

VICTOR TOWNSHIP BOARD MINUTES- October 3, 2006 (Accepted)

Call to Order and Pledge

The regular monthly business meeting of the Victor Township Board was held at the Township Hall, 6843 Alward Road, Laingsburg, MI 48848. Supervisor Warren Malkin called the meeting to order at 7:00 p.m. The pledge to the flag was given.

Roll Call of Members

Members present: Michelle Wilsey, Warren Malkin, Donald McDonald, Duane Ginther and Dan Morris. Members absent: None. Other governmental representatives in attendance: Clinton County Commissioner Claude Vail. Nineteen (19) citizens present.

Public Comment

None.

Agenda

Wilsey moved, second by McDonald and motion carried to approve agenda with addition of township audit under New Business.

Minutes and Treasurer Report

Minutes of the August 29, 2006 board meeting were accepted as printed. The Treasurer's report was accepted subject to audit.

Approval of Bills

Morris moved, second by Wilsey and motion carried to void the WINs bill in the amount of \$66.28 and pay the remaining submitted bills, check #s 9926-9950 in the amount of \$67,441.77.

Reports

Planning: Continued work on revised zoning map. Two variances considered. Next meeting October 25, 2006, 7:00 p.m. Victor Township Hall.

Fire/CAF&R: Chief Jeffrey Huber submitted his resignation to CAF&R. Resignation and replacement strategy will be considered at the next board meeting. Next meeting is October 10, 2006, 7:00 p.m., Station #1, St. Johns.

Historical Society: Boy Scout Jacob Garner proposed an Eagle Scout project to obtain and place a historical marker at the Reed Church and Cemetery. The Board approved his proposed project. Karen Anderson offered to donate pianos to the Reed Church and Denison Schoolhouse. Heritage Holiday Markets are planned at Victor Township Hall on Saturday, October 28 and Sunday, November 26. Interested vendors call Marina at (517)651-2988. The "Hanging of the Greens" community decorating celebration at the Reed Church and Denison Schoolhouse is scheduled Sunday, November 26, 2006. The next historical society meeting is October 11, 2006, 7:30 p.m., Victor Township Hall. Meetings are held the 2nd Wednesday of each month – public welcome.

LBA: Next meeting October 11, 2006, 8:00 A.M. at Jordano's.

Laingsburg Area Recreation Committee: Construction of the playground in the lower bowl of McClintock Park is underway.

Clinton County Economic Development Task Force: The economic development feasibility study is complete and the results are being reported out to the community. Results indicate strong interest in an organized economic development strategy for Clinton County and also the means to fund such an initiative. Examination of the results and hurdles identified by the feasibility study, as well as emerging regional initiatives will continue for the next month.

Victor Township Citizen Road Committee: The committee finalized a road plan focusing on improved maintenance of township roads. A public hearing on the road plan is scheduled October 4, 2006, 7:00 p.m., Victor Township Hall. The road plan and additional information on road projects in Victor Township is posted on www.fixourroads.com.

ROUND LAKE WEED ERADICATION SPECIAL ASSESSMENT PUBLIC HEARING

The regular meeting recessed at 7:15 p.m. for a public hearing on the special assessment roll for the Round Lake Weed Eradication Special Assessment. Supervisor Malkin noted that a parcel was omitted from the district and that the district would have to be amended. John Esch provided a brief presentation on special assessment alternatives for the district. The presentation is attached and included by reference as a part of these minutes. Dan Eggleston commented that a meeting/gathering was held for those in the special assessment district to discuss funding alternatives. Those at the meeting voted in

favor of a 75/25 distribution between riparian and non-riparian parcels. Some residents noted that a letter circulated to and signed by non-riparian owners indicating that they felt non-riparian parcels should be assessed no more than 25% was discussed. Harriett Johnston noted that they hoped to bring a consensus proposal from the gathering but that did not happen. Fifteen people were in attendance at the meeting and the vote was nearly split. She believes that lakefront owners have more benefit but does not believe that riparian is worth three times more. Don Plotner believes it is worth three times more. Another resident asked if commercial zoning or acreage was used as part of the calculation. Supervisor Malkin said the current proposal was based on equal distribution among all parcels of record in the special assessment district. The calculation was not based on acreage nor zoning factors. Russ Fries commented that when the petition was circulated his understanding was that the costs of the assessment would be distributed equally among all parcels in the district. He asked if that was the language in the petition. The Clerk read the original petition and the language did not say the assessment would be apportioned equally. Aaron Matthews commented that by law a petition was not required for the township to initiate a special assessment. The Board acknowledged that the statute allows the township to initiate the special assessment or it can be initiated by petition of those in the proposed district. The Supervisor indicated that the township required that the petition method be used in this case. Don Plotner owns both back lots and riparian lots and opposes the proposal for unequal apportionment of costs between riparian and non-riparian lots and expressed concerns that apportionment by parcel is unfair because it indirectly benefits those with larger lots or combined lots. Bob Johnson also expressed concern over people who own multiple lots. Betsy Woodend owns four lake front lots and one back lot and signed the letter for back lot owners. She believes people should not have to pay as much if they do not have the same access. Mark Burkhardt indicated that dues have always been equal. He further noted that there was some consensus at the meeting that a different assessment between riparian and non-riparian parcels was merited. The differences were in regard to what split was appropriate. Mike Schneider commented that he didn't think the question was property value but over who benefited from the weeds being controlled? John Woodend wants the process to go forward but he was not notified of the community meeting and feels riparian/non-riparian issues must be considered in determining the apportionment. A letter from Michael Dyer (dated 9/23/2006) protesting the inclusion of his property in the Round Lake Special Assessment District and that if it is included then he feels that he should not have to pay more than 25% of the tax required of property owners who own lake frontage was received and placed on file. A letter to the Victor Township Board (dated 9/26/2006) signed by 12 backlot owners stating that they should not be taxed more than 25% of the riparian assessment was received and placed on file. The public hearing closed at 7:52 p.m.

Motion by McDonald, second by Ginther, to rescind the Resolution Approving Round Lake Special Assessment District and Setting Hearing adopted August 1, 2006. Upon a roll call vote, the following voted yes: Wilsey, Malkin, Morris, Ginther, McDonald. The following voted no: None. The following were absent: None. The motion carried. Motion by McDonald, second by Ginther, to adopt a Resolution Approving Round Lake Special Assessment District and Setting Hearing. Upon a roll call vote, the following voted yes: Malkin, Morris, McDonald, Wilsey, Ginther. The following voted no: None. The following were absent: None. The motion carried and the resolution was adopted.

Clinton County Officials

Commissioner Claude Vail reported that the Board of Commissioners committed \$3,000 dollars toward the reward for information related to murders in the north end of the county. The County Board of Commissioners made a "one-time" budget allocation to the Road Commission to support equipment purchases. Hearing on the proposed County Budget is October 10, 2006, 7:00 p.m. at the Courthouse. The new health building project is proceeding. It includes a dental health facility. It will also house the Department of Waste Management. It will be occupied in December 2006.

Deputy Alward was not in attendance due to an injury sustained while on duty earlier today.

Items of Public Interest

Supervisor Malkin reported that the CAF&R Family Funfest is October 14, 2006, 10:00 a.m.-3:00 p.m., Station 1 located at 2761 N US-27, St. Johns. The public is invited to attend.

Heritage Holiday Markets are Saturday, October 28 and Sunday, November 27, Victor Township Hall. Interested vendors call Marina at (517)651-2988.

The "Hanging of the Greens" community decorating celebration at the Reed Church and Denison Schoolhouse is also scheduled Sunday, November 26, 2006. The public is invited to attend.

The last day to register for the General Election is October 10, 2006. The General Election is Tuesday, November 7, 2006. Township residents vote at the Victor Township Hall. Polls are open from 7:00 a.m.- 8:00 p.m. Absentee ballots applications are available on-line at www.michigan.gov/sos under voter information or from Victor Township Clerk Michelle Wilsey at (517)651-2094.

Correspondences (received and placed on file)

Sheriff's report of Victor Township (August).

Sheriff's report of jail and County (August).

Equalization Dept. informing the township that a house on Falkirk will have a Dublin address.

Drain Commissioner – Review of apportionments 9/15/06.

DEQ – Response to complaint on parcel 180-000-041-00.

Michael Dyer - Regarding Round Lake Special Assessment.

Unfinished Business

Vision for the Township and Goals – no report.

Alleyway Ordinance – no report.

Cemeteries: Volunteers needed to continue restoration work.

Round Lake Property Owners: A Public Hearing on the creation of the Special Assessment Roll is scheduled November 2, 2006, 7:15 p.m., Victor Township Hall.

Web Site: The Victor Township web site is up and running although much of it is still under construction. The web address is www.victortwp.org.

Road Contract: Pratt Road regravell project is nearly complete.

New Business

PC-57-06 SUP Consumers Energy – Chris Thelen presented the revised site plan for the training facility on Round Lake Road. Dave Gilson and Mike McDermott discussed concerns over lighting, noise, dust. Mr. Thelen responded to questions and changes in revised plan to address concerns. Motion by Ginther, second by Wilsey, and motion carried to recommend approval of PC-57-06 SUP with revised site plan dated 9/28/2006.

PC-58-06 Amendment to Zoning Map (M. Smith) – Motion by Ginther, second by Malkin, and motion carried to recommend approval of PC-58-06 Amendment to Zoning Map.

Review and update of township policies and procedures manual – Malkin asked Board members to submit their recommended changes.

Township Audit – Wilsey moved, second by Morris, and motion carried to accept the FY 2006 audit report prepared by Campbell, Kusterer & Co., P.C.

Extended Public Comment

Russ Fries raised questions over CAF&R auditing and business practices. He asked Warren Malkin to be sure the CAF&R Board seriously and thoroughly reviewed all concerns raised.

The meeting adjourned at 9:14 p.m.

Michelle Wilsey, Clerk