

# Minutes

## Edenville Township Board Meeting

August 10, 2021, 5:30 p.m.

Swanton Memorial Center, 6422 N. Water Rd.

- Invocation given by T.Hall at 5:27pm.
- Call meeting to order and pledge to the flag at 5:30.
- Township Board attendance by roll call (verifying quorum):
  - J.Sperling: Here; K.Carey: Here; T.Hall: Here; C. Starkey: Here; A.Lewis: Here.
- Approval of agenda:
  - Motion to approve the agenda moved by J.Sperling; seconded by K.Carey.
- Approval of the minutes from the Special Board Meeting held on June 30, 2021.
  - Motion to approve the June 30, 2021 moved by K.Carey; seconded by C.Starkey. Motion passed unanimously.
- Payment of the bills – Anedra Lewis: Edenville Township check numbers: 32008 through 32050 = \$2,0582.09; Fire Department check numbers: 3127 – 3146 = \$8,219.64; Swanton Hall check numbers: 21755 through 21763 = \$1,909.05.
  - Motion to approve presentation of bills by J.Sperling moved to approve; A.Lewis seconded.
  - Roll Call vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes.
- Financial Report – Karen Carey
  - Researching online credit card payments; discussion ensued.
  - Treasurer’s Report ensued:
    - Withheld recycling fee from Republic because services were not rendered. Still owe for trash pick up; will attach a documentation letter explaining why this is a partial payment.
    - T.Hall: entertain a motion to attach the Fahey letter to our payment for trash pick-up but not recycling.

- Resolution regarding communication with Republic: K.Carey moved to approve this motion, A.Lewis seconded. Voice vote: Motion approved unanimously.
  - Resolution regarding payment to Republic regarding Invoice number 0237001882888: K.Carey moved; A.Lewis Seconded: Roll Call Vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes.
- Trustee Sperling:
  - Need the Board Packet a couple days before the meeting.
    - Discussion ensued: Agendas will be done by 9am on Fridays, and the Board packets will be done by the close of business day on Friday.
- Trustee Starkey:
  - Risk Reduction Motion to approve Resolution: C.Starkey moved; A.Lewis seconded. Discussion ensued. Roll Call Vote: Roll Call Vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes. Supervisor Hall declared this Resolution adopted by Roll Call Vote.
- Correspondence
  - Received two petitions to the tax tribunal contesting the BOR decision of their taxes.
  - Notice from Bankruptcy court on Boyce Hydro.
  - Response (or none) to the legal request to abandon a platted but never created street.
  - Email from Former Supervisor Gosen with suggestions for uses of Federal Monies.
- Public comments
  - Residents may have at least one, three-minute, opportunity to address the Board. Please state your name and address for the record. (This is not a requirement to speak.)
    - Bob Johnson: recommends that we approve the contract and will re-negotiate the staining price. Can't stay due to personal reasons.

- Robert Capitano Lakeview Subdivision: Are the existing dirt roads private or public roads?
  - T.Hall: Private roads.
  - R.Capitano: the folks who want to take control of ownership will completely change our neighborhood. I don't agree with his interests in using the public access to waterfront in addition to the waterfront access he already has.
  - T.Hall: He owns his own water access and because he owns two lots in that neighborhood most likely will have access to the land in common. That is a subdivision question.
  - Larry LeBlanc, Dorr Rd: he already has water access. Can he keep his private access and not have access to the subdivision public waterfront. Strikes me as a land grab. We have less than 300 ft for all of us, equates to approximately less than six feet per parcel.
  - T.Hall: at the end of the day, your recommendation to the Township Board is to consent or not to consent to the legal dispute.
  - C.Gosen: interlocal agreement; is that the code authority interlocal agreement? I would recommend the Board give consideration to others outside of the Board despite current interlocal agreement that only Township Board members could be Code Authority.
  - Public Comments closed at 6:08pm
- Committee and appointment reports:
  - Assessor – Linda Lewandowski
    - Two tax tribunal challenged that are in the process
    - Communal portion of property does not have associated taxes
  - Fire Department Report - Roger Dufresne
    - Discussion ensued
    - Vote on new members: Cody Wright and Josh Noel
      - T.Hall requested that R.Dufresne send a letter requesting the Board do this in the future.

- A.Lewis moved; J.Sperling seconded. Voice vote: Motion passed unanimously.
- Code Authority – Jim Sperling
  - Met with the auditors to determine money placement, not determined yet. Meeting the 19<sup>th</sup> to reexamine this.
  - Permits requested this month.
  - Draft of Township Code Authority Interlocal Agreement to be approved by Township
  - Letter received by Mr. Taig, sent Monday August 9<sup>th</sup> is in the record.
- Cemetery Manager – Mary Herkner
  - Repairs: ruts in the drivable road portion of the old cemetery. Also, need repair in the hole in the new cemetery—need gravel to fill in. Both should be easy repairs.
    - T.Hall: you are the representative of the cemetery and can garner bids on your own and bring them to the Board.
  - Request to get estimate & approve the cutting down of two dead pine trees in the old cemetery before they fall down.
    - C.Gosen: Also include the two dead trees here behind Swanton Hall.
  - Also, a large bush on center section covering up several graves, have to proceed with caution and do by hand. Volunteers have helped, most Thursdays in the morning.
    - T.Hall: commended M.Herkner for her work there
- Parks and Recreation Committee – Mary Beth Seasholtz
  - Request to give Harper Park a street # so it can be found on google, cost \$75. Note: money will come out of the Parks N Rec Fund. A.Lewis will submit paperwork for this.
    - Motion made by A.Lewis; seconded by J.Sperling. Roll Call Vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes.
  - Motion to approve spending for Harper Park maintenance:

- Estimate to clean up Harper Park trim, etc. from Howden for \$350. Attach contract. Monies will be taken from the Parks N Rec fund. Motion made by A.Lewis; seconded by C.Starkey. Roll Call Vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes.
- Motion to approve JBS Bid on the condition the staining is renegotiated and the new amount for the staining be approved by the Board in the future. Total is \$55,514 (without staining), this amount will utilize a portion of the insurance money:
  - T.Hall summarized B.Johnson’s statement that the Board approve the contract with the understanding of renegotiating the stain figure. Also, the Township should not be paying taxes as we are tax exempt.
  - Motion made by C.Starkey; seconded by K.Carey. Roll Call Vote: J.Sperling: Yes; K.Carey: Yes; T.Hall: Yes; C. Starkey: Yes; A.Lewis: Yes.
  - M.Seasholtz: the Board will move this contract/work forward and follow up with them.
- Five Year Plan public survey, C.Starkey volunteered to help with survey.
  - C.Gosen: does the public meeting you mentioned require a mailing to the public ahead of the public meeting?
    - T.Hall: Yes. There is a process in place because it ties the Township to it for five years.

~ BOARD MEETING RECESS AT 6:39PM ~ MEETING CALLED BACK TO ORDER AT 6:43PM

- Planning Commission – Mark Haydanek
  - Planning Commission meet on August 3<sup>rd</sup> regarding sizes of lots/setbacks for District C

- Solar Ordinance still needs to be put out to public and public hearing held; has fielded additional communications regarding solar ordinance.
        - T.Hall: Fahey has responded and will be part of next month's meeting.
  - Zoning Board of Appeals – Jim Sperling
    - Continuation meeting on Zoning Appeal of #82 regarding a setback variance. Co-meeting with Planning Commission regarding small lots.
  - Water District: C.Gosen- four surrounding townships approved resolution that allows water connections across the road. Seeking City approval. In contact with every Township around Midland County perimeter. Only four responded.
  - Ordinance Enforcement: T.Hall: Several complaints on the ordinance enforcement.
- Old Business
  - Pay Fahey &Schultz for their legal advice regarding Republic Service for the amount of \$1,429.
  - Letter of intent for CLFRF/ARPA Federal Funds was signed and turned in.
  - Traffic issues
    - Fike Rd street light: T.Hall will follow up on that
    - Baker and Water Road intersection: reflective tape on stop sign; County Road Commission is investigating this.
    - Residents reporting Cedar St traffic going too fast; J.Sperling request speed study.
- New Business
  - Approval of the new contract with Linked for IT service.
    - K.Carey moves to Table this decision until next Board Meeting; J.Sperling seconded. Voice vote: Motion carries, Contract is Tabled.
  - Public notice received that permit will soon be issued to FLTF for the 56 Curtis Rd project for the work to restore property to pre-flood conditions.

- Township Code Authority: Interlocal Agreement Consideration
  - Motion to Table this Board Decision moved by J.Sperling; C.Starkey seconded. Voice vote: Motion Tabled unanimously. Two different documents presented—one requests that an elected official of Township Board must be the Code Enforcement Officer.
- Swanton Hall sign back in the ground (laying down in front of Vincent's).
  - C.Gosen: There is a sign crew; Art can probably help us with this. Signs can be put in outside of the right-of-way (33ft from center of the road).
- Summons in case NO 21-7984-CH B
  - Vacating a portion of Beach Road in the Lakeview Subdivision Plat as recorded by Edenville Township in 1942
  - Motion to Direct Supervisor action
    - Agree to Offered Consent Judgement
    - Not to Agree to Consent Judgement
    - See letter dated August 9, 2021 from William Fahey
    - Motion to ignore complaint and allow its default to be taken. Motion made by A.Lewis; seconded by K.Carey. Discussion: this is a private property issue to be left up to the Subdivision/Court. T.Hall: it is our responsibility to enforce the Board's governance. Roll Call Vote: J.Sperling: No; K.Carey: Yes; T.Hall: No; C. Starkey: Yes; A.Lewis: Yes.
- Swanton Hall Upkeep-
  - Electric: Official bids needed
  - Parking lot: Official bids needed
  - Restroom facilities:
    - New sink (and faucet) in Men's room; new Vanity (and faucet) in Women's room: Official bids needed.
    - Motion to price out supplies for Roger to complete work made my K.Carey; seconded by A.Lewis.
  - Re-Key all outside doors; new key log; sign keys in and out:

- Official bids needed
  - Purchase a Bun Coffeemaker for Swanton Hall
- T.Hall asks if Board wants to have Weed Special Assessment Public Hearing:
  - Get with Fahey and put together information to present what we are considering: How much (Proposed amounts for front and back lots)? How is it used (hydro weeds, terrestrial weeds, erosion control)?
  - Draft proper Resolution, proper legal verbiage, etc.
- Solicit ideas for CRLF/ARPA Fund usage.
- Code Enforcement Officer:
  - Create/revise policy procedure for enforcement; hiring process; job description.
- Motion to Adjourn made C.Starkey; seconded by A.Lewis at 8:17pm.

Terrance A. Hall Jr.  
Edenville Township Supervisor