

**Lake Linden Village Council
Regular Meeting
May 17th, 2007**

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, Friendewey, Hamlin, Hoffman, Frohmader and Schuldt.

Approval of Minutes:

A motion was made by Trustee Friendewey and supported by Trustee Schuldt to approve the April regular meeting minutes as presented. All were in favor. Motion was carried.

Approval of Agenda:

After two additions 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:

Mary Sager asked if any progress had been made on the codification of the ordinance manual. She also inquired about the park irrigation system repairs. She was told that two Michigan Works youth workers had been requested for the summer. Also, the Council committees were still being looked at and would probably be decided by the June meeting.

Bills and Financial Statement:

The bills and financials were introduced. Clerk Poirier explained a few entries on the report. After a brief discussion a motion was made by Trustee Hamlin and supported by Trustee Fisher to approve the bills as presented. Poll vote: Yes; Hamlin, Fisher, Friendewey, Frohmader, Hoffman and Aittama. No; None. Motion was carried.

Correspondence:

Pro-tem Fisher started by reading a statement from the Village Council regarding the recent financial issues facing the Village:

This statement is intended to clarify aspects of the financial deficit in certain Village accounts. As a result of an "audit" performed on behalf of the Torch Lake Area Sewage Authority, it was observed that actual revenues were less than expected revenues. Upon a more careful analysis by an external accountant, it was found that serious deficits were present in the water and sewer accounts. These deficits have been found to be evident back to 2003 and represent a total deficit of \$75,506.65 through the end of fiscal 2007 (28 February, 2007).

Although annual audits are done on all Village accounts this deficit was not recognized until February 2007.

The Village Council is working in close cooperation with the Torch Lake Sewage Authority, the Michigan State Police, the Houghton County Prosecutor's office, and the Department of Treasury, State of Michigan to resolve the problem.

The Council addressed the issue of appointing an interim treasurer until the vacant position could be filled. After a brief discussion a motion was made by Trustee Hamlin and supported by Trustee Fisher to appoint Finance Committee chair James Frendewey as the interim treasurer. All were in favor. Motion was carried.

Trustee Fisher introduced Scott Kenney to the Council and Clerk Poirier read a letter from him regarding the Village auditing services for the fiscal year. Trustee Fisher said that the executive committee had met with him and had been impressed by his qualifications and references. It had been discussed earlier by the Council that an auditor from outside the area be retained to do the 2007 audit considering current circumstances. A few questions were answered by Trustee Fisher and a motion was made by Trustee Fisher and supported by Trustee Frendewey to approve retaining Mr. Kenney to conduct the 2007 Lake Linden Village Audit. Poll vote: Yes: Fisher, Frendewey, Hamlin, Frohmader, Hoffman, Schuldt and Aittama. No; None. Motion was carried.

Clerk Poirier read a letter from Patrick Lajimodiére regarding his desire to return to work with the Village DPW. President Aittama stated that the Council was not in a position yet to make that decision but it would certainly be considered when all financial information had been determined.

Clerk Poirier opened the two sealed bids that had been received as a result of advertising lots for sale in the Sibilsky Acres and Sibilsky Acres II plats. The bids were announced as follows:

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|----|----------------------------|---------------------------------------|
| 1. | Walt Anderson Contracting: | \$8,500 for Lot 13, Sibilsky Acres |
| 2. | Tim Gasperich: | \$7,055.88 for Lot 13, Sibilsky Acres |

Trustee Hamlin stated that after deliberation the committee had determined not to place restrictions on the Lot since the Council had been assured that construction would be planned by both perspective bidders. A motion was then made by Trustee Schuldt and supported by Trustee Hamlin to accept the high bid of \$8,500 from Walt Anderson Contracting for Lot #13 in Sibilsky Acres plat. Poll vote: Yes; Schuldt, Hamlin, Fisher, Frohmader, Hoffman, Frendewey and Aittama. No; None.

Clerk Poirier introduced the draft of a franchise agreement with Charter Communications that had been introduced at the April meeting. He said as directed, Fred Johnson had reviewed the document and had submitted his recommendation. It was that the agreement call for a 5% fee, the maximum allowed by the document. After a brief discussion a motion was made by Trustee Fisher and supported by Trustee Hamlin to approve the terms of the agreement and authorize the signing of the agreement. Poll vote: Yes; Fisher, Hamlin, Frohmader, Hoffman, Frendewey, Schuldt and Aittama. No; None. Motion was carried.

Clerk Poirier read a letter from the Midwest Amateur Renaissance Society regarding their wish to hold a faire in the Village park in September. After a brief discussion support was expressed from the Council for the event and Clerk Poirier was directed to contact Mr. Foreman to explore what would be required of the Village for such an event.

Clerk Poirier introduced a letter from Village attorney Fred Johnson in which he notified the Council of his retirement effective on June 1st of this year. President Aittama and other Council members expressed their public thanks to Mr. Johnson for his 30+ years of service to the Village. Trustee Fisher said he had spoken to Dave Mechlin, a partner in Mr. Johnson's firm, about taking over as the Village attorney and he had agreed to do so. A motion was made by Trustee Friendewey and supported by Trustee Schuldts to retain Dave Mechlin as the village's legal counsel. All were in favor. Motion was carried.

President Aittama said he had not yet had a chance to look at the new committee assignments for the Council. He would likely have recommendations for the June meeting.

President Aittama also stated he had been working with village engineer Dick Supina regarding the DNR trail issue and would have it resolved in short order before the June meeting.

Clerk Poirier said that he had been contacted by the owner of the lakelinden.com domain about selling it to the Village. He said currently the village website was at lakelinden.net. The cost for the registry was \$25.00. After a brief discussion a motion was made by Trustee Hamlin and supported by Trustee Schuldts to purchase the domain registry for \$25.00. All were in favor. Motion was carried.

Clerk Poirier read a letter from a resident of Rustic Meadows regarding the park and dog issues in the park. No further action was required.

Clerk Poirier said that the regional MML conference was being held in Iron River on June 6-8 of this year. He said more information about guests and presentation was available in the clerks office if a trustee was interested in attending.

Clerk Poirier introduced a resolution submitted by the Sportsmens Club regarding recognition as a non-profit organization for the purpose of getting a raffle/gaming license. After a brief discussion a motion was made by Trustee Hoffman and supported by Trustee Schuldts to approve the resolution acknowledging the Club as a non-profit. All were in favor. Motion was carried.

Committee Reports:

Finance(Chair:Trustee Friendewey):

Trustee Friendewey said that the process of updating and integrating the office software and billing systems was under way and progress would be picking up steam throughout the next month.

Domestic Water(Chair: Trustee Fisher):

Trustee Frohmader said there was a need for the Village to have a process for denying water accounts to tenants in town that were always delinquent and were allowed to move from address to address. Clerk Poirier said that current ordinance called for the landlord to pay the delinquencies and so payment of those accounts was ultimately not an issue for the village. Trustee Hamlin said it was an issue to be dealt with between landlord and tenant. No further action was taken.

Buildings & Parks(Chair: Trustee Fisher):

Clerk Poirier said he would place an ad in the Gazette for a campground host for the upcoming summer.

Trustee Fisher said that the committee had met and would be ordering signs for the marina area very shortly. He said that the seasonal slips had been largely filled for the season and that invoices would be going out shortly charging \$20 per foot for each boat and also a charge for electricity depending on the size of each boat. He said the charges would generate about \$4,000 for the marina for the summer. He also explained, in fielding a comment from the public, that there would not be a staff at the site as that was not practical and that a certain amount of liberties would be taken by some overstaying at some sites that could not be helped.

The council discussed a \$1,500 estimate from Midwest Security to replace locks and knobs throughout the Village hall entrances. After a brief discussion it was decided to see what the Village crew could do as far as replacing the fixtures. No further action was taken.

Clerk Poirier said he received the quote for event insurance for the 4th of July fireworks. He said it was now excluded from the package insurance plan and needed to be purchased from the vendor for \$500. A motion was made by Trustee Hoffman and supported by Trustee Fisher to pay the policy premium for the insurance from Speilbauer Fireworks. Poll vote: Yes; Hoffman, Fisher, Frohmader, Hamlin, Friendewey, Schuldt and Aittama. No; None. Motion was carried.

Sanitation(Chair: Trustee Hamlin):

Trustee Hamlin brought up the possibility of reinstating a sanitation millage that had previously been implemented about ten years ago. He said that although salaries and equipment were being paid by the fund for work done in the fund, it was not able to keep up with the benefits charged by the general fund. He said that more discussion would take place in conjunction with the Truth in taxation Hearing and by the committee in the interim.

Equipment(Chair: Trustee Frohmader):

Trustee Frohmader said that the problem of clearing snow on sidewalks behind newly moved power poles along Calumet Street would be an issue with the upcoming winter. He was directed by the Council to meet with Jude to discuss solutions to the problem.

Streets(Chair: Vacant):

Clerk Poirier said that UPPCo had begun replacing the poles along Calumet Street and that work would continue until they were completed along with the armatures and street lights. Work was to be completed by the end of the month.

He also said that Jude had mentioned that MDOT would match 50% with the Village in purchasing signs to bring the Village up to minimum standards for posting work crews along the highway. Trustee Fisher said that he would order the signs in conjunction with the marina signs in the next week or so.

Executive(Chair: Trustee Fisher):

Clerk Poirier said that he just received word that the Americana Foundation had awarded a grant of \$35,000 to the Village for repairs and renovation to the tower at the front of the building. He said Hitch, Inc would be restructuring the grant to utilize the money granted and that this third award from the Americana Foundation brought the total awarded to \$109,000 over the past three years.

Pro-tem Fisher said that the poles were scheduled to be placed by UPPCo any time and they were trying to coordinate with the contractor to begin this last phase of the construction.

Pro-tem Fisher said that the committee would be looking at the restructuring the office situation from the pencil and paper to an automated and integrated computer system and that until that process had been figured out the committee would not know what the future treasurer's position would look like and what qualifications a perspective replacement would need.

Public Safety(Chair: Trustee Hoffman):

Trustee Hoffman read the police report for March and April into the record. A motion was made by Trustee Friendewey and supported by Trustee Fisher to accept the report as read. All were in favor. Motion was carried.

Clerk Poirier said that Chief Peters had requested part-time help from the Council for the upcoming summer. Council concensus was that it would be looked at as the fiscal situation became clearer over the next month or so.

Downtown Development Authority:

Chairman Steve Pummill gave a brief report on some items the DDA was looking at including sand for the swimming beach, finalizing the streetscape project, planters, and perhaps a project done by Americorps for planting in the park and along Calumet Street. The DDA meeting was scheduled to immediately follow the council meeting.

Torch Lake Area Sewage Authority

The draft of a billing agreement submitted by the Sewage Authority was tabled until issues were resolved regarding the current legal problems of the former treasurer.

Lake Linden Housing Commission

A vacancy still exists in the Housing Commission but this item was tabled until June meeting.

Torch Lake Area Fire Protection Authority:

Pro-tem Fisher informed the Council that the 60 day notice of withdrawal had been given and the planning for replacing needed hydrants in the township and village was under way.

Late Agenda Items:

None

New Business:

None.

Old Business:

None.

Announcements:

Clerk Poirier stated that residents should read the newsletter for important information about Village happenings. Many questions to the office are answered in the quarterly letter.

Adjournment:

Trustee Hamlin supported by Trustee Frohmader made a motion to adjourn the meeting at 7:24 pm. All were in favor. Meeting adjourned. There were 16 members of the public in attendance.

James M. Aittama, Village President

Robert A. Poirier, Village Clerk