johns but Bondy said that the port-a-johns would probably end up in the lake and that would be worse. No action was taken. Bondy also asked about getting more grills for the park. She

said that the ones that were there are no longer of any use since they are all burned out. She said that all that is left are the posts. Short discussion followed. M/Neubecker S/Casto to get prices for new grills. Bondy said that she had prices of \$130.00 and \$180.00 each for new grills. She did not know what the shipping charges would be. Neubecker rescinded his motion and Casto rescinded her support. M/Casto S/Hodges to purchase six (6) new grills for the park. Since we do not know what the shipping charges will be, Bondy will be allowed to purchase the grills using her own discretion. All in favor. Motion carried. Fire Board - Minutes for the June 1, 2005 Fire Board meeting were presented. Copy on file. Road Commissioners Meeting - Trustee Paladino reported that he had gotten back with Gerry Gancer on his questions regarding the snow plowing. He said that nothing has been done with the culvert under Ford Rd & E Shore Dr and that he asked Mike Slater about it and Slater told him that the supervisor was still on vacation and to his knowledge nothing had been done and that they are going to look into it but that it is not one of their top priorities at this time. Regarding Sunset Trail, Paladino said that the road commission received the bids and that Elmer's was awarded the bid for Sunset Trail. He said that the road commission is going to stockpile gravel somewhere to do the shoulders after the road is done. The bid from Elmer's for Sunset Trail is \$103,450.00. After they do the gravel on the side of the road they figure the bill will be \$110,000.00. Paladino said, that Slater told him that the board would have to make some kind of decision and Paladino said that we would need something in writing or contract so that we know where we stand on this. Paladino said that Slater gave him an example as to the increase in the cost from the letter he sent us in October. Slater said that the cost of asphalt at that time was \$28.00 a ton and now it has escalated to \$33.00 a ton. Neubecker said that he can understand it with the increase in gas prices, and that everyone is passing the increase onto the consumers. Paladino said that he would like to see something in writing and Slater said that he would have something as soon as the board makes a decision and as soon as the board and the road commission sign the papers he will put it on the schedule. M/Neubecker S/Bondy to authorize the Kankaska County Road Commission to enter into an agreement with Elmer's for the Sunset Trail job at a cost of \$103,450.00. Discussion. Casto asked about the contract. Paladino said that there will definitely be a contract written up between us and Kankaska County Road Commission. Roll call vote. Casto yes, Hodges yes, Paladino yes, Bondy yes and Neubecker yes. All in favor. Motion carried. Liquor Enforcement - Nothing to report. We did receive a crime report for the month of May.

Treasurers Report - Treasurer Casto presented the monthly reconciliation report for the month of May. The report showed that there was \$384,371.30 in the various bank accounts, \$565.72 in the tax account and \$100.00 in the petty cash account. M/Neubecker S/Hodges to accept the treasurers report as presented. All in favor. Motion carried.

Old Business - (A) Road Ending surveys - Neubecker said that he will be meeting with the surveyors the second week of July and take a tour of the road endings and then take a look at what they want in the survey. (B) Bids for Dean St. - Hodges received only one bid for the asphalt for Dean St., it was from SRW Contracting/Paving. The bid was for \$2,590.00. M/Neubecker S/Casto to table the bid, because the bid is good for 45 days, and seek out other

bids. All in favor. Motion carried. Hodges will put it on the agenda for the July board meeting.

(C) Manistee Lake Association - Janet Goulet, President of the Manistee Lake Association, was present and asked if the Resolution to form a Manistee Lake Improvement Board was before the board. Neubecker said that the thought of having a Resolution brought before this board is there, but until such a time as some finer details can be worked out, such as meetings per diem, mileage, equipage, who is going to pay for the interim if costs exceeds that monies that has been graciously offered by the Manistee Lake Association. And we do not have answers to that yet. Neubecker said that it is his desire to involve legal counsel on this, to give us background information, and he said he realizes that one of the members of the Houghton Lake Improvement Board is a lawyer and we would like to seek legal counsel. Neubecker said that Mike Cox who is the Chairman of the Board of County Commissioners, was at the Excelsior Township board meeting last Monday, and he expressed his desire to see this happen. Neubecker said that he personally also has a desire to see this happen however, he does not want to put this board in the position of jumping forth with the resolution only to come back and get bit for something that we may have missed before the launch of such. He said that he personally believes that the Manistee Lake Board is going to be a reality and that it won't happen this month and it may not happen next month or the following month but it is something that as a community we are working towards. Neubecker said that he would like this issue placed on the agenda for next month and that in the meantime he will be talking to our attorney Mike Edwards. Dr. Goulet showed a picture of the lake where the weeds are coming right through the surface. She said that the association was in a bad position now because they have pledged their \$20,000.00 and now they do not have the money to harvest the weeds. She said that she was very disappointed to hear that they may not get their Lake Board set up for another 2 or 3 months. She said that it really is urgent. Neubecker said that he realizes the urgency that they have, but that what he would like to relay to her is that this is something that has been happening over decades, and that we have come up with a very viable solution to deal with the problem, but that solution is not necessarily going to happen over night. Neubecker said that there are things that have to be nailed down first and nobody has answered any of those questions. Goulet said she would like to hear what some of the questions are. Neubecker said that one of them is engineering costs, one of them is who is going to be responsible for payment in addition to the money that has been pledged by Manistee Lake Association and he said that he spoke to her about that at the Manistee Lake Association meeting. Goulet asked if Neubecker had contacted any engineering firms to see if they are willing to perform the service. Neubecker said that he does not have the knowledge necessary to do so. Goulet said if you contact the engineering firms and tell them that you are considering forming a lake board and that there are certain studies that have to be done they could probably refer him to some. Goulet then asked if the board would like her to contact the engineering firms. Neubecker said yes, that would be great. Neubecker then asked Norm Groner from the Excelsior Township if Mike Cox said anything about the willingness to come on board. Groner said no. A citizen asked if the engineering costs would not be something that the lake board, once established, would have to deal with. Neubecker said that the engineering costs is something that has to be paid for before the special assessment district is set up and he said that he heard that from Mr. Demud, President of the Houghton Lake Improvement Board. The special assessment would

pay back anyone who has forwarded the money for the engineering costs. The question is how much? If the cost is going to be \$40,000.00 or \$50,000.00 and the Manistee Lake Association has said that they will give up to \$20,000.00 on a 3% loan, Neubecker said that \$30,000.00 for Excelsior Township to put in is not a very good idea for them because they have a very low tax base and even though we have a better tax base \$30,000.00 or more still would be rough on us, and since most of our money is tied up in CD's, and if we are going to have to obligate them we will be taking some losses on early withdrawals, and is the county willing to take any responsibility for this, and what are our legal ramifications. We need some answers to these questions. Goulet asked if we have an attorney that we work with and have we contacted him regarding the resolution. Neubecker said that we do have an attorney but that we have not contacted him regarding the resolution, that we were waiting for the Manistee Lake Association to have their spring meeting and then have a discussion here at our meeting and also to give Excelsior Township time to have a discussion at their meeting and then see if they were on board or not. Neubecker then asked Groner from Excelsior Township to give some input from there meeting. Groner said that they have such a small portion of Manistee Lake in their township and they are very limited. He said that he himself is not against a lake board and he doesn't think anyone on the board is against a lake board however they feel that there is more to forming a lake board than just passing a resolution and they do have questions as to compensation for the person that would be appointed to the lake board. He said that from conversations he has had that the lake board feels that whoever serves on the lake board would be volunteers. Groner said that everyone on the township board has very little spare time and so then they would have to appoint someone. He feels that it would be hard to find someone willing to serve on the lake board as a volunteer. Goulet said that it was her thought that whoever served on the lake board would serve as a volunteer, however, if what Groner says is the case then the lake board would have to set up a compensation fee. Neubecker said that there are a few other questions regarding serving on a lake board, is that way the law reads is that an association connected with the proposed lake improvement board are allowed to designate to there membership only one member as placement on that board. He said that the townships are required to provide a representative. It doesn't say whether that representative has to be sitting on the township board or can be a member of the general public. He said that the problem that you run into with the general public is that the only people that you would find willing probably (which he said is only speculation on his part) to be a part of the Manistee Lake Improvement Board is someone who lives on Manistee Lake who can't participate because the law specifically delineates that only one member of the association is allowed to be on the board and he also said that if you have a county commissioner and the drain commissioner or a representative appointed by him or her (which he has that option to appoint someone) in his or her place to serve on the lake improvement board, there is going to be no county commissioner who is going to come to a meeting on a volunteer basis. He said that is just not going to happen. Neubecker said that you can't compensate one without compensating all. Neubecker said that he cannot sit down and say that we are going to establish a lake board tonight with these type of questions. He said that he does not feel comfortable in establishing any kind of a lake board when there are questions regarding financial obligations, to whatever entity, that we don't even have background. Paladino said that he liked what they did at Houghton Lake and

how they went and established a board. He felt the way Manistee Lake is doing it is a bit backwards. He said that at Houghton Lake both the lake front and back lot owners knew they were going to be in the special assessment district. Paladino said his question is if the back lot owners at Manistee Lake tentatively have been notified that they would be in the special assessment district. Neubecker said that that is what the lake board does after it has been established. He said that first the board is established, then they decide what property owners would be involved and then they go through the public hearings. Paladino asked what if we have all this money out and then 51% come and say that they don't want anything to do with it. Neubecker said that that is also a big concern. What happens if you go through the public hearings phase and don't get the proposed 51% of property owners to go along with it. Also what are the guidelines for disestablishing something if in fact you don't get the 51% of property owners needed. And then who ends up paying the costs since there has been no special assessment district set, who ends up out the money for the engineering study, for the permits and for the equipment. Neubecker said that if 51% of the property owners come back to you and say that they absolutely do not want a special assessment, you will not have one. Goulet said that they would have to fill out a petition. Neubecker said that is correct. Paladino said that we've done a special assessment within the township and they filled out their petition and sent out their mailings and then brought it before this board and the administrative part was done through the township. He said that there were quite a few no's but they did have their 51% so the no's had to go along with it and it worked out very well. Neubecker asked how many members do they have in the Manistee Lake Association. Goulet said about 110. Neubecker asked how many property owners are on Manistee Lake lakefront. Goulet said about 300. He then asked how many back lot owners are there. No one knew for sure. Neubecker said that there were a lot. Neubecker thought that there might be around 400 or 500. Gancer said no. Neubecker said you have a wider spread. He then said let's say if there are 300 lakefront lots there has to be 300 back lots. He said whether they have anything built on the property or not they still own property. Neubecker said that over the next few days he would like the board to write down any questions they have and e-mail them to him by Friday. He also asked the same of Excelsior Township. Neubecker said that he will get a copy to Goulet, Gancer, Brow and also a copy along with a copy of the resolution to our attorney Mike Edwards and will also ask him to be at our next month's board meeting. Neubecker asked Goulet if she could ask Mr. Demud to be at our next month's board meeting. Neubecker said that before we pass a resolution he wants all the questions answered.

New Business - (A) Pay representative for attending Upper Manistee River Watershed meetings. Neubecker informed Gancer that he would receive \$25.00 per each meeting he attends plus .37 per mile and in his absence Harvey Brow would receive the same. (B) New Computer and Printer for the Clerk - The Clerk's computer totally stopped working and she took it into Chain O'Lakes hopefully to get it repaired, but after checking it over thoroughly they found that it was the motherboard and they said that it really wouldn't be worth it to replace the motherboard. M/Casto S/Bondy to purchase a new computer at a cost not to exceed \$1,500.00 Roll call vote. Paladino yes, Neubecker yes, Hodges yes, Casto yes and Bondy yes. All in favor. Motion carried. Hodges said that she has also been having trouble with her

printer. M/Neubecker S/Casto to purchase a new printer at a cost not to exceed \$500.00. Roll call vote. Bondy yes, Paladino yes, Hodges yes, Casto yes and Neubecker yes. All in favor. Motion carried.

Approval of Bills - Check #9756 was listed as #30.50 and should show as \$35.00. Neubecker asked that the bill for the attorney in the amount of \$289.00 be added to the bills. M/Paladino S/Bondy to pay the bills with the one correction and the one addition. Roll call vote. Casto yes, Hodges yes, Neubecker yes, Bondy yes and Paladino yes. All in favor. Motion carried. Checks #9752 through #9780 in the amount of \$18,151.61 were issued for payment.

Citizens Comments - Paladino asked County Commissioner Phyllis Senske what the latest was on the Kaliseum. She said that at their next board meeting they have to approve another \$90,000.00 for bills. Senske asked for public opinion as to whether the county road commissioners should be elected or appointed by the county commissioners. The consensus was they should be elected. Neubecker said that for the record as a group consensus the Coldsprings Township Board in total believe that the County Road Commissioners should be and remain elected positions.

Upon proper motion the meeting adjourned at 9:00 P.M.

Mary Hodges
Coldsprings Township Clerk