

COLDSPRINGS TOWNSHIP

REGULAR BOARD MEETING MINUTES

COLDSPRINGS TOWNSHIP HALL-COUNTY ROAD 571

**OCTOBER 8, 2007
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, Trustee Bondy and Trustee Paladino. Treasurer Lambert was not present at roll call. Approx. 15 guests were also present. Treasurer Lambert arrived at 7:10 p.m.

Adoption of the Agenda - Neubecker asked that item E under Committee Reports (County Commissioner Lou Nemeth) be deleted. Neubecker said that Nemeth would be unable to attend tonight's meeting. Neubecker also asked to add as item B, under New Business, Central Avenue Road ending. M/Paladino 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 minutes - M/Paladino S/Bondy to approve the minutes from the September 10, 2007 regular board meeting as written. All in favor. Motion carried.

John Rogers from the County Road Commission was present to discuss some issues and concerns that the township board had discussed at their September township board meeting, such as Starvation Lake Road and the micro surfacing of 571 & 612. Rogers started out by thanking Trustee Paladino for attending the Road Commission meetings and he wanted to let the board know that Paladino does bring many concerns and issues of the township to the Road Commission meetings. Rogers said that one thing that he wanted to address was what Paladino had brought to the attention of the Road Commission, because he didn't want any misunderstanding, was that in his (Rogers) correspondence to the township board regarding Starvation Lake Road, Rogers stated that there was an estimate to the board and followed up by a contract, but what that contract was for, was for the language approval and the board understands that there was no contract and what the people from the newspaper need to understand is that it was not a proposal to enter into a contract that it was simply a contract, for the township, if they chose to enter into it. Neubecker said that for the information of the public that was present, Neubecker said that we as a board were going to move forward, if the cost was practicable, to redo Starvation Lake Road next year. He said that we were basing that on information that we received two years ago and the cost would have been \$168,000.00. Neubecker said, that unfortunately the cost of materials have risen to such a point that right now to do that same stretch of road the estimate that Rogers gave us is \$340,000.00.

Rogers said that the cost of asphalt has gone up considerably just over the last few years. Lengthy discussion on various ideas as how to possibly improve Starvation Lake road followed with a lengthy discussion on ACT 51. Neubecker said that we have to look at some alternatives for Starvation Lake Road. Rogers said that the road should never have been ground up, they should have done a wedge and cap. Hodges had asked earlier why it is going to cost \$340,000.00 to do Starvation Lake Road and yet the County signed an agreement to receive \$570,000.00 from the State to micro surface the detour route of 612 and 571 which takes in a lot more miles than the 2.5 miles of Starvation Lake Road. There was another lengthy discussion about 571 and 612 and the micro surfacing. Rogers said that right now the road commission is looking into several different options for surface treatments to 571 & 612, next spring, using the \$570,000.00. A question from the audience was, where is the \$570,000.00 now? Rogers said that the State has not released the money to the road commission and won't until the project has been approved. Hodges asked why they aren't going to do anything to Twin Lake Road between 571 and 131 when the 131 project is completed and they stop using Twin Lake Road as a detour. Rogers said that Twin Lake Road was not included in the package. Rogers said that what he would like to do is have the township board, the road commission foreman and himself meet with the township board and discuss just what direction the township board would like to see the road commission focus their energy. Paladino asked what was the end result for the four way stop at Pot Hole Corners (571 & 612). Rogers said that it will remain a four way stop. Neubecker asked Rogers if the money the road commission receives from ACT 51 just goes to pay for personnel, benefits and equipment. Rogers said that out of a 3.2 million dollar budget 2.5 million goes for pay and benefits. Neubecker said that the township board should consider calling for a special meeting and meet with the managers of the road commission sometime this winter and talk about what we are looking at for roads in the township.

7:55 p.m. Supervisor Neubecker called for a five minute recess until 8:00 p.m.

8:03 the meeting reconvened with all board members present.

Correspondence was reviewed.

Committee Reports - (A) Planning & Maintenance - Trustee Bondy reported that the County Work Crew painted the pillars on both the front porch and the side porch and that they had to do a lot of work to get them ready to paint. She said that the two on the front porch are rotting out on the bottom and we should look at replacing them. She also said that Amos Graves would take the flags to dispose of when they are removed from the graves before winter. Bondy said that maintenance has removed the artificial flowers and most of the statues that are in the way for mowing and they will be in the garage only until spring at which time they will be disposed of if the owners do not come and claim them. There are still a couple of graves that need to be addressed and Hodges said that she will try to locate the owner or a relative of the deceased and ask them to remove the stones, etc. that they have placed on the graves. Hodges said that we have a problem regarding a couple of graves in the cemetery as to who should be the rightful owner. Hodges said that she issued a new certificate to the party that claimed that she

was the beneficiary. Then another person came along and said that she actually paid for the two graves even though the receipt shows that the mother (now deceased) paid for them. Now I have received a copy of a Will that states that a third party was left the entire estate to dispose of as they see fit. There was a short discussion. The decision of the board was to put the graves back into the original owners name, void the new certificate that was issued and wait to hear from the Probate Court. Hodges will send a letter to the person that was issued the new certificate. (B) Fireboard - Minutes from the October 3, 2007 Fireboard meeting were presented. Copy on file. (C) Road Commissioners meeting - Trustee Paladino reported that the road commission is still having an issue with FOIA and also that people have spoken up about having trouble getting on the agenda and he feels that people are not given enough opportunity to be heard. Paladino said that most everything else was covered when John Rogers spoke.

Liquor Enforcement - Hodges said that no liquor reports were received. She said that the crime report for the month of September was received. The report showed that there were 35 incidents for the month of September. Copy on file.

Treasurers Report - Treasurer Lambert presented the monthly reconciliation report for the month of September. The report showed that there was \$369,515.28 in the various bank accounts \$19,256.61 in a Township Improvement Money Market account, \$714,353.97 in the tax account and \$100.00 in the petty cash fund. She reported that almost \$600,000.00 has been disbursed from the tax account to the various entities since the end of September. M/Neubecker S/Hodges to accept the treasurers report as presented. All in favor. Motion carried.

Old Business - (A) Open Trash Bids - 131 Waste & Recycling, American Waste and Waste Management submitted bids. All bids were reviewed. The bid from Waste Management in addition to the annual dollar amount, they would add a fuel surcharge anytime the price of Diesel went above \$3.00 a gallon. Also in the specifications from the township it is stated that we have an average of 700 households to service for the year and Waste Management wanted to add \$9.50 per household per month if there were more than the 700 households in the township. They also stated that any additional state, local or governmental surcharges imposed on them during the contract period would be passed onto the township. The added fuel surcharge was discussed. Neither American Waste nor 131 Waste & Recycling attached a fuel surcharge to their bids. M/Neubecker S/Bondy to drop Waste Management from the consideration process because of two items. One being the fuel surcharge, which was not part of the bid process and the other the \$9.50 per household increase mandatory stipulation on any households over the 700. All in favor. Motion carried. The bid from American Waste came in at \$26,200.00 over our current contract which is \$65,000.00 and 131 Waste & Recycling actually came in at \$5,000.00 under our current and both are with the four large item pickup per year. Neubecker said that he had a concern with 131 Waste in the aspect that they are a new company and are just getting started within the community and we have a really well established trash removal system in this township. North Country took over quite a few years back and they were a new company also but they had already established themselves in another township plus they had a few businesses in both Kalkaska and

Mancelona and it wasn't quite a jump for us because they had a proven track record already in the area rather than with just individuals. Neubecker said that he liked the bid that 131 Waste presented but at the same time he was a little bit hesitant because of the fact that they are just launching a new business. He said that he is speaking as one individual on a board of five. Neubecker also said that when North Country sold out to American Waste, there was no falling out of services whatsoever. He said that there were a couple of small glitches but that all got worked out without any problem. And trash is a large concern in this township. Neubecker asked for input from the other board members. Paladino said that we had a good rapport with North Country and that he was glad that we got the price we did and he stayed with it but he really did expect them to go up with the way the price of diesel fuel went up. He said that based on the service and as long as we don't have to ask the taxpayers for any additional money and it is not the purpose to have contingency money for trash but it also is not the purpose to go in the hole either. He said that it sounds from our tax base we have enough to go with either bid. Hodges had some concerns regarding the references from 131 Waste. Lambert asked if 131 had enough equipment and manpower to handle the trash. Bondy said that since it is taxpayer's money and American Waste is in our area in Kalkaska that we should go with American Waste. Lambert said that she was concerned about the \$26,000.00 increase but at the same time she is also concerned that 131 Waste came in \$5,000.00 under what we're paying now and is also concerned whether 131 has the capability of taking care of the concerns of our township but she said that she also realizes that sometimes for the first couple of years they would come in with a lower bid to build up a business. She said that we did give North Country a chance. Neubecker said that they were somewhat established within the area. She said that she is concerned about 131 coming in so low but then a \$26,000.00 increase seems a little high. Hodges said that when North Country bid she actually voted no and they proved her wrong, which she said that she was glad that they did and they did an excellent job. However they did keep their price at the same thing for three years in a row and if they had increased their price each year as most companies do the difference wouldn't be quite so much between American Waste and what we're paying now. Neubecker said that based on the fact 131 Waste is just launching ground and does not have a lot of business experience locally whether it is municipalities or private companies. He said that we did take a chance with North Country and we were quite well taken care of and we have established a baseline for our township people and what they can expect for trash removal and what they can expect for large items and based on where North Country was three years ago and where we should have been with them against what we are bidding now, \$91,200 is high but then again we did not have this gas problem then like we do now. He said that we set a millage with this township specifically for trash removal, it is a designated millage for trash removal and it is not a millage to get us money to use in other areas, it is specifically for trash removal. Based on our taxable value the millage will bring in a little over \$91,200.00 so dollar wise, if we go with American Waste, we will be utilizing the money that the taxpayers have allocated for us to use. M/Neubecker S/Bondy to accept the American Waste bid #2 with four large item removals for an initial first year of \$91,200.00. Discussion. There was a question as to the way the bid was presented and the way the specifications were written. Discussion. M/Neubecker S/Bondy to rescind the original motion. Discussion. M/Paladino to accept bid #2 from

131 Waste for \$60,500.00 for one year with the pickup of four large items. Lambert asked why the board chose not to consider the bid from Waste Management other than the surcharges. Neubecker said that that was not part of the contract. The bid specifications specifically ask for a dollar amount. Lambert then supported the motion to accept bid #2 from 131 Waste. Discussion. Neubecker said that he wanted to make the board aware of the fact that the board has the right to accept or reject any or all bids or accept the bid that is in the best interest of the township. Discussion. M/Paladino to rescind his original motion. Supported by Lambert. Discussion. Neubecker said that maybe we should start over again. M/Paladino to accept bid #2 from 131 Waste for \$60,500.00 for one year with the pickup of four large items. Lambert asked where it says that they have to give a bid for the second and third year. It doesn't. She said that it doesn't actually say that they have to give you a bid it just says that we have the option to renew so the other companies just gave us a second and third year quote but wasn't actually part of the contract and they still agreed to the one year bid. Neubecker said that if you go back to the bids American Waste and 131 Waste, both agreed to the one-year bid. Neubecker said that there was a motion on the floor, is there support to the motion. Neubecker said that if there were no support the motion would die for lack of support. There was no support. Motion died. M/Bondy to accept bid #2, with four large items, from American Waste in the amount of \$91,200.00. Supported by Hodges. Roll call vote. Paladino no, Lambert no, Hodges yes, Bondy yes and Neubecker yes. Motion was carried with a 3/2 vote to retain American Waste on #2 option with \$91,200.00 for the first year.

(B) Open Snow Bids - There were three bids for the township hall and two bids for the two public accesses. Shane Reid bid \$800.00 for the township hall and \$640.00 for the two public accesses. David McKinnon bid \$3,000.00 for the township hall. He did not bid on the public accesses. McCullen Excavating bid \$2,295.00 for the township hall and \$925.00 for the two public accesses. M/Lambert to remove Shane Reid from consideration because just for the price of fuel she said that she would be in doubt of him keeping the township hall open all winter. S/Neubecker to remove Shane Reid from consideration due to unrealistic pricing. All in favor. Motion carried. That left David McKinnon's bid and McCullen Excavating bid. M/Neubecker S/Hodges to accept the bids from McCullen Excavating for \$2,295.00 for the township hall and \$925.00 for the two road endings. Roll call vote. Lambert yes, Bondy yes, Paladino yes, Neubecker yes and Hodges yes. All in favor. Motion carried.

9:45 Supervisor Neubecker asked for a five-minute recess.

9:50 Meeting reconvened with all board members present.

(C) Cell tower and roof on the township hall - Hodges just wanted to let the board know that there is nothing new to report on either one.

New Business - (A) Amend the Budget for the second quarter of the fiscal year - There were five amendments to the budget. (1) Under Township Board add \$1,000.00 to Publications and deduct \$1,000.00 from Legal. (2) Under Township Hall add \$500.00 to Wages and add \$324.00 to Capital Expense and deduct \$824.00 from Bldg., Equip &

Maint. M/Neubecker S/Paladino to adjust the budget as presented. Roll call vote. Lambert yes, Hodges yes, Bondy yes, Paladino yes and Neubecker yes. All in favor. Motion carried. (B) Central Avenue Road Ending - Neubecker said that there were some incidents that occurred this summer at the Central Avenue Road ending by some people that live on Pike Street and that we have had the Sheriff and the Michigan State Police out there and the Michigan State Police talked to the people again two weeks ago and they told them that if they came back to the road ending that they would be arrested.

Approval of Bills - Neubecker had a question regarding the wages for the Deputy Treasurer. He said that the cap was \$1,300.00 and the amount already paid her was \$1,152.50. Lambert said that she needed her help because of the amount of work and when she came into this job she didn't really get a whole lot of help. Neubecker said to keep an eye on her hours and it probably will exceed the budgeted amount for this year. Hodges said that we could look at it when we do the budget in March. Possibly put her on a monthly salary and pay her a certain amount each month. Gancer asked about the money that we spent on the work crew when they did painting for the township. Hodges said that the amount was \$12.00. He said that he did not think that that was allowable. Hodges said that we discussed this once before and she had contacted the MTA regarding it. She said that the MTA told her that in a case like that, that yes we were using public funds to purchase the pop and chips for the work crew however we were using the public funds for a public purpose. If the township had to hire someone to do the painting and work at the cemetery and park, and it is work that needed to be done, we would be putting out a lot more money than it cost the township for the pop and chips. So we actually were saving a lot more than we were spending. M/Paladino S/Bondy to pay the bills as presented. Roll call vote. Lambert yes, Hodges yes, Neubecker yes, Bondy yes and Paladino yes. All in favor. Motion carried. Checks #10651 through #10676 in the amount of \$15,108.97 were approved for payment.

Citizens Comments

M/Paladino S/Lambert to adjourn

Meeting adjourned at 10:05 p.m.

Mary Hodges
Coldsprings Township Clerk

