

**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

**Special Board Meeting, Tuesday, the 16<sup>th</sup> of July, 2019**

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

**TIME: 11:10 a.m.** Call to Order

Roll Call was taken with all members present, along with 1 citizen and American Waste representative Rick Fancon.

Supervisor Housler talked about the results of the Public Hearing from Saturday, July 13, 2019. He has tallied all the objections, both in person and in writing. (Noting that if a person spoke at the meeting and also sent in a letter, that is only counted as 1 objection.) In total, 58 people objected and that encompassed 369 acres. (369 acres divided by 16,000 acres in the township comes out to 2.3% of the population objected.)

Supervisor Housler then noted the previous comments/suggestions from individuals. Keep the transfer station open only one day a week. Though this is interesting, it won't affect the total volume and wouldn't end up being a savings. You might save a little on wages; however, we wouldn't be able to take a week's worth of trash in 3 hours, so we would have to have the workers work a longer shift. The DEQ currently does not require a permit for our operation, however there is legislation in the works that we may need a permit/license in the future. DEQ does check our station for cleanliness or neatness and we have been good on those accounts.

After the last meeting we asked Mr. Fancon of American Waste to do a billing analysis for him and it is showing a steady increase in trash.

Treasurer Lackie suggested getting rid of the recycling and leasing a compactor. The second compactor shouldn't cost anymore because we would be able to fill the first one to full capacity. Mr. Fancon did note that a new compactor would lease for \$800. The current one is cheaper because it was a used compactor. Clerk Lightfoot asked if we could find a used one. Mr. Fancon said yes, but when they go up for sale they sell really fast. He also said if we would buy one we would have to do our own maintenance. Supervisor Housler noted we've had limited maintenance on the current one. Purchasing a new compactor would cost around \$32,000.

Supervisor Housler noted at this point there is no compromise. We're either all in on the transfer station or go completely to curbside.

Mr. Fancon asked if we have a water runoff permit. Supervisor Housler noted that currently we don't. Citizen asked if we would be grandfathered in and Supervisor Housler said no.

Treasurer Lackie noted that out of 16,000 acres only people owning 369 acres cared to send in a letter or come to the meeting to voice their opinion.

Trustee Barnett noted that she can understand that the blue tote is large to move, especially for the elderly.

Supervisor Housler noted that with curbside there still are some issues that have to be answered.

Clerk Lightfoot noted that no system is ever perfect.

Treasurer Lackie asked whether DEQ will say down the road that there will be no transfer stations allowed. Also she asked Mr. Fancon how bad the bear issue is. He noted only a few in Cadillac, but there have been no problems with coons. He did further comment that some people have drilled a hole into the blue tote and put a fastener on it. Some have also used a bungee cord until pickup day. Treasurer Lackie noted she currently has her trash barrel on her deck and the animals haven't touched it. Mr. Fancon also noted that for the communities that objected to transferring from a transfer station to curbside pickup, that they objected until they go curbside and then loved it.

Supervisor Housler noted that another issue has come up. Yesterday Clerk Lightfoot and Treasurer Lackie read through all of the old minutes and couldn't find where anything was set up to take out the amount for the transfer station. We found where they set up the transfer station and set a rate. Over the years the rates have changed as operations increased. We couldn't find any legal work to backup the rate increases. (Requirements may have been different way back then.) We're not sure if we are grandfathered in, or whether we would have to go through this whole process again to set up a rate if we keep the transfer station. We need to contact the attorney.

If we go with the new curbside district, we will be legal. We would need to set up a special assessment district if we stay with the transfer station. We do have enough time to correct the problem before next tax year.

Supervisor Housler also noted that we contacted the County Equalization and Treasurer and neither of them have any records back that far. He also noted that he thought the special assessment laws came in around the 70's.

Clerk Lightfoot noted she's going to play devil's advocate and list a suggestion of getting rid of recycling, increasing the worker's wages and leasing the compactor for the time being.

Supervisor Housler noted that if we rent a new machine, we still have to redo the electrical work and put in a concrete pad.

Treasurer Lackie said we could do the pad and the \$900 we save from recycling goes to the rental charge.

Trustee Barnett asked if there would be a kickback for no recycling.

Clerk Lightfoot noted we would be getting rid of recycling either way. Supervisor Housler said he was surprised people mentioned to get rid of recycling. Trustee Barnett noted they can take their recycling into Lake George. Treasurer Lackie asked if they could get 2 recycling

bins in Lake George. Supervisor Housler mentioned that if we maintained one at our transfer station we would still have to have it manned. Trustee Barnett noted it's just as easy to use one in Lake George. She did talk with Lincoln Township personnel and they said they have nothing to do with it; that it's there through a county service. Treasurer Lackie noted if we don't have any recycling, then that amount will probably go in the compactor. Mr. Fancon noted that compacting ratio with that is typically 3-1 up to 4-1. Clerk Lightfoot stated that people who really want to recycle will make the trip to Lake George. Supervisor Housler noted that Lincoln Township doesn't care if Freeman Township residents use it. It's a Clare County benefit. Mr. Fancon noted that probably only 10% of the population will go over to Lake George.

Trustee Sable noted if we keep the transfer station, they are going to have to start enforcing the 6 bag rule. Treasurer Lackie added that then you may have blight and we would fine someone if they didn't cleanup. Supervisor Housler noted that even with the new stickers on the cars, people are still slipping thru that are not taxpayers of our township.

Mr. Fancon noted some communities let people use trash bags instead of the blue totes. Supervisor Housler noted in our rural area the bags would be an invitation for the critters.

Supervisor Housler asked for other thoughts. Clerk Lightfoot noted that there are pros and cons for her for both the transfer station and curbside. Supervisor Housler said he is looking long term what's best for the Township. Trustee Barnett noted she had it downstate and it worked fine. Treasurer Lackie noted she lived in a rural community downstate and it worked ok. Trustee Sable said the same was for her. Trustee Barnett noted as a former weekender she used to haul her trash home.

Treasurer Lackie asked why more people didn't raise their concerns. Trustee Barnett said her neighbors haven't raised any concerns to her. Clerk Lightfoot noted one of her neighbors stated they were happy because with curbside her vacant lots wouldn't get charged. Treasurer Lackie noted those with extra lots probably wouldn't pay any more. People were complaining about the extra lots being (currently) charged. Trustee Sable said no matter what the price is going to increase. Treasurer Lackie noted we would have to go with a bonding process to get the money.

Trustee Sable then said she was ready to vote.

Supervisor Housler made a motion to approve Resolution 2019-1 and for it to be adopted, *seconded by Trustee Sable.*

## **FREEMAN TOWNSHIP RESOLUTION NUMBER 2019-1**

### **RESOLUTION NO. 1, DECLARING THE TOWNSHIP BOARD'S DESIRE TO PROCEED UPON AN IMPROVEMENT AND DESIGNATING FREEMAN TOWNSHIP GARBAGE COLLECTION SYSTEM 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 provide garbage and rubbish removal services to the entire Township; and

WHEREAS, the Township Board of the Township of Freeman, Clare County, State of Michigan, has the authority pursuant to Michigan Law being MCL 41.722(1) to provide for the collection and disposal of garbage and rubbish; and

WHEREAS, the Township has received project bids from American Waste of Traverse City, MI describing the services to be provided attached as Exhibit A and the Township has prepared a preliminary estimate of the cost of the services, attached as Exhibit B; and

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 provide garbage and rubbish removal services to the entire Township.

BE IT RESOLVED AS FOLLOWS:

1. The completion of the project, plans, cost estimates and other documents prepared by the Township are accepted and approved and ordered filed with the Township Clerk. Attached as Exhibit A.
2. The Township Board hereby tentatively declares its intention to provide garbage and rubbish removal services to the entire Township funded by an ad valorem special assessment of the Township as a whole.
3. The term of the special assessment district shall be 10 years.
4. The special assessment for rubbish removal is such that a periodic redetermination of the cost will be necessary without a change in the special assessment district boundaries. The Township Board states that the date when the periodic redetermination shall be made by the Supervisor shall be September 15<sup>th</sup> each year.
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 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 16, 2019, and that in making the assessment roll the Supervisor, according to his best judgment, has conformed in all respects to the directions 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 Thursday, August 15<sup>th</sup>, 2019 at 7280 Mannsiding Road, Lake, MI, 48632 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 owners 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 Cleaver, 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:

Yes: Housler, Sable, Barnett, Lackie, Lightfoot

No: None

Abstain: None

Next there was a discussion on the current email service for Board Minutes, Planning Minutes and Special Notices. Clerk Lightfoot noted she set this up as a service from Freeman Township to the taxpayers of Freeman Township to keep them advised of what is going on in

the Township. However, there are some individuals that have taken it upon themselves to use this email service as a Public Forum. This was NOT the intent of this email service. Clerk Lightfoot would like the Board's input on how to solve this problem. Supervisor Housler noted that if you have access to the email, then you have access to a computer. It was suggested to make a separate page or part on the website whereby the notices could be put. The board minutes and planning minutes are already on the website. This also helps because it won't be limited to only those that have signed up for the email service. It was also suggested that we send one last email alerting those on the service that they would have to go to our website from now on. Clerk Lightfoot will get with our webmaster to get the changes made to the website and then notify everyone on the email service.

**CITIZEN COMMENTS**

None

**Adjourn:** Motion by Trustee Barnett, seconded by Trustee Sable to adjourn the meeting.  
**TIME: 12:05 p.m.**

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Alan Housler, Supervisor

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Julie Lightfoot, Township Clerk