

PROPOSED MINUTES
LAKETOWN TOWNSHIP
BOARD OF TRUSTEES
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423

REGULAR MEETING
March 9, 2016

ARTICLE I. CALL TO ORDER

Supervisor Terry Hofmeyer called the regular monthly Board of Trustees meeting to order at 8:30 P.M.

MEMBERS PRESENT: Terry Hofmeyer, Wendy Van Huis, Ed Stielstra,
Gary Dewey, Linda Howell
MEMBERS ABSENT: None
STAFF PRESENT: Al Meshkin – Township Manager
Kathy Stoike – Administrative Assistant/Finance
Jennifer French – Deputy Clerk
Staci Veldt – Rental Coordinator
Paul Smith – Township Assessor
Doug Den Bleyker – Fire Chief
Diane Ybarra – Recording Secretary
Dan Williams – Township Maintenance

ARTICLE II. REVIEW AND APPROVAL OF MINUTES

The Board members reviewed the minutes of the February 10, 2016 meeting. Following discussion, **a motion was made by Van Huis and seconded by Dewey to approve the minutes as submitted. Supervisor Terry Hofmeyer called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. FINANCIAL REPORT/REVIEW & APPROVE THE BILLS

Supervisor Hofmeyer reviewed the bills for the month of February 2016. Following discussion, **a motion was made by Howell and seconded by Dewey to approve and pay the bills as submitted. Supervisor Hofmeyer called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE IV. CORRESPONDENCE

A letter was received from Ryan Bosscher of 967 Laketown Drive in objection to the fiber optic project noting he thought the vote had taken place in violation of the Open Meetings Act and should be rescinded.

ARTICLE V. CITIZEN COMMENT'S COMMENTS ON OLD AND NEW BUSINESS -

Jeff Myers of 6467 Sand Castle View thanked the board for passing the proposal to put the fiber optic project to vote on the May ballot. He moved into the township from Park Township where he had Internet and while initially it was not a concern, it is critical for his teenage children to be able to do their homework. The inadequate connection he currently has is very expensive.

Mark Brunnsma of 6441 Sand Castle Drive expressed appreciation for the fiber optic project. He does not like an increase in taxes but under these circumstances is in agreement and supports the project. With the influx of technology it is necessary and he sees a great payback. Good work – thank you!

Mark Kortman of 6426 Sand Castle Drive stated he builds high speed networks and believes this project will actually increase the value of the homes in the township. He applauds Al Meshkin and the board for moving this project forward. He asked for a showing of hands for those in favor and the majority of the attendees raised hands in support.

Udelis Kuipers asked about those who don't have a computer, will they have to pay, too? Hofmeyer responded that if the millage passes, all township residents would see the increase but no one is obligated to connect. Kuipers also made a motion to give the township staff a 6% increase.

Richard Stec of 6321 North Ryan Ridge echoed the same comments stating 17 parcels in the Ryan Ridge Association suffer the lack of internet and cannot operate without it. He is very much a proponent of the project. He agrees with Bosscher that the meeting notice was not published adequately. In closing he requested that something be published as soon as possible where the service will reach when it will be installed and the cost to connect.

Chris Rafela of 3997 64th Street stated that he does work on the Internet and the service is very poor in the township. This project will benefit everyone and increase property values.

Charlie Pfiffer of 6364 138th Avenue bought a house here based on Comcast saying he could get Internet in his only to find that he cannot. He recently worked out a deal with Comcast to connect his home and three neighbors. He is fine with taxes or millage going up because everyone here needs it and property values will go up; he will gladly pay the increase in taxes.

Bill Gilmore of 6421 Sand Castle Drive built a house here 4 years ago and didn't know that he would not have unlimited data access. Had he known that, he may not have moved into the township. For two years while he was still working, he would spend days at Spectators using their Internet.

Marcia Perry of 6422 Blue Star Hwy stated that she lives and has a business here and serves on the DDA. Having broad band Internet was a concern of everyone during DDA discussions. The DDA looked at options at that time and think this is fabulous and no doubt having access to 21st century technology is the right thing to do and the cost has actually come down. It is the right thing to do and critical if we want to attract people to this area. Personally, she is very glad to see this has come up again and hopes we can pass this in the township.

Ryan Bosscher of 967 Laketown Drive talked to the Charter representative present in the audience (Marilyn Passmore) and she claims that 75% of the township is actually covered by Charter. Meshkin said that is not accurate. Bosscher stated his main reason is not if he supports the fiber optic project but that the Open Meetings Act was violated noting the 2012 revision to the Act requires a change in meeting date must be noted on the website. He feels the vote should be rescinded.

Marcia Perry stated she is agreement that if it was not properly published it is an important technicality.

Meshkin stated the law was changed in 2012 and does not require changes in meeting dates to be published in a newspaper. He was unaware that it had to be put on the website and accepted responsibility for not doing so but it was not an intentional act. The intention was to get the project on the May ballot so the public could vote on it. Meshkin could have sent the ballot language to the County Clerk prior to township board approval. The board felt it was important for the public to vote to see if the project would have support. Agenda Item 7. (c) Reaffirm Resolution 2016-06 will be voted on tonight and removes any question an Open Meetings Act violation.

Udelis Kuipers said you should always advertise notices in the Holland Sentinel.

Meshkin said whenever there is a public hearing we are required to put it in the newspaper, standard procedure is to review and approves the advertising proof and then send it to staff for posting on the

website. The notice of rescheduling a regular meeting is not required to be published and thus a proof was not sent to staff. This item does not require a public hearing.

Bosscher challenged the decision to resubmit to the County Elections Board missing the deadline for the May ballot.

Meshkin said the township attorney disagrees stating the reaffirmation is acceptable practice.

Randy Becksvoort of 3930 Beeline Road stated that he has waited 10 years for the Internet and if there were 12 people at the February 8 meeting that is 12 times the normal number that attend.

Laura Perrin of 6531 140th Street stated that she is building a home here and when she bought the property and then found out there was no Internet; as a small business owner she relies heavily on Internet so was excited about the project, thanking the board for being forward thinking.

Mark Kortman said he will do whatever it takes to not delay this project.

Bill Gilmore understands Bosscher's objection but the only thing rescinding the decision would accomplish would be a delay in the project. It takes a lot of engineering and construction and he would appreciate if Bosscher would withdraw his objection.

Supervisor Hofmeyer then moved Item VII. C. up on the agenda to be considered.

ARTICLE VI. OLD BUSINESS

A. FY 2015-16 BUDGET AMENDMENT

Al Meshkin reviewed the FY 2015-16 amended budget noting that nothing has significantly been changed.

Following discussion, **a motion was made by Dewey and seconded by Stielstra to approve the amended budget for FY 2015-16. Supervisor Terry Hofmeyer called for a vote. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE VII. NEW BUSINESS

A. FY 2016-17 BUDGET PUBLIC HEARING

Supervisor Hofmeyer opened the public hearing on the FY 2016-17 Budget.

Al Meshkin reviewed the budget highlighting revenue change increase for Fire, Roads and Drains; 1 mil was voted in last year strictly to the Fire Department; the other 2 mil is divided between Fire, Roads, Drains; only a modest increase in a few areas. Expenditures are relatively flat; no changes to the township board salaries; office staff has a modest increase, Assessor has a small increase; Elections are flat; Capital Outlay budget is down considerably except for a new township sign to replace the 30-year old sign; there is no deputy; drain payments increase last year freeing up 2mil for Fire, Road and Drains; drain debt was paid down; roads increased \$100,000 to \$350,000 to get back to working on 2-3 miles of roads per year; Parks Capital Outlay for several projects such as sprinkler system for the ball diamond, connect a path from the gazebo to ball diamond; \$25,000 to begin work on the Huyser house; fiber optic seed money for engineering and legal work; Felt Mansion remains fairly flat; net is \$200,000 increase in expenditures – dedicated millage going up by \$350,000 this year; Fire Department was not pulling big sums of money out of General Fund nor the roads, drains; the money of the 3mil supporting those expenses will allow the General Fund to get up to where it should be. Fire Department will use \$50,000 for vehicle lease payment will actually be a down payment for the new truck; \$75,000 is for the emergency access to the highway which should be in place later this fall.

Terry Hofmeyer closed the public hearing.

Following discussion, **a motion was made by Dewey and seconded by Howell to approve the FY 2016-17 Budget. Terry Hofmeyer called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

B. 2016 ROAD WORK

Terry Hofmeyer explained the projects as presented in the proposal for a total cost of \$350,000, those being: 61st Street from 147th Avenue south to the end; Forest Lane, Castle Avenue, Kingsway Ct. and Pine Drive from 146th Avenue north to creek; dust control; 4 roadside mowings, one paid by county.

Following discussion **a motion was made by Van Huis and seconded by Dewey to approve the 2016 Road Work at the cost of \$350,000.**

Linda commented roads are picked by the ratings from the road commission.

Terry Hofmeyer called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

C. REAFFIRM RESOLUTION 2016-06

Terry Hofmeyer reviewed the reaffirmation of Resolution 2016-06.

Hofmeyer stated that Meshkin's comment was correct; there was no intention to violate the Open Meetings Act. The motion before us is from our legal counsel and will correct any previous action that may have been done incorrectly.

Van Huis stated that she feels a delay would cost more money. Meshkin said it would cost in time and expense. We should do a roll call vote.

Dewey in the past water, sewer and roads were all basic needs; now in this century the internet is a basic need.

Stielstra stated that the legal counsel we received on this comes from a source that has proven valid time after time and he is confident in their recommendation.

Howell stated since we have been looking at this project and communicated in the township regarding this as a township board what we clearly hear is what the township wants this. The bottom line it is going to the ballot confident with counsel approval.

Hofmeyer stated that it is an important project and will in fact be supported; he looks forward to election in May and encourages a huge turnout. The information we have shows we can provide high speed internet to every property in the township.

Following discussion, based on Section 10 of the OMA, **a motion was made by Dewey and seconded by Stielstra to confirm and reenact the adoption of the Resolution Submitting Bond Proposal at the Election to be Held on May 3, 2016, and to confirm and reenact the action authorized to be taken by or on behalf of the Township pursuant to the Resolution Submitting Bond Proposal at the Election to be held on May 3, 2016, including action already taken by or on behalf of the Township that therefor need not be repeated by or on behalf of the Township. Terry Hofmeyer called for a roll call vote on the motion. Stielstra – yes; Van Huis – yes; Dewey – yes; Howell – yes; Hofmeyer – yes UNANIMOUS DECISION – MOTION APPROVED**

D. BOARD OF REVIEW APPOINTMENTS

Hofmeyer proposed appointment of Richard Swanson and Kevin Stoike to the Board of Review. The

Board recently lost Warren Rasmussen due to his passing.

A motion was made by Dewey and seconded by Van Huis to approve appointment of Richard Swanson and Kevin Stoike to the Township Board of Review. Hofmeyer called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

ARTICLE VIII. CITIZEN'S COMMENTS

Jim Johnson of 6402 Hidden Hollow asked for clarification of the Fiber Optic Project millage. Meshkin responded it is estimated at 1.66 mil on taxable value over a 15 year time period. It could be lower depending on construction costs and township growth. It was calculated on 3% annual growth factor albeit the actual growth over the last 20 years has been better than 4%. Those who choose not to connect will still an increase property value. Johnson asked when it would be built out and Meshkin stated if voters approve in May it could be built by the end of the year. Construction will include fiber background and drop to every house in the township. Johnson asked if it will be above or below ground and Meshkin stated it would be below ground where it will not be affected by wind, water or lightening. There will be a hand holes below ground containing a spool of extra wiring to go to the household as needed.

ARTICLE IX. ADJOURN

A motion was made by Van Huis and seconded by Dewey to adjourn the meeting at 9:25 P.M. UNANIMOUS DECISION – MOTION APPROVED