

# FREEMAN TOWNSHIP BOARD CLARE COUNTY, MICHIGAN

At a meeting of the Freeman Township Board of Clare County, Michigan, held at 7280 Mannsiding Road, Lake, Michigan on

## **Regular Meeting, Thursday, the 11<sup>th</sup> of July, 2019**

Present Board Members: Supervisor Housler, Treasurer Lackie, Clerk Lightfoot, Trustees Barnett & Sable.

**TIME: 7:00 p.m.** Call to Order and Pledge to the Flag

Roll Call was taken with all members present, along with 23 citizens.

A motion was made by Trustee Barnett, seconded by Trustee Sable to approve the regular board meeting minutes from June 13<sup>th</sup>, 2019. Ayes 5 Nays 0.

### **GUEST SPEAKERS**

Dale Majewski, Clare County Commissioner was present and gave the following highlights: Department of Treasury was at County to perform the 2018 audit. It was a clean audit with only 2 basic bookkeeping issues. Appointed 2 Jury Board Members. DNR new rule that if you put a boat in at a State boat dock you must now have a State Recreational Permit. Board of Commissioners had lengthy discussion on Road Commission. Getting information from attorney to move forward with taking over the Road Commission. Road Commissioner Tim Haskins asked Commission Majewski about investigating the Road Commission. Commissioner Majewski said they weren't investigating the Road Commission, they were looking into bringing the Road Commission under the Board of Commissioners. Clarifying the process and what happens to the current Road Commission Board members.

Karl Hauser, Director of Clare County Veterans Services was present and gave the following highlights: He is the new Director. Please get Veterans who need help to come and see him. The more that come see him the more Federal dollars that are spent in Clare County. Also, the are recognizing anyone that served between 1955 and 1975 with a pin and certificate. Looking into getting veteran coffee hour. Mr. Hauser's office is located upstairs of the Clare County building.

Tim Haskins, Road Commissioner was present and gave the following highlights: They separated with the Manager Deepak Gupta. Illegal to talk about because of personnel issues. They are scoping out the job description for a new manager. Commissioner Majewski asked why Road Commission Karen Hulliberger can go on 9 & 10 news and say the reasons for the discipline of Mr. Gupta if you're saying it was illegal to talk about. Supervisor Housler asked how the Board Secretary could make the statements she did. Isn't that also a violation? Especially when it was done in her office. Karen Wells asked if Mr. Haskins knew they were going to speak and he said no. Commissioner Majewski noted he heard that out of the 4 people filing charges that they decided who was to speak and Kim Jones was chosen. Citizen asked if they are going to get these roads in shape. The drivers come down the road and barely skim the road. Karen Wells asked about getting more speed signs on M-115 and how

speed limits are set. Road Commissioner Haskins said the State Police take care of that. Clerk Lightfoot noted that the State Police does speed studies for areas and finds the 85<sup>th</sup> percentile to set speed limits. She also noted there's a latin word for this that she couldn't remember at the moment, but basically if you have a type of road, like M-115, the normal speed limit by law is 55 so they don't need to post as many signs.

Clerk Lightfoot asked Road Commissioner Haskins the following: Why are you showing up now that your ship is sinking? No one from the Road Commission has been here since I was last here (as Road Commissioner) November of 2016. She noted she visited 3 Townships in the area and got the residents to like the Road Commission again. Mr. Haskins said they are trying to get to all the townships, but not sure if he will be back again.

Clerk Lightfoot also noted that the Finance Director, Kim Jones, going on the news was very unprofessional. In essence she won the battle by getting rid of the manager, why not just take your win, be professional about it, and move on.

Clerk Lightfoot also noted that Road Commission meeting she attended (when they were going to get rid of the manager) was very unprofessional. She noted she was disgusted with Mr. Haskins behavior, not letting Mr. Gupta talk when Township and County individuals asked questions about engineering projects or other items that didn't have to do with the personnel issues. He was still the manager at that point and should have been shown the respect of the position. She also noted that two of the times Mr. Gupta was allowed to speak, Mr. Haskins left the room and went and got coffee. Mr. Haskins said he was not unprofessional. She also noted that multiple times during the meeting the Foreman Aric McNeilly and Finance Director Kim Jones were rolling their eyes when Township and County officials were speaking, noting this as unprofessional.

Clerk Lightfoot also noted her frustration when people are calling her office complaining about the Road Commission. She instructs the people to call the Road Commission and file their complaint, only to have them call her back and say the office staff told them it's a township issue. For example, a person complaining about the grading of the roads and the office staff told them we are responsible for that. She noted the Township does not receive any Motorized Transportation Funds (MTF) and does not have any jurisdiction over the county roads, so we are NOT responsible for them. That is the responsibility of the Road Commission.

Next Clerk Lightfoot brought up an email that she sent to those on her Township email list. It said the following: "Hi Everyone! Just wanted to let you know that our Supervisor, Al Housler, received an email today from the Road Commission Foreman noting that they will NOT be grading our township roads today before the brining operation tomorrow." She asked why Foreman Dave Bondy sent an email to Al after her email saying this email was misleading. What was misleading about this email? It plain and simple alerted residents to the fact there would be no grading. Mr. Haskins couldn't answer that.

Clerk Lightfoot also asked about Karen Hulliberger, whose husband is a member of their union and union president, is sitting on the closed door meetings for union negotiations. Isn't that illegal, noting she's negotiating for her own personal benefit? Mr. Haskins said their attorney said it was ok for her to sit in on the meetings. Supervisor Housler noted that the attorney may say it is ok, but it is the wrong perception. Supervisor Housler told Mr. Haskins you definitely have a perception problem on your hands. He disagreed.

Don Kowalske asked when the roads can be graded. He said the Road Commission says you can't grade them when it rains, then you can't grade them when its dry, when can you grade them? Mr. Haskins said its been a terrible spring.

### **TREASURERS REPORT**

A motion was made by Trustee Sable, seconded by Trustee Barnett to approve early check #15247 and regular check numbers 15248-15260. Ayes 5, Nays 0.

### **SUPERVISOR'S COMMENTS**

Supervisor Housler noted they have received amendments to Ordinance #8 from the Planning Commission. They are: Amendments to the Zoning Ordinance No. 8; Section 4.14: The addition of "pole buildings", and the addition of the definition of "Pole Buildings" in the Definitions section. Also, there was a significant typo, of sorts, in Section 4.19.E of the Zoning Ordinance referencing Article XVIII and should be referencing Article XVII. This section deals with temporary facilities (i.e. camping tents, trailers and the like). Article XVII concerns violations and penalties for offences; whereas Article XVIII deals with overall ordinance validity.

Motion by Trustee Sable, seconded by Treasurer Lackie, to approve the amendments to Zoning Ordinance No. 8 as listed above. Ayes 5 (Housler, Lackie, Lightfoot, Sable, Barnett), Nays 0.

Supervisor Housler noted there would be a public hearing on Saturday, July 13<sup>th</sup>, 2019 at 10:00 a.m. to hear any objections or acceptance to special assessment district. He noted that information had been sent out to all property owners. There has also been a one page highlight of the proposal available. He noted we have had a drastic increase in the volume of trash over the past 18-30 months. It has almost doubled and creating a highly ineffective situation. We send the compactor back ½ full or 78-80% full in order to have enough room for the next trash day. Also we are having an issue with getting reliable employees to work. We are blessed with 4 of them right now, but don't have much wiggle room. We have posted it in the past with no one applying. We have 3 options: (1) get out of the business all together and let people contract on their own for trash services, which would cause much confusion and would increase the price dramatically. Mr. Housler spoke with someone is Isabella County that has service that way and they pay about \$300/year. (2) maintain the transfer site and revamp the site. Possibly doing something different with recycling since we are having problems with that. Noting if we purchase a second compactor, do paving, electrical work, hire Engineer and Bond attorney, we could be looking at a cost upwards of \$400,000. Then we still have the issue of finding help. (3) go to curbside, which after some discussions seems to be the proposal that made the most sense.

Once option (3) was considered, the Board instructed Supervisor Housler to go in this direction. We took bids on June 10<sup>th</sup>, 2019. The bid results were the cost per residential unit would be \$141/year without recycling. We would have to add on some administrative costs for those emergencies that come up, which would bring the yearly cost to \$150/year. The Board approved this bid subject to the Special Assessment District. We sent out the required paperwork to every property owner. There are about 985 habitable properties. (Vacant properties would NOT be assessed the \$150/year.....currently vacant properties are assessed.) The Board has been receiving comments both for and against the proposed curbside pickup. At this time we have received about 20 negative responses. The largest number of protests are from those that are part-time residents. The following are some of

those reasons: Likes current system – only part-time residents – container furnished by contractor? – heavy trucks on roads – garbage containers left out for extended time – just don't want it – bear and varmit problems – live on private road – second home in LOP, not convenient – township is creating problems for non-residents – does not need service, takes trash home – current system is low cost and very effective – likes the cheap price and doesn't want to change.

Supervisor Housler noted he called former Clerk Pat Humphrey for some insight into the history of the transfer site. She informed him years back they just had 40 yd open containers for garbage – very messy – and then went to garbage truck coming in and you put garbage in there and then they compacted there at the site, and then to what we have now.

Supervisor Housler noted that Lincoln Township has curbside pickup. There roads have not been torn up. They do have some animal problems. Supervisor Housler pointed out the blue container sitting at the hall and noted each residence would be given one free.

Pat Humphrey noted she read her old notes that we have to go thru the DEQ for any expansion or new equipment and it has to be approved by them. Supervisor Housler noted he would be calling the DEQ to find out what has to be done.

A citizen asked if we have to offer recycling and Supervisor Housler answered no. He noted that at this time recycling doesn't make sense from a dollar and sense point of view.

Pat Humphrey asked whether we have to take the barrels in, as some cities require. Freeman Township does not have that requirement.

Supervisor Housler noted the first public hearing is this Saturday, July 13<sup>th</sup>, at 10:00 a.m. and if the board so chooses, the second public hearing will be August 15 at 7:00 p.m. to set the special assessment. Curbside service would then be estimated to start around October 1.

Geri Shaw asked how many transfer sites there are in Clare County. Supervisor Housler wasn't positive, but knows there are transfer sites in Garfield, Surrey and Redding Townships.

A citizen asked if we thought about putting a camera on the property pointed at the gate to see who is illegally dumping there. Supervisor Housler noted we have done that in the past but have not been able to catch someone in the act.

A citizen asked about the blue containers and the 10 homes on a private road (Cedar Road). Supervisor Housler noted that if the truck can't get down the road, American Waste will provide a locked container at the entrance to the road (free of charge) for those residents to put their trash in.

A citizen asked if they could opt out and the answer is no. Another citizen asked if this is going to be voted on. (The answer is no.) Resident said they voted on this in 2012. Supervisor Housler noted there was no vote on curbside pickup in 2012.

Supervisor Housler asked for a motion to set the next Public Hearing date. A motion was made by Trustee Sable, seconded by Treasurer Lackie, to set Public Hearing #2 pending approval of the special assessment district. Ayes 5 (Housler, Lackie, Lightfoot, Sable, Barnett), Nays 0.

Supervisor then talked about the current projects we have planned with the Road Commission. He also noted their new tiered system ranking projects 1-4. We have 2 projects that fall into tier 2 & 3. Tier 3 won't get done for sure and the other tier is a maybe. We wanted to do Havenwood, but Supervisor talked with Al Leonard at the Road Commission and he noted they are still working on last years projects and wouldn't have any information until around late August. If the project doesn't get done this year, we will carry over the money and shoot for next year.

### **CLERK COMMENTS**

Clerk Lightfoot informed those present that Northern Oaks Recycling and Disposal Facility is having their free disposal day on Wednesday, September 18<sup>th</sup>, 2019, from 10:00 a.m. to 2:00 p.m. On the flier in the agenda packet is a list of items that are accepted and excluded. (If you want more information, call their facility at 989-588-6111).

### **COMMITTEE REPORTS**

Planning-John Phillips: Noted they approved the board of ethics and zoning ordinance #8 amendments.

Building-Werner Mantei: 4 building permits

Zoning & Blight – Harold Logan: 5 zoning permits. 2 citations. M-115 @ Lake Station paid his fine, but didn't do anything. He has been given 1 month to clean up or will be given 2<sup>nd</sup> fine. Checking 11 places for blight: 4411 Ridgeway; 6237 Shadowbrook; 2661 Ashcroft – Health Department refuses to go in it is so bad – issued notice; 2671 Ashcroft is better; 3191 Pinehurst was sent a notice; 6703 Birchwood – abandoned – pole barn no windows – full of junk, animals around – notice sent.

Citizen noted on Shadowbrook there are 2 trailers beside the house and people are living in the trailers. Mr. Logan will take a look at that.

Marilyn Woolsey noted the blue house on Norway. Tons of cars on the property. Mr. Logan noted they were working on it until someone had a stroke; it's a rental. He noted he sent the realtor that owns it a notice.

A citizen asked if there are different rules for the rural area vs. Lake of the Pines. Mr. Logan noted the rules are the same for everyone in the township.

Supervisor Housler asked Mr. Logan to report back to him on the blue house.

### **PUBLIC COMMENTS/CONCERNS**

Veronica Bohannon asked about the curbside letter and the 20% and 50% listed there. Supervisor Housler noted it has to do with the 20% of the total average of the Township would be needed before it would go to a vote. He noted there are approximately 16,000 acres in the Township and therefore protests to curbside would amount to about 3200 plus acres before it would go to a vote.

Donald Kowalske noted the cost of garbage is going to go up no matter which route the board takes. Sticking with what we have now will actually cost more.

A citizen asked why we paved Ashard. Supervisor Housler noted it was recommended by the Engineer. The paving of Ashard Road is actually preserving it. The Road Commission originally came with the recommendation to sealcoat the road, but the Board doesn't like sealcoat and chose to pave instead.

A citizen asked about Ashard Road between M-115 and the transfer station. Supervisor Housler noted we are working with the Road Commission to do a test strip of 500'. Because this road's base is muck and water we were informed it couldn't be paved because the road moves too much. The test strip will be made of a rubber asphalt type product. If it doesn't work, then we've spent \$2500 to determine that. If successful, we will work to get the remaining portion finished. The citizen asked if the home owners would have to contribute to that cost. Supervisor Housler noted everyone indirectly contributes to it through our road millage, but there wouldn't be any extra charge.

**Adjourn:** Motion by Treasurer Lackie, seconded by Trustee Sable to adjourn the meeting.  
**TIME: 8:29 p.m.**

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Alan Housler, Supervisor

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Julie Lightfoot, Township Clerk