

SPRINGFIELD TOWNSHIP BOARD MEETING
February 10th, 2005
SYNOPSIS

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

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: January 13, 2005 Regular Meeting with bills and additional disbursements of \$573,129.17
- b) Approved Minutes of Special Meeting December, 29 2004
- c) Corrected page 10 of December 9, 2004 minutes, re: salaries, to clarify that Fire Meeting increase for Captains and Lieutenants is \$5.00 per meeting and that there is no Administrative Assistant Position in Assessing Department nor was such a position approved.
- d) Accepted January 2005 Treasurer's Report
- e) Received January 2005 Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire; Ordinance & Assessing
- f) Authorized payment of bills as presented, total \$137,194.51
- g) Approved Spring Clean Up Date of May 14, 2005
- h) Approved Household Hazardous Waste Clean up Date of May 21, 2005 at Independence Twp. DPW.
- i) Authorized no-fee membership in Great Lakes Cities Initiative.
- j) Authorized Clerk to publish for 2nd Reading of: Amendments to Ordinance No. 52, Appearance Ticket Ordinance, to add Planning/Building Director and Parks Director.
- k) Received communications and placed on file

OLD BUSINESS:

1. First Reading – Rezoning Request from R-2 to OS, 07-14-478-037, 9191 Dixie Hwy. Approved request by Pace Companies to withdraw rezoning application.
2. Lake Boards – Appointed 2nd Township Representatives: Big Lake, Jamie Dubre; Dixie Lake, Dave Hopper; Susin Lake, Dennis Vallad; and new Township Representative for Waumegah Lake, Mike Trout. Also agreed to receive letters of interest from property owners willing to serve on Lake Boards.

NEW BUSINESS:

1. Autumn Shores Dry Hydrant: Authorized retaining Nowak and Fraus, not to exceed \$5,000.00
2. Softwater Lake Weed Harvesting: Awarded contract to Professional Lake Management, not to exceed \$10,000.00
3. Fire Station #2: Authorized preliminary work re Expansion:
 - a.) Soil borings, Hartley Associates, not to exceed \$1,900.00; topographical survey, Hubbell, Roth and Clark, \$1,500.00; Value Engineering Consulting, Design Resources, \$75.00/hour not to exceed \$2,000.00
 - b.) Authorized transferring non-PEG cable receipts and 10% state shared revenues to Fire Building/Equipment Fund
4. Appointed Lynn Jensen to Comcast Cable Scholarship Committee
5. Printing: Waived Policy to allow contracting with Impressive Type for specified services; balance of print services to be done administratively to low bidders
6. Authorized drafting a False Alarm Ordinance
7. Agreed to develop Township Board Priorities List
8. Authorized Clerk to publish for 2nd Reading of: Ordinance 26 Amendments to: Article II, Article IX, Article X, Article XI, Section 16.02

PUBLIC COMMENT: Board members commented on Leadership Clarkston Forum, and on publication of Biodiversity Atlas which included information about Springfield Township

ADJOURNED: 9:55 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the February 10, 2005 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Jamie Dubre	Township Treasurer
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
David Hopper	Township Trustee
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee

Others Present

Greg Need	Township Attorney
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Agenda Additions & Changes:

Supervisor Walls noted that Item #1 under Old Business is not a Second Reading; it is a continuation of the First Reading.

Item #1, Corner Creek Site plan, under New Business should be deleted.

Clerk Strole asked to discuss Consent Agenda Item G, as item #8 under New Business.

The Board unanimously agreed to these changes.

Public Comment: None

Consent Agenda:

- **Trustee Hopper moved to approve the Consent Agenda as amended. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**
- a) Approval of Minutes: January 13, 2005, Regular Meeting with bills and additional disbursements of \$573,129.17.
- b) Approval of Minutes of Special Meeting 12/29/04.

- c) Correct page 10 of December 9, 2004 minutes, re: salaries, to clarify that Fire Meeting increase for Captains and Lieutenants is \$5.00 per meeting and that there is no Administrative Assistant position in Assessing Department nor was such a position approved.
- d) Acceptance of January 2005 Treasurer's Report.
- e) Receipt of January 2005 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire
- f) Authorize payment of bills as presented, totaling \$137,194.51.
- g) Approval of Spring Clean Up Date of May 14, 2005.
- h) Approval of Household Hazardous Waste Clean up Date of May 21, 2005 at Independence Twp. DPW.
- i) Authorize no-fee membership in Great Lakes Cities Initiative
- j) 1st Reading: Authorize Clerk to publish for 2nd Reading of: Amendments to Ordinance No. 52, Appearance Ticket Ordinance, to add Planning/Building Director and Parks Director.

Old Business:

1. 1st Reading Continuation - Rezoning Request from R-2 to OS, 07-14-478-037, 9191 Dixie Highway

➤ **Clerk Strole moved to accept the request by Pace Development to withdraw the rezoning application for 9191 Dixie Highway. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

2. Lake Board Representatives

Supervisor Walls explained that the law has changed and we have, in the case of Big Lake, Dixie Lake and Susin Lake, a responsibility to appoint two Township representatives. Previously it was one representative. Waumegah Lake did not change because it is partially in Independence Township as well as Springfield Township, so in those instances there are already at least two municipal representatives. Although this has been discussed there was no specific action as to how the second Lake Board Representative would be appointed or whether that person would have a general interest or be a Township Board Member. State Law requires this change to be effective March 1, 2005.

Clerk Strole said, in her opinion, the representative should be a Board Member. It is more important now than in the past because of the administrative responsibilities that the Township now has for administering some of the functions of the Lake Boards and because of some of the complexities involved. Trustee Vallad said he would agree, at least for Dixie Lake, Susin Lake and Big Lake. Trustee Hopper said he would also agree with the same. Supervisor Walls said, he does not agree.

Trustee Lamont said, if a Board Member is willing to step forward he would not be opposed to that. However, he thinks it would take time to get caught up to the rules and regulations to be effective. He believes a Board Member would be an advantage as far as keeping the Township up to date. Trustee Lamont said he knows that there are Township residents that could serve in an effective manner if they were appointed and held to the same level of interest as a Township Board Member. Supervisor Walls said, if it is not a Board Member, he does not have any names to offer as appointees at this time.

Treasurer Dubre said she definitely does not believe it needs to be a Board Member. She does not have a problem with a Board Member being the second member if there is a Board Member who would like to volunteer. Not living on a lake, she does not feel the Board Members are the best people to do this job. Trustee Hopper commented that he understands that thought, but the Township Board is elected by the people that live on the lakes. Treasurer Dubre said we were not elected to be on a lake board. Trustee Hopper said even though they may not have lake experience, the Board members are able to look at the broad picture.

Trustee Cooper said if we have community residents serve, the Township Board still has the final say if something happens. If we appoint someone, part of the appointment would be that that person must keep the Board aware of what is going on. If that appointee doesn't follow through, we could remove them from the position. Clerk Strole said she believes there is a rationale in the law for having a representative of the Township Board on the Lake Board; She thinks the role is to not simply look at it from a narrow prospective of a riparian owner but to look at process. She believes a Township Board representative on the Lake Board could also have some better insight as to administrative issues. Trustee Vallad said he thinks both Lake Board Representatives do not have to Township Board Members but believes the Township Board needs to take a more active role with the Lake Boards.

Trustee Vallad and Trustee Hopper said they would be interested in Lake Board appointments. Trustee Lamont noted that time constraints and already serving as a Trustee and Planning Commission member would prohibit him from taking on another Board. Trustee Cooper said he could not take on a Lake Board. Treasurer Dubre said she would be willing to temporarily fill in on a Lake Board until the Township could find a suitable individual; She noted that there are many probable candidates living on the lakes.

- **Supervisor Walls moved that we appoint as the second Township representative, Dennis Vallad to the Susin Lake Board, David Hopper to the Dixie Lake Board, Jamie Dubre to the Big Lake Board and that we notify via cable, newspapers and property owners associations that we are interested in receiving resumes from individuals who might be interested in serving in those positions. We ask that those resumes be submitted back to the Township by May 1, 2005. Treasurer Dubre supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

Supervisor Walls asked if there is interest or necessity to replace the Waumegah Lake Representative? Clerk Strole said, keeping consistent, she believes there should be a Township Board Member on the Waumegah Lake Board. Supervisor Walls said, personally, he thinks at this time it would be a mistake to replace our current representative. He believes that representative could do a better job of communication but he has not had the opportunity to react to the Board's expectations. Treasurer Dubre said she believes the representative needs to be replaced. She feels he has had opportunity because he has left her messages saying he would follow up with things and then has not. In her opinion, there is no consistent communication out of the Waumegah Lake Board. Clerk Strole said Waumegah is by far, the most complex lake. Trustee Vallad said Waumegah is unique in that. All the rest of the lakes use lake boards for aquatic weed control. Those are basically the only projects being financed through their lake boards. Waumegah is the only lake where they had a project not related to weed control or something on that order. There may be minor things such as dams, but for the most part, the biggest chunk of money is going towards aquatic weed control in every case except Waumegah. Trustee Vallad said he agrees that the current Waumegah Lake Representative, with some advice and encouragement, could work.

Supervisor Walls said it is important that everyone needs to remember there are five members on the Waumegah Lake Board. One has extensive background in Township, State and County Government and it took three of those five to approve this. Supervisor Walls said not everything that is a problem at Waumegah Lake will be solved by changing one person. One of the people he was most disappointed with at the public hearing was the person chairing it with the most experience. Supervisor Walls said it was our representative who recognized that there were some different opinions and some objections that needed to be addressed.

Supervisor Walls asked, do we or do we not replace the current representative on the Waumegah Lake Board? Treasurer Dubre said, yes. Clerk Strole said, yes. Trustee Hopper said he concurred that replacing one person will not necessarily make a difference but there has been a track record of mismanagement and he believes it would be a good start. Trustee Lamont said it appears there are quite a few shortcomings of the current member and he would support replacing that member if a suitable replacement could be found. Trustee Cooper agreed. Supervisor Walls said he believes we do and if we are going to replace the representative then he believes very firmly it should be someone from the lake and that would be Mike Trout.

Clerk Strole asked Mr. Trout for his view on where the shortcomings are and what he would do differently? Mr. Trout of Shore Dr., said he has a lot of experience dealing with government agencies and has been a Zoning Board of Appeals member in another community. He was a Lake Association President for three years and has been to every Lake Board Meeting and Public Hearing for Waumegah Lake. Mr. Trout said he respects the current representative and what he has done for the lake. However, he truly believes the lake has completed most of the major projects and we are getting into the maintenance and so forth. Mr. Trout said he wrote the specs for the engineering proposal, the weeds and the harvesting specs. He does believe that more consensus and compromise has to be looked at in terms of the outstanding issues.

- **Supervisor Walls moved to retain Lou Kirby as the Township Representative on the Waumegah Lake Board. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Vallad and Lamont; No: Dubre, Strole, Hopper and Cooper. The motion failed by 4 to 3 vote.**
- **Treasurer Dubre moved that the Board appoint Mike Trout as the Township Representative on the Waumegah Lake Board. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

Trustee Hopper suggested that we actively seek three new candidates for Township Board representative on the Big Lake, Dixie Lake and Susin Lake Boards, possibly by May 1st. At that point, we could discuss term limits. Trustee Vallad said he thinks we should finalize guidelines by the March Township Board Meeting. Supervisor Walls said we would seek candidates via newspapers and the cable channel.

New Business:

1. Autumn Shores Dry Hydrant

Supervisor Walls said he would like Board authorization to establish a budget to retain the services of Nowak and Fraus, if needed, for helping to administer what will be a bid that goes out for a dry hydrant at Autumn Shores. There is a manmade pond and we received a request for a dry hydrant from the Association some time ago. Because Nowak and Fraus did the design of the pond liner, he feels they would be best.

- **Clerk Strole moved to retain Nowak and Fraus Engineering for services to prepare specs and help review contracts for construction of a dry hydrant at Autumn Shores, such services not to exceed \$5,000.00. Trustee Lamont supported the motion.**
- **Clerk Strole amended her motion to include a billable rate of \$100.00 per hour. Trustee Lamont supported the amended motion. Vote on the amended motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

2. Softwater Lake Weed Harvesting

Supervisor Walls said last year we used the lowest bid and that contractor did not work out well. Trustee Lamont asked if there would be a maximum dollar amount or hours? Supervisor Walls said if the hours are the same, the contract would be almost double. Mr. Schaller, a resident of Softwater Lake, said the previous contractor used very small equipment that could not handle the job and there were many problems.

Trustee Lamont asked if there is a designated dumping spot within ten miles? Supervisor Walls said, we do, and to the best of his knowledge it is still available. Treasurer Dubre suggested capping the dollar amount at \$10,000

- **Supervisor Walls moved to award the harvesting contract for 2005 to Professional Lake Management at \$200.00 per hour at a cost not to exceed \$10,000.00 with the understanding that the property owners association will monitor both the hours and the quality and quantity of the harvesting. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

3. Fire Station #2
 - a) Soil Borings
 - b) Topography
 - c) Value Engineering

Supervisor Walls said the Concept for the expansion of Fire Station #2 is finished. Two of the three items on the list will be necessary no matter what happens. One being soil borings for a septic and a topographical survey necessary for any site plan. The third part is a request to retain value engineering consultant at an hourly rate of \$75.00 and an estimate 20 to 30 hours. Supervisor Walls said the estimated cost for the expansion plan proposed by the architect is \$1,800,000.00. It is his belief, with some minor changes, that by the end of 2006 we could probably have available approximately \$700,000.00 to \$800,000.00 for a scaled back expansion. We are currently setting aside non-PEG cable revenue into a Civic Center capital account and we are setting aside 10% of our state shared revenue for a Civic Center capital account, which could be switched to the Fire Fund.

- **Clerk Strole moved to retain for preliminary work on Fire Station #2 expansion, Hartley and Associates to conduct soil borings not to exceed \$1,900.00 and to retain Hubbell, Roth & Clark, not to exceed \$1,500.00 for topographical survey and to retain Design Resources for Value Engineering Consulting at \$75.00 per hour and not to exceed \$2,000.00. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**
- **Supervisor Walls moved that the Board authorize the Treasurer to place all non-PEG cable receipts in the Fire Building and Equipment Fund and 10% of State Shared Revenue in the Fire Building and Equipment Fund rather than the Civic Center Capital Fund. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

4. Comcast Cable Scholarship Committee

Supervisor Walls said he spoke with Lynn Jensen and is agreeable to serving on the scholarship committee. Charlie Oaks has indicated he is willing to serve.

- **Clerk Strole moved to appoint Lynn Jensen to the Comcast Scholarship Committee and request that we send a letter of appreciation to Jackie Fromm for all her years of service on the committee and to the Township. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

5. Printing

Trustee Cooper requested to abstain from the vote but requested to take part in the discussion because he is a bidder in this proposal. There were no objections. Supervisor Walls noted that it was pointed out that the Kenewell quote for the Master Plan was almost impossible. Supervisor Walls checked with Kenewell and they did verify that they made a mistake. Their quote for one would be \$15.00, for 20 would be \$292.00 and for 40 would be \$584.00. However, Supervisor Walls said Kenewell is still the low bid. In his opinion, the only thing the Board must do is decide whether or not to waive the standard of conduct provision as that provision allows if it is in the best interest of the community.

Clerk Strole asked Attorney, Greg Need, if we waive the policy and award the bid to Impressive Type, would Trustee Cooper be required to abstain from approving the bills list every time a bill appeared on that list from Impressive Type? Mr. Need said the bill could be broken out separately or Trustee Cooper could have a blanket abstention on that part of the Consent Agenda.

- **Supervisor Walls moved that the Township Board waive our Standard of Conduct Provision and allow contracting for services with Impressive Type, where Marc Cooper works because it would be in the best interest of the community for envelopes, letterhead, address labels and the Building Department materials - approved, not approved stickers, inspection reports, Building Department receipts - and that the balance of the printing be allowed to be done administratively and awarded to the low bidders. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper and Lamont; No: none; Abstain: Cooper. The motion carried by a 6 to 0 vote.**

6. False Alarm Ordinance

Clerk Strole said all the addresses that had five or more false alarms, with one exception, added up to 138 out of 244. All but one were businesses and those at the top were automobile dealers. Supervisor Walls asked the Board if we should have an ordinance? The Board unanimously agreed it would be wise. Clerk Strole suggested an escalating provision. Trustee Vallad suggested a \$50.00 fine for the third and \$100.00 for the 4th and so on.

Supervisor Walls said we could not do this as a "cost recovery" if we want an escalating system. One difficulty will be coordinating the Sheriff's Department with the letters. He still does not receive, with frequency, information from the Sheriff's Department to send invoices. Trustee Vallad said he likes the idea of Greg Need putting something together and thinks we should refer to the list and send anyone letters who are at about three false alarms, that there will be a new ordinance in effect.

Supervisor Walls said he would try to have a draft available for the next Board meeting.

7. Township Priorities

Supervisor Walls suggested that each Board Member list 5 to 10 priorities that they would like to see the Board accomplish over the next 1 to 2 years. Trustee Vallad suggested holding a special meeting to discuss these priorities. Supervisor Walls said he would like the lists submitted to him by February 24, 2005 and a meeting date could be set at the next Regular Meeting.

8. 1st Reading of Ordinance 26

Clerk Strole said she read through these amendments and thought they were excellent revisions. One item struck her where there seems to be a disconnect. In regard to Page 8, item b.2, the current ordinance has a distance of 1500 feet from building to building, this paragraph has 500 feet from the adult business to the property line. Then if you look at page 11, paragraph 10, it states truck stops must be at least 1,000 feet from a residentially zoned or used property. She asked if this is something that was thought out as to why the distances are different? Trustee Lamont said, yes, it was. One thing that the Planning Commission had to be careful of, when forming the ordinance for adult businesses, was to ensure that there were places in the Township that an adult business could actually be constructed, thereby not creating an ordinance that would directly outlaw them.

Mr. Need explained that legally there must be a certain percentage of the community available for this type of use (adult business) and the Township had to develop these rules because they could not completely outlaw these businesses.

- **Clerk Strole moved to authorize the Clerk to publish for 2nd Reading, the proposed Amendments to Zoning Ordinance 26, Articles II, IX, X and XI and Section 16.02 as recommended by the Planning Commission. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

Public Comment:

Clerk Strole commented that she just received copies of the book "Explore Our Natural World, A Biodiversity Atlas." It covers Southeast Michigan and Southwest Ontario. The book explains eco-systems, prairie fens and wetlands, and highlights Springfield Township. She recommended the book to anyone interested.

Trustee Cooper commented on the meeting involving Independence Township, Village of Clarkston and the Chamber of Commerce got together. He feels it was pretty worthwhile and thinks if some of the other Board members could make the next meeting, they are trying to do a cooperative venture between the three entities and make some common headway. He believes a letter to this group telling them that we appreciate what they are doing and we would be willing to work with them would be appreciated.

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 9:56 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk