

BOARD MEETING, APRIL 24, 2024 – APPROVED - 05172023

Irving Township Board of Trustee Meeting 04/24/2023, 6:30pm

Roll Call: Doug Sokolowski, Dean Bass, Jamie Knight, Mike Buehler, present. Sharon Olson, absent.

Pledge of Allegiance

Roger Caris passed away on Wednesday, April 9. Roger served the Hastings Fire Department for 49 years, becoming the chief in 1981. He loved his family, serving the community, and training firefighters across the state. He was responsible for many firefighters taking the state written and the practical test for over 14 years as a region training coordinator. Please join us in a moment of silence for Chief Caris.

Knight, letter from Road Commission regarding Dust Control add to New Business of agenda.

Motion by Knight, seconded by Buehler to approve agenda. All in favor "Ayes", Opposed, "None", motion passed. Olson absent.

Motion by Knight, seconded by Buehler to approve Clerk's Minutes of March 21, 2023, and Special Meeting, March 27, 2023, with the correction. All in favor "Ayes", Opposed, "None", motion passed. Olson absent.

Public Input, Shelly Lake, I've got a question I know you can't answer but it's on the cemetery. I know that there's an ordinance for it. And I was a little confused. I did ask for it. And it's about cleaning, cleanup and if there's broken pots or flowers who is supposed to clean it up. And I know that the contract I saw for the sexton doesn't say anything about cleaning up or mowing or anything like that. I've just wanted to bring it up that there's a lot of cleanups that needs to be done in there. I am not talking about headstone pieces but rather the broken flowerpots.

Unfinished business – Internet, Sokolowski, proposed last meeting to sign up for Starlink. Wasn't sure if we could sign up as residents or not and so the price changed. In between time we heard from MEI. They are ready to hook us up in August or September. Based on the original estimate of \$12,863, monthly charge of \$250. That monthly charge is about \$100 more than we are currently paying Hughesnet, but the service will be far better. On a personal note, we just got fiber two days ago and it's much better. I don't know if we want to proceed with this. MEI is asking us not to send the money but to commit in writing to the \$12,863. Bass, can we get some kind of specifications about what their services are? Sokolowski, we will be required to meet ARPA standards. We have not used any monies from our ARPA fund. We have earmarked about \$137,000 of the funds, but we have a grand total of about \$300,000 that must be committed by December 2024, and all spent by December 2026. Bass, what's happening with Great Lakes/TruStream? Sokolowski, we have not heard anything from them. Sokolowski, the disadvantage, they run their lines with the power grid. It is susceptible to weather to be knocked down. MEI is under the ground. Knight, the years that I've been on the board, the number one complaint has been internet. I feel if somebody is going to present an option to get us fiber internet, we should move forward. Bass, I think we should investigate the reliability of the equipment and take a closer look at what kind of services are offered and what kind of maintenance. Knight, do we have a deadline. Sokolowski, the sooner the better. MEI has put us on their schedule for August/September. Sokolowski, I have been on this board since June of last year. We seem to talk about the internet almost every week, and it's not that we're rushing into this.

Knight motion, seconded by Buehler, Knight to write a letter of intent to MEI in the amount of \$12,863 of internet. Roll call, Knight, Buehler, Sokolowski – "Yes", Bass – "No". Motion passed. Olson absent.

New Business Freeport Volunteer Contract - Lani Forbes, errors on contract hat need to be corrected. A couple of things that have changed from this contract and the last contract. It didn't have the north half of section 17. It said section 17. Thornapple is in charge of the South section 17.

Added a part of 1/2 mils of taxable value in the service area listed, minus the Headlee rollback leave all that because the minus wasn't in the previous contract as well. I will say, we made this as close as possible to the Thornapple Township contract that you already have in place. The wording was very good. All the contracts had already been approved by an attorney. I wanted to make sure that the wording should be able to get all of the contracts across Barry County with the townships to be very similar so that there's not a lot of change between one or the other. One thing that I noticed that wasn't in the Thornapple Contract, or that you guys had specifically asked us for is #5, which the numbering is incorrect. This is the second #5. And that was when the fire department agreed that it would abide by Irving Township hazardous material ordinance. You put that in place several years ago when there were issues with some hazardous materials situations. No township wanted to end up being responsible for the hazardous material. You put it in an ordinance. So that was a piece that was left in.

Sokolowski, I like standardized contracts. This is the first one that's come up. We haven't looked at Thornapple's yet. When it comes up, we might want to standardize it to this one. Birch was voted out before I got here. I think we should take the same approach.

Sokolowski, Freeport Fire Contract, the first paragraph, we found out last month at the March BOT meeting that Freeport Fire Department was a non-profit that has By-laws preventing Irving Board Members from having representation on the Fire Department Board. Irving Township is a General Law Township and Freeport is listed as a 501c4# under the Federal Tax Code. Para. #1 to include coverage map and Hazardous Materials Ordinance.

Paragraph 6, The original contract said we had to pay 1.5 mils. This contract now says we can pay by Headlee reduction, or we can't pay less than 1.25 mils. But we are going to get there. I spoke to both the auditor and MTA, if we agreed to pay a contract that exceeds the collective notes, the overage must come from the general fund.

The contract changes in May. With any non-profit, we have to watch out for any payments we make, regardless of who it is, we must get more or greater back for that payment, and that is by state law. We can't pay an excess of the value that we receive. This is especially true concerning Non-Profit organizations, as excess payment could be construed as an illegal contribution. The only way to calculate the value is to compare the three existing Fire Protection contracts using the ratio of protection cost to taxable value protected. If each department invoiced the 1.5 mils subject to Headlee reduction, the ratio would be 1:700. The following ratios are what is current TTES 1:800, BIRCH 1:952, FVFD 1:724. Therefore, FVFD is the highest cost service. Freeport should be aligned with the other two departments.

Forbes we are all government entities. Sokolowski, but Freeport is a 501c3, Non-profit. Forbes, no 501c4. Will double-check.

Sokolowski, Irving believes it is not a best practice to have contracts auto-renew, it denies Irving the opportunity to exercise Due Diligence on behalf of the community.

Irving Township cannot be held accountable for negative results caused by direct action of the Fire Department. Sokolowski to revisit the Indemnity Clause.

Sokolowski, the fire department will appoint one (1) elected member of Irving Board to the Fire Department Board, regardless of residency. Irving will select the member and that individual must be installed within 30 days of contract signing and remain on the Fire Department Board, regardless of residency. We do provide about 23% of your total revenue, and not having representation on the fireboard from another board member is a disservice to the community. And I believe that we should, as a board, insist on having representation of this, when we're giving so much of the township money to this. We have seats on the other two boards. I don't see why we are not welcome to sit on this board.

Forbes, we would have to change the bylaws of the fire Association before that can happen and that can't happen except at an annual meeting. Now, I'm not saying that I'm not in agreement.

Fire Association bylaws, it states that there must be two members of Irving township that sit on that board, and there are two members from Irving township that sit on that board, but just not board members. Sokolowski from a matter of accountability recommends at least one (1) Irving Township board member to be included at the next Annual bi-law meeting for Freeport, 02/2024.

Flagpole lighting – Knight received complaint from resident ... flagpole light shines in their daughter's bedroom. Knight made some adjustments, but still not okay. Buehler reached out to a couple electricians and selected Lydy Electric. Solution, move the flagpole 6' from flagpole, add a new light at the east side of building, backside parking, on a cement downward 90 degrees. Project to start in 4 – 6 weeks.

Motion by Buehler, seconded by Sokolowski, accept bid from Lydy Electrical at a cost of \$5,000. Roll call, Buehler, Knight, Bass, Sokolowski, "Yes", Olson absent. Motion passed.

Knight, Barry County Road commission giving us two options for dust control. Irving Township, 37.82 miles is what they put dust control on which equals 63,810 gallons of dust control. There are two companies they recommend SMM Liquid Tire and Western Michigan Chloride. SMM for two applications, spring and fall, the total was \$19,479.22. Michigan Chloride was \$24,644.98. Last year we used Michigan Chloride. In our budget, we budgeted for \$22,000. I am not aware of the differences between these two companies. Buehler, both companies were recommended by Barry County Road Commission. Knight, yes.

Knight, motion, seconded by Buehler to use SMM Liquid Tire for dust control application. All in favor "Ayes", "Opposed" – none. Motion passed. Olson absent.

Fire Reports – Hastings, Thornapple, Freeport.

Lani Forbes, regarding Roger Caris, fire report - That was the last official business that he did, and things went downhill after that. So that report, well, it might just seem like it's a piece of paper, it's a history of 49 years of a man that served our community and served all of us. No matter who you were, he didn't have any partiality, he served all of us. And that was the last thing that he had done.

Freeport Fire Report not completed due to floods, gas outages, weather and hailstorms. We are up to 414 calls for 2023. This past week, we had our annual dinner. We have 245 years combined experience in the Freeport Fire Department with the 18 current members. We are struggling. Know that there wasn't a call in Irving Township for a structure fire that Roger & Freeport worked together. We got called a lot. In fact, our mutual aid was almost always to Hastings's fire. We're very honored to have the trust that the community puts in us The \$142,000 grant that we received for new equipment going on our trucks this this week. Personnel is trained. Working to get all masks fitted to everyone. A new pump panel is going new tanker this week. We are

very thankful to Irving Township for the monies. We will use to purchase all new mask bags for those new masks. In addition, provide medical packs to new First Responders’.

Commissioner and Assessor Report not received.

Sokolowski, regarding pet cemetery. The township can use a portion of the cemetery for pets. We can clean up the cemetery because it's considered a hazard. The MTA said we can do this. Regarding headstones, we are okay to do it without contacting the family; with one exception, we must have cleaning supplies donated. You cannot spend money to buy specific cleaning supplies for cleaning headstones. Sharon mentioned that there are specific products and they're expensive. We can move forward with the cleaning and pet cemetery. The building at Irving Cemetery is in disrepair. We are having the vendor give us a quote. We have allocated \$5,000 for this.

Sokolowski, we did send out the special disbursement per the Board's instructions. In your packet a copy of the Birch letter sent, but all the letters basically read the same only thing different the dollar amount. Jim asked for his email to be recorded as part of the record. Attached.

Sokolowski, basement records room and tech rooms completed. Sokolowski, motion and seconded by Knight, to buy shelving for clerk and treasurer rooms in basement, cost of \$1,400. Roll call, Buehler, Knight, Bass, Sokolowski – “Yes”, “No” none. Olson absent.

Tax season complete. Any further collections go directly to the county. See attached Treasurer report. Interest this year, we finished with collecting \$15,453 on our accounts. All are counted to savings or checking. To see the current balance of the accounts, see the attached Treasurer report.

Sokolowski, ARPA Funds are sitting in our general fund account. They don't show up on our balance sheet because they are not recognized. If the Board recognizes the fund, then we move it into the revenue section of our spreadsheet, and then we expense against. This proposal is to move \$6,830 from the ARPA Reserve to the General Fund reserved to the general fund, so we can pay Miller Custom Building, on the bill pay for \$6830.

We have collected \$309,801.54 in ARPA Funds. We did not allocate any funds in 2022. We discussed it, but because we ended with a surplus, it was not necessary to do that. Motion by Sokolowski, seconded by Knight to recognize \$6830 from ARPA Funds to Revenue to pay Miller Custom Building. Roll call, Buehler, Knight, Bass, Sokolowski – “Yes”, “No” none. Olson absent.

We just finished the winter and now we are already looking at summer taxes. We need to lock in KCI to print and mail our tax bills for us. They've been doing it for years. They did it for us last tax season for both summer and winter. KCI requires prepayment of the estimated postage, which is \$807, and then, we have to sign an agreement that we're going to use them. Motion by Sokolowski, seconded by Knight is to pay KCI \$807 for the postage and lock them for doing our tax business in July. Roll call, Buehler, Knight, Bass, Sokolowski – “Yes”, “No” none. Olson absent.

Sokolowski discussion regarding the mold issue located in the basement. Propose to tear the wall down, add new lighting, paint the whole open area, plug the one hole in the bathroom, epoxy floor, except assessor's office. The assessor's office outside walls replaced with mold resist drywall. I have a quote. I am not making a motion. I wanted the Board members a chance to review and bring forth the next meeting, \$22,100.00 next phase. Sokolowski to bring the three previous quotes to the next meeting.

Sokolowski, and board members discussion regarding proposed parking lot across from township hall. Sokolowski to bring drawing plan to next meeting to help go forward.

Sokolowski, we have in the past leased the land that we own for farming. Does the Board want to do that? And if we do, my recommendation is that the rate that we charge needs to be increased to cover the taxes. We are currently tax exempt on the property unless we use it to generate revenue. And then we have to pay property taxes. In the past when we charged for use of land, we did cover the full amount of other taxes. This is just a question of the board. I would need to find out how much the tax would be. The Board would need to look at leasing that land for farming? Or just leave it as is.

Buehler, I am pretty sure they seeded alfalfa. Ok, then what do we charge? Sokolowski to get with Dan Schuerman with tax record for next meeting.

Motion by Knight, seconded by Buehler approve the bill for \$13,579.17. Roll call, Buehler, Knight, Bass, Sokolowski – “Yes”, “No” none. Olson absent.

Board Members comments – Sokolowski, who did the annual reporting of the ARPA Funds. Knight, I did. It is due by the 30th. Sokolowski to handle the reporting of the ARPA Funds.

Sokolowski, I talked to both MTA and our auditor. Because our millage specifically says for fire protection, we should not be paying the ambulance contract out of there. We should be paying out of the General Fund.

Public Input – Shelley Lake, MEI, I texted my husband to ask him what we were told. They said that they were going to continue working in our area in April and May. We to be charged for our household a \$63 connection fee and \$70 with no contract. I noticed that I really appreciated the quotes with our lights and the flag too. I know that you guys talked about the tree in the cemetery. When you had the tree removed, I think it was in a cemetery for \$1500. And I didn't know, did you get multiple quotes for that? Buehler, we did not. Okay, we use the same guy that we use for the last four or five years and he is a local resident.

Shelly Lake, we have this group of volunteers, and there's two from the church and my husband does construction. Sokolowski, the quote is for the building at the Irving Cemetery. It is not for clean-up. The building was once used as cold storage. Plan to get with Lorraine to move forward. I know that obtaining estimates isn't in your statutory duties here, but it's not in the treasurer's statutory duties either. At a previous meeting, you all agreed you would help. You were here at different times opening the doors for the construction guys, except one person didn't raise their hand. So, I think you guys worked well on that, but it's not anyone's statutory duty. And you guys said it's a matter of trust with this.

Lani Forbes,

We have a new village clerk, Sherry Clark. Shawna retired after several years as our clerk. Sherry brings with her 13 years' experience as the clerk in the village of Clarksville. She's doing both so we're very excited to have her. We had 30 TK students on Friday cleaning up the Freeport Cemetery. It's a wonderful experience. And they really like that. So, if you're looking for additional volunteers in your cemetery, I would encourage you to work with your boy scouts and with the students at our school. I will also say that Day of Caring is coming up for the United Way on September 14. Please remember that it's a great opportunity to get business volunteers from area businesses to come and invest in our community. They'll be working at our parks, they will be working in the village of Freeport, they'll be working in the cemeteries, they'll be doing a lot of different things. But we have over 500 volunteers throughout Barry County. I would just like to say that while I sit there and listen to you talk about \$22,000 investing in a room downstairs. I would just like to remind you that you invest

\$56,000 into the Freeport fire department ... \$22,000 on a room? Or a group of volunteers for twice that, that are there 24 hours a day, seven days a week. I don't understand. It makes it really hard for me when you question us, but you are willing to invest half that into a room. Know that we are much more skilled and trained in providing services for this township than any construction company that's going to redo a room in the basement.

Sokolowski, no, that is not totally fair. We are limited to where we can pay the fire funds from. Forbes, just saying to make a comparison.

Next meeting, Wednesday, May 17, at 6:30 pm. Beginning in June, going back to every third Tuesday. Motion by Knight, seconded by Buehler to adjourn at 7:57 pm. Motion passed.

Minutes and supporting documentation available online at www.irvingtownship.org or by calling 269-948-0633.

Prepared for the deputy clerk, Lorraine Bush for clerk.
Minutes and