

SPRINGFIELD TOWNSHIP BOARD MEETING

March 14, 2013

SYNOPSIS

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA ADDITIONS & CHANGES: Added approval of February 26, 2013 Special Meeting Minutes, moved AT&T proposed cell tower to beginning of agenda

1. AT&T proposed cell tower – Special Land Use and final site plan review: Moved to withdraw request to construct a wireless communication facility at 12870 Scott Road with the understanding that this application and any other application from AT&T will start over

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: Special Meeting February 26, 2013 and regular meeting February 14, 2013 with additional disbursements \$230,980.67
- b) Accepted February 2013 Treasurer's Report
- c) Received February 2013 Monthly Reports: Building, Electrical, Plumbing, Mechanical, Ordinance, Police, Fire, CDBG, Assessing, IT and Comp Time
- d) Authorized payment of bills as presented, totaling \$33,994.09
- e) Approved to renew subscription for the Leightronix PEG Central Service for one year at a cost of \$2,920
- f) Adopted Resolution approving new Holly Area Youth Assistance Board members Barbara Breen and Joseph R. Michael
- g) Received Communications and placed on file

OLD BUSINESS:

1. Second Reading: Amendment to Springfield Township code of Ordinance, New Section 40-650 Recycling Facility and related amendments to sections 40-2, 40-455 and 40-485: Adopted amendments
2. Second Reading: Amendment to Springfield Township Code of Ordinance, amend section 40-35 Performance guarantees and section 40-593 Condominium project regulations: Adopted amendments

NEW BUSINESS:

1. First Reading: Fireworks Safety Act Ordinance: Set for second reading with changes to extend permitted days to discharge fireworks for the Independence Day holiday and other minor edits
2. 2013 Dust Control Contract: Awarded contract to Road Commission for Oakland County
3. 2013 Tri Party Funds: Allocated 2013 funds to Oakhill Road paving project
4. Utility Savings Options: Authorized Supervisor to work with Executive Energy for energy saving plan and sign agreements when rates are favorable for energy savings

PUBLIC COMMENT: None.

ADJOURNMENT: 8:40 p.m.

Laura Moreau, Clerk



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Held **MARCH 14, 2013**

Township of Springfield

Laura Moreau, Clerk

Call to Order: Supervisor Walls called the March 14, 2013 Regular Meeting of the Springfield Township Board to order at 7:30pm at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Pledge of Allegiance

Roll Call:

Board Members Present

Collin Walls	Township Supervisor
Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Judy Hensler	Township Trustee
David Hopper	Township Trustee
Dennis Vallad	Township Trustee

Board Members Not Present

Marc Cooper	Township Trustee
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Others Present

Lisa Hamameh	Township Attorney
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Agenda Additions & Changes:

Supervisor Walls added the February 26, 2013 Special Meeting minutes to the Consent Agenda. He also requested to move Old Business #1 AT&T Proposed Cell Tower prior to Public Comment.

There were no objections from the Board.

Old Business:

1. AT&T proposed cell tower- Special Land Use and Final Site Plan review

Supervisor Walls noted that at approximately 5:00pm today he received an email from AT&T requesting formal withdrawal of their application for a Special Land Use and Final Site Plan review for the proposed cell tower.

Mr. Amine, representative of AT&T, was present and confirmed, by reading the email, that it was AT&T's intent to withdrawal their application for site plan and Special Land Use.



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Supervisor Walls explained that any future application for a cell tower on this property or any other property in Springfield Township from A. T. & T. would have to start at the beginning with a new application and time frame as required by State law.

- * **Supervisor Walls moved to accept the withdrawal of AT&T of their site plan and Special Land Use request for a wireless communication facility at 12870 Scott Road, AT&T #10129721, site #MI2226; with the understanding that any future application on this or any other parcel in Springfield will start over and will require a new time period as stipulated in Michigan State law. Clerk Moreau supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

Steve Lecki, 6756 Country Lane, asked if AT&T decides to move the tower 50 feet, can they come back in 6 months? Supervisor Walls replied that all they did was withdraw the present application at this time.

Public Comment: None

Consent Agenda:

- * **Trustee Hopper moved to approve the Consent Agenda as amended, adding February 26, 2013 Special Meeting Minutes. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**
- a) Approve Minutes: Regular Meeting February 14, 2013 with additional disbursements of \$230,980.67
 - b) Accept February 2013 Treasurer's Report
 - c) Receive February 2013 Monthly Reports: Building, Electrical, Plumbing, Mechanical, Ordinance, Police, Fire, CDBG, Assessing, IT and Comp Time
 - d) Authorize payment of bills as presented, totaling \$33,994.09
 - e) Approve to renew subscription for the Leightronix PEG Central Service for one year at cost of \$2,920
 - f) Adopt Resolution approving new Holly Area Youth Assistance Board members Barbara Breen and Joseph R. Michael



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Receipt of Communications:

- Review of sport shooting Range Act by Township Attorney Lisa Hamameh
- Memo from Oakland County Department of Health & Human Services declaring the week of April 7 through April 13 as Severe Weather Awareness week
- Holly Area Youth Assistance Board of Directors meeting minutes of January 3, 2013

Old Business:

2. Second Reading: Amendment to Springfield Township code of Ordinance, new section 40-650 Recycling Facility and related amendments to sections 40-2, 40-455 and 40-485

Supervisor Walls noted the Township currently does not have definitions or specific zoning locations and standards for recycling facilities. This amendment would define recycling facilities and provide that they can be located in Light Industrial districts as a Special Land Use.

- * **Trustee Hopper moved to adopt the amendments to Township Code of Ordinances Chapter 40 Zoning by adding a new Section 40-650 Recycling Facilities, Article V Supplemental Regulations adding new definitions to Section 40-2 and by amending permitted uses in M-1 zoning districts 40-455 and permitted uses M-2 zoning district 40-485; further to authorize the Clerk to publish Notice of Adoption, said amendments to take effect as prescribed by law. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

Julie Spielman, 6468 Country Lane Drive, asked where a recycling facility is being proposed. Supervisor Walls replied there isn't a proposal for one at this time, this amendment sets up standards for one should there be a request in the future.

3. Second Reading: Amendment to Springfield Township code of Ordinance, amend section 40-35 Performance guarantees and section 40-593 Condominium project regulations

The purpose of this amendment is to simplify and remove conflicts within the ordinance dealing with performance guarantees for new developments. If adopted, the Township may require an applicant to deposit a performance guarantee as set forth to ensure completion of improvements associated with a proposed use. A performance guarantee would have to be submitted in cash, certified check, or irrevocable Letter of Credit - the



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Township does not accept bonds. The guarantee would be in an amount equal to the actual cost of the improvements plus 15% for administration fees. The amendment also requires an applicant to enter into an agreement with the Township to ensure the completion and the use of the performance guarantee. There is also a provision that if an applicant is required to place a guarantee with someone else for the same work, the Township would waive its share to pay for inspectors etc.

- * **Clerk Moreau moved to adopt amendment to the Springfield Township Code of Ordinances Chapter 40 Zoning specifically by amending Section 40-35 Performance Guarantee and Section 40-593 Condominium Project Regulations as published for Second Reading; said amendments to take effect seven (7) days following publication of the Notice of Adoption. Trustee Hopper supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

New Business:

1. First Reading: Fireworks Safety Act Ordinance

This is a draft of a proposed local ordinance to control the use and discharge of fireworks. Supervisor Walls noted that last spring the State of Michigan changed its law and now allows for larger types of fireworks to be purchased and used. The new law also indicates these fireworks can be used on the day of the 10 National Holidays listed as well as the day before and the day after - these days are exempt from any local regulation. This proposed ordinance would provide local standards for issuing permits for commercial fireworks and also includes some regulations echoing the State law in reference but prohibiting fireworks other than the days allowed by the State.

There was some discussion by the Board several months ago about expanding the days fireworks can be used around Independence Day because sometimes it may fall on a weekday and people prefer to hold their celebration on the weekend prior to or after. At the conclusion of that discussion, there was no consensus on the matter.

The Board again discussed restrictions surrounding Independence Day and agreed to expand the restriction for that holiday.

Attorney Hamameh suggested allowing 6 days prior to Independence Day and 6 days after for a total of 13 days (including the actual holiday). This should cover either weekend. She said she would come with the proper language to cover this expansion for the ordinance.



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It was the consensus of the Board that this could be moved to Second Reading with Attorney Hamameh to come up with language expanding the restrictions for Independence Day.

Trustee Hensler also asked that gender specific references on page 4 be made non-specific.

Supervisor Walls noted on page 4 the reference to “nonresident applicants” which are applicants who are out of state – he suggested changing “nonresident applicants” to “out of state” applicants.

Clerk Moreau asked about restricting the hours fireworks can be used during the 6 days prior and after Independence Day. Attorney Hamameh said the Board could do that if they choose.

- * **Clerk Moreau moved to authorize the Clerk to publish for Second Reading the proposed Fireworks Safety Act Ordinance as presented and discussed with changes noted by Supervisor Walls to include expanding the allowable days for Independence Day and addressing gender specific language and nonresident applicant both on page 4. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

It was noted the publication for Second Reading would be written in the Code of Ordinance format. Clerk Moreau made reference to page 5 under Revocation – it won’t be known if this will be a Chapter or Section until it is formatted for the new code.

Attorney Hamameh said Township Attorneys should be using the proper format from Municipal Code when drafting ordinances and will do so from now on.

Todd Norris, 6792 Country Lane Drive, recommended that if it is the intent to allow fireworks on the weekend before or after Independence Day if it falls on a weekday, then write the ordinance that way – specify weekend, then fireworks won’t have to be allowed the entire 13 days as being suggested. Supervisor Walls suggested he call the Township in a couple of days to find out what the Attorney came up with.



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2. 2013 Dust Control Contract

Supervisor Walls noted the Township received two proposals – one from Road Maintenance Corp for .21¢ a foot for 4 applications and one from the Road Commission for .22¢ a foot for 4 applications. Supervisor Walls is recommending contracting with the Road Commission. Road Maintenance did a very good job in the past but felt that last year they did not live up to their performance of previous years.

Clerk Moreau added she appreciates Road Maintenance and the work they do and that they have provided a legitimate source of competition for the Road Commission who have, as a result, lowered their prices. She agreed with Supervisor Walls they did have to go out on a couple occasions to double check and confirm certain roads had received chloride. If the Road Commission is contracted, all complaints will go directly to them. She was in favor of contracting with the Road Commission and giving them an opportunity to see what they can do at the reduced rate.

- * **Supervisor Walls moved that the Township award the 2013 Dust Control Contract to the Road Commission for Oakland County for four (4) applications as included in their proposal at the rate of .22¢ a foot. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

Treasurer Dubre asked about a motion for private roads. Clerk Moreau said they should contact Road Maintenance to see what that rate would be, if it will change being given they won't be doing all the roads, and then bring it back to the next meeting.

3. 2013 Tri Party Funds

As noted at last month's meeting, Supervisor Walls provided some additional notes and a Road Commission quote of \$190,000 to extend Rattalee Lake Road past Sherwood.

The Supervisor commented that when the paving of Oak Hill Road was discussed last June, it included 2013 Tri Party Funds however it was not known if that program would still be available. The Board also talked about what the General Fund contribution would be with or without those funds. The motion at that time did not include 2013 Tri Party Funds however it was clear that would be the intent if those funds became available. Currently the Township's share of the cost for Oak Hill, in addition to the already allocated Tri Party Funds, is estimated to be \$110,000.



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The other project to keep in mind is extending the paving on Rattalee Lake Road from I-75 past and including the intersection of Tindall. Supervisor Walls noted there is a strategic planning meeting scheduled with the Road Commission on May 1st where this could be better discussed and or added to the Township's list.

It was Treasurer Dubre's opinion to allocate the 2013 Tri Party Funds to the paving of Oak Hill in case additional funds are needed and then reallocate them if they are not. At this time it is not known what the Township's actual obligation is going to be.

Clerk Moreau suggested, if not needed for Oak Hill, to look at paving a mile of shoulder somewhere such as from the Civic Center to Shultz Park or the Davisburg Dixie Intersection.

Trustees Hopper and Hensler concurred with Clerk Moreau but Trustee Hopper said he believed Tri-Party Funds could not be used to pave shoulders unless it was in conjunction with another project.

Supervisor Walls suggested doing some priority planning before the May 1st meeting with the Road Commission.

It was the general consensus of the Board to allocate the 2013 Tri-Party Funds to Oak Hill paving and to reprogram those funds if they were not needed.

- * **Supervisor Walls moved to allocate the 2013 Tri Party Funds to the Oak Hill project. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

4. Utility Savings Options

Property Manager Forst went over his memo to the Board dated May 7, 2013 regarding this subject. He has looked at alternative sources for the Township's natural gas supplier and received quotes from four. However, as indicated in the memo, in the last two weeks rates and possible savings from Consumers Energy have drastically changed.

Of the four suppliers considered, Rob Bernardi of Executive Energy, an energy broker, stood out. It was indicated some savings could be had but it is now recommended to not enter into an agreement because of the pending rate change by Consumers Energy and possible other legislative measures.



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Another possible savings would be from electric for the Civic Center (the other Township buildings would not apply). Property Manager Forst explained that DTE puts a 10% cap on that savings and that it is now closed. The Civic Center could be put on a waiting list to receive the savings during the January 2014 open enrollment. If the Board chooses to be put on that list, it would lock in a rate. If selected and the rate at that time is not favorable, the Township would have 48 hours to decline.

Property Manager Forst is recommending the Board authorize the Supervisor to work with Executive Energy to formalize an energy saving plan for both gas and electricity and to sign the necessary agreements when the rates become favorable.

Clerk Moreau asked if the Board should name Executive Energy specifically or leave it open. Property Manager Forst responded that Executive Energy is an energy broker and works with several energy companies including the four that submitted quotes.

Trustee Vallad asked about the 10% DTE cap and why there might be availability in January, he did not understand this concept. Supervisor Walls said there really is no logical answer to this question.

Trustee Hopper asked Property Manager Forst to check into how the Township is billed for electricity – primary, general service, commercial, etc. Sometimes changing the metering can change the rate.

- * **Trustee Hopper moved to authorize the Supervisor to work with Executive Energy to formalize an energy savings plan for both gas and electricity and sign the necessary agreements when rates are favorable for maximum energy savings. Trustee Vallad supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Moreau, Vallad, and Walls; No: None; Absent: Cooper. The motion carried by a 6 to 0 vote.**

Public Comment:

Supervisor Walls introduced Diane Howell and her daughter who are here from Holly Area Youth Assistance and want to take the Board's picture. He suggested they do so after the meeting has adjourned.

Supervisor Walls thanked the audience members who stayed through the entire meeting and appreciated their input.

Diane Howell commented that Holly Area Youth Assistance is celebrating their 50th Anniversary this year and invited the Board to a homemade turkey dinner.



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Mary Hatt, P.O. Box 249, Holly, commented on the Special meeting of February 26th and that there was nothing on tonight's agenda that went further with the Parks & Rec Master Plan. As directed, she sent the Parks & Recreation Commission historical information on Roland Harmes, the former DNR Director, who she feels should be recognized by the Township's Park Department for all his hard work on helping to obtain the Township's park system, especially being he grew up in Davisburg.

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 8:40pm

Collin Walls, Township Supervisor

Laura Moreau, Township Clerk

Charter Township of Springfield
RESOLUTION
2013-5

Resolution to approve Holly Area Youth Assistance Memberships

WHEREAS, Holly Area Youth Assistance has been a primary prevention program serving and located in the geographic area of the Holly Area School District since 1963; and

WHEREAS, it is augmented by contributions from the Townships of Groveland, Holly, Rose and Springfield and the Village of Holly; and the Oakland County Circuit Court-Family Division which permits operation of an office with casework staff; and

WHEREAS, the efforts of numerous citizen volunteers provide significant service to the youth of the greater Holly area in projects promoting the prevention of juvenile delinquency, child neglect and child abuse;

NOW, THEREFORE, BE IT RESOLVED that Springfield Township hereby supports the Holly Area Youth Assistance Board of Directors and approves its following new members: Barbara Breen and Joseph R. Michael

AYES: Dubre, Hensler, Hopper, Moreau, Vallad and Walls

NAYS: None

ABSENT: Cooper

ABSTENTIONS: None

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

I, Laura Moreau, duly elected Clerk of the Charter Township of Springfield, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Charter Township of Springfield, County of Oakland, Michigan at a Regular Meeting held on March 14, 2013.



Laura Moreau, Clerk

REGULAR MEETING

March 14, 2013

Township of Springfield

Laura Moreau, Clerk

BILLS PRESENTED FOR PAYMENT:

GENERAL FUND

Brown & Brown of Michigan, Inc.	\$ 1,485.20
Verizon Wireless	213.25
Resource Data Systems Corp.	190.33
The Copy Man	300.00
Carol Jones	268.26
Stauder, Barch & Associates, Inc.	400.00
Oakland County Treasurer	127.99
Karen Binasio	81.36
Quill (3)	189.21
Micro Center	39.99
Arlene Badgley	63.28
Blue Care Network	8,984.84
Michigan Township Assoc.	313.00
Smith's Disposal & Recycling	65.00
American Water	40.00
Clarkston Paper (2)	213.67
Schindler	648.18
Mat Rental Service	51.00
State of Michigan (2)	380.00
Technology Solutions, LLC	2,500.00
Oakland Press	599.00
Adkison, Need & Allen, PLLC	3,832.78
Consumers Energy	<u>2,153.02</u>

TOTAL

\$ 23,139.36

BILLS PRESENTED FOR PAYMENT:

FIRE FUND

Chase Card Services	\$ 133.50
Comcast	59.45
52 nd District Court (2)	380.00
Marlan Hillman	219.37
Mazza Auto Parts, Inc. (2)	130.51
McKay's Hardware	54.28
Office Depot (2)	108.83
Trace Analytics, LLC (2)	225.00
Brown & Brown of Michigan	3,150.74
Oakland County Treasurer	128.67

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Blue Care Network	1,577.63
Battery Products, Inc.	56.12
Bud's Heating & Cooling	521.00
Holly Automotive Supply	<u>25.03</u>
TOTAL	\$ 6,770.13

BILLS PRESENTED FOR PAYMENT:

POLICE FUND

Verizon Wireless	\$ 102.99
Oakland County Treasurer	<u>285.18</u>
TOTAL	\$ 388.17

BILLS PRESENTED FOR PAYMENT:

CABLE TV FUND

Blue Care Network	\$ 274.34
General Fund	<u>273.50</u>
TOTAL	\$ 547.84

BILLS PRESENTED FOR PAYMENT:

CIVIC CENTER DEBT FUND

None	<u>\$ 0.00</u>
TOTAL	\$ 0.00

BILLS PRESENTED FOR PAYMENT:

BUILDING DEPT FUND

Ron Shelton	\$ 439.73
Doug Weaver	424.13
Charles B. Warner	815.75
Tim Koerber	544.70
Rock Electric	<u>186.25</u>
TOTAL	\$ 2,410.56

BILLS PRESENTED FOR PAYMENT:

LAKE IMPROVEMENT FUND

Susin Lake

Michigan Lake & Stream Assoc., Inc.	\$ 35.00
Mike Forst	104.03
Auto-Owners Insurance	<u>599.00</u>
TOTAL	\$ 738.03

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Laura Moreau, Clerk

BILLS PRESENTED FOR PAYMENT:

SOFTWATER LAKE FUND

None

\$ 0.00

TOTAL

\$ 0.00

BILLS PRESENTED FOR PAYMENT:

ELIZA LAKE FUND

None

\$ 0.00

TOTAL

\$ 0.00

GRAND TOTAL FOR ALL FUNDS

\$ 33,994.09



ADDITIONAL DISBURSEMENTS ~ February 2013

for Approval at March 2013

Township of Springfield

Laura Moreau, Clerk

ADDITIONAL DISBURSEMENTS:

Canon Solutions America	\$ 758.55
Unum	336.42
Absolute Building Maintenance	2,735.00
Adkison, Need & Allen, PLLC	5,758.07
Cardmember Service	27.37
Carlisle/Wortman Assoc. (6)	5,745.00
Coffee Break, Inc.	72.50
DTE Energy (2)	2,890.84
DTE Energy (Street Lighting)	2,221.38
Erin Mattice	23.26
Lynn Harrison	122.50
Macomb County Treasurer	1,614.20
Oakland County – MTA	15.00
Oakland Schools	246.19
Paetec	815.75
Petty Cash	43.80
Quill	192.15
Resource Data Systems, Corp.	2,300.00
Road Commission for Oakland County (2)	42,392.89
Security Central, Inc.	90.00
Semcog	1,562.00
Smith's Disposal	65.00
Unicare	<u>190.09</u>

TOTAL

\$ 70,217.96

ADDITIONAL DISBURSEMENTS:

Unum	\$ 90.74
Comcast (2)	245.03
Dte Energy (2)	658.76
Halt Fire, Inc.	402.58
Impressive Printing	316.00
Nextel Communications	.99
Oakland County Sheriff's Dept.	1,470.00
Road Commission for Oakland County	824.89
Robert Apple	94.28
State of Michigan	175.00
Unicare	<u>53.82</u>

TOTAL

\$ 4,332.09



ADDITIONAL DISBURSEMENTS ~ February 2013

for Approval at March 2013

Township of Springfield

Laura Moreau, Clerk

ADDITIONAL DISBURSEMENTS:

Oakland County Sheriff's Dept.

TOTAL

POLICE FUND

\$ 152,120.25

\$ 152,120.25

ADDITIONAL DISBURSEMENTS:

Unum

Nextel Communications

Unicare

TOTAL

CABLE TV FUND

\$ 5.16

37.99

3.22

\$ 46.37

ADDITIONAL DISBURSEMENTS:

Carlisle/Wortman Assoc.

TOTAL

BUILDING DEPT FUND

\$ 4,264.00

\$ 4,264.00

ADDITIONAL DISBURSEMENTS:

None

TOTAL

LAKE IMPROVEMENT FUND

\$ 0.00

\$ 0.00

ADDITIONAL DISBURSEMENTS:

None

TOTAL

SOFTWATER LAKE FUND

\$ 0.00

\$ 0.00

GRAND TOTAL-ADDL. DISB. - ALL FUNDS

\$ 230,980.67