

Melrose Township Board of Trustees Minutes
April 10, 2018 7:00pm

Call to order

7:00pm V. Goodwin called to order

Present: V. Goodwin, L. Stephens, P. Cotanche, S. Burr, R. Hissong Berry

Approval of the Agenda

Motion to amend the agenda by adding Great Lakes Energy Cooperative Ordinance and the resolution of Compliance with MCL211.7b and approve.

Motion: L. Stephens 2nd P. Cotanche Approved 5/0

Approval of minutes from previous meeting:

Minutes of March 13, 2018 regular meeting

Motion to approve the minutes of March 13, 2018 regular board meeting as presented.

Motion: S. Burr 2nd P. Cotanche approved 5/0

Minutes of March 20, 2018 Special meeting Budget workshop

Motion to approve the minutes of the March 20, 2018 Budget Workshop meeting as presented. Motion: P. Cotanche 2nd L. Stephens approved 5/0

Minutes of March 27, 2018 Public Hearing – Budget

Motion to approve the Minutes of the March 27, 2018 Budget Public Hearing as presented. Motion: L. Stephens 2nd S. Burr approved 5/0

Guest

- **G. Lasater** Supported the great service of Boyne City Ambulance from personal experience.
- **Mary Pat Goldich** representative of the Walloon Lake Association
May 25, 2018 an open house is planned at their new office in the village.
May 18, 2018 annual breakfast with local government officials
They have reached their goal for the Lake Front property purchase south of the Dam.
The association is also working on Swimmers Itch issue and they are funding research this year. Will need cases reported and will promote how to report. Also examining the source of the problem. Will plan to begin implementing in 2019 with big effort in 2020.
- **John Lamont - Boyne City Ambulance**
Shared formula and explained the need to keep the balance between other Townships who also support and use the service. Discussed option to write a 2nd check to Boyne City Ambulance for the balance of the ¼ mill funds for ambulance equipment.
V. Goodwin also reminded J. Lamont that our agreement has expired and needs to be renewed.
After discussion it was agreed to pay as billed for the contract and then pay balance of millage revenue as an equipment fund donation to the Boyne City Ambulance Service.

Old Business

- **Sewer Update** – A. Nordman presented the enclosed report.
Quiet month and all is in good shape. No word from the DNR about the Holms Rd. land.
- **Water Update** – still working on
- **Masters House property** Still checking
- **Waste Management Contract** waiting for the revised language

New Business

- **LCC Leadership Charlevoix County project**
Purple Loosestrife Beetle treatment agreement
Motion to approve the agreement for the Beetle release in the Melrose Township Park.
Motion: S. Burr 2nd L. Stephens Approved 5/0

- **Printers & Monitors and Copier**
Motion to approve the purchase of monitors and printers and the installation of these pieces of equipment for the network system.
Motion: L. Stephens 2nd P. Cotanche Approved 5/0
- **Agreement for protection**
Motion to approve the cloud back-up, antivirus protection and labor with North Country IT at a price of \$930.00.
Motion: L. Stephens 2nd S. Burr approved 5/0
- **Insurance Coverage**
Discussion of the direction for insurance coverage.
Motion to accept the proposal for insurance coverage from Peterson McGregor and Associates for insurance coverage for the Township with a start date of April 1, 2018.
Motion: V. Goodwin 2nd L. Stephens approved 5/0
- **BSA software**
Motion to purchase the BS&A accounting software as a start to the system change.
Motion: V. Goodwin 2nd S. Burr approved 5/0
- **Millage renewal language for :**
Roads
Fire Operating
Fire Sinking
Motion to approve the ballot language attached to these minutes, to submit the renewal proposals to the electors at the August 7 State Primary Election, and to certify the ballot language to the Township Clerk and County Clerk as required by law for the Township Road Fund, Fire Operating Fund, and Fire Sinking Fund.
Motion: L. Stephens 2nd S. Burr Approved 5/0
- **Non English Proficient Plan**
The clerk's office has developed a Limited English Proficiency Plan for the Township. It is on file and will be used when the need arises.
- **Great Lakes Energy Cooperative Ordinance**
Motion to approve Ordinance No. 1 of 2018 a Franchise, granting to Great Lakes Energy Cooperative the right to operate in the Township. (see complete ordinance)
Motion: P. Cotanche 2nd S. Burr
Roll call vote: L. Stephens-Y, S. Burr-Y, P. Cotanche-Y, V. Goodwin-Y, R. Hissong Berry- Y Approved 5/0
- **Compliance with MCL211.7b Resolution**
Motion to approve Resolution #2018-04-10-01 Wavier of Penalty and Interest for Untimely Filed Property Transfer Affidavits. See included Resolution.
Motion V. Goodwin 2nd L. Stephens
Roll call vote: L. Stephens-Y, S. Burr-Y, P. Cotanche-Y, V. Goodwin-Y, R. Hissong Berry-Y Approved 5/0

Financial Report

- **General fund reports**
Motion to accept financials as presented and pay all bills.
Motion: P. Cotanche 2nd L. Stephens approved 5/0
- **Sewer fund reports**
T. Mackie presented the enclosed report. Also reviewed B. Smith, USDA visit today.
Motion to accept sewer fund financials as presented and pay all bills.
Motion: V. Goodwin 2nd L. Stephens Approved 5/0

Zoning Administrators Report see included report

Assessors Report None

Employee Grounds Report None

Committee Reports

- **Planning Commission**

P. Cotanche shared summary of planning commission meeting. They are working on Transition Zones. See included report

- **Zoning Board of Appeals**

E. Lee shared summary of recent 3 applications.

Suggested it is time to schedule a joint meeting with the Planning Commission, ZBA and the Township Board to discuss small parcels and transition zones. V. Goodwin will pursue scheduling a meeting.

- **Road Committee**

E. Lee asked if budget includes the work on Hillview.

He will seek price estimates for roads in Clarion from CCRC.

Motion to notify CCRC to put the Hillview Rd. project out for Bid as soon as possible.

Motion: L. Stephens 2nd S. Burr approved 5/0

- **Park Committee** no report

- **Fire Department**

L. Stephens shared included report.

- **DDA** no meeting

Correspondence none

Public Comment Called for

J. Borish is planning on some kind of Fireworks for the 4th of July per discussion with V. Goodwin.

Adjournment 8:34pm

Melrose Township

Charlevoix County, Michigan

ORDINANCE NO. 1 of 2018 _____

A FRANCHISE, granting to GREAT LAKES ENERGY COOPERATIVE, its successors and assigns, the right, power and authority to lay, maintain and operate electric and fiber lines, poles and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to conduct a local electric, broadband, and communication business in the Township of Melrose, Charlevoix County, Michigan for a period of thirty years.

The Township of Melrose ORDAINS:

Section 1. Grant of Franchise. The Township of Melrose, located in Charlevoix County, Michigan (the “Township”) hereby grants to Great Lakes Energy Cooperative, its subsidiaries, successors, and assigns (the “Company”) consent, permission, right and authority is hereby given to construct, lay, operate, maintain, use, and replace electric, fiber, and other communication lines, poles, cables, conduits, appliances, buildings and other necessary works, in the highways, streets, alleys and other public places in the Township and a non-exclusive franchise is hereby granted to the Company, its subsidiaries, successors, and assigns, to transact local business in the Township for the purposes of producing, storing, transmitting, selling, and distributing electricity and broadband communication services into and through the Township and all other matters incidental thereto.

Section 2. Consideration. In consideration of the rights, power and authority hereby granted, the Company shall faithfully perform all things required by the terms hereof.

Section 3. Use of Streets and Other Public Places. The Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys, or other public places within the Township and shall within a reasonable time after making an opening or excavations, repair the same and leave it in as good condition as before the opening or excavation was made. The Company, its successors and assigns shall use due care in exercising the privileges herein contained and shall be liable to the Township and to every owner of property abutting the Company’s lines or other facilities, for all damages and costs arising from the negligence of the Company or its officers, agents, and servants.

Section 4. Force Majeure. The Company shall not be liable for failure to furnish service as herein provided, or for any breach of the Company’s obligations hereunder, if such failure or breach is caused by acts of God, labor troubles, riot, or any other causes or contingencies not reasonably within the control of the Company.

Section 5. Hold Harmless. The Company shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the Company’s negligent construction and negligent maintenance of the structures and equipment hereby authorized. If any action is commenced against the Township resulting from Company’s negligent construction and maintenance, the Company shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 6. Effective Date; Term of Franchise; Acceptance by the Company. This Franchise shall take effect the day following the date of publication thereof, which publication shall be made within thirty (30)

days after the date of its adoption, and shall continue in effect for a period of thirty (30) years thereafter; provided, however, that when this Franchise shall become effective the Township Clerk shall deliver to the Company a certified copy of the Franchise accompanied by written evidence of publication thereof as required by law, and the Company shall, within sixty (60) days after receipt of the above documents, file with the Township Clerk its written acceptance of the conditions and provisions hereof.

Section 7. Franchise Not Exclusive. The rights, power and authority granted by this Franchise are not exclusive, and nothing contained herein shall prevent the Township from granting other non-exclusive electric or broadband franchises.

Section 8. Franchise Revocable. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

Section 9. Effect and Interpretation of Franchise. All other franchises, ordinances and resolutions, and parts thereof, which conflict with any of the terms of this Franchise are hereby rescinded, to the extent of such conflict. The catch line headings which precede each section of this Franchise are for convenience in reference only and shall not be taken into consideration in the construction or interpretation of any of the provisions of this Franchise.

Section 10. Successors and Assigns. The words “Great Lakes Energy Cooperative” and the “Company,” wherever used herein, are intended and shall be held and construed to mean and include both Great Lakes Energy Cooperative and its subsidiaries, successors, and assigns, whether so expressed or not.

Ayes: 5

Nay 0

Date Passed: 4/10/2018

Attested, by Order of the Township of
Melrose, Charlevoix County, Michigan

Robin Hissong Berry
Township Clerk

Vern Goodwin
Township Supervisor

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of Melrose Township, Charlevoix County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on April 10 , 2018, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and, (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Dated: __April 10, 2018_____

__Robin Hissong Berry_____
Melrose Township Clerk

ACCEPTANCE

This Franchise is hereby accepted by the Company on _____ , 2018 pursuant to the terms and conditions set forth in the foregoing Franchise.

GREAT LAKES ENERGY COOPERATIVE

By: _____

Its: _____

Resolution#_2018-04-10-01____ **Date:**__April 10, 2018____

Resolution __Waiver of Penalty and Interest for Untimely Filed Property Transfer Affidavits____

Whereas, Under PA 206 of 1893, the governing body of a local tax collecting unit may waiver, by resolution, the penalty levied under subsection (1) (C) or (D) (MCL211.7b);

Now, Therefore, be it resolved that pursuant to PA206 of 1893, The Township of Melrose, Charlevoix County authorizes the Supervisor, or their designee to waive the collection of penalty and interest for untimely filed property transfer affidavits.

The foregoing resolution offered by Board Member __V. Goodwin__ and supported by Board Member __L. Stephens__ .

Upon roll call vote, the following voted **“Aye”** : ____ **5** ____
“Nay”: ____ **0** ____

The Supervisor declared the resolution adopted.

Melrose Township Clerk

Certificate

I, Robin Hissong Berry, the duly elected and acting Clerk of Melrose Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said Board held on April 10 , 2018 , at which meeting a quorum was present, by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Robin Hissong Berry
Melrose Township Clerk

MELROSE TOWNSHIP

Proposal to Renew Road Millage

This proposal reestablishes the 1 mill road millage previously approved by the electors that expired after the December, 2017 levy. Specifically, the proposal renews the current .9749 mills that was last levied and restores the .0251 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to 1 mill (\$1.00 per \$1,000 of taxable value) for a period of four (4) years, 2018 through 2021, inclusive, for the purpose of providing funds for road construction and maintenance, and shall the Township levy such millage for these purposes? If approved and levied in its entirety, this millage would raise an estimated \$155,937 for the Township in 2018.

YES

NO

Proposal to Renew Fire Sinking Fund Millage

This proposal reestablishes the ½ mill Fire Sinking Fund millage previously approved by the electors that expired after the December, 2017 levy. Specifically, the proposal renews the current .4874 mills and restores the .0126 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to ½ mill (\$.50 per \$1,000 of taxable value) for a period of four (4) years, 2018 through 2021, inclusive, for the purpose of providing funds for the Fire Sinking Fund for the fire department, and shall the Township levy such millage for this purpose? If approved and levied in its entirety, this millage would raise an estimated \$77,969 for the Township in 2018.

YES

NO

Proposal to Renew Fire Department Operating Millage

This proposal reestablishes the ½ mill fire department operations millage previously approved by the electors that expired after the December, 2017 levy. Specifically, the proposal renews the current .4874 mills and restores the .0126 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to ½ mill (\$.50 per \$1,000 of taxable value) for a period of four (4) years, 2018 through 2021, inclusive, for the purpose of providing funds for fire department operations, and shall the Township levy such millage for this purpose? If approved and levied in its entirety, this millage would raise an estimated \$77,969 for the Township in 2018.

YES

NO