

GOLDEN TOWNSHIP
MAY 14, 2019
MINUTES

The regular meeting of the Golden Township Board was called to order by Chairman, Carl Fuehring, at 7:30 p.m. in the Golden Township Hall. The Pledge of Allegiance was recited.

Board Members Present: Carl Fuehring, Connie Cargill, Rachel Iteen, Gary Beggs, Richard Walsworth

Absent: None

Also present: Rob Draper, Zoning Administrator; Ed McNeely, Township Lawyer; David Bluhm from Fleis&VandenBrink; Craig Mast, Oceana County Sherriff; and 115 guests.

Minutes - Motion by Mr. Walsworth, supported by Mr. Beggs, to approve the minutes of last month's regular board meeting. All yes, the motion carried.

Approval of Agenda: Motion by Mr. Beggs, supported by Mr. Walsworth to move numbers 1 and 2 from new business to be before Public Comment.

Motion by Mr. Beggs, supported by Mrs. Cargill to approve delivery and payment of amendment #1 as follows:

RESOLUTION NO. 2019-09
RESOLUTION AUTHORIZING EXECUTION, DELIVERY AND PAYMENT OF AMENDMENT NO. 1 TO THE
PROFESSIONAL SERVICES AGREEMENT

At a regular meeting of the Township Board (the "Board") of the Township of Golden, Michigan (the "Township"), held on Tuesday, May 14th, 2019:

PRESENT: Fuehring, Cargill, Iteen, Walsworth, Beggs

ABSENT: None

WHEREAS, the Board has engaged the professional services of the engineering firm of Fleis&VandenBrink Engineering Inc. ("Engineer") pursuant to a Professional Services Agreement executed on or about July 5, 2018 ("Agreement") which Agreement concerned submission of an application to the United States Department of Agriculture – Rural Division for financing of a proposed Silver Lake Sewer Collection & Treatment System (the "Project");

WHEREAS, the Agreement sets forth a not-to-exceed Lump Sum Payment of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) that the Township would pay to Engineer for all professional services rendered up to and through the date of the submission of the application for financing;

WEREAS, after the submission of the above-mentioned application for financing, the Board and the Engineer recognized that additional professional services would be needed from Engineer prior to a final decision by the Board as to whether to continue with the Project, and if it did decide to continue with the Project, prior to the time the Board may decide to enter into an Owners/Engineers agreement covering the complete design and construction of the Project;

WHEREAS, Engineer has proposed an Amendment to the Agreement, which Amendment and Agreement are attached to this Resolution (the "Amendment"), that would completely cover compensation from the Township to the Engineer for professional services rendered in addition to those covered by the Agreement up until the time that the Township makes a decision as to whether it will continue with the Project;

WHEREAS, the Amendment sets forth a not-to-exceed Lump Sum Payment of Twenty-Nine Thousand and 00/100 Dollars (\$29,000.00) to be paid to the Engineer by the Township for all such additional professional services;

The following resolution was offered by Mr. Beggs, and seconded by Mrs. Cargill.

NOW THEREFORE BE IT RESOLVED by the Township of Golden, Oceana County, Michigan, as follows:

1. The Board hereby authorizes the Supervisor and the Clerk to execute the attached Amendment No. 1 to the Professional Services Agreement and deliver said executed Amendment to the Engineer; and,
2. The Board hereby authorizes the Treasurer to make and deliver to the Engineer a payment of Twenty-Nine Thousand and 00/100 Dollars (\$29,000.00) in fulfillment of the Amendment payment provisions.

Upon roll call vote, the following voted:

YEAS: Beggs, Cargill, Fuehring, Iteen, Walsworth

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

This is to certify the above resolution was adopted by the Township of Golden at a regular meeting held May 14, 2019.

By: _____ Date: _____

Name: Rachel Iteen

Position: Golden Township Clerk

CERTIFICATE

I, Rachel Iteen, the duly elected and acting Clerk of Golden Township, hereby certify that the foregoing resolution was adopted by the Township Board of the Township of Golden, County of Oceana, Michigan, at a regular meeting held on May 14, 2019 at which meeting a quorum was present, by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Name: Rachel Iteen

Position: Golden Township Clerk

SEWER SURVAYS: Golden Township sent out surveys to the property owners in the proposed sewer district. There were about 1076 surveys sent out. The results of the surveys returned are as follows: No - 688, Yes - 133, 11 - Undecided (not counted). Total returned = 832.

RESOLUTION NO. 2019-10

TO TERMINATE SILVER LAKE SEWER PROJECT, WITHDRAW REQUEST FOR ASSISTANCE OF COUNTY, WITHDRAW APPLICATION FOR FINANCING WITH USDA, AND TERMINATE RETENTION OF PROFESSIONAL CONSULTING SERVICES.

At a regular meeting of the Township Board of the Township of Golden, Oceana County, Michigan, held at the Golden Township Hall located at 5527 W. Fox Road, Mears, Michigan, Michigan, on the 14th day of May, 2019 at 7:30 p.m. Local Time.

PRESENT: Members: Fuehring, Cargill, Iteen, Walsworth, Beggs

ABSENT: Members: None

WHEREAS, the Township of Golden (the "Township") has considered the acquisition, construction, and financing of a sanitary sewer collection and treatment system and related appurtenances for the Silver Lake area (the "Project"); and

WHEREAS, Act 185 of the Public Acts of Michigan of 1957, as amended (“Act 185”) authorizes a county, acting through its Department of Public Works, upon the request of a local unit of government to acquire, improve, enlarge and extend sewage disposal systems and water supply systems in said local unit of government; and

WHEREAS, the County of Oceana (the “County”) established a Department of Public Works under the terms of Act 185 with authority to acquire, improve, enlarge, and extend sewage disposal systems and water supply system improvements for local units of government within the County and (b) appointed a Board of Public Works in accordance with Act 185; and

WHEREAS, the Township has requested and received the County’s assistance in conjunction with Act 185 to apply for, and receive from, the United States Department of Agriculture – Rural Division a preliminary commitment to purchase bonds from the County to finance the Project; and

WHEREAS, this Township Board has previously made a determination that if it went through with the Project, it would be in the best interest of this Township to proceed under Act 185 to acquire, construct and finance the Project with County-issued bonds; and,

WHEREAS, this Township Board made a previous preliminary determination that (a) the Project was necessary for the public health, safety and welfare of the Township; and,

WHEREAS, this Township Board has previously engaged the following consultants in connection with the Project:

As Bond Counsel:	Mika Meyers PLC, Grand Rapids, Michigan
As Registered Municipal Advisor:	Bendzinski & Co., Detroit, Michigan
As Engineer:	Fleis&VandenBrink Grand Rapids, Michigan

WHEREAS, in proceeding toward a final determination as to whether to continue with the Project, the Township Board has considered the expressed wishes of the residents who would be served by the Project, the estimated costs of the Project, and the potential disruption the Project would cause to the Silver Lake Area and has reconsidered it prior preliminary determination that the Project was necessary for the public health, safety and welfare of the Township

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

It is hereby determined that the Project is not necessary for the public health, safety and welfare of the Township, and the Township Board hereby terminates the Project, including but not limited to, all efforts toward its continuation, financing, construction, and/or design; and,

This Township Board hereby withdraws its prior request for assistance with the acquisition, construction and financing of the Project by the County, acting through the County Board of Public Works, in accordance with Act 185; and,

The County is hereby requested to withdraw, on behalf of the Township, as the applicant for United States Department of Agriculture – Rural Development (“USDA-RD”) loan and grant financing to fund the cost of the Project.

The Township requests that USDA-RD discontinue consideration of any application for any assistance of any kind toward financing the Project.

The Township hereby terminates the retention of the following consultants in connection with the Project:

As Bond Counsel:	Mika Meyers PLC, Grand Rapids, Michigan
As Registered Municipal Advisor:	Bendzinski & Co., Detroit, Michigan
As Engineer:	Fleis&VandenBrink

The Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the County Clerk, the Board of the County Department of Public Works, USDA-RD, Mika Meyers, PLC, Bendzinski & Co., and Fleis&VandenBrink.

All prior resolutions and parts of resolutions of this Board in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members: Walsworth, Beggs, Fuehring, Cargill, Iteen

NAYS: Members: None

ABSTAIN: Members: None

RESOLUTION ADOPTED:

Rachel Iteen, Township Clerk
Township of Golden

STATE OF MICHIGAN)
) ss.
COUNTY OF OCEANA)

I, the undersigned, the duly qualified and acting Clerk of the Township of Golden, Oceana County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting held on the 14th day of May, 2019, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this 14 day of May, 2019.

Rachel Iteen, Township Clerk
Township of Golden

Public Comment: (Please forgive any misspelled names.)

- Chuck Ruedi – Thanks to the board for voting down the proposed sewer. Doing nothing is not an option and everyone has to be together on the solution.
- Mary Hubel – Thank you to the board. The lake has to be fixed.
- Dick Walsworth – Take a look at your tax bill. On face book there has been a lot of comments about the township having all the money from the taxes. Only 10.46 mils go to the township and of that amount, (these are approximate mils) 2.5 mils is for township operating, 2 mils are for roads, 1.5 mils for fire.
- Patty Hammond – Thank you for our roads.
- Craig Mast, Sherriff – Things are going well, the jail is pretty full. There are a lot of methamphetamine drug arrests. Several arrest for driving under the influence of marijuana. The county has a new hire, Aaron Cavner, who will be in Golden Township this year.

The Treasurer read the Financial Report. The ending balance in the Fund as of May 14, 2019 was as follows: General Fund \$87,625.92; Road fund \$20,794.20; Capitol Savings Fund \$2,753.01.

Bills: Motion by Mr. Beggs, supported by Mr. Walsworth to pay check numbers 17846 through 17882, and EFT 111 in the general fund for the amount of \$165,022.76. Roll call vote all yes, the motion carried.

Zoning: There have been 22 permits so far this year. Bids have been put out for a new concrete walkway in the Golden Township Park at Silver Lake Sand Dunes. There are new signs with park rules that will be going

up at the parks soon. There have been 173 rental permits. There were 31 citations in 2018 – 19 paid their citations and 12 went to court and had to pay the citation and the court cost. The Schedule of Civil Fines was given to the township board to review. The board requested that the planning commission to review them first and give a recommendation to the board at next month's meeting.

Reports:

Park: A title search has been initiated for the land that is to be acquisitioned onto the Golden Township Park at Silver Lake Sand Dunes. Netting to keep the birds out of the rafters of the pavilion has been installed in the same park and will be installed in the Johnson Square park pavilion as well.

Fire: A new air compressor was purchased. The fire chief, Jack White (71), will be retiring in 2020.

Planning Commission: A Mac Wood site plan was reviewed for an addition. The master plan to be reviewed for next meeting and then there will be a public hearing. Please put on the agenda.

Deer Road: 1.7 miles of Deer Road has received its first layer of payment today. Chip and Seal of Lake Road will take place likely in August.

New Business:

Silver Lake Fireworks - Sean Henry: Motion by Mr. Walsworth, supported by Mr. Beggs to approve the Silver Lake Fireworks. All yes, the motion carried.

Motor trend Sand Jam – Bill Kolenda: Motion by Mr. Walsworth, supported by Mr. Beggs to approve the September 6-7 event pending payment to the sheriff department for their services and all requirements met. All yes, the motion carried.

Foreclosed properties: Motion by Mrs. Cargill, supported by Mr. Beggs to approve waiver of first right of refusal. All yes, the motion carried.

Channel Parking Lot Stripping: Mrs. Cargill will acquire bids for the job to be reviewed at the next meeting.

Zoning Amendment: Motion by Mr. Walsworth, supported by Mrs. Cargill to approve the amendment to 4:14 Use of Semi-Trailers for Storage Purposes as follows. All yes, the motion carried.

4.14 Use of Semi-Trailers for Storage Purposes

The use of semi-trailers, shipping containers, van truck boxes, and properly licensed utility trailers for the storage of agricultural products in the agricultural zoning district prior to the shipment of such products for processing or sale is permitted in the agricultural zoning district as a matter of right, they may not be used as dwellings. The use of semi-trailers, shipping containers, van truck boxes, and unlicensed utility trailers for the storage of goods or materials in R-1, RR, and AR zoning district shall not be permitted unless otherwise stated on a Zoning Permit for no more than 6 months. The use of semi-trailers, shipping containers, van truck boxes, and unlicensed utility trailers shall not be used as dwellings in any zoning district.

Sierra Sands Revetment Repair Project – Shoreline Erosion: Motion by Mrs. Cargill, supported by Mr. Walsworth to support that we have no objection to the revetment of lots 8, 9, and 10 of Sierra Sands to stop the erosion. All yes, the motion carried.

Meeting adjourned at 8:32 pm.
Respectfully submitted by,

Rachel Iteen
Golden Township Clerk