

**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 12th of July, 2018

Present Board Members: Supervisor Housler, Clerk Lightfoot, Treasurer Lackie, 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.

PUBLIC HEARING #1 – The purpose of this hearing is to hear objections to the district. Supervisor Housler asked for objections three times. Hearing no objections he declared Public Hearing #1 closed. 7:03 p.m. Motion to adjourn P.H. #1 by Trustee Barnett, seconded by Treasurer Lackie. Motion carried.

PUBLIC HEARING #2 – Roll call taken at 7:05 p.m. – The purpose of this public hearing is to determine whether to proceed with the assessment. Work began on this in September of 2017. The first district was 5 years, but now it is going to be a 10 year assessment. The proposed contract was received from the vendor. The first 5 years would be an assessment of \$200/year and after 5 years they can adjust the amount by cost and judgment of the board and the people. Can't raise any more than 9%. Amount can also be reduced if cost to treat is 5% or more, then refunded to people.

Supervisor Housler asked for questions from the audience. There were none. Motion to adjourn the public hearing by Trustee Sable and seconded by Treasurer Lackie. 7:07 p.m.

Motion by Treasurer Lackie, seconded by Trustee Sable to return to the regular order of business. 7:08 p.m.

A motion was made by Treasurer Lackie, seconded by Trustee Barnett to approve the regular board meeting minutes from June 14, 2018. Ayes 5, Nays 0.

GUEST SPEAKERS

Dale Majewski, Clare County Commissioner - Highlights included: Land auction will be August 4 at Noon at the Doherty Hotel (in conjunction with Gladwin County); Vacancy in the Treasurer's office; the company Maximus will look at the jail and evaluate the cost effectiveness and review all aspects. Citizen Dave Marzak asked about the digging of M-115 drain and now it drains into Lake Tahoe. Commissioner Majewski noted he should call the Road Commission and speak to Deepak Gupta about that; The Fire Department has received a letter from ISO (Insurance Services Organization) – petitioned them to evaluate fire department. They did receive a rate reduction (for those living within 5 miles of the fire station) down to 8. For those over 5 miles it will remain at a 10. Don Kowalske asked patching and sealing cracks on Ashard Road if they are going to tear it up and pave it. He was informed that

the Road Commission will seal the cracks/joints before they pave. The Township is working with the Road Commission to have it paved (asphalt) this year. No burn permits; they've had a few brush fires.

Lori Martin, County Clerk/Register of Deeds: Highlights included: Concealed pistol licenses – new ones have a silver shield on it. There are 4 types of permits out there right now and the State is trying to make it the same throughout the State; the cost is \$115; later in the year or early next year there will be an online renewal process available; Ms. Martin has been working with the 55th Circuit Court on what is owed by individuals. In the past this hadn't been kept up with and there are cases back to 1984 out there. The amount of fines owed by people is \$2.2 million. The standard fine is \$1698 plus restitution. You can have a show cause hearing as to why you aren't paying, but if you don't show up a bench warrant will be issued. People are allowed to call and make arrangement for payments; however now if behind on payment plan you have to pay up or see the Judge; they are offering automatic withdrawals from your paychecks. They have 30-50 bench warrants a month on average. Roger Diederich asked about attaching fines to property and Ms. Martin noted they do not do that.

Marlana Terrien – 911 Director: Highlights included: A proposal is on the August 7 ballot. It is a renewal only. We have changed it from a 5 year to a 6 year proposal because if it was 5 years it would fall on an odd year to be renewed and that would cost extra for an extra election.

TREASURER'S REPORT

A motion was made by Trustee Sable, seconded by Trustee Barnett, to approve account payable checks. Early Checks 14995-14996 and Regular Checks #14997 – 15014. No Voids. Ayes 5, Nays 0.

SUPERVISOR'S COMMENTS

Supervisor Housler noted that the Public Hearings have been held for Lake Tahoe Special Assessment and asked for authorization to establish the district. Treasurer Lackie moved to approve Resolution No. 2018-1, seconded by Trustee Sable.

RESOLUTION NO. 1, DECLARING THE TOWNSHIP BOARD'S DESIRE TO PROCEED UPON AN IMPROVEMENT AND DESIGNATING FREEMAN TOWNSHIP LAKE TAHO WEED CONTROL PRELIMINARY SPECIAL ASSESSMENT DISTRICT.

WHEREAS, the Township Board, (the "Board") of the Township of Freeman, Clare County, State of Michigan, has resolved on its own initiative, to complete Lake Tahoe weed control to the Township; and

WHEREAS, the Township has received project bids from Savin Lake Services, 3088 Hattis Road, Hale, MI 48739, describing the services to be provided attached as Exhibit A and a preliminary estimate of the cost of the services,

WHEREAS, after reviewing the bids and cost estimates, the Board desires to proceed with the project, to levy special assessments against all parcels benefitted by the project to defray all or part of the cost of the project, all pursuant to and as authorized by Act 188, Public Acts of 1954, as amended;

IT IS THEREFORE DETERMINED THAT it will be in the best interest of the citizens of the Township of Freeman to complete Lake Tahoe weed control.

BE IT RESOLVED AS FOLLOWS:

1. The plans, cost estimates and other documents prepared by the Township are accepted, approved and ordered filed with the Township Clerk. Attached as Exhibit A.
2. The Township Board hereby tentatively declares its intention to complete Lake Tahoe weed control to the Township funded by an ad valorem special assessment of \$200.00 annually.
3. The Board shall meet at 7:00 p.m. on July 12, 2018, at 7280 Mannsiding Road, Lake, Michigan, and during such meeting shall conduct a public hearing to hear objections to the plan, and to the district as required by Act 188, Public Acts of 1954. The form of Notice attached hereto as Exhibit B is hereby approved as and for the form of notice for such hearing. The Clerk shall cause notice of such hearing, in the form approved to be given as follows:
 - a. To each record owner of, or party in interest in, land in the District whose name appears on the last Township tax assessment records (as defined below), by first-class mail addressed to such owner or party at such address, at least 10 days before the date of the hearing, provided, however, that if a record owner's name does not appear in the last Township tax assessment records, such notice shall be given by first-class mail addressed to the record owner at the address shown by the records of the Clare County Register of Deeds within the time provided in this subparagraph (a);
 - b. By publishing such notice twice in the Clare County Review, a newspaper circulating in the Township, the first such publication to be at least 10 days before the date of the hearings; and
 - c. To each person (if any) whose name and address has been filed with the Secretary of State of the State of Michigan as a person upon whom may be served notice of any proceeding under Act 188, by registered mail addressed to such person at such address, or personally, within five days after the first publication of notice pursuant to subparagraph (b) of this paragraph.

As used in subparagraph (a) of this paragraph, the term "last Township tax assessment records" means the last assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or the addresses of the owners or parties listed on such roll.

4. In addition to the notices required by paragraph 3 of this resolution, public notice of the meeting referred to in such paragraph shall be given pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended.)
5. All previous resolutions, or parts of previous resolutions, of the Board that are inconsistent with this resolution are hereby rescinded.

A roll-call vote on the foregoing resolution was taken and was as follows: Ayes 5 (Housler, Lackie, Lightfoot, Sable, Barnett), Nays 0.

Supervisor Housler then noted that we needed to set the parameters and enumerate the length (2019-2030) broken down into 2 segments. A motion was made by Clerk Lightfoot, seconded by Treasurer Lackie to approve Resolution No. 2018-2.

RESOLUTION NO. 2, DESIGNATING FREEMAN TOWNSHIP LAKE TAHO WEED CONTROL PRELIMINARY SPECIAL ASSESSMENT DISTRICT.

WHEREAS, the Township Board, (the "Board") of the Township of Freeman, Clare County, State of Michigan, has resolved on its own initiative, to complete Lake Tahoe weed control to the Township; and

WHEREAS, the Township has received project bids from Savin Lake Services, 3088 Hattis Road, Hale, MI 48739, describing the services to be provided attached as Exhibit A and a preliminary estimate of the cost of the services,

WHEREAS, after reviewing the bids and cost estimates, the Board desires to proceed with the project, to levy special assessments against all parcels benefitted by the project to defray all or part of the cost of the project, all pursuant to and as authorized by Act 188, Public Acts of 1954, as amended;

WHEREAS, the Township held a public hearing on July 12, 2018, at 7280 Mannsiding Road, Lake, Michigan, to hear objections to the above plans, cost estimates and public hearings.

BE IT RESOLVED AS FOLLOWS:

1. The cost estimate and plans received for completion of Lake Tahoe weed control are accepted, approved, and ordered filed with the Township Clerk, and summaries thereof attached to this resolution as Exhibit A are hereby approved and made part of this resolution.
2. The Township Board hereby approves the completion of its plans to complete Lake Tahoe weed control throughout the Township.
3. The Township Board hereby approves the special assessment district as constituting "see attached list of parcel numbers", confirms its existence for a period commencing 2019 and ending upon 2030.
4. The Township Board hereby approves a one-time special assessment against said district of \$200.00 annually to fund said project for the years 2019-2024. For the years 2025-2030, amount shall be assessed per petition and as set by Township Board.
5. The Supervisor is hereby directed to prepare a special assessment roll in which are entered and described all the parcels of land to be assessed, with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land, which amount shall be the relative portion of the whole sum to be levied against all parcels of land in the special assessment district as the benefit to the parcel bears to the total benefit to all all parcels of land in the special assessment district.
6. When the supervisor completes the assessment roll, the Supervisor shall affix his certificate to the roll stating that the roll was made pursuant to a resolution of the Township Board adopted on July 12, 2018, and that in making the assessment roll the Supervisor, according to his best judgment, has conformed in all respects to the diretions contained in the resolution and the statutes of this state. He shall then file the special assessment roll with the Township Clerk.
7. The Board shall meet at 7:00 p.m. on July 12, 2018, at 7280 Mannsiding Road, Lake, Michigan, and during such meeting shall conduct a public hearing to hear objections to the plan, and to the district as required by Act 188, Public Acts of 1954. The form of Notice attached hereto as Exhibit B is hereby approved as and for the form of notice for

such hearing. The Clerk shall cause notice of such hearing, in the form approved to be given as follows:

- a. To each record owner of, or party in interest in, land in the District whose name appears on the last Township tax assessment records (as defined below), by first-class mail addressed to such owner or party at such address, at least 10 days before the date of the hearing, provided, however, that if a record owner's name does not appear in the last Township tax assessment records, such notice shall be given by first-class mail addressed to the record owner at the address shown by the records of the Clare County Register of Deeds within the time provided in this subparagraph (a);
- b. By publishing such notice twice in the Clare County Review, a newspaper circulating in the Township, the first such publication to be at least 10 days before the date of the hearings; and
- c. To each person (if any) whose name and address has been filed with the Secretary of State of the State of Michigan as a person upon whom may be served notice of any proceeding under Act 188, by registered mail addressed to such person at such address, or personally, within five days after the first publication of notice pursuant to subparagraph (b) of this paragraph.

As used in subparagraph (a) of this paragraph, the term "last Township tax assessment records" means the last assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or the addresses of the owners or parties listed on such roll.

8. In addition to the notices required by paragraph 3 of this resolution, public notice of the meeting referred to in such paragraph shall be given pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended.)
9. All previous resolutions, or parts of previous resolutions, of the Board that are inconsistent with this resolution are hereby rescinded.

A roll-call vote on the foregoing resolution was taken and was as follows: Ayes 5 (Housler, Lackie, Lightfoot, Sable, Barnett), Nays 0.

Supervisor Housler asked for a motion to confirm the assessment roll. Motion made by Supervisor Housler, seconded by Trustee Sable, to approve Resolution 2018-3:

RESOLUTION NO. 3, CONFIRMING SPECIAL ASSESSMENT ROLL FOR THE FREEMAN TOWNSHIP LAKE TAHO WEED CONTROL.

WHEREAS, the Township Board, (the "Board") of the Township of Freeman, Clare County, State of Michigan, has resolved on its own initiative, to complete Lake Tahoe weed control to the Township, created a special assessment district after public hearing; and

WHEREAS, after reviewing the bids and cost estimates, the Board determined to proceed with the project, to levy special assessments against all parcels benefitted by the project to defray all or part of the cost of the project, all pursuant to and as authorized by Act 188, Public Acts of 1954, as amended;

WHEREAS, the Township held a public hearing on July 12, 2018, at 7280 Mannsiding Road, Lake, Michigan, to hear objections to the above plans, cost estimates and public hearings.

BE IT RESOLVED AS FOLLOWS:

1. The special assessment roll certified by the Freeman Township Supervisor on July 12, 2018, is hereby confirmed. Said special assessment roll is annexed to this resolution and is incorporated by reference, as though fully set forth herein.
 2. Periodic redeterminations in the cost of completion of Lake Tahoe weed control may be necessary without a change in the special assessment district boundaries. Redeterminations shall be made on or before January 1 of each year, if at all. Such redeterminations may be made without further notice to record owners or parties in interest in the property.
 3. The Township Clerk is hereby directed to endorse upon the special assessment roll, the date of this resolution.
 4. After the date of this resolution confirming the special assessment roll, the special assessments shall be final and conclusive, subject to appeal as provided by Michigan law.
 5. All special assessments contained in the special assessment roll shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for township taxes, and may include accrued interest or penalties.
 6. The Township Board hereby directs said sums to be collected. The Township Clerk shall deliver the confirmed special assessment roll to the Township Treasurer, attaching her warrant commanding the Treasurer to collect the assessments as provided by law. The Clerk's warrant shall direct the Treasurer to submit to the Township Board, on September 1st, a sworn statement setting forth the names of the persons delinquent, if known, a description of the parcels of land upon which there are delinquent assessments and the amount of such delinquency, including accrued interest and penalties computed to September 1 of that year.
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1. All special assessments contained in the special assessment roll shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for township taxes, and may include accrued interest or penalties.
 2. The Township Board hereby directs said sums to be collected. The Township Clerk shall deliver the confirmed special assessment roll to the Township Treasurer, attaching her warrant commanding the Treasurer to collect the assessments as provided by law. The Clerk's warrant shall direct the Treasurer to submit to the Township Board, on September 1st, a sworn statement setting forth the names of the persons delinquent, if known, a description of the parcels of land upon which there are delinquent assessments and the amount of such delinquency, including accrued interest and penalties computed to September 1 of that year.

A roll-call vote on the foregoing resolution was taken and was as follows: Ayes 5 (Housler, Lackie, Lightfoot, Sable, Barnett), Nays 0.

Supervisor Housler noted this process was tough as there were diverse opinions; however there was lots of discussions held. The Township started in September 2017 talking with difference people in charge of the petitioning process. He commended all the folks who have worked on it from the beginning to the end. He also commended the fine judgment of the people who signed the petition. Hopefully the journey will have good rewards with fairly

reasonable prices. \$18/month is a good price to protect your assets. It has been a pleasure working with everyone. From here, The Township lets the Association become the contractor. We will collect the monies and send them a check.

Next Supervisor Housler addressed an amendment to Ordinance #23. The amendment has been made to address some issues with blight and vehicles. Many people would back in their vehicles so we couldn't see license plates. The Planning Commission has recommended adding "inoperable vehicles" to the ordinance in Section III, C. It will now read "Keeping inoperable machines, inoperable vehicles or appliances for a period of more than fifteen (15) days on any property, unless they are in a completely enclosed building". The amendment in short will be published in the Clare County Review and then will be effective 30 days from publication.

Motion by Trustee Barnett, seconded by Trustee Sable to accept the amendment to Ordinance #23. Ayes 5, (Housler, Lackie, Lightfoot, Barnett, Sable), Nays 0.

Supervisor Housler then discussed some issues at the Transfer Station. He noted that with weather around 89-95 degrees with bright sun it is very difficult on the guys working, almost to the point of unreasonable. We are looking for solutions to that. We have added 1 more guy. We also on these hot days have stopped opening up ½ hour early. This coming Sunday all 4 people will be working and will be taking shifts. We're not sure if that answers the problem, but would like the Board to think about possible solutions. The weather is set to ease up in about 2 weeks. Maybe a group of volunteers could be available to assist on these hot days.

Roger Diederich wondered if those that are physically able, could get out of their cars and load their own garbage. Dorothy Burdo wondered how high the bin is. Supervisor Housler noted about chest high. If people did their own garbage, it would probably slow down the line.

Supervisor Housler is also concerned about the volume of trash. The amount is at least 2 times the previous year's amount. The recycle bin has only been lasting about 1 day. The compactor went from 3 days to day and ½. We will need to take a look at our expenses for this year as I believe we are up a little more than usual.

Dorothy Burdo noted she gets irritated when she rinses everything out and is ready to put items in the recycle bin only for it to be full. Treasurer Lackie noted that many people do not break down their boxes for the recycle bin and also they throw in garbage bags of items, which takes up room, versus putting the items in individually.

CLERK'S COMMENTS

Clerk Lightfoot noted that we have new election equipment and new software this year. She noted that when you insert your ballot, please note it may take a few seconds more for the computer to approve the ballot. Now if something is wrong with your ballot, you will see what is wrong on the computer screen. For instance if you overvoted on a particular race it will tell you that and tell you which race. At that point you can either choose to cast your ballot anyways by selecting the green button (cast ballot), or if you want to make changes (using another ballot), you can select the red button (reject ballot.) If you select reject, your ballot will be returned to you and then you will need to see the election workers to have your ballot voided and another one issued.

Also this year we have ovals to color in for selecting a person or yes/no on proposals. No longer will you have to connect lines or other options.

Another new item this year is we will have **3 parties** on the primary election ballot. The Libertarian party is now on the primary ballot. So now you have the choice of voting the Republican column, Democrat column or the Libertarian column. As this August is the Primary Election, make sure you do not vote across party lines.

The last item she noted was our Partial Term Trustee position. This year is a little different. We will have 1 Republican and 1 Democrat running in the August primary. But come November, we will have 1 Republican, 1 Democrat, and 1 Non-Partisan individual. Because the individual chose to run Non-Partisan, they will NOT show up on the August ballot (because that is a party ballot.)

Clerk Lightfoot pointed out the email she received from Mid-Michigan Community College on "Get Engaged! A Guide to Getting Involved in your Community". She noted that if anyone was interested, she would forward the email to them.

Finally, Clerk Lightfoot noted that just today she received a flier from Waste Management noting the 2018 Household Hazardous Waste Collection day at Northern Oaks Recycling and Disposal Facility. It will be Wednesday, September 19, 2018, from 10:00 a.m. to 2:00 p.m. She will bring this up again at the August meeting. Dave Marzac asked if she could put the information out on the internet also. She noted she would, and would also put it on the bulletin board at the Township Hall.

COMMITTEE REPORTS

Planning-John Phillips: Mr. Phillips noted that Planning Commission has gotten into the Master Plan. They have added a couple of items. They will add the Special Assessment District approved today.

Building-Werner Mantei: Mr. Mantei has processed 8 building permits.

Zoning & Blight: Harold Logan: Mr. Logan noted he had 6 zoning permits. He is monitoring 8 blight properties. He issued 2 citations: 1 was paid and 1 was dismissed. He also noted that he was ready for the 2nd notice on 7560 Stephen Ct, but the fellow flagged him down and noted he was getting a dumpster. Also 998 Grass Lake, the old trailer is being taken down.

Marilyn Woolsey asked what we do if people don't cut their grass. Mr. Logan noted that is not a blight issue. Dorothy Phillips asked how Twin Lakes is doing and Mr. Logan noted it is looking better. In reference to questions Mr. Diederich had, Supervisor Housler noted that Ordinance #11 was being looked into by our lawyer on what is still legal and what is not.

COMMENTS/CONCERNS FROM CITIZENS

Marilyn Woolsey asked who enforces the Fireworks. Supervisor Housler noted the Sheriff's Department is in charge of that. Ms. Woolsey noted they don't come around much. Supervisor Housler also noted that the fireworks are limited to the day before, day of, and day after a holiday. The fine is \$500 for fireworks set off outside these days. He also noted he would contact the Sheriff's department about the problems in our area. Roger Diederich noted

that we have a sound ordinance and maybe it could be taken care of with that also. Ms. Woolsey noted that last year there were no problems. 911 Director noted that central dispatch was inundated with calls for fireworks this year.

Adjourn: There being no further business; a motion was made by Trustee Sable, seconded by Treasurer Lackie to adjourn the regular meeting. **TIME: 8:02 p.m.**

Alan Housler, Supervisor

Julie Lightfoot, Clerk