

Holly Township
Board of Trustees – Regular Meeting
May 19, 2010

Call to Order: Supervisor Jesse Lambert called the May 19, 2010 Regular Meeting of the Holly Township Board of Trustees to order at or about 6:50 p.m. at the Holly Township Hall, 102 Civic Drive, Holly, Michigan, 48442.

Pledge of Allegiance

Roll Call

Members Present:

Jesse Lambert, Supervisor
Karin Winchester, Clerk
Mark Freeman, Treasurer
Janet Leslie, Trustee
Steve Ruth, Trustee

Others Present:

Reisa Hamilton, Holly Village Council
Don Winglemire, Holly Village Council

Consent Agenda:

1. Agenda Approval
2. Approval of Regular Meeting Minutes – April 21, 2010
3. Acceptance of Financial Statements – April 2010
4. Approval of Bills for Payment – May 2010
5. Routine Reports:
 - A. N.O.C.F.A. Draft Minutes – April 19, 2010
 - B. Planning Commission Draft Minutes – NA
 - C. Building Permits – April 2010
 - D. Treasurer’s Quarterly Report – March 31, 2010
6. Communications
 - A. Memo date May 6, 2010 from Code Enforcer re: Donation

Clerk Karin Winchester noted there is a double entry for \$200.00 on the Bills for Payment.

- **Trustee Janet Leslie moved to approve the May 19, 2010 Agenda, as amended. Clerk Karin Winchester supported the motion. A roll call vote was taken. Ruth: Yes; Winchester: Yes; Lambert: Yes; Leslie: Yes; Freeman: Yes. The motion carried with a 5/0 vote.**

Reports:

Trustee Ruth – No report.

Trustee Leslie reported 115 surveys have been answered by residents so far, which is 25 % of the minimum number needed for a scientifically valid response. She thanked the Board again for supporting the survey and thanked Clerk Winchester and the Deputy Clerk for their help.

Clerk Winchester – No report. She thanked Trustee Leslie for helping on the survey also.

Treasurer Freeman reported the quarterly Treasurer's Report is included in the Board packet. The investment policy has been rewritten and is also included in the packet.

Supervisor Lambert reported two volunteers helped on clean-up day this past Saturday; Mrs. Hunt-Goebel and Mr. Hughes. He invited them to stand.

(Applause.)

Supervisor Lambert stated the two volunteers did not choose the easiest roads to manage, bringing back about two dozen tires and filling several trash bags in an effort to help keep the community clean. Sadly, with this year's budget, it doesn't appear we will have Township Clean-up Day or offer recycling. While we may not be able to offer the Clean-up Day, he would still like volunteers to help keep our community's streets clean.

Ms. Sherrow indicated her neighborhood keeps their area clean on a regular basis and she would be willing to be a part of any volunteer group.

Supervisor Lambert thanked the volunteers. He offered to add Ms. Sherrow's name to the Township's e-mail list.

Public Comment:

Ms. Pam Jackson, Commerce Township, 5736 Lancaster Lane, Commerce, 48382 commented that she is running for state senate, a term limited seat.

Mr. Larry Lilly, 110 Clarence Street, commented that the return of surveys is good news for the whole community. We're serving the 10,000 residents. It's good to see Reisa Hamilton and Don Winglemire from the Village at the meeting. He'd like to see them at more meetings. Between village and township meetings, Mr. Lilly estimated he's probably been to 400 or 500 meetings. The Township does a fabulous job. They listen to the people, don't tell residents they only have a few minutes and the Township provides answers. That's fabulous. It's good to see people here tonight. Ms. Sherrow's comments were great but the Township does a fabulous job with taxes and everything. N.O.C.F.A could have saved a lot of money if the Village had stayed in N.O.C.F.A. We've got five people coming up for re-election. He hopes five new people will be elected that will follow through.

Old Business:

1. Noxious Weed Services Proposals

Supervisor Jesse Lambert stated the Township came across an opportunity to better manage our noxious weeds program. Previously the Township took bids on an hourly basis. This season they will be taking bids based upon square footage so that there is little wiggle room for any clerical errors or any types of mistakes because it will be determined by square foot, which is obviously non-negotiable. A lot can only be so big. It was on last month's agenda. The public notice for bid was resubmitted and we're back this month to determine the viable option to manage our noxious weeds program.

The Board discussed the bids included in the Board packets.

- **Clerk Karin Winchester moved to approve the bid from Ace for noxious weed services in the Township. Trustee Steve Ruth supported the motion. A roll call vote was taken. Freeman: Yes; Leslie: Yes; Ruth: Yes; Lambert: No; Winchester: Yes. The motion carried by a 4/1 vote.**
- 2. 2010 – 2011 Mining Permit Application for Parcel #01-12-101-004 and 01-12-326-001, S. Flint Gravel

Supervisor Lambert stated he has been working with Mr. Ron Aldridge from South Flint Gravel for the majority of the last year. There was confusion on where his property line was and how far back mining was done. They are remediating that. Supervisor Lambert and Mr. Burton from Hubbell, Roth & Clark (HRC) visited the mine on May 3rd, 2010. Effort has been made to move material and rebuild the bank to restore the properties of two to three residents.

- **Clerk Karin Winchester moved to approve the 2010 – 2011 mining permit by Robert Aldridge for South Flint Gravel Inc., parcel number 01-12-101-004 and 01-12-326-001 with the following conditions, including that they continue reclamation of the encroachments identified by HRC, in addition to the Consent Judgment and the Holly Township Code of Ordinances, Chapter 10, Mining, Section 10-103(f)(2) a – g:**
 - **Approval based on the Engineers 2010-2011 Permit Application Letter and Composite Reports;**
 - **That reclamation plans continue to coordinate a uniform grade along the adjacent common line of Middleton and Tri City;**
 - **That reclamation efforts continue to coordinate the lake level elevation with Tri-City and Middleton sites;**
 - **A surety reclamation performance bond in the amount of \$405,000.00 to be effective for the time of this permit and until restoration is completed to the satisfaction of the Township;**
 - **The amount of the current \$405,000.00 bond shall be reviewed by the Township Engineer for an estimate of true cost for site reclamation. If the**

engineer recommends an increase, the Township will require the operator to increase reclamation bond.

Trustee Janet Leslie supported the motion. A roll call vote was taken. Leslie: Yes; Lambert: Yes; Ruth: Yes; Freeman: Yes; Winchester: Yes. The motion carried by a 5/0 vote.

New Business:

1. Board Appointments

Supervisor Lambert recommended Ms. Margaret Hejhal to fill the Planning Commission vacancy.

Ms. Margaret Hejhal stated she was on the Flint Township Planning Commission for 22 years as a member and vice chairman.

- **Supervisor Jesse Lambert moved to approve the appointment of Ms. Margaret Hejhal to the Holly Township Planning Commission, term ending December 31st, 2010. Clerk Karin Winchester supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 5/0 vote.**

2. Intergovernmental Agreement for Water and Sewer Services – Proposed Resolution 2010-08

Supervisor Lambert stated business owners along Grange Hall Road near Patterson Elementary have filed the necessary petition for a Special Assessment District (SAD). Before proceeding forward with the Village, he would like to ensure the Board hits as many of the requests of the owners inside the SAD as possible when moving forward with an agreement with the Village to hopefully end up getting sewer and/or water service to this area and any other area of the Township the Council may deem fit. He requested comment from the Board.

Clerk Karin Winchester indicated Silverman's agreement with the Township and Village expired due to certain criteria not being met by Silverman. The intergovernmental agreement between the Township and Village still exists. The original agreement was amended in 2008 to add the credit union. This is a request to amend the agreement to include the properties petitioned for.

Trustee Janet Leslie noted the amendment doesn't include the entire overlay district.

Supervisor Lambert indicated steps need to be taken to make sure the Village has the capacity to service this. Ultimately it's the Village's facility and pipe. Once an extension is said and done, the piping is their responsibility, including the pumps and any of the facilities. The Township

will have to accommodate what the Village may need or anything the Village may request of the Township so nobody is left out in the cold.

Clerk Winchester stated the Township needs to have the amendment before proceeding with a Public Hearing so they have the information to give to any residents in the district, village or township that would be concerned about the extension.

Supervisor Lambert stated he met with the Village's Public Works subcommittee, sitting down with Mr. Winglemire, Mr. Clemons and Mr. Kauk. They requested him to come back when he had SAD paperwork set and ready to go and they would see what they could do. Everyone in government desires to reach their intended goal but there are probably 50,000 different ways you can get there. The Township has a contingency within their jurisdiction they need to look out for and make sure they're treated fairly and we also need to make sure we treat our Village counterparts in a fair manner through any contractual extension. This is one amendment to change the service area otherwise known as Exhibit A to also include the parcels along Grange Hall Road included in the Special Assessment District. He questioned whether Mr. Winglemire regarded the Township's request of the Village a reasonable request.

Mr. Don Winglemire stated it is a reasonable request. There are a lot of other items that enter into this that would have to be done before water and sewer is installed.

Clerk Winchester noted the Township wants to know those items and their residents need to know that before creating the district.

Mr. Winglemire stated the Township would have to get prices on the project so they can tell their residents how much money it's going to cost them to have water and sewer.

Supervisor Lambert indicated once the Township has the intergovernmental agreement amended to include those parcels, the SAD group has chosen to specially assess themselves. Everything up to and including the planning and construction will be borne by those residents. The Village won't spend but a few dollars to make sure an intergovernmental agreement is kosher between the two municipalities. The residents still have a long way to go before water and sewer will be piped out there. The first step will be for the Village and Township to get themselves into a situation that's beneficial for both parties, as well as interested businesses, land owners and residents in our community.

Mr. Winglemire noted he's certain it will benefit the area.

- **Clerk Karin Winchester moved to approve Resolution 2010-08, a request for intergovernmental agreement for water and sewer services. Trustee Steve Ruth**

supported the motion. A roll call vote was taken. Winchester: Yes; Freeman: Yes; Leslie: Yes; Ruth: Yes; Lambert: Yes. The motion carried by a 5/0 vote.

3. 2010-2011 Boards and Commissions Meeting Dates – Proposed Resolution 2010-06

Trustee Leslie voiced her concerns regarding the 2010-2011 meeting dates for the Board of Trustees and read a statement to the Board.

The Board discussed concerns relating to the 2010-2011 meeting dates.

- **Treasurer Mark Freeman moved to approve Resolution 2010-06. Trustee Steve Ruth supported the motion. A roll call vote was taken. Lambert: No; Winchester: Yes; Leslie: No; Freeman: Yes; Ruth: Yes. The motion carried by a 3/2 vote.**

4. 2010-2011 Budget Amendments – Proposed Resolution 2010-07

The 2010-2011 budget amendments were discussed by the Board.

- **Clerk Karin Winchester moved to approve Resolution 2010-07. Supervisor Lambert supported the motion. A roll call vote was taken. Ruth: Yes; Freeman: Yes; Lambert: Yes; Leslie: Yes; Winchester: Yes. The motion carried by a 5/0 vote.**

5. 2010-2011 N.O.C.F.A. Budget – Proposed Resolution 2010-09

The Board discussed the 2010-2011 N.O.C.F.A. Budget.

- **Supervisor Jesse Lambert moved to approve Resolution 2010-09. Clerk Karin Winchester supported the motion. A roll call vote was taken. Freeman: Yes; Leslie: Yes; Winchester: Yes; Ruth: Yes; Lambert: Yes. The motion carried with a 5/0 vote.**

6. Investment Policy – Proposed Resolution 2010-10

Treasurer Mark Freeman indicated the Board has a copy of the resolution in their Board packets. He reviewed it with the Board, indicating bold type items are additions.

- **Clerk Karin Winchester moved to approve Resolution 2010-10. Trustee Janet Leslie supported the motion. A roll call vote was taken. Winchester: Yes;**

Freeman: Yes; Leslie: Yes; Ruth: Yes; Lambert: Yes. The motion carried by a 5/0 vote.

7. Proposed Amendment to Holly Township Code of Ordinances – Chapter 16 Law Enforcement, Article III Appearance Tickets, Section 16-73 Authorization to Issue and Serve

Clerk Winchester stated the only additional language in this proposed amendment and the next one adds a fire chief or a designated official. If a ticket were issued, there might be a challenge if it isn't specifically stated in the ordinance.

- **Clerk Karin Winchester moved to approve proposed amendment to Holly Township Code of Ordinances, Chapter 16 Law Enforcement, Article III Appearance Tickets, Section 16-73 Authorization to Issue and Serve. Trustee Steve Ruth supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 5/0 vote.**
8. Proposed Amendment to Holly Township Code of Ordinances – Chapter 12 Fire Prevention and Protection, Article III Fire Prevention Code, Section 12-73 Changes in the Code, 103.1.1 Authorization
 - **Trustee Steve Ruth moved to approve proposed amendment to Holly Township Code of Ordinances, Chapter 12 Fire Prevention and Protection, Article III Fire Prevention Code, Section 12-73 Changes in the Code, 103.1.1 Authorization. Clerk Karin Winchester supported the motion. A voice vote was taken; all those present voted yes; the motion carried by a 5/0 vote.**
 9. Recording Secretary – No action taken.

Public Comment:

Mr. Sprague commented that he's very happy with the fire department's service.

Mr. Lilly commented this was another fabulous meeting. There have been questions asked following meetings and he thought the minutes reflected exactly what happened. He likes to see a lot of people here. Questions are answered and they'll give you answers later, too, if they can't answer it immediately. It's been like that ever since he's been coming to Township meetings.

Ms. Sherrow thanked Clerk Winchester for getting her copies of what she needed. She appreciated the Board responding to her questions. It was stated you get to make money on the budget side. Why can't that money be used for fire and emergency?

Supervisor Lambert stated the Township does use a small portion of General Fund money to pay for our fire department. The initial assessment includes the \$408,000.00 this year. However, the special assessment won't cover the \$408,000.00 so we have to take money from the 1 mill collected under general to make up that difference.

Trustee Leslie indicated taking General Fund money for the fire services is somewhat controversial because 1 mill is collected from every township property, which includes those properties within the village that pay for their own fire and ambulance. We want to minimize the amount of money we take from the General Fund because those folks living in the village are already paying for their own fire service and don't want part of their 1 mill paying for fire service that we're trying to have covered by our special assessment.

Treasurer Freeman stated the Township also receives State shared revenues and that's been earmarked to pay the shortfall on the special assessment. Those funds go into the General Fund first and then they come out of the General Fund but that's what they're earmarked for. Ideally, we'd like to be able to pay our full contract amount with N.O.C.F.A. with funds from the special assessment district for fire and emergency. The reason that there is a shortfall primarily is because the Village of Holly left N.O.C.F.A. to form their own fire department. The cost is now split two ways instead of three. Another factor is the decrease in our tax base. It's stabilized somewhat. Holly Township dropped 15.1 percent. Rose Township dropped 22 percent and Groveland dropped 24 percent. Although we're improving, we don't like to go backwards because that means we have to keep cutting our budget and our budget is tight anyway.

Adjournment: Supervisor Jesse Lambert, hearing no other business, adjourned the meeting at 8:11 p.m.

Zo Turner, Recording Secretary
Holly Township

Karin Winchester, CMC
Holly Township Clerk