

LOCKPORT TOWNSHIP REGULAR MEETING
May 13, 2019

Purpose of the meeting: Regular monthly meeting of the Lockport Township Board.

Members Present: Mark Major, Mike Friesner, Beccy Friesner, Tammy Babcock, Theresa Gherna-Ankney, Doug Kuhlman, Dale Hutson, Rhonda Wright

Members Absent: Paul Bungart, Melissa Major

Call to order: The May 13, 2019 meeting was called to order by Supervisor Mark Major at 6:59 p.m.

Mark Major lead the Pledge of Allegiance.

Approval of Agenda: Tammy made a motion to accept the agenda as presented. Mike seconded the motion. MOTION CARRIED 4-0

Approval of Minutes: Mike made a motion to accept the April 8, 2019 meeting minutes as presented. Tammy seconded the motion. MOTION CARRIED 4-0.

Mark read the resignation of Trustee Paul Bungart as of May 13, 2019 due to health reasons.

Public Comments:

- A. Mark Pawlowski, 58121 James Dr, questioned why the Township has spent \$250,000 in legal fees in the attempt to stop the construction of the Sports Complex. The amount reported was inaccurate. Tammy reported the amount spend in 2017 was \$44,775 and in 2018 \$38,827. These amounts include all legal work the attorney's have done for the Township during these years. Mr. Pawlowski is not in favor of pursuing any further legal action and feels the Sports Complex is an asset to the community. He would like to see money used for other items. Mike reiterated the Board is not against the Complex, just the location. Since the property was annexed in to the City of Three Rivers, the Township is losing a substantial amount of tax revenue. He asked what can be done to bury the hatchet. He suggested a meeting with Mayor Lowry. Theresa said that the Mayor has made many negative comments about Lockport Township at the community development meetings. Other government entities also feel the City of Three Rivers and the Mayor have pushed at us thru the back door. The Township is for the improvement within the county, just not how this was handled.
- B. Charlene Zavala, 16916 Bridgette Dr, understands what Mr. Pawlowski is saying, but feels there has been a lack of transparency. The original name using youth and sports has been changed to just Armstrong Sports Complex and more items have been added to the complex, making it less about youths and sports. Maintenance costs have not been addressed in detail and may require additional property taxes to cover. There are issues that still need to be addressed.
- C. Jack Coleman, 16276 Kipker Rd, introduced himself as candidate for State Representative in 2020.
- D. Donna Grubbs, 17351 Birchleaf Ct, addressed the Board with questions about the new home being constructed on Birchleaf. This project has been going on for several years and the neighbors are very upset with the dirt, dust, storage of construction equipment, and noise.
- E. Mary Shirk, 58536 Ash Rd, commended the Board for standing up for the citizens of the Township.

Enforcement Officer Report:

- A. Doug provided a waiver of right to purchase for public purpose list of six properties that will be sold as tax-foreclosed properties. He made the following recommendations:
 1. North Main (former Comfort Motel)-should purchase, Township has a lien on property now.
 2. Ash Road-may want to purchase
 3. 6th Avenue-no interest
 4. South River Road-no interest
 5. Fairchild Road-no interestIt was decided to do further research before making a decision. Tabled until the June meeting.
- B. An update of the new construction on Birchleaf was provided. While the home does not fit with the current neighborhood properties, the home does conform to planning requirements. An open building permit has existed the entire time of this construction. The Road Commission did verify the driveway is within their guidelines. Mark would like Doug to check with Township Attorney regarding building permit timelines.
- C. Doug provided the board with the Michigan Supreme Court ruling in regards to the Sports Complex. The request has been denied and no further action will be pursued at this time. Based on a similar project in Cass County, Doug has calculated yearly maintenance will be approximately \$250,000 per year. Six million dollars has been spent during phase one construction. There will be a phase two in the future.
- D. The bank has sold all the lots within the Riverwatch Subdivision. Three homes are currently under construction with plans to build two at a time in the future.
- E. A Township Supervisor's meeting will be held on Thursday with representatives from the Sheriff's Department, Animal Control and local veterinarian's discussing the dog kennel/dog breeder ordinance.
- F. Mendon Township, Colon Township and Sturgis Township have passed an ordinance in regards to solar farms. Doug recommends Lockport Township to hold off with any such ordinance for now.
- G. Doug has spoke several times with Burt Hovenkamp, owner of Eagle Auto, in regards to the removal of trees on the Township owned property on Wilbur Road. Mr. Hovenkamp made an offer to lease the property, however the price was no where near the price of similar properties in the area. The Board would like Mr. Hovenkamp to attend the next board meeting to discuss the situation. Doug will pass along this request.

Assessors Report:

- A. Dale said his office will be closed May 15th thru May 29th.
- B. Dale provided an e mail in regards to the 4029 form. The Headley Amendment says that a municipality operated with "X" amount of money last year and should operate on the same "X" amount for the current year unless new construction, properties that have burned down or been removed, transfer of ownership or changes in taxable value have increased or decreased the taxable revenue. The millage reduction fraction is .9957 which would decrease all millage by this amount (example ambulance and fire millage). The Board is required to pass the 4029 form; however, this was tabled for now.

Treasurers Report and Bills:

- A. Mike reported the following monthly cash statement.

Checking balance \$1,070.22 with \$15,609.77 transferred from SMB account and checks drawn in the amount of \$15,609.77. Outstanding checks are in the amount of \$2,585.11. Balance of accounts to date are checking account \$1,070.22; SMB savings account \$255,032.62 (\$92,000 for fire truck fund, \$49,142.00 for State of Michigan revenue sharing); Flagstar savings account \$253,434.56; Horizon Bank CD \$182,356.79; Kellogg Community Credit Union CD \$76,739.83;

and Three Rivers Banking Center CD \$112,603.66 for a total of \$881,237.68. Tammy made a motion to accept the treasurers report as presented, file the report and pay the bills. Theresa seconded the motion. MOTION CARRIED 4-0.

- B. The following CD's have matured and have been reinvested.
 - 1. Three Rivers Banking Center 2.6% for 35 months
 - 2. Horizon Bank 2.469 for 11 months
 - 3. Kellogg Community Credit Union 3.00% for 19 months
- C. Mike made a motion to renew the Kellogg Community Credit Union CD at the above rate. Theresa seconded the motion. Roll call vote: Tammy-Yes, Mike-Yes, Mark-Yes, Theresa-Yes. MOTION CARRIED 4-0.
- D. Tammy did find the previous resolution from 2002 in regards to Non-Sufficient Checks.

Vendor Liability Insurance:

- A. The Township Attorney has said that anyone doing work for the township would be covered under the liability policy if they were working at the township hall but would not be covered at other properties. They would be required to have worker's compensation insurance. Mark made a motion that anyone hired to do work for the Township be required to carry liability and worker's compensation insurance no matter where the work is being performed. Mike seconded the motion. Roll call vote: Theresa-Yes, Tammy-Yes, Mike-Yes, Mark-Yes. MOTION CARRIED 4-0.

Committee Reports:

- A. Community Development- No report this month
- B. Intergovernmental Relations-No report this month
- C. ZBA-No report this month.
- D. Elections- Rhonda and Charles did attend the absentee voter training held by the county clerk. Tammy will need to be at her home office on the day of an election during poling hours. A lawsuit filed between the Secretary of the State and the State of Michigan has resulted in allowing voters to take pictures in the voting booth.
- E. Nottawa Library-Mike reported during the month of April total patrons were 2,405, monthly circulation 5,337, OverDrive 322, Interlibrary loan 459, Hoopla 54, and people count 3,482.
- F. Centreville Fire Department-There were four calls for the month of April, with none in Lockport Township.
- G. Planning-During the April meeting approval was granted for the installation of a cell phone tower on Leland Road. Further items of discussion were tabled until the July meeting.
- H. SCMCCI-Ed reported January and March meetings were not held. Morengo Township is expected to join SCMCCI, Pavilion Township activities include a 700,000 square foot manufacturing facility, Firekeepers Casino is planning a second hotel, SCMCCI is working toward a contract with the Village of Vicksburg for specific inspection services, and Schoolcraft may see a major housing complex develop this summer. Tuscola County/Bay City area reported they are still working on 33 wind turbines. Having received a letter from the Insurance Services Office (ISO), the administrator is waiting for more information on plans to rate municipalities/townships. A lengthy discussion of inspector pay or compensation and a permit fee increase will be continued at the May 22nd meeting. Ed provided a copy of the annual audit. The board agreed that a cancelled bi-monthly meeting shall be immediately rescheduled for the fourth Wednesday of the following month. Permits issued year to date for Lockport township is 64.
- I. Three Rivers Library- Mike reported the new library construction is being tabled for now because the completion timeline will not be met. Bid process will be re-opened if Brussee/Brady does not agree to keep the current bid price.

- J. **Water Department-** Mark reported the water board voted to send an ordinance update to change the responsibility of repairs. Currently the ordinance requires the water department is responsible from the main to the meter with the update being the water department is responsible from the main to curb stop and then the meter. The customer will be responsible from the curb stop to the meter. Tammy made a motion to approve the ordinance reading who is responsible for what area of repair. Theresa seconded the motion. Roll call vote: Mike-Yes, Tammy-Yes, Theresa-Yes, Mark-Yes. MOTION CARRIED 4-0. The asset management plan that was completed December 2017, was returned for five items to be corrected. This is being addressed. Nitrate levels were down from the previous level during the first quarter. Customer using PayClix automatic payment system has increased this past quarter. An underground leak on Mackinaw Court has been repaired.
- K. **Website-**Mike reported he has updated the Treasurer's page. He had no issues like before making the update.

Old Business: No old business.

New Business:

- A. The open trustee position will be advertised on the website and in the newspaper. The position must be filed within 45 days.
- B. The following committee appointments have been changed due to the open trustee position.
 - Government Relations-Tammy will fill
 - Planning Commission-Mike will fill
 - Three Rivers Library-Charlene Zavala will fill

Adjournment: Mike made a motion to adjourn the meeting at 9:00 p.m. Theresa seconded the motion. MOTION CARRIED 4-0.

The next regular scheduled meeting is June 10, 2019 at the Township hall.

Respectfully Submitted,

/s/

Rhonda Wright
Deputy Clerk

Minutes Approved: 6-10-2019