

MILLEN TOWNSHIP BOARD MEETING MINUTES

Date: August 2, 2021

Time: 7:00 PM

Place: Millen Township Hall

1. Call to Order and Pledge of Allegiance

2. Roll Call –

a. **Board:** Supervisor Smith, Treasurer Bartlett, Clerk Ostrander, Trustee Kosal, Trustee Somers

b. **Other attendees:** Jim Dorr, Terry Small, Rich Gillies, Mike Davio, Jim Burger, Ron Siegel, Stu Kosal, Lorne Webb, Justin Wilson (attorney for Twp.)

3. **Public Comments not on the agenda** - Jim Burger, Commander of VFW 8135, presented a request to donate and install a bench in the BC Park by a family. This family worked in the BC Park as part of a church group in the past and enjoyed the park. Supervisor Smith requests description of the bench. Trustee Kosal makes motion to the board to accept the bench pending the approval of bench based on description to be submitted, Somers 2nd. Motion carries.

4. **All Band, Mr. Ron Siegel – General Manager (formal presentation attached).** All Band is expressing interest in Millen Township to use the ARPA fund for broadband installation. Other moneys potentially also being applied to broadband include MTA and Federal money through grants for areas of Spruce, Huron, Black River and Mikado (slide 11). All Band is a Cooperative. Township would join the co-op model as part of the proposal. All Band would start a design for Millen Township. All Band would like to see all the townships in Alcona join with the county funds and leverage all the funds with one plan. Idea of the design is that Alcona County builds the “freeways” and townships “build to the doorsteps” for the homes. Millen Twp. ARPA funds (\$40K) could be used to build tops of towers that would serve 100 units initially and continue to build off of that network. Goal is fiber optics to township. All Band is also trying to get the State of Michigan to match funds or provide other grant money. Fiber optic easement was already planned to run through the old golf course on Kohler Rd. All Band currently provides service to Curan and Lake Of The Greens area.

Q&A:

Q: Supervisor Smith’- ARPA money must have a plan by township and investments cannot be made unless the broadband meets the minimum speeds for internet. If the township does not meet the requirements, then money needs to be paid back. Operational plan and speeds for meeting State/Federal requirements.

A: All Band - Download/Upload speeds are 100/25 which meet the ARPA requirements. Any wireless technology that would be built would be built with a plan to replace with fiber optics. Operational Plan would be completed by All Band. Design a network that can fulfill the immediate needs and be upgraded later.

Q: Trustee Kosal - Is there a USDA Loan for All Band or any lien?

A: All Band - \$8 million loan from universal service fund still has \$3.5 million to repay. This lien brings rules which include an audit and federal requirements due to lien. Broadband “gold rush” of focused spending on rural broadband.

Q: Scott Kosal - What relationship with EDC (Doug Cheek)?

A: All Band - Yes, they have been working with the County.

Q: Trustee Kosal - How does the Co-op help the community?

A: All Band - Co-op model has a mission based goal. No shareholders, All Band is a 501c.12. Potential to provide a communities unified vote.

Q: Trustee Kosal - How can All Band help turn this project into action since we know it is difficult to harness the County or State into action?

A: All Band - All Band has the communication with the State and County to ask for the plan.

Treasurer Bartlett Comment: Bartlett suggested that All Band rep goes to the EDC to get the “action” moving.

Supervisor Smith wrap-up thanking for the presentation on behalf of the Township Board and Community in attendance.

5. Reports

a. Clerk:

- i. Motion to approve meeting minutes, July 5, 2021 Millen Township Board Meeting. Motion by Somers, 2nd Kosal, and motion carries.
- ii. Motion to approve meeting minutes, July 20, 2021 *Special ARPA* Meeting. Motion by Somers, Kosal 2nd, and motion carries.
- iii. Information – Election Source completed regularly scheduled voter equipment maintenance

b. Treasurer:

- i. General Income Fund: \$85,217.42
- ii. Road Fund: \$106,656.07
- iii. Total: \$191,873.49
- iv. Motion to accept Treasurer Report, subject to audit. Motion by Somers, 2nd Kosal. Motion carries.
- v. Motion to pay bills, subject to board’s post-audit policy authorizing payment: Checks #11203 - 11236; Wages, EFPTS, Consumers, FOE, Alcona County Review, Barton City Fire Dept., Dust Control Reimbursements, Stout Mowing, Everett Leeseburg (Burials), Park Supplies Reimbursement, Lincoln Hardware, Met-Life, Alcona Road Commission, BS&A Software (Assessing). Motion Kosal, 2nd Somers. Motions carries.
- vi. Treasurer and Clerk Balance –Yes
- vii. Sundance Hunt Club Park \$50 Donation – Millen Township Thanks the Hunt Club for the donation!
- viii. Bartlett has started Budget to Actual for the current fiscal year tracking.

c. Road Committee

- i. Cemetery Tree Removal along Burns Road. Work still in progress. Road crew is still very busy and plans to return this year to complete work.
- ii. 2021 Road Project Progress. Smith spoke to Campbell at last supervisor meeting. Walker Rd is still planning to receive the crushed asphalt project. Smith also commented that commission needs to add the final seal coat on Kohler/Trask Lake Rd as only one side of the road is coated.

d. Zoning/Planning

- i. Unlicensed vehicles stored in yards – Davio. Mr. Luben still has one class C motor home without license in his yard. Other vehicles have been removed. Mr. Wunuck pledged to remove the two vehicles from his yard.
- ii. Jewell Lake Dr. Fire Damaged Property – Davio. No update from Davio. Trustee Kosal stated he witnessed a contractor reviewing the premises.
- iii. 1600 Walker Road property. Bartlett stated that she has seen some clean-up activity on the property.
- iv. Ordinance updates – Gillies
 1. Short Term Rental Properties – August 30th Public Hearing in place of the August 16 meetings (ZBA at 6:30, Public Hearing at 7:00, Regular Mtg. to follow at 7:10)
 2. Tiny House- Smith asked for clarity on what a Tiny House is regarding foundations stating he has seen another township property that has recently added 6 tiny houses. What is the ordinance state on this situation? Gillies stated dwelling must have a permanent approved foundation to meet ordinance. Permit must be issued that meets requirements
- v. Z&P Appeals – Membership list updates (voting and non-voting). Approved.

- e. Cemetery Sexton Update. Bartlett sold 8 lots since last meeting. Middle section of the cemetery is almost complete for re-measuring and updating grave markers.
- f. Fire Department – Chief Cordes – No update.
- g. Alcona County -T. Small
 - i. Gypsy Moth ballot proposal? Terry stated there is a gaining interest in the eastern side of the county. This item will be added to the ballot proposal next year. Smith stated that Hubbard Lake north area of Alcona Township is putting gypsy moth spraying cost on a special tax assessment.
 - ii. Broadband Comments: Terry lives in the current All Band service area. Smith asked if he is satisfied with the current All Band service he is receiving. Yes, Terry is very satisfied with the service. Internet speeds are even fast enough to support the gaming done by his children. Smith asked Terry to take back to the County how important broadband is to the schools and health of our community members. Kosal also stressed how we need to turn this funding into action.

6. Unfinished Business

- a. ARPA
 - i. Federal Procurement Conflict of Interest Policy – Resolution 2021-006 was presented and a roll call vote completed by the board. Ayes – Supervisor Smith, Clerk Ostrander, Treasurer Bartlett, Trustee Kosal, Trustee Somers. Motion carries.
 - ii. Project Proposals – Broadband is main proposal. No other projects discussed.
 - iii. Bartlett introduced example copy of plans for ARPA provided by the County Clerk.
- b. Grants (NEMCOG) - No new grants to be discussed at this time.
- c. Updates to Risk Manager Recommendations –Park Ordinance and Park Use agreement updates reviews including for an additional review by attorney. Item tabled until next meeting.
 - i. Park Ordinance – Updates to new format from Risk Manager
 - ii. Park Use Agreement – Updates to new format from Risk Manager
- d. Pavilion #2 Damage – Previous supervisor Jim Burger provided Supervisor Smith with history file on pavilion. Supervisor Smith would like to review these documents on foundation and county drainage. Smith would also like to explore the cause of the damage and potential to correct cause properly by meeting with Harry Harvey and Jessie Campbell at the County.
- e. Bartlett – Presented tax packet covering 2017-2021 Personal Property Tax on BC Bar that are unpaid in the amount of \$7464.46. Supervisor Smith to contact the current owner under contract with Brad Beard who is Jim Scott. Smith will personally discuss with Jim Scott to determine his intentions on payment and completing of tax forms before the township takes action. Follow-up at next meeting.

7. New Business

- a. Attorney Justin Wilson –
 - i. Township ordinance enforcement – What is the appropriate documentation to bring forward to court? Justin stated that the zoning ordinance should have a civil infraction adoption. Goal should be compliance with the ordinance. Violators would be issued a ticket for a civil infraction to pay money and the potential for the court hearing. Violators would receive an order to bring the property into compliance. If the violator does not comply, now they are in violation of the court order and face additional fines/jail time by the court. Justin recommends photos be presented at the hearing of any property in violation.

- ii. Risk Control Manager Feedback items (contract wording, use agreement, contract insurance, and harmless clause) – Park Use agreement has harmless clause.
 - iii. Justin reviewed the Park Use Agreement. Harmless clause is effective in current agreement. Adding an insurance clause for renter provided insurance would cover renter and guest liability. Ostrander to send the updated Park Agreement recommended by the Risk Manager.
 - iv. Justin reviewed current contractor insurance binders. Agreed insurance is acceptable.
8. **Public Comments** – none.
9. **Adjourn** – Motion to adjourn Somers, 2nd Bartlett and motion carries.

**Next Meetings: August 30, 2021 Zoning and Planning at 6:30 ZBA, 7:00 Public Hearing, 7:10 Regular Mtg.
September 7, 7:00 pm - Township Board Meeting*

Meeting minutes respectfully submitted by Clerk, Cathy Ostrander