

Approved Minutes – 6/21/2022

Irving Township Board Meeting

3425 Wing Rd, Hastings, Michigan 49058

May 17, 2022, 6:30 pm

The meeting opened with the Pledge of Allegiance. Board members present: Mike Buehler, Jamie Knight, Sharon Olson, Dean Bass.

Motion to approve Agenda made by Knight and seconded by Buehler. All in favor “Ayes.” “No” none.

Knight, reviewed reports: (Fire) Hastings, Thornapple, Freeport and Township Assessing. Monthly Inspection Report attached to agenda but not reviewed.

Smelker, Commissioner Report – Barry County Household Hazardous Expo this weekend. They are taking electronics; televisions up to 20” - \$5, over 20” - \$10. It has been five (5) years since they had this Expo, and they are starting it up again. They received some grant money. They are putting it into hazardous waste elimination.

Bush, Cemetery Report, none.

Public Input – Andy Cove, 4115 Dewberry Drive, Middleville, MI 49333. My property was one of two properties that was severely impacted by flooding in February due to a warm rain event on frost grounds. We woke up at 2 am with 150 thousand gallons of water flooding our backyard and our home. It was not just rainwater; it was runoff from a farmer’s field that had crop remnants and other in it. It was the most helpless feeling I ever had. Luckily, I was able to connect with Drain Commissioner, Jim Dull who arrive on scene at 3:00am. We set sandbags to protect person and property. To date, we have been able to replace our lost items and repair our home. Our homeowner’s insurance does not cover ground water damage. We have spent \$60,000 on damages. I bring this to you so that no other homes in the development ever experience this helpless feeling. Myself and my family are asking that you proceed with Drain Commissioner Dull’s recommendation to properly and quickly rectify this problem.

Rob Landis, I am the other homeowner. I also echo the same things that Andy mentioned. We thank you for considering Dull’s solution to our problem. 50 homes will be affected by your decision.

Ann LaCostes, I am a newbie to Irving Township. I just moved in down on WoodSchool Road. I am a realtor by trade, my encore job. I find it disheartening to show up and live in a black hole. I call it the black hole because we are way behind where we need to be as it pertains to internet. My husband and I moved from Delton where we had excellent phone and internet. I work from home. I have lost clients due to the internet issue. I believe we need to fight harder for internet and cell phone service. We stayed in Barry County because we love Barry County. We raised our

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children in Barry County. We moved to Irving Township to spend our retirement years. I work from home and bring clients in. There is a home for sale that is \$750,000 just down on Wing Road and difficult to sell due to lack of basic, expected services - good internet and phone. This is a wonderful county. Middleville has great services. Hastings has great services. This township needs to fight harder for better services for our children and for those who work from home. I was hoping that we could get something kicked forward. TruStream is out two years from now. I confirmed that this afternoon. Why can't we fight and get At&t to do something. Or, why not MEI, do their job.

Shelly Lake, I am here on behalf of Brenda and Peter. They moved here from California and live in our old house. Same thing, Peter works from home; however, has had to go and rent an office because lack of internet.

Clerk's Minutes, two corrections, page 1, bottom, sixth sentence, name to Andy Cove. Page 5, second to last paragraph, name to Mel Boonstra. Knight, motion to approve, April 19, 2022, minutes with two corrections seconded by Buehler, all in favor "Ayes." "No" none.

Treasurer report, prepared by Deputy Treasurer, Wanda Shuford, reports attached.

Knight, motion to Pay Bills for the month in total \$5036.25, seconded by Bass. Roll call, "Yes" Buehler, Olson, Bass, Knight. "No" none.

Board Member Comments, Knight read statement from attorney, Bloom Sluggett, PC, regarding investigatory matter, *"We were in touch with the Township Attorney's Office at the end of last week and were advised that while there have been minimal communications between their office and Barry County Officials, they have not had any follow up or recent communications with the Michigan Attorney General's office or the Michigan State Police. It is the Township's Attorney's recommendation that until further notice, requests for information about the status of any investigations should be directed to those agencies."*

Unfinished business from the month of April, **Hidden Hollow Drain**, Knight to Jim Dull, Drain Commissioner, did you want to add more before we address the 431 ... **Dull**, one question was asked, if we could place any of the assessments on the property in the district by the township. It is the same as if it were a private road. They get a petition. It goes through 2-3 different public hearings, theoretically, it can be done. We couldn't find anything in the 431 Drain Code that this was an option. Additionally, you asked if we do this improvement will you get future maintenance bills, **Dull**, yes you will once a project is done. Right now, you have an outstanding balance. Russ had done work that was not previously billed. We have done work trying to maintain and re-dig retention pond, there is a bill for that. We have never had a daily review, we had legal and engineering involved to get that done, a bill for that.

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Buehler, this retention pond drains into a county. **Dull**, the pipes going into the retention pond is a county drain. **Buehler**, so if it is a county drain don't the residents on the drain pay a special assessment? **Dull**, they normally pay the maintenance. **Buehler**, so why is the township being asked to pay this time? **Dull**, the only way you can make an improvement to the drain is by 431 or they can do it through a petition project. We have a people petition already. Petitions are expensive, and the township will be responsible to pay at large between 10-20%. The petitions that we have done so far range from \$150,000 and up. **Buehler**, if you do the petition, the residents that it affects have a choice to vote on it. **Dull**, no, they have no say. **Bass**, why was this site approved for housing in the first place. **Dull**, it was done in the 1990's. I believe that the township and the builder saw an opportunity to make money. **Dull**, we have had a sit down with Jim ~~McManas~~ McManus, all development projects go through the Drain Commission. **Buehler**, this drain is different from most other drains that the county wants to clean and maintain. **Dull**, correct.

Knight, Board Members, in your packets you have a copy of the 431. I sent it to our attorneys, and they have approved of the wording. Copies made. **Knight** read 431 to public, attached. Board discussion on 431. **Buehler**, it is my opinion that this is the most economical. When it comes to drains and the people that it affects, just like farm owners, they pay for the drains and not the township. I feel for the people that this affects. I do not believe that it is the township's job to keep that stuff clean. I understand that it is in our township, and they pay taxes in our township ... I don't know. This is a tough problem. I think that the 431 is the most economical solution, but I am not saying that lightly. **Bass**, I absolutely agree with Buehler. **Olson**, I like a solid number instead of an unknown number that could really be drawn out.

Hidden Hollow Drain, Motion by **Sharon Olson**, to accept the agreement for flood and seconded by **Knight** to approve the 431 for \$20,000. Roll Call In favor, "Yes," Knight, Olson, Buehler, Bass. Motion passed, attached agreement.

Additional public comment – Lake and Smelker, is this setting a precedent for drain issues in the future? Also, before any 433's is accepted by the county, is there anyway to make certain that the water is going to run downhill? **Dull**, there is a system in place now to assure that.

Handrail –We need to approve the project before the price of materials go up again. Motion by **Knight** and seconded by **Buehler** to approve FCC bid of \$17,000 handrail to replace worn and broken handrails and adding pickets into the existing new railing. Roll call, "Yes", Knight, Buehler, Olson, Bass. "No" none. Motion passed, attached.

Township Treasurer Interviews, resumes attached. Interviews conducted in public. Eight questions asked of each participant. *Why do you want to be the Treasurer for Irving Township? What qualifications and experience do you have that make you the best candidate for this position? Describe your experience working with Microsoft Word and Excel, Quicken and BS&A.*

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What do you believe are the most important issues facing Irving Township right now? Are you able to put the interests of the township and the community above your own personal interests? How do you feel about voting on township matters? Are you willing and able to hold weekly office hours 1-2 days per week, 9am-12pm? Can you please describe a situation from your past where you have had to deal with interpersonal conflict? Each participant provided responses. Lorraine Bush, current deputy clerk, (1) year in township experience. Francine Nagel, (35) years township governance. Doug Sokolowski, (0) township governance.

Knight, Board discussion on the three candidates. It is not something we need to decide tonight. We have to June 15 to fill position. If we do not decide tonight, we will need to hold a special meeting between now and June 15 to decide. **Bass**, Doug comes across with a great deal of uncertainty, however, I have always thought that it was a plus for a candidate because it makes that person work a little harder. **Buehler**, I think they are all qualified. **Knight**, would you like to review and have a special meeting to appoint, or do you want to make a motion to appoint someone tonight? **Bass**, motion to appoint new Irving Township Treasurer, Doug Sokolowski and seconded by **Knight**. Roll call, “Yes”, Buehler, Knight, Bass. “No”, Olson. Congratulations Doug. **Sokolowski said**, “I will do my best to execute my duties.”

Wish a Mile Bike Tour reached out to ask to use our parking lot for their event July 1. **Knight**, make a motion to allow Wish a Mile Bike Tour to use Township parking lot, seconded by Buehler. All in favor, “Ayes”. “No” none. Motion passed.

Great Lakes Energy Franchise Ordinance, 2022-1, Knight, make a motion to pass Ordinance 2022-1, Great Lakes Energy, Buehler seconded. All in favor, “Ayes”, Knight, Buehler, Olson. “No”, Bass.

Public Input – VanPolen, when Dust Control for dirt roads? Knight, end of May and end of August. Lake, 4th of July fireworks anything planned Freeport, Hastings? Knight, I think Algonquin Lake. Middleville – downtown activities and activities at soccer field. Forbes, door for file room, when find one will install same as previous. Will supply invoice when complete.

Next meeting July 21 at 6:30pm.

Knight, motion to adjourn meeting at 20:45 pm seconded by Buehler.

Respectfully prepared for the Clerk,

Lorraine Bush, Deputy Clerk

May 23, 2022