

REGULAR MEETING MINUTES-Approved
VILLAGE OF SAND LAKE COUNCIL

August 19, 2019, 7:00 p.m.
At the Sand Lake Municipal Building
www.villageofsandlake.org

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE:** Meeting called to order at 7:05pm by President Quinlan. The Pledge of Allegiance was recited.
2. **PRAYER:** Pastor Giddings led the Council in prayer.
3. **ROLL CALL: MEMBERS PRESENT:** Glenn Baker, Marcia Helton, William Rau, Tracy Quinlan, Tonia Parkhurst and Rachel Gokey. **MEMBER EXCUSED:** Theresa Jerome.
4. **COMMENTS BY THE PRESIDENT:** The new DPW Supervisor, Michael Chad “Army” Armstrong was introduced.
5. **PUBLIC COMMENTS:** Public comments open at 7:08pm. Village resident, Linda Misner, inquired as to whether a new clerk has been hired. Public comments closed at 7:10pm.
6. **ADOPTION OF AGENDA:** Motion made by Parkhurst with support from Baker to accept agenda with correction to 16.f. by removing duplicate line items iii, iv and v. AIF. Motion Carried.

7. **PRESENTATION BY JOHN BITELY, SABLE HOMES:**

- a. Hiring of Dan Hula as VoSL’s Civil Engineer for project.

Dan Hula was hired as the Civil Engineer on behalf of the Village of Sand Lake. Mr. Hula has reviewed the plans and does not see any issues. He recommends the project move forward. Mr. Bitely addressed the Council expressing interest in moving forward with a Sable Homes housing development in Sand Lake, on Ritchie Ave. Kent Country Road Commission conducted a traffic study to address any potential concerns. Fire Chief Ed Holtzlander addressed the potential need for more fire hydrants. The homes would connect to the Village water. It will not be an association and rezoning will need to be done. Sable Homes has set up an escrow account and is graciously using it to pay for Dan Hula’s Civil Engineer fees. Motion Made by President Quinlan, support by, Parkhurst, to give Mr. Bitely the green light to go ahead and submit the rezoning application and the proper paperwork for posting of notices to move forward.

ROLL CALL VOTE

Baker	Yes	Quinlan	Yes
Helton	Yes	Parkhurst	Yes
Rau	Yes	Gokey	Yes

AIF. Motion Carried.

8. **KCDC PETITION FOR MAINTENANCE AND IMPROVEMENT OF DRAIN:**

Motion made by Baker, with support from Parkhurst, to table the KCDC petition for maintenance and improvement of the storm drain until Plummer’s has completed their scoping of the drains. AIF. Motion Carried.

9. **RESOLUTION FOR PRISONER OF WAR/MIA RECOGNITION DAY:**

Motion made by Parkhurst, with support from Helton, to recognize Friday, September 20th, 2019 as a prisoner of War/MIA Recognition Day. AIF. Motion Carried.

10. **CONFIDENTIALLY ORDINANCE:** Discussion was had about the meaning behind the ordinance and well as the process of how the ordinance would have to be enforced. The Township would like the Ordinance removed. No one from the Township was present. Motion Made by Gokey, with support by Baker, to table further discussion, regarding Ordinance No. 2018-02, until a Township representative can be present to address the issues they have and why they want the ordinance removed.

ROLL CALL VOTE

Baker	Yes	Quinlan	No
Helton	Yes	Parkhurst	No
Rau	Yes	Gokey	Yes

Motion Carried.

11. ADMINISTRATIVE REPORTS:

a. Minutes:

i. **July 15, 2019 Regular Meeting Motion** Made by Parkhurst, with support by Helton, to accept the July 15, 2019 Regular Council Meeting Minutes. AIF. Motion Carried.

ii. **July 15, 2019 Closed Session** Motion Made by Baker, with support by Parkhurst, to accept and seal the July 15, 2019 Closed Session Confidential Meeting Minutes. AIF. Motion Carried.

b. **Financial Matters:** Katherin from USDA and Jon Moxey, (Fleis & Vandenbrink) will be coming in to help set up the last few draws for the Lake Street Project.

i. **Financial statements** Motion Made by Gokey, with support by Parkhurst, to accept and file the financial statements. AIF. Motion Carried.

ii. **Accounts payable** Motion Made by Parkhurst, with support by Gokey, to pay the bills in the amount of \$15,881.21 (Fifteen thousand eight hundred eighty-one dollars and twenty-one cents).

iii. **Approval for Councilmember to attend seminar** Motion Made by Parkhurst, with support by Baker, to approve the expense of a Village Council Member to attend the MML conference on how to go from a Village to a City on October 4th, 2019 from 12:30-4pm in Lansing, MI. AIF. Motion Carried.

12. REPORT BY TRUSTEE GOKEY ON WEBSITE MANAGER:

a. **Cancellation of I.T. Right website hosting contract:** Motion Made by Parkhurst, with support by Helton to table the cancellation of I.T. Right website hosting contract until further information can be obtained about our web domain name. AIF. Motion Carried.

13. DELOBEL V VILLAGE OF SAND LAKE:

Discussion was had about Social Media and freedom of speech and its consequences. The Village is facing another Civil Infraction lawsuit because of things that have been publicly posted or said (Not by the Village Council or Village employees). We ask that the community be cautious with what they say as to not be violating another person's civil rights.

14. ZONING AND ORDINANCE OFFICER COMPENSATION

a. **Proposal of Seven Hundred Fifty Dollars (\$750.00) a quarter.** No compensation for meeting attendance. Compensation of Twenty Dollars (\$20.00) an hour, if case is referred for court action. Retroactive to April 1, 2019.

Motion Made by Baker, with support by Parkhurst, to compensate President Quinlan Seven Hundred Fifty Dollars (\$750.00) quarterly and Twenty Dollars (\$20.00) an hour, if case is referred for court action. Retroactive to April 1, 2019. AIF. Motion Carried. (President Quinlan abstained from voting.)

b. **Formal request to vacate Elm Street:** Motion Made by Quinlan, with support by Parkhurst, to formally dissolve Elm Street, following all processes and protocols, with Mr. Baker to pay for a survey, if necessary, and cover legal fees up to \$1,000), bearing no cost to the Village of Sand Lake. AIF. Motion Carried. (Trustee Baker abstained from voting).

c. **Marijuana Ordinance:** Sample ordinances for opting in or opting out of recreational marijuana were presented to the Council. The ordinances are from MML (Michigan Municipal League). There is a lot that goes into this decision. Motion Made by Baker, with support by Helton, to host a public forum on Monday, September 16th, 2019 (the next scheduled Council Meeting) to discuss adult recreational marijuana. AIF. Motion Carried.

15. **SEWER AND WATER LINES EXTENSION:**

a. **Reimbursement to Richard Opper** per March 18, 2002 agreement. Motion Made by Parkhurst, with support by Gokey, to reimburse Richard Opper \$6,000 per 2002 water and sewer hookup agreement.

16. **DEPARTMENT REPORTS**

a. **Fire Department**

Motion Made by Parkhurst, with support by Gokey, to accept and file the July 2019 Fire report. AIF. Motion Carried.

b. **Human Resources**

i. **Introduction of Michael Armstrong (“Army”)**

(Completed at start of meeting)

ii. **Formal Acceptance of Nyha French’s Resignation**

Motion Made by Gokey, with support by Parkhurst to accept Nyha French’s resignation as Interim Clerk. AIF. Motion Carried.

iii. **Removal of Nyha French as signatory on all bank accounts**

Motion Made by Gokey, with support by Parkhurst, to remove Nyha French as signatory on all bank accounts. AIF. Motion Carried.

iv. **Revised Clerk hours (12 hours a week – 6 hours Tues/6 hours Wednesday):**

No decision was made at this time. The clerk position is to be reevaluated to determine what hours are needed per week. A sign will be placed on the “door” with hours and contact information, so the Village residents are aware of how and when to reach the Interim Clerk.

v. **Rachel Gokey to fill in until Clerk’s position can be filled.**

Determination of compensation for Rachel Gokey. Motion Made by President Quinlan, with support by Baker, to temporarily place Rachel Gokey as the Village of Sand Lake Interim Clerk, at \$14 per hour, up to 12 hours a week.

c. **Cemetery/Parks and Recreation:** Cemetery cleanup was a success. More work will need to be done this fall but the south road is currently cleaned up and widened.

d. **Zoning and Ordinance:**

i. Village of Sand Lake v Paul Collins: The VoSL and Court system have been in attempt to get Mr. Collins to comply with Village Ordinances. Mr. Collins has not complied with Court orders. This has

been 3 years' worth of expenses to the Village of Sand Lake. Motion made by Baker, with support by Gokey to table the discussion of Village of Sand Lake v Paul Collins until all Council members can view the property and coinciding files before a decision to move forward with foreclosure occurs. AIF. Motion Carried.

e. **Finance & Budget**

i. Well Bond Payment due September 1, 2019 (\$10,674.70), (Just an FYI)

The auditors do not like having separate General Ledger accounts for police car, fire truck and fire apparatus. They would like us to combine them into the general fund and track separately.

Motion Made by Parkhurst, with support by Quinlan, to dissolve the Fire Truck, Fire Apparatus and Police Car funds and put into General Funds but continue to track for proper allocation purposes.

f. **Building and Grounds**

i. **Replacement of air conditioning unit:** Motion Made by Parkhurst, with support by Quinlan, to table the AC Unit discussion until additional information is presented. AIF. Motion Carried.

ii. **General condition of building:** Discussion was had regarding the structural issues and other maintenance the building needs. The Council is looking into options and expenses for the Village offices so a plan of action can be created.

17. **OLD BUSINESS**

a. **ADP:** 1. Cancellation of BS&A Payroll Module. Motion Made by Baker, with support by Parkhurst, to adopt ADP system and remove the BS&A payroll module. AIF. Motion Carried.

b. **Police Cars:** Sand Lake Police Cars will be moved to give space back to those that have graciously stored them for us. Lights will be removed as well as all decals.

18. **Council Comments:** Brenda Arnold stated that Nelson Township assessor would like to be emailed the zoning information for the Boat Launch Easement.

19. **Adjournment:** There being no further business to discuss, Motion Made by Rau, with support by Helton, to adjourn at 9:37pm.

Respectfully yours,

Rachel D. Gokey
Village of Sand Lake
Interim Clerk