

COLDSPRINGS TOWNSHIP

REGULAR BOARD MEETING MINUTES

COLDSPRINGS TOWNSHIP HALL-COUNTY ROAD 571-7:00 P.M.

OCTOBER 13, 2008

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 was present and 12 members of the public.

Adoption of the Agenda - Instead of having Dave Israel's name on the agenda, change to Abe DeVol. M/Bondy S/Lambert to adopt the agenda with the one change. All in favor. Motion carried.

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

Approval of Minutes - M/Corrado S/Bondy to approve the minutes from the September 8, 2008 regular board meeting as written. All in favor. Motion carried.

Abe DeVol was present to speak on behalf of Dave Israel who is a candidate for Kankaska County Sheriff in the November 4th general election.

Correspondence was reviewed.

Sheriff Artress was present to speak on his candidacy for re-election as Sheriff in the November 4th general election.

Committee Reports - (A) Planning & Maintenance - Trustee Bondy reported that Carefree Cove had some charges on our bill that belonged to the Fire Department and she got that straightened out. She also reported that they cleaned and scrubbed the restrooms at the park after Labor Day and that they also made room in the little shed for the flowers that have to come off of the graves and also that she spoke with the Sheriff's department about the buoys at Manistee Lake and they told her that they would get to them soon. Bondy also said that Dave Hynes is the new Community-Work Officer. The fall cleanup of the cemetery will take place after the 15th of November this year. (B) Fireboard - Minutes from the October 1st, 2008 fireboard meeting were presented. Copy is on file.

(C) Road Commission Meeting - Trustee Corrado reported on the Road Commission meeting - He reported that he had asked the road commissioners about the repairs to 612 that they said they were going to do and they told him that they were going to get started on 612 within two weeks. He also asked them about the signs that were requested by the restaurant, but they told him that nothing has been done about that. Corrado said that the Starvation Lake Road project is just about complete and that they are working on the shoulders. He did ask them why when they are in such financial straits, were they having their workers, working on the weekends when they have to pay them time and a ½. He said that he got no response to the question. He also reported that Trans-Canada out of Texas is going to improve some of the roadways. Barnhardt to Sunset Trail and Twin Lake Rd. He said that they are going to put 1 ½ inch of asphalt on Barnhardt and take care of the shoulders and on Twin Lake Road they are going to repair the stressed sections of the asphalt. The road commission approved the contract and that Trans-Canada will be paying 100% of the project. The cost of the project is \$147,374.67 and should be done by November 1st. Corrado also said that in regards to the special meeting that the township board had on August 28th regarding the Starvation Lake Road project and the cost of \$246,000.00 of which \$46,000.00 was for equipment rental to Kalkaska County Road Commission. He said that at that meeting he was given permission to seek legal counsel for consultation in regards to the \$46,000.00 equipment rental. He said that he spoke with the Prosecuting Attorney regarding the charge for the equipment rental and the PA said that he did not handle that type of situation but he knew of a couple of law firms that do and he would look into it and get back with him. The PA got back with Corrado and told him that the road commission was double dipping by charging the township the \$46,000.00 for equipment rental. Corrado said that he made a formal request to the road commission to return the \$46,000.00 to the township for the equipment rental. The road commission said no. Hodges said that actually we haven't made the final payment to the road commission yet. Corrado said that he would like to make a recommendation to the board to withhold \$46,000.00 from the final payment to the road commission until we decide what action we should take in regards to this matter. Hodges said that we could withhold the \$46,000.00 from the final payment but that we should get something in writing from legal counsel as to their opinion and or recommendation about the equipment rental charge. Discussion followed. Neubecker told Corrado to continue to follow up on the issue. More discussion followed. (D) Liquor Enforcement - Good report was received on Kiootee's for the month of September. The crime report for the month of September was also received and it showed that there were 17 incidents in Coldsprings Township. (E) County Commissioner Nemeth presented an update on various issues within the county. He said that the county would be paying \$467,000.00 for the legal expenses of the court system, which the county lost the litigation from when the three counties sued the District Court system for double dipping on the retirement system. He also spoke on the Grand Vision meeting held at the Kalkaska High School. He said that they only had 100 people show up and at the first meeting they had 217. He also spoke on the new ORV legislation that was just recently passed. He said that there will be public hearings on the new legislation

and they have tentatively set the first meeting for December 5th at 7:00 p.m. at the Civic Center. Nemeth also said that there would be a meeting on October 15th about adding a Sewer Treatment facility within the county. Neubecker said that he would be attending that meeting. Nemeth said that there would also be a meeting on October 16th to discuss the millage for the Kaliseum. He said that the commissioners hired Allen James as the permanent Director for the Kaliseum. He also said that the Library is looking at taking over the second floor of the Kaliseum.

Treasurers Report - Treasurer Lambert presented the monthly reconciliation report for the month of September. It showed that there was \$226,524.81 in the various bank accounts, \$19,610.21 in the Township Improvement MM account, \$1,282,682.26 in the Tax Account and \$100.00 in the Petty Cash Account. M/Neubecker S/Bondy to accept the treasurer's report as presented. All in favor. Motion carried.

Old Business - (A) Open Snow Bids - Four bids were received. Bid #1 for the Township Hall was \$2,295.00 and \$2,250.00. Bid #2 for the two Public Accesses was \$925.00 and \$900.00. Discussion. M/Neubecker S/Hodges to contract again with McCullen Excavating and that that is based solely on their prior performance. Roll call vote. Bondy yes, Corrado yes, Lambert yes, Hodges yes and Neubecker yes. All in favor. Motion carried. (B) Ordinance Enforcement Officer - Neubecker said that he had spoke with Attorney Michael Edwards regarding an ordinance enforcement officer. Edwards said that in establishing a position for an Ordinance Enforcement Officer you really don't want to make an ordinance to establish a position/job. The person would work under contract for the township. Neubecker said that he put together a three-page contract that he would like the board to look over and bring it back to the meeting in November. Most of the information came from what Corrado had presented previously and a contract that Edwards had given to him (Neubecker), which he said that he added a couple of attachments to also. It will be on November's agenda.

New Business - (A) Advertise for Trash bids - Last year we accepted the bid for trash pickup from American Waste and part of that bid was a second and third option for us to opt into the second and third year contract. By accepting the bid we also accepted the ability to hold them to the second and third year and it was understood at that time. However we are not pleased at the amount of money that we are spending for trash removal. We do have the right to re-advertise for bids this year but that does not mean that we have to accept any of them. It does allow us the right to see what competitive trash removal companies are willing to come in at. Neubecker said that what we have to also do is to send a letter to American Waste and let them know that although we are advertising for bids we reserve the right to hold them to the second and third portion of their contract. M/Neubecker to advertise in the paper for the November meeting for trash bids for pickup based on the specifications that we have previously established for the trash bids. S/Hodges. Corrado asked to define what those are. Discussion. Neubecker asked the clerk to make copies of the bid specifications for the board members. Meeting

was convened at 8:25 p.m. Meeting reconvened at 8:35 p.m. with all board members present. Neubecker and Hodges withdrew their motion and support for more discussion. Neubecker went over each item in the specifications. He said that where we ran into a problem with Waste Management last year is that they insisted on adding on a fuel surcharge above their flat fee. Discussion followed. The contract will remain the same. We will define Flat Fee for the bidder (as noted in item #1) at the end of the specifications. The definition of Flat Fee is the total price of the contract. Fuel and or labor costs must be included. Separate charges for fuel or labor costs will void the bid. M/Neubecker S/Bondy to advertise for bids. All in favor. Motion carried. (B) Rapid River Fire Contract - Short discussion. M/Neubecker S/Lambert to accept the fire contract from Rapid River Township for fire protection within those noted sections 1, 12, 13, 14, 23 and 24 of Rapid River Township for a service fee of \$8,000.00 to be paid in quarterly installments. All in favor. Motion carried. (C) Approve the Treasurer and Deputy Treasurer to attend MTA workshop - M/Neubecker S/Bondy to approve the Treasurer and Deputy Treasurer attending the MTA workshop. All in favor. Motion carried. (D) Approve METRO ACT right of way permit extension - Short discussion. M/Neubecker S/Bondy to extend the METRO ACT permit for two years. All in favor. Motion carried.

Approval of Bills - Add an Electronic Transfer of \$249.00 to the bills for Quickbooks Tech support. M/Lambert S/Corrado to approve the bills as presented with the one addition. Roll call vote. Bondy yes, Corrado yes, Neubecker yes, Hodges yes and Lambert yes. All in favor. Motion carried. Checks #11023 through #11051 plus the electronic transfer of \$249.00 for a total amount of \$15,705.71 were issued for payment.

Citizen's comments - Millage and Taxable Value were discussed.

M/Corrado S/Lambert to adjourn.

Meeting adjourned at 9:16 p.m.

Mary Hodges
Coldsprings Township Clerk