

**Lake Linden Village Council  
Regular Meeting  
December 14th, 2005**

The Lake Linden Village Council met on the above date in the Village Hall at 6:30pm. President Aittama presided. The following Trustees responded to roll call: Fisher, Hamlin, Hoffman, Frendewey, Heide and Aittama. Absence was granted to Trustee Frohmader.

**Approval of Minutes:**

A motion was made by Trustee Fisher and supported by Trustee Hamlin to approve the November regular meeting minutes as presented. All were in favor. Motion was carried.

**Approval of Agenda:**

A motion was made to approve the agenda by Trustee Fisher and supported by Trustee Hamlin. All were in favor. Motion was carried

**Public Comments:**

There were no comments from the public.

**Bills and Financial Statement:**

The bills and financials were introduced. After a brief discussion a motion was made by Trustee Fisher and supported by Trustee Frendewey to approve the bills as presented. Poll vote; Yes; Fisher, Frendewey, Hamlin, Hoffman, Heide, and Aittama. No; None. Motion was carried.

GEN FUND	<u>Source Name</u>	<u>Memo</u>	<u>Amount</u>
	Ron Schmitt	3 Co-Pay Reim.	73.85
	Pat Lajimodiere	2 Co-Pay Reim.	61.17
	Ron Schmitt	2 Co-Pay Reim.	70.00
	James Aittama , Pres	3 Co-Pay Reim.	55.00
	Office Max Credit Plan	Office Supplies	314.63
	Office Max Credit Plan	Copies/ Golf Course	98.10
	Office Max Credit Plan	Fax Cartridge	33.39
	SBC	Telephone	174.53
	SBC	Telephone	21.03
	SBC	Telephone	21.03
	Airgas North Central	Cylinder	29.40
	UPPCO	Power	242.56
	UPPCO	Power	310.80
	Copper World	Firefighter plaque	63.59
	Ron Schmitt	2 Co-Pay Reim.	70.00
	Herman's Jewelers	Engraving	25.00
	LLV Equipment		
	Checking	Equip rentals Nov 2005	583.34
	LLV Equipment		
	Checking	Equip rentals Nov 2005	440.00
	LLV Equipment		
	Checking	Equip rentals Nov 2005	19.06
	LLV Equipment		
	Checking	Equip rentals Nov 2005	407.62
	LLV Equipment		
	Checking	Equip rentals Nov 2005	38.00
	LLV Equipment		
	Checking	Equip rentals Nov 2005	524.03
	LLV Equipment		
	Checking	Equip rentals Nov 2005	396.07
	LLV Equipment		
	Checking	Equip rentals Nov 2005	76.24
	LLV Equipment		
	Checking	Equip rentals Nov 2005	232.02
		Pension payment	
	MERS	11/2005	3,747.73
	James Aittama , Pres	2 Co-Pay Reim.	20.00
		J. Aittama / BC Pymt for	
		12/05	-1,024.52
	Pat Lajimodiere	1 Co-Pay Reim.	35.00
	Cheryl Stevens , Treas.	2 Co-Pay Reim.	45.00

James Aittama , Pres	5 Co-Pay Reim.	100.00
Master Engravers	Plaque for chief retirement	52.99
SemcoEnergy	Heating	783.57
SemcoEnergy	Heating	44.31
SemcoEnergy	Heating	17.48
Schoolcraft Township Treasurer	2005 Winter Taxes	298.81
Daily Mining Gazette	Ord. Ad	121.05
Daily Mining Gazette	Community Guide Ad	350.00
State of Michigan	Radio Subscriber Fees	200.00
Linda Hale, CB, Inc.	QuickBooks	105.00
Sayen's Business Equipment	Toner	57.00
UPPCO	Power	1,659.43
Cellular One	Car Phone	37.15
Dickinson Cty Memorial Hospital	Random Testing / P. Lajimodiere	46.00
MISS DIG System	2006 Membership Fee	188.88
Gitzen Company	Towels & T.P.	68.17
Ron Schmitt	1 Co-Pay Reim.	35.00
Municipal Benefit Services	1/01/06 - 2/01/06 Hosp.	5,697.27
Quality Hardware	Misc.	88.18
Quality Hardware	Anti-Freeze	24.40
<b>Total GEN FUND</b>		<u>17,178.36</u>

**LOCAL STREET FUND**

LLV Equipment Checking	Equip rentals Nov 2005	3,087.02
LLV Equipment Checking	Equip rentals Nov 2005	76.00
LLV Equipment Checking	Equip rentals Nov 2005	1,499.06
LLV Equipment Checking	Equip rentals Nov 2005	28.59
<b>Total LOCAL STREET FUND</b>		<u>4,690.67</u>

**MAJOR STREET FUND**

LLV Equipment Checking	Equip rentals Nov 2005	3,019.25
LLV Equipment Checking	Equip rentals Nov 2005	1,496.58
LLV Equipment Checking	Equip rentals Nov 2005	38.12
LLV Equipment Checking	Equip rentals Nov 2005	154.22
LLV Equipment Checking	Equip rentals Nov 2005	215.07
LLV Equipment Checking	Equip rentals Nov 2005	629.72
LLV Equipment Checking	Equip rentals Nov 2005	1,067.05
UPPCO	M-26 Flashers	89.15
Daily Mining Gazette	Night Parking Ad	62.70
LLV General Fund	M-26 Overhead	403.12
<b>Total MAJOR STREET FUND</b>		<u>7,174.98</u>

**EQUIPMENT FUND**

Rural Development	1st Payment 2004 Fire Trk - 2005	1,561.87
Cenex of Lake Linden	Gas & Diesel	82.00
Cenex of Lake Linden	Snow Brush	4.23
Krans Oil Co.	Gas / Police Car	92.00
Krans Oil Co.	Gas / DPW	343.63
Krans Oil Co.	Diesel / DPW	1,301.70
KOP Lubricants	Oil	322.85
Harter Auto Supply	Battery / Sno Go	80.67
Superior Auto Parts, Inc.	Misc.	100.62
Ward's Husqvarna	Chain Saw Repair	15.00
Gitzen Company	Wipes	63.66
Northland Battery	Starter Repair / Sander	250.00

Service		
Quality Hardware	Misc.	238.04
Total EQUIPMENT FUND		<u>4,456.27</u>
<b>SANITATION FUND</b>		
LLV Equipment		
Checking	Equip rentals Nov 2005	798.42
Houghton County		
Treasurer	Nov. Tipping Fees	2,097.00
Total SANITATION FUND		<u>2,895.42</u>
<b>WATER FUND</b>		
	Water Works Meeting /	
Jude J. Kalcich	Marquette	109.25
State of Michigan - DEQ	Annual Fee	981.53
SBC	Phone/ Pump House	102.37
SBC	Phone / Reservoir	26.15
UPPCO	Power / Pump House	677.62
LLV Equipment		
Checking	Equip rentals Nov 2005	901.34
Lake Linden Postmaster	2 rolls .23 stamps	46.00
Louie's Super Valu	Clorox	118.20
State of Michigan - DEQ	3 Water Samples	36.00
SemcoEnergy	Heating / Well House	6.75
Total WATER FUND		<u>3,005.21</u>
		<u><b>39,400.91</b></u>

### **Correspondence:**

Clerk Poirier introduced the revised Houghton County Hazard Mitigation Plan for 2006. Previous drafts had been submitted and reviewed by the Council. The clerk pointed out that the Village was only mentioned in that there were no identifiable outstanding hazards. A motion was made by Trustee Frendewey and supported by Trustee Hamlin to support the resolution approving the new draft of the Mitigation Plan. All were in favor. Motion was carried.

Clerk Poirier introduced the breakdown of grant budgets for the streetscape project. He explained that it had been altered slightly to reflect the fact that the project had been extended from 5<sup>th</sup> St through 10<sup>th</sup> Street and the entire budget for historic lighting had been switched to the CDBG budget. There was no other action required.

Trustee Fisher explained the process that the DDA had been going through to prepare for the issuing of bonds by the Village and the DDA. First, he said, they had to modify the original plan of the DDA, which had included the stipulation that it would incur no bonded indebtedness, to say that it would set a limit of \$125,000 of indebtedness. Secondly, a development plan area different from the current area had to be adopted. This had to include the entire streetscape project area which, because of time constraints, needed to exclude some of the DDA district to remain under 100 residents. The reason for this was that if the plan area included more than 100 residents a Citizen's Advisory Council had to be convened to approve steps of the process which would compress the timetable and not be feasible. Since the streetscape project did not include anything adjacent to Calumet Street, the exclusions could be done simply and not affect either the excluded areas or the scope of the project while keeping the resident number under 100.

Now, he explained, the Village Council needed to pass the resolution before them declaring notice of intent to issue bonds and intent to reimburse. This would allow the Village to inform the constituents of it's intention, the amount of indebtedness and method of repayment. It was determined to present and vote on the resolution under Executive committee business.

### **Committee Reports:**

#### **Finance(Chair:Trustee Frendewey):**

Trustee Frendewey introduced a  $\frac{3}{4}$  fiscal year budget to actual expenses report. He said he was in the process of learning a little more about the budgeting process and which items would require attention and modifying in the coming three months.

He also explained that, because of a construction project on a local street this past year, the local street fund would not have enough money this year. By resolution the council can transfer up to 25% of major street monies received to local streets. After a brief discussion a motion was made by Trustee Friendewey and supported by Trustee Hamlin to transfer 25% of Act 51 reimbursements for major streets to the local street fund. Poll vote: Yes; Friendewey, Hamlin, Fisher, Hoffman, Heide and Aittama. No; None. Motion carried.

**Domestic Water(Chair: Trustee Fisher):**

No report.

**Buildings & Parks(Chair: Trustee Fisher):**

Clerk Poirier brought up the idea of closing off the upstairs of the village hall for the remainder of the winter to save on heating bills. It was agreed to do this on Monday following the Christmas party. No other action was required.

**Sanitation(Chair: Trustee Hamlin):**

No report.

**Equipment(Chair: Trustee Frohmader):**

In the absence of Trustee Frohmader Clerk Poirier said that the committee had met and decided at the suggestion of Jude Kalcich to post a notice for bids for a 200 or newer pick-up truck. He said that once we received some offers it could be determined which vehicle could be purchased. The council agreed to have the possible truck bids collected and make a decision on purchasing at either a special meeting later this month or at the January regular meeting.

**Streets(Chair: Trustee Heide):**

Trustee Heide said that a prior verbal agreement with the Legion about no parking on 4<sup>th</sup> street needed to be addressed. After a brief discussion it was determined that soon after the old Legion building was taken down the no parking area would be determined. No other action was taken.

It had been brought to the clerk's attention that since Traprock Street had been pushed through to the Bootjack Rd. it could cause some confusion for people unfamiliar with the area since the Traprock Road was only a quarter-mile down the Bootjack Road. After a brief discussion it was decided that the street committee would meet to review the problem and make a recommendation for the January meeting. No further action was necessary.

**Executive(Chair: Trustee Fisher):**

The following resolution was presented to the council. It had previously been discussed and reviewed under correspondence.

**RESOLUTION DECLARING NOTICE OF INTENT TO ISSUE BONDS  
AND INTENT TO REIMBURSE**

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**VILLAGE OF LAKE LINDEN**  
County of Houghton, State of Michigan

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Minutes of a regular meeting of the Village Council of the Village of Lake Linden, County of Houghton, State of Michigan, held on the 8<sup>th</sup> day of December, 2005, at 6:30 p.m., Prevailing Eastern Time.

PRESENT: Trustee Fisher, Trustee Hoffman, Trustee Hamlin, Trustee Heide, Trustee Friendewey and President Aittama

ABSENT: Trustee Frohmader

The following preamble and resolution were offered by Member Hamlin and supported by Member Friendewey:

WHEREAS, the Village of Lake Linden, County of Houghton, State of Michigan (the "Village"), intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed \$125,000 (the "Bonds") for the purpose of paying part of the cost of certain public improvements

within the downtown area including generally street lighting, sidewalks, crosswalks, roadway improvements, curb, gutter, landscaping, a pavilion, and related attachments and appurtenances (the "Project"); and

WHEREAS, the Lake Linden Downtown Development Authority (the "DDA") will pledge its Tax Increment Revenues in support of the Project to contribute towards repayment of the Bonds; and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements the law; and

WHEREAS, the Village must either make application and be granted qualified status within the meaning of Act 34 or receive prior approval of the bonds from the Michigan Department of Treasury (the "Department"); and

WHEREAS, the Village intends, at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Village or the DDA for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the *Daily Mining Gazette*, a newspaper of general circulation in the Village, in accordance with the requirements of the law.

2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form attached hereto as Appendix A.

3. The Village Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the Village's taxpayers and

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with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

- (f) No proceeds of the borrowing paid to the Village or the DDA in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.
- (g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members Hamlin, Frendewey, Heide, Hoffman, Fisher and Aittama.

NAYS: None

ABSENT: Member Frohmader

RESOLUTION DECLARED ADOPTED.

#### **APPENDIX A**

### **NOTICE TO ELECTORS OF THE VILLAGE OF LAKE LINDEN OF INTENT TO ISSUE BONDS SECURED BY THE TAXING POWER OF THE VILLAGE AND RIGHT OF REFERENDUM THEREON**

PLEASE TAKE NOTICE that the Village Council of the Village of Lake Linden, Houghton County, Michigan, intends to issue and sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000) for the purpose of paying all or part of the cost of certain public improvements within the downtown area including generally street lighting, sidewalks, crosswalks, roadway improvements, curb, gutter, landscaping, a pavilion, and related attachments and appurtenances.

#### **BOND DETAILS**

Said bonds will mature in annual installments not to exceed ten (10) in number, with interest rates to be determined at public or negotiated sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds. The bonds may be issued in one or more series as shall be determined by the Village Council.

#### **SOURCE OF PAYMENT OF BONDS**

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the Village lawfully available for such purposes, including payments received from the Lake Linden Downtown Development Authority for such purpose, and property taxes levied within applicable constitutional and statutory limitations.

#### **RIGHT OF REFERENDUM**

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE VILLAGE IS FILED WITH THE VILLAGE CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING

VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE VILLAGE VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Robert Poirier, Village Clerk

**Public Safety(Chair: Trustee Hoffman):**

Trustee Hoffman introduced the police report. A motion was made by Trustee Fisher and supported by Trustee Heide to accept the police report as read. All were in favor. Motion was carried.

Clerk Poirier explained that through a Homeland Security Grant of \$1,800 through Houghton County, a proposal was obtained from Midwest Security to install previously discussed alarms on the hatches at the reservoir. The proposal came in at the \$1,800 so work could commence at the earliest opportunity.

**Downtown Development Authority:**

DDA action relevant to the streetscape project was discussed under correspondence.

**Torch Lake Area Sewage Authority**

No report.

**Lake Linden Housing Commission**

Trustee Hamlin reviewed the situation at the LLV Housing Commission that occurred last month with the resignation of now three commissioners. He then made a motion, supported by Trustee Hoffman, to accept the resignations of Dennis Racine, Donald Racine and Delores Bourdeau from the commission. All were in favor. Motion was carried.

He then explained that after speaking to Ron Wooster at the HUD office in Grand Rapids he thought the best course of action to follow was to appoint the Executive committee; Trustees Fisher, Hamlin and Frenthewey, to the commission on an interim basis to allow them to conduct business at the December meeting. The search would then continue to fill those seats in the succeeding weeks. A motion was made by Trustee Hamlin and supported by Trustee Frenthewey to appoint the executive committee members to the Housing Commission on an interim basis and to proceed with the review of and search for applicants to fill the seats of those interim commissioners. All were in favor. Motion was carried.

**Houghton County Historical Museum:**

No report.

**Torch Lake Area Fire Protection Authority:**

No report

**Late Agenda Items: None**

**New Business:**

One member of the public in attendance had a question regarding the Housing Commission vacancies. She said the appointments made at this meeting were interim ones only and that she would receive consideration in the review process when permanent members were appointed.

**Old Business:**

None.

**Announcements:**

Clerk Poirier announced that the Christmas party was this Saturday at 5:30 pm.

**Adjournment:**

Trustee Frohmader supported by Trustee Hamlin made a motion to adjourn the meeting at 7:30 pm. All were in favor. Meeting adjourned.

There were 8 members of the public in attendance.

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James M. Aittama, President

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Robert A. Poirier, Village Clerk