

APPROVED MINUTES, August 15, 2023

IRVING TOWNSHIP BOARD MEETING MINUTES

July 18, 2023

Pledge of Allegiance

Roll Call – Present: Doug Sokolowski, Dean Bass, Jamie Knight, Mike Buehler, Sharon Olson.

Motion by Knight, seconded by Buehler, approval of agenda. All in favor, “Ayes”. Opposed, “No” none. Motion passed.

Presentation by Jim Dull, Drain Commissioner, progress of Hidden Hollow. (Layout provided.) Project is complete at a cost of \$18,500. Itemized invoice provided to board members outlining details. \$20,000 was approved by board members in May 2022.

Knight, review of assessing report, attached. Board of Review, July 20, and the assessor balanced the assessment and tax rules for the summer tax bills.

John Smelker, Commission report. The Planning Commission brought the Master Plan before us, and it was okayed. It is moving to the Board of Commissioners meeting. The Planning Commission to meet, Monday, July 24, and address and fix complaints, one way or another. Planning Commission to provide Board of Commissioner’s a fresh update of the Master Plan after that meeting.

We changed the medical insurance for county employees in 2024. We hope to make it more affordable for employees. We believe we found a way through West Michigan Medical.

We talked about Charlton Park and Parks and Recreation budget.

Working with Register of Deeds, they are going to have records from 1800’s to 1970 sent to a Texas facility to have them professional preserved and digitized. Records will be returned in fire-resistant cases. Original books will be returned as well.

Fire reports, attached.

Freeport, Lani Forbes, pancake breakfast, Saturday, July 29, 8 – 11. Freeport garage sale this year with firefighter items, 28th and 29th. Jeff and Ginger Helmus, department anniversary, three (3) years. New hire, Jane, doing MFR and fire. The fire audit has come back and is currently under review. It presents fairly under all material aspects. The report will be reviewed at the Fire Board Meeting, July 19.

We filed a \$10,000 grant for an additional year. We have outfitted five additional MFR’S that live in various locations throughout our response area. Former Freeport Fire Department member, Linda Breil was named Senior Citizen of the Year.

Cemetery, Lorraine Bush, read text message from Mickey Jelsma, regarding the preservation of the historic white building at the Irving Township cemetery. (Attached).

Public Input, Jim Brown, Hastings Township, I want to thank you very, very much for your contribution to us regarding the excess from your fire account. In my history, this has never happened before. We are putting the money to good use. Thank you.

Clerk's Minutes, corrections, minor changes on page 6, from Treasurer. Motion by Knight, seconded by Buehler, approve Clerk's Minutes with minor changes made on page 6. All in favor, "Ayes". Opposed, "No" none. Motion passed.

Treasurer's Report.

Basement work was completed on the 23rd of June. There are before/after pictures on the wall; however, walk down and look. We ran posting for two weeks in the Sunday News and website for the parking lot and cemetery bids. (Sealed bids in hand.)

We had the attorney look at the burn ordinance, on agenda for later. Summer tax bills did go out. Annual audit is scheduled for Thursday, July 20 9:00am – 5:00pm, Irving Township offices. Treasurer report attached. You can see in our balances where we are with the different accounts. We got a letter from Consumer's Credit Union, and they said they increased our interest rates on our two accounts. The rate went from 1.75 to 2.75%. In addition, we have decided to move our General Fund Account from Huntington to Union Bank. Union Bank is offering a better return on our investment. It will take a couple months to execute, as we have to wait for checks to clear the current account.

We have made approximately \$8,000 in the first three months of the fiscal year in interest. On the back page of Treasurer Report are the receipts. We have processed the first batch of returned taxes. We'll be processing batches and issuing disbursements twice a month going forward.

Pay Bills, Doug Sokolowski, regarding US Post Office bill amt of \$2,147.65, it was discussed at the last Board Meeting the fact that postage was going up. The Treasurer's office uses a lot of postage. We planned for two (2) seasons, summer and winter, prepaid envelopes prior to postage increase and saved \$100.

Motion by Knight, seconded by Bass, approve bills in the amount of \$144,387.49. Roll Call, "Yes", Bass, Buehler, Knight, Olson, Sokolowski. "No", none. Motion passed.

Board Member Comments

Motion by Sokolowski, seconded by Olson, Road Commission payment of approximately \$138,000, or whatever is meant for next fiscal year (2024) will be taken out of the ARPA funds. Roll call: "Yes", Knight, Bass, Buehler, Sokolowski, Olson. "No", none. Motion passed.

Unfinished business: Streetlight – Parmalee and Solomon. Knight, reached out to Barry County Central Dispatch and Road Commission. Accidents, (19) combined total included tree down, deer, etc., along with a 2020 report. Sokolowski, if you look at the 19, only (7) seven are accidents in the last (5) five years. We are talking about an initial investment of \$3800, plus a monthly cost, not known. Buehler, I do not believe it is necessary. The Road Commission can change some signage. Sokolowski, I agree with Mike. Olson, this intersection does not stand out like the Eckert Road intersection. Sokolowski, I think there are intersections as dangerous or even more dangerous than this one.

Motion by Sokolowski, seconded by Knight, the board values the safety of all our citizens. There is no proof that a streetlight would be the proper solution for this intersection, and nor is there any evidence

that this is the worst intersection within our township. Motion, we do not move ahead with the Solomon Road streetlight. All in favor, "Ayes". Opposed, "No", none. Motion passed.

Burning Permit. Knight, I sent this document over to the attorney. Only a few wording changes.

Discussion. Sokolowski, regarding Lani Forbes previous comments, we did make sure that this gives the fire department the flexibility to enforce or not enforce it. So, in the case if you want, you have the weapon, if you will, and if you don't you don't have to enforce. It is at the fire department's discretion 100%.

Bass, I have to oppose this ordinance. The only people I've found that are for this ordinance are Mr. Sokolowski and Mr. Richardson. It's overreaching, as written here. I had an opportunity to poll a few people. I didn't find anybody that had a positive comment in accepting this. Thornapple Township does not have a Burning Ordinance. I spoke to Jim; he didn't seem to have any issues with the residence or any problems.

Lani Forbes, we have burning ordinance in the Village of Freeport. Bass, this is still largely a rural township to take away the situation is just going a little bit too far. I oppose this action.

Sokolowski, a couple of things, one, it doesn't take away the right to burn, it puts authority around a burn to protect. Two, Thornapple is in the process of passing an ordinance because they have the same concerns that we should have. Three, this has been on the agenda, if citizens were opposed to it, instead of being anonymous, they should come in and speak to the Board.

Bass, these kinds of ordinances become more personal. It pits residents against residents. Unfortunately, these things become misused and that is my feeling about this.

Sokolowski, that's counter to other discussions we had where we said we trust the fire department 100% and the authority rests with the fire department. Do we trust the fire department to not abuse this, or we don't trust the fire department?

Bass, well, the situation is Mr. Richardson just purchased a home in Irving Township and has had an issue with somebody open burning. It's a personal thing rather than ... Sokolowski, that is not a true statement, and I want that stricken. That's not true. He hasn't even moved in yet. This deals with a different area. Sokolowski, that is so untrue to say. I'm sorry Mr. Richardson is not here to defend himself.

Olson, you need to be careful about saying things that are defamatory.

Any other comments? John Smelker, I hope you table this or postpone it until Thornapple comes up with their ordinance.

Motion by Olson, seconded by **NO ONE**, to table Burn Permit Ordinance until Thornapple can come and discuss their Burn Permit Ordinance. Motion dead. Sokolowski, as a point of order, we have tabled this item already and we have spent money on a lawyer.

Motion by Sokolowski, seconded by **NO ONE**, that we adopt the Burn Permit Ordinance, and the lawyer has approved it. The fire departments can exercise their due diligence whether they use the ordinance or not. The ordinance answers Thornapple's request which protects a large percentage of our

population. I do not see why we would not want to give the fire departments what they asked for. My motion is that we pass this ordinance.

Knight, if we do pass this ordinance, there are a few minor changes we need to take. Sokolowski, we can take care of that.

Olson, what changes are you just talking about? Knight, emails addresses, Ordinance number in section #5.

Olson, I hesitate a little bit when it says that the purpose is to maintain air quality and it's not specifically focused on safety. To me it opens the door for what Dean is talking about ... neighbors picking on neighbors. I would like to have air quality removed and to say reduce fire hazards only. (Located in the Purpose.)

Olson, I would like to hear from both fire chiefs that are here to speak ... Freeport, Lani Forbes, we do not feel that this is necessary. If we have someone that's being obnoxious about it, right, like they're burning stuff and it's causing problems with the neighbors, we can put it out. We will say to them that the next time, if we get called, we're calling the DNR. The DNR will issue state tickets, which those tickets started at \$1,000. We also use foam that prevents a restart of the fire in the event of a second start. We have a little bit more that we can do when we do have a nuisance situation and that's the way we handle that situation.

Sokolowski, with respect to all the service Freeport provides, Thornapple protects 49% of our taxable value. Again, it's a matter of honoring a request of a fire department or not. To enforce it or not enforce it, the discretion of fire departments, but we are giving Thornapple what they asked us for.

Jim Brown, it sounds to me like an isolated situation. The City of Hastings has one, obviously, you have a house that's close to the next one. I think you're asking for something that occasionally you may or may not use. Unfortunately, if it gets to that point call the DNR.

Bass, burning of hazardous materials in the state is illegal. It's covered by either the state police, DNR, EAGLE or the EPA, federal/state agencies. All the fire department have to do is report. We don't have to get involved in that. Bass, it's a \$1,000 to \$1,500 fine and a warrant for your arrest if you don't pay.

Knight, motion on the table is there a second? Motion not seconded.

Knight, Building at Irving Cemetery. Last month, Miller provided a bid to redo the building at a cost of \$6,619.50. Buehler, bid from Michigan Dutch Barns, \$5,432 for a brand-new building set on the existing structure, 12 x16, bid not available. Buehler, I am not convinced that this needs to happen.

Olson, I agree with the residents that this is a historical building, and history needs to be preserved.

Lani Forbes, I understand the historic nature of this building. Last month, I mentioned the Day of Caring volunteers that this could be something for that group. Again, we utilize United Way volunteers throughout the community. I think Jim Brown can speak to the quality of the United Way volunteers.

Lorraine Bush, I'll just say, as it pertains to a historical building, it has great bones. I was at the cemetery on Memorial Day with other volunteers placing veteran flags. I spoke to several people about the cemetery and the building and Mickey Jelsma is present today.

The building has good bones. We also found out the history of this building, you don't want to just throw dollars at it to do a quick job, you really want to preserve it. Several volunteers from the cemetery thought they could do the fix-it job, but realized it was out of their scope of expertise. Presently, the Sexton is using the building for storage. Volunteers had discussed providing a water source for fresh flowers. Putting gutters on the building with a closed container would solve the water problem. Folks fill milk jugs to water their plants. Small amounts of water are left in the jug and subsequently get blown all over the cemetery during wind/rainstorm.

Mickey Jelsma, I went to the cemetery. I learned there was a revolutionary war person there. I'm Canadian. I found this guy and I Google searched. It's interesting to just see all the history, their family. I am ashamed of the condition of those headstones and these people who fought for this country. I then Googled headstone cleaners and there's a specific solution you can purchase. I will buy it to do clean-up. I got permission from the person who does the cemetery, Lorraine, to clean up some of those headstones of these soldiers, these heroes that fought for this country. Somebody already cleaned my guy. I was there last Sunday or Monday. I had to do a tracing to see the name of this revolutionary guy, Amos. Today, it stood out like a sore thumb. I can see that somebody tried to clean that one up, improperly. You want to use the right kind of stuff. There's a solution specific for headstones to be used, D2 biological solutions. It is pricey, but I will buy it, because I love going to cemeteries and history.

Knight, back to the building. What is the board's thoughts to ask the United Way to do the work for us? Buehler, I am not on board with spending \$6,600 dollars on a building that no one has had any use, that makes zero sense.

Knight, how do we move forward with the application process. Forbes, to email form to Knight. Further discussion regarding the process of applications for Day of Caring Volunteers, September 14th and 16th are the project dates. Sokolowski, we have \$6,600 in budget for project.

Bass, my personal feeling is I like to preserve history.

Motion by Sokolowski, seconded by Knight, motion to explore the volunteer path and the costs involved. All in favor, "Ayes". Opposed, "No", none. Motion passed.

Parking lot and cemetery bids. Sokolowski, we have received four bids, and they have remained sealed. These three bids came in by the deadline. I need to ask the board for its decision to accept this bid that came well past the deadline. Do we want to consider them because they didn't follow the deadline or not?

Motion by Knight, seconded by Olson, to accept the bid from Sandman Trucking for consideration for the parking lot and cemetery. All in favor, "Ayes". Opposed, "No", Sokolowski. Motion passed.

Sokolowski, just a reminder, these bids for parking lot across the street and both cemeteries. Each vendor was to provide individual pricing for all three (3) projects. Bids came from Legacy Cattle, Sandman Trucking, Barry County Excavating, Bush Mini Excavating.

Sokolowski, how do you want to analyze these and do you want to try to decide tonight? Do you want time to look at these and bring them up at the next meeting? Bass, I can decide tonight. Knight, estimates have approval deadlines.

Lorraine Bush, with the advent of Proposal 2 and nine (9) days of voting, do we need a 50-car parking lot? Olson, not able to predict human behaviors.

Motion by Knight, seconded by **NO ONE** to accept bid from Barry County Excavation for the parking lot bid. Brandon Reigler, Sandman Trucking, asks, "Can we hear their material allotments?" Sandman Trucking provided an explanation of scope of parking lot and materials. Smelker, consider those vendors from Irving Township first. Bass, personal preference, Sandman Trucking. Buehler, preference, Sandman. Rationale, prior parking lot and they are \$10,000 cheaper than the other bids.

Lorraine Bush, the difference in Bush Mini Excavating bid versus Sandman, they have lead trucks and a gravel pit. Our equipment and total operation are smaller, and it would take us more time. Based on the price, and if Joe were sitting here, he would recommend Sandman over any other vendor because of their pricing, access to raw material and expertise.

Sokolowski, before we call that motion to vote, I would like to ask the board's permission to abstain from the vote. I don't feel properly prepared to decide. You (the Board) have to approve that I can abstain from the vote.

Motion by Sokolowski, seconded by Knight, to allow Board Member, Doug Sokolowski, ability to abstain from the vote regarding the parking lot and cemeteries. All in favor, "Ayes". Opposed, "No", none. Motion passed.

Motion by Knight, seconded by Buehler, award 50-car parking lot bid to Sandman Trucking in the amount of \$33,950. Roll call vote, "Yes", Bass, Knight, Olson. "Abstain", Sokolowski. Motion passed.

Public comment by Mickey Jelsma, we are in the construction business. If you set a deadline for bids to be received and you get bids passed that deadline and they are accepted, I struggle with that. When we received bids passed the date, they were thrown out. That calls into question the "why" ... "Why" should I bid because Irving Township is just going to accept anything regardless of when it comes in.

Knight, they were all sealed bids. Jelsma, I understand that, but in our industry, if a bid came after the date, it was tossed. I am just suggesting keeping that in your head because it calls into question the trustworthiness of Irving Township because they really don't pay attention to deadlines.

Motion by Olson, seconded by **NO ONE**, to award Bush Farms both cemeteries. Motion failed.

Motion by Knight, seconded by Bass, to award German Cemetery bid to Sandman Trucking, \$4650. Roll call, "Yes", Bass, Knight, Buehler, Olson. "Abstain", Sokolowski. Motion passed.

Motion by Olson, seconded by Buehler to award Irving Township Cemetery bid to Bush Farms Mini Excavating, \$13,040.00, using asphalt millings. Roll call, "Yes", Bass, Knight, Buehler, Olson. "Abstain", Sokolowski. Motion passed.

Motion by Sokolowski, seconded by Olson, the funds for all three (3) projects, Irving parking lot, Irving cemetery and German cemetery be designated ARPA funds. Roll call, "Yes", Sokolowski, Knight, Buehler, Bass, Olson. "No", none. Motion passed.

Sokolowski, basement update. Before and after pictures posted on board. We are done with the basement for now.

Voting Equipment. Olson, quote attached. Due to new legislation of Proposal 2, we are required to purchase new equipment. The quote does not include the required laptop. It will be quoted later. The

printer must be able to print on both sides. We are required to have all this equipment. We are also required to have a maintenance contract.

Motion by Knight, seconded by **NO ONE**. Increase line item #101262965 presidential primary by \$2155.50. Motion failed.

Olson, this equipment is for all elections. I don't think we should pull it from the presidential primary.

Motion by Sokolowski, seconded by Knight, increase elections miscellaneous line item by \$12,155.50, account #101262958. Roll call, "Yes" Buehler, Bass, Sokolowski, Olson, Knight. "No", none. Motion passed.

Motion by Knight, seconded by Buehler, to use Election Source to purchase necessary election equipment in the amount of \$12,155.50. Roll call vote, "Yes" Buehler, Knight, Bass, Sokolowski, Olson. "No", none. Motion passed.

Sokolowski, Birch Fire Agreement. Birch has challenges ahead. Birch to discuss options at their meeting on July 27, at 6:30 pm, Hastings Township. Knight and Sokolowski have discussed fire protection with Thornapple in anticipation of Birch's upcoming meeting. Nothing is being decided today. I asked Jim Brown to come and speak regarding fire protection and based on what decisions Birch makes at their next board meeting. The decision at hand is whether Irving Township remains with Birch. A lot needs to be worked out as we go forward.

Public Comment.

Lani Forbes, highlights of what is going on in the village, two roads, Oak to St. John, will be completely paved. The water tower bids have come in and they have been accepted. It is part of the ARPA project that we got the funding of \$139,000 we received from the county. Freeport homecoming is coming up on July 29. Lots of activities in the village: cornhole tournament, horseshoe, turtle races, pets' parade, all kinds of stuff.

There's a community center grant that we're looking at. We can apply for up to \$125,000 to redo community center.

Lani Forbes, a couple of other things, I would highly encourage you guys to have a code of ethics when you have a conflict of interest, or when you have people that are on your council or involved with your council that are putting bids in, you make sure that the conflict of interest is not occurring, and that you've signed off on their conflict of interest.

Second, when we have vendors quote a bid for the Village of Freeport, we make sure that our bids don't come in on the night of the council meeting. We have the bids come in at the beginning of the week. We have two council members on site to open the bids and put the information into a spreadsheet that our council can review and compare apples to apples.

Another thing I've heard a lot about is how the township is broken down by fire departments and the way that we've heard most of it being broken down is by taxable value. After the last meeting, I asked Ivan from the Planning and Zoning Information Technologies to look at the population percentages within Irving Township, including Village of Freeport, to break it down by fire departments: Thornapple 32.6%, 34.7% and Birch 32.7% ... the reality is the fire departments have about 1/3 each of your total population.

I think we need to remember, as Jim said, most of our calls are medical. I have different numbers; I just pulled up the numbers for this year, 65% of all calls have been medical 35% fire. It doesn't matter what kind of a house someone lives in when they're calling for a medical. It doesn't matter what the value of their home is. It matters that the correct Fire Department or that you have people that are willing to respond to them. I would just ask you to remember that there are people that vote for you. It is not the taxable value of the people's property that vote for you. It is the people in this community that vote for you. I would highly encourage you to make sure that we're looking at the people in our community and not the taxable value.

Sokolowski, I agree with you. Taxable value is just a model when we are talking about allocation.

Brown, taxable value is the only thing that pays the bills. The formula to make it fair for the money that we're spending for everybody, is not perfect.

Smelker, along with Freeport homecoming, we are having a car show on Saturday, July 29, with plaques and trophies. We have 114 registered. Freeport Historical Society building will be open from 12:00 noon to 3:00 pm, it was well attended last year. Add a link to Irving Township to include Freeport Historical Society.

Upcoming,
Following this Board meeting, Election Commission Meeting.
Thursday, July 20, Township Audit
Thursday, July 20, Board of Review, 6:00pm
Tuesday, August 8, Election, polls open at 7:00 am – 8:00 pm

Motion by Knight adjourn meeting at 8:34 pm.