

# January 9, 2023 Alganssee Township Board Minutes

## *Draft Pending Board Approval at 2-06-23 Board Meeting*

**A. CALL MEETING TO ORDER** on Monday, January 9, 2023 at 7:30 pm. Supervisor Russ Jennings called the Alganssee Township Board meeting to order. Members present – Supervisor Russ Jennings, Treasurer Sarah Strong, Trustees Rod Bassage, Jason Shilling and Clerk Anne Gary.

**PLEDGE OF ALLEGIANCE** - Clerk Anne Gary led the United States Pledge of Allegiance.

**B. Agenda Additions/Deletions** – Motion by Jason Shilling to approve agenda. Support by Sarah Strong. Motion carried.

### **C. PUBLIC COMMENT**

**C.1.** Scheduled Public Comment by Chuck Lillis, Alganssee Township Attorney, regarding Wilmin Bridge. Mr. Lillis stated his comments will speak to what the Township can and cannot do. Research by Mr. Lillis has included phone conversations with Catherine Mullhaupt, Michigan Township Association (MTA) in-house legal counsel. Alganssee Township is a current member of MTA – for which the Township pays an annual membership fee.

#### **The following is a summary of Mr. Lillis comments:**

The Township cannot do anything, when it does not own the asset, unless the owner of the asset requests an action on the part of the Township. The role of the Township is to do nothing until a specific request is made for a single Special Assessment District (SAD); or sometimes referred to as Special Purpose District (SPD). Assets in question regarding establishing ownership are: road approaches to the bridge and the bridge structure. He referenced Public Act (PA) 188 roadways and Public Act (PA) 116 of 1923 bridges. Establishing ownership of the two assets are necessary steps before requesting the Township to do a Special Purpose District.

Mr. Lillis represents the Township and therefore cannot provide the homeowners with legal counsel. He did state the benefit of water access, whether homeowners use water access or not, is enhanced real estate value of water front property. He encouraged the group of “Wilmin” residents to reach out to their attorney to become familiar with each of the steps involved in setting up a Special Assessment District. Mr. Lillis did state Public Hearings are always a part of the process.

If the Township did set up a Special Assessment District, by the State of Michigan Constitution, the Township must own the entire process of the project. The Township may publish Requests for Proposal (RFP) to hire an Engineer to oversee the project; but each decision requires Township Board approval. This oversight in the process is required to avoid using dollars from all taxpayers to benefit a few.

#### **C.2. The following is a summary of some of the “Wilmin” residents’ comments:**

Estimate is 43 taxable parcels that use the bridge or the waterway. Recognition of the need to form a Homeowners Association. The bridge has stood for 60 years but is questionable how much longer it can stand. Resident Jim McClain hired a company, Great Lakes Engineering, to do a bridge structure evaluation. Mr. McClain has had multiple meetings with Jay Miller, Branch County Road Commission. Signs posted by the Road Commission caution weight load restrictions of 20 tons. Mr. McClain read the letter from Great Lakes Engineering listing ton ratings of various trucks. Consensus of residents present was a one lane bridge is feasible and would cut down on costs of such a project.

**C.3. Alganssee Library Report** – Teresa Shilling, Branch Manager. Monday hours of 11am-5pm have been added for 2023. Attendance was down slightly December 22 from November 22; but up year over year by 86. Might do some program day changes as Friday’s have greater attendance at the library. The children love the Lego projects. Planning future program activities to help bridge between Amish and English Communities.

### **MINUTES**

**D.1. December 5, 2022 Board Minutes** – Motion by Rod Bassage to approve minutes with spelling correction. Support by Sarah Strong. Motion carried.

### **E. TREASURER’S REPORT**

**January Treasurer’s Report** – The Township’s December balance was \$565,269.72 with December income of \$38,726.90 and November expenses of \$37,804.17 giving a January balance of \$566,192.45. The Clerk agrees. Rod Bassage motioned to accept the November Treasurer’s report. Support by Jason Shilling. Motion carried.

## **F. COMMITTEE REPORTS**

**F.1. Quincy Fire Association (QFA)** – Supervisor Russ Jennings informed the QFA the Township approved their budget for the QFA based on figures provided by the QFA. Trustee Rod Bassage encouraged QFA to explore grants. All other options need to be explored before asking for additional monies from Association members.

**F.2. Planning Commission Report** – No report.

**F.3. Zoning Board of Appeals** – No report.

**F.4. Alganssee website** – Sharon Atkinson reported 151 users last month. Supervisor Russ Jennings requested Matt Ashenfelter's report be posted to the website. Sharon is waiting on the data from Matt.

**F.5. Ordinance Violations** – Will review multiple permit violations listed provided on Matt's printed report given to Board members. Supervisor Russ Jennings would like a review of Section 13.06 Storage of Certain Vehicles of Alganssee Township Zoning Ordinance. The clean-up of exterior items on the property at Fremont and Cornell roads remains an issue.

## **G. OLD BUSINESS**

**G.1. Update for Grants** – No updates regarding submitted grant approval.

**G.2. Pete Girod BOR Appeal** – No updates.

## **H. NEW BUSINESS**

**H.1. Next step for use of ARPA funds, see Land Survey** – Trustee Rod Bassage will take the current architectural plans to Jonesville Lumber to inquire what they might be able to provide for project plans. Once a final decision is made to move forward with a construction project, requests for proposals (RFP's) will need to be publicly posted.

**H.2. Update on Wilmin Rd Bridge** – covered during Public Comment.

**H.3. Minimum number of years for minutes posted on website** – Sharon Atkinson has been exploring other website service providers/designers. Conversations with one source said most Townships keep two to three years posted. Will keep all minutes posted until the Board would decide about keeping current website provider or making a change.

**H.4. Approval for Planning Commission membership** – Supervisor Russ Jennings called for a motion to approve Planning Commission Board members for their renewing terms: Rodney Carpenter, Glenn Preston, Sharon Atkinson, Craig Fichtelberg, and Jason Shilling as Township Board representative. Motion by Rod Bassage. Support by Sarah Strong. Motion carried.

**H.5. Approval for Zoning Board of Appeals membership** – Supervisor Russ Jennings called for a motion to approve Zoning Board of Appeals members for their renewing terms: John Shilling, Glenn Preston, Bob Migrin, Rod Bassage. Motion also to approve new member Jim Bowers. Motion by Jason Shilling. Support by Sarah Strong. Motion carried.

**H.6. Approval for Board of Review membership** – Supervisor Russ Jennings called for a motion to approve Board of Review members for their renewing terms: David Dryer, Matt Ashenfelter, and Bill Avra. Motion also to add Sharon Atkinson as an alternate. Motion by Sarah Strong. Support by Jason Shilling. Motion carried.

**H.7. BOR Training** – Group training will take place 2/09/2023. No cost for the training – members will be paid to participate in the training.

**H.8. Smile on Wheels requesting use of Township Hall January 30 & 31** – Non-profit group that provides dentistry services for children. Motion by Rod Bassage to approve use of the Hall. Support by Sarah Strong. Motion carried.

**H.9. Budget Line Items** – Treasurer Sarah Strong submitted budget line items adjustments for approval: Cemetery-Refund changed from \$0.00 to \$240

Town Hall-Utilities changed from \$3,000 to \$3,700

Township Board-Hired Labor changed from \$7,000 to \$11,000

Fire Protection-Fire Wage changed from \$0 to \$95

Motion by Jason Shilling to approve. Support by Rod Bassage. Motion carried.

**H.10. Cemetery Endowment Fund** – Will re-evaluate when CD matures which has a current balance of about \$8,700. Sufficient balance in the Endowment Fund money market to cover future perpetual care of the 14 grave sites for Memorial Day flowers and future urn replacements.

**H.11. Recommendations by ParPlan** – Clerk Anne Gary distributed the printed report to each Board member for review and verbalized the bullet points of the recommendations.

**H.12. Drain Commissioner request to use Township Hall, Wednesday, February 8<sup>th</sup>, Determination for Braman Drain** – Braman is the oldest drain in Branch County and runs all the way back to Tallahassee Creek. Township portion cost estimated to be at percentage of 12.50. Motion to approve use of Hall by Jason Shilling. Support by Rod Bassage. Motion carried.

**I. Payment of Bills January** - Bills presented in the amount of \$14,737.77. Rod Bassage motioned to approve payment of the bills. Support by Jason Shilling. Motion carried.

**J. SPECIAL REPORTS**

**J.1. Zoning Administrator's Report** – Matt Ashenfelter, December 2022 Report. Matt provided copies of his report in advance of the Board Meeting. Zoning permits issued: 0, Land splits processed: 0, Zoning violations/Complaints: 1 open (Beeman). Final notice sent 12/6/2022, site visit 12/21/2022. No progress. Forward to Twp Attorney Jan 2023. No permits issued list: 18. Construction done without permits issued will be fined a cost of 4 times the cost of an initial permit.

**J.2. Branch Commissioner's Report** – No report.

**J.3. Alganssee Library Report** – covered during Public Comment.

**J.4. Assessor's Report**- Assessor, Erica Ewers, 12/06/22-1/09/23. Copy provided to the Board. Erica gave Michigan Tax Tribunal updates. New construction site visits complete 12/28/2022. December BOR met 12/13/2022 and approved 10 petitions.

**K. Correspondence** – Charter Communications, ParPlan News Jan 2023 issue, Board of Review Training sessions offered by MTA.

**L. Public Comment** – Clerk Anne Gary will be on vacation and out of the office February 3 – February 5.

**M. Next Meeting**- The next regular board meeting will be Monday, February 6, 2023 7:30 pm at the Alganssee Township Hall. Notice of Budget Meeting at 6:00 pm prior to the board meeting 2/06/23 will be published in The Daily Reporter.

**N. Adjournment**- Jason Shilling motioned to adjourn. Support by Sarah Strong. Motion carried. Board meeting was adjourned at 9:17 pm.

Anne Gary, Clerk