

GOLDEN TOWNSHIP BOARD
MINUTES
APRIL 11TH, 2006

The regular monthly meeting of the Golden Township Board was called to order by Chairman Walsworth at 7:30pm. Members present: Walsworth, Cargill, Ackley, Fuehring, Kolosci.

The Pledge of Allegiance was recited.

Motion by Fuehring, supported by Cargill to bypass the reading of the March 14th, 2006 minutes and Public Budget hearing minutes ,approve as presented; motion carried.

Motion by Ackley, supported by Fuehring to approve the Treasurer's report; motion carried.

CORRESPONDENCE

The Hart Area Fire Boards proposed budget was discussed, it appears that Golden Townships portion for 2006/2007 will be \$70,792.00.

Letter from MTA regarding the Telecom resolution to retain local control over franchise.

Motion by Cargill, supported by Ackley to pass a resolution that supports legislation which promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same standards that current cable, broadband or multi-channel video providers; motion carried.

GOLDEN TOWNSHIP
RESOLUTION

Retaining Local Control of Cable Franchising

WHEREAS, it is the mission of Golden Township, Oceana County, Michigan to preserve and protect the rights of all its citizens;

WHEREAS, the existing federal and local cable franchising rules have resulted in \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband (high-speed internet);

WHEREAS, Golden Township strongly supports the provisions contained within the federal 1984 Cable Act including the anti-discrimination sections that have ensured against a 19th century world of digital "haves and have-nots" and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and

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communication that it provides becomes more essential in our daily lives;

WHEREAS, the current federal cable law has been effective in ensuring robust build-out of broadband networks and in protecting against cherry-picking of communities, and should be applied to both existing cable providers and new entrants into the cable marketplace;

WHEREAS, some telecommunications companies that now seek to enter the cable marketplace are attempting to gain a competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades;

WHEREAS, these telecommunications companies are attempting to label their service as "video service" to bypass traditional cable laws and regulations, and have encouraged the introduction of legislation in Congress and in various states to attempt to circumvent federal and local regulations;

WHEREAS, in Michigan, legislation has been introduced in the House of Representatives, **HB 5895**, and in the Senate, **SB 1157**, that would strip away local cable franchising authority and hand control over to the State of Michigan (secretary of state);

WHEREAS, Golden Township strongly supports competition for telephone, broadband and video services, and recognizes that competition for such services is growing rapidly and encourages that these new competitive services are available to all its citizens;

WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that cable franchises not be exclusive and that local governments have franchised numerous second cable providers throughout the country;

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers and **HB 5895** and **SB 1157** suggests would be harmful to the citizens of Golden Township who use local franchise rules to ensure that cable services are provided to everyone, that service territory appropriately covers key areas for economic development and public safety and other community needs are met;

WHEREAS, **HB 5895** and **SB 1157** does not permit a build-out requirement which will allow companies entering the cable market to cherry-pick high-value residents only, leaving low-value residents without service;

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WHEREAS, Golden Township agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding build-out of networks, should apply to all cable providers equally;

WHEREAS, **HB 5895** and **SB 1157** would drastically limit or abolish the important role of local government franchising and weaken the non-discrimination provisions of the 1984 Cable Act that protects the interests of all citizens and promotes competition.

NOW, THEREFORE, BE IT RESOLVED that Golden Township, Oceana County, Michigan, strongly urges the Michigan Legislature to reject legislative proposals such as **HB 5895** and **SB 1157** that abolish the role of local government franchising and the ability of local governments to protect all citizens, that do not allow for build-out requirements, and that ensure that non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens;

BE IT RESOLVED, Golden Township, Oceana County, Michigan supports legislation which promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same standards that current cable, broadband or multi-channel video providers live by.

AYES 5

NAYS 0

CERTIFICATE

The undersigned, being the Golden Township Clerk, does hereby certify that the above resolution was passed by the Golden Township Board at its regular meeting on April 11th, 2006.

Laura A. Kolosci

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TREASURER'S REPORT

Presentation of Bills

Motion by Fuehring, supported by Ackley to approve check numbers 11573 – 11615 in the amount of \$15325.45. Roll call vote: Fuehring, Ackley, Cargill, Walsworth, Kolosci, all yes, motion carried.

ZONING REPORT

Whelpley reported issuing 22 permits the past two months.

Whelpley met with Brad Lambrix with the Oceana County Prosecutor's office regarding the junk ordinance. Mr Valentine was fined \$100 with a 1 year probation period. Mrs Ormsby has been cleaning out the property and a \$100 fine and 1 year probation period held until the clean up is completed.

Whelpley is reviewing three violations: one Health & Junk in the village; one Junk in Silver Lake and one Junk in the village.

The Planning Commission had a wind turbine meeting on March 15th, 2006 with another planned for April 12th, 2006 at 7:30pm.

Whelpley brought the Planning Commission's recommendation to approve Phase 1 and Phase 2 of the Val-Du-Lakes changed PUD

Fuehring added that the planning board suggested only approval of Phase 1 & 2 to see how the new owners will conduct business at Val-Du-Lakes as there has been numerous problems with the old owner in the past.

Kolosci asked what the status of the fencing in the original PUD that was never properly installed. Audience members reviewed the map made available by Whelpley concerning the fencing. It was suggested that an 8 foot wooden privacy fence be installed from the West corner of existing campground north to separate Silver Hills Campground and from the West corner East along Hazel Road to end of existing campground.

Motion by Fuehring, supported by Cargill to approve Phase 1 & Phase 2 changes of Val-Du-Lakes PUD with the following conditions an 8 foot wooden privacy fence is installed from the West corner of the existing campground running North to separate Silver Hills Campground and from the same West corner running East along Hazel Rd to end of existing campground. All yes, Motion carried.

OLD BUSINESS

Kolosci reported on the Township Clean Up Day using the services of RE-TEC. Materials to be accepted and rejected were listed. Cost for 30 yard dumpster is \$375 per dumpster; \$150 per dumpster if RE-TEC can keep the metal for salvage. If township wants RE-TEC to also run the operation, as opposed to township volunteers the cost for

the day is \$650 plus the cost of dumpsters. This would be a one day event with RE-TEC cleaning up the area entirely at day's end.

The location would be Johnson's Square with a tentative date of Saturday, September 9th, 2006. Kolosci will check the date with RE-TEC. Notices of date and location can be sent out with summer tax bills. Perhaps the following year the clean up day will be held in the spring.

Motion by Kolosci, Support by Cargill to set the date for the fall clean up day to be Saturday September 9th, 2006

NEW BUSINESS

Silver Lake Sand Dune Area Chamber of Commerce representative Bob Henry gave an update on the 3rd annual Applefest at Silver Lake September 16th, 2006.

Mr. Henry requested that the banner announcing the Applefest and Fire Works Display be strung across Hazel Rd and 18th Ave from May 15th, 2006 through September 22nd, 2006.

Mr Henry requested that the Silver Lake Road between Parkside Store and Silver Pointe Store be closed to traffic on September 16th, 2006 between the hours of 7am – 7pm. He canvassed business owners within the area requested and found no objections. The traffic would be re-routed to the gravel section of Lakeshore Drive and would have to be turned into a two way for that day only. OCRC manager Foss approved the plan.

Mr Henry requested the Fire Works Display for July 2nd, 2006. The board told him he would need to bring the insurance binder, permit from the fire marshal, Ken Klotz and have approved the new pyrotechnic company before the board could give approval.

Motion by Fuehring, supported by Cargill to approve the banner installation across Hazel Rd and 18th Ave from May 15th, 2006 through September 22nd, 2006. Motion carried.

Motion by Fuehring, supported by Cargill to approve the closing of Silver Lake Road to traffic on September 16th, 2006 from 7am to 7pm between Parkside Store and Silver Pointe Store. Motion carried.

CONTRACT RENEWALS

Motion by Kolosci, supported by Ackley to approve Library Contract of \$15,000 beginning April 1st, 2006. Roll Call Vote: Walsworth, Cargill, Ackley, Fuehring, Kolosci. All yes, motion carried.

Motion by Walsworth, supported by Fuehring to approve Porta Potties by All Seasons for a cost of \$64 per unit per month for 2006 season. Roll Call Vote: Cargill, Walsworth, Kolosci, Ackley, Fuehring. All yes, motion carried.

Motion by Fuehring, supported by Cargill to approve Ron Wendt painting Lighthouse parking lot lines for a cost of \$400. Roll Call Vote: Ackley, Fuehring, Walsworth, Cargill, Kolosci. All yes, motion carried.

Motion by Fuehring, supported by Kolosci to send Cargill, Kolosci & Whelpley to the MTA District Meeting at JJ Resort at a cost of \$85 per person on May 4th, 2006. Roll Call Vote: Ackley, Kolosci, Walsworth, Cargill, Fuehring. All yes, motion carried.

A work session was attended by the board at the Mears cemetery on April 11th, 2006. Plans for improvement and expansion were discussed. Phase 1 would include clearing the area south of the existing road, laying out of new roads, working the soil in preparation of seeding and the platting out of new grave sites. Phase 2, in the future, would include a new well and building. Fuehring suggested that a comprehensive plan for the Phase 1 clearing should be written out and sent to numerous contractors for bids. Bids should be received by May 5th, 2006 in time for the next board meeting.

Motion by Cargill, supported by Fuehring to send out letters to contractors for bids on clearing the proposed cemetery expansion. All yes, motion carried.

Motion by Fuehring, supported by Ackley to approve up to \$1000 for the purchase of a new trailer to haul tractor and equipment for cemetery use. Roll Call Vote: Kolosci, Walsworth, Ackley, Fuehring, Cargill. All yes, motion carried.

PUBLIC INPUT

Jim Briggs the new owner/operator of West Michigan Sand Dragway Introduced himself.

Motion by Kolosci, supported by Cargill to adjourn meeting at 8:30pm All yes, meeting adjourned.

Respectfully Submitted by:

Laurie Kolosci
Golden Township Clerk