

**Lake Linden Village Council
Regular Meeting
March 12th, 2009**

The Lake Linden Village Council met on the above date at the Village Hall at 6:40pm. President Fisher presided. The following Trustees responded to roll call: Friendewey, Schuldt, Hoffman, and Aittama. Absence was granted to Trustee Hamlin and Trustee Frohmader.

Approval of Minutes:

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

Approval of Agenda:

A brief discussion of the agenda resulted in a motion from Trustee Aittama and supported by Trustee Schuldt to approve the agenda. All were in favor. Motion was carried.

Public Comments:

Six youngsters known as the "Rink Rats" were on hand to address the Council regarding the ice rink. They requested that a better situation be created for next year as the current location wasn't really a great spot. They suggested the rink be created on the tennis court so that a better base could be formed. The problem was that the pavilion was a good distance from the court. After a brief discussion it was determined that options for improving the rink and developing a plan for its construction next year would be discussed.

Bills and Financial Statement:

The bills and financials were introduced. Clerk Poirier pointed out the transfer to the bond fund in the water fund, and that the annual snowfall from Act 51 had arrived in the streets funds (\$31,000). A motion was then made by Trustee Friendewey and supported by Trustee Aittama to approve the bills as presented. Poll Vote: Yes: Friendewey, Aittama, Hoffman, Schuldt and Fisher. No; None. Motion was carried.

Correspondence:

Clerk Poirier introduced a letter from MERS stating that the fund had lost a significant percentage over the past year and forewarned that rates to fund the defined benefit plan used by the Village would probably increase in the near future.

Clerk Poirier read a letter from the Par Plan Insurance that summarized a review of Village policies and procedures done in December. There were a dozen bulleted items pointed out by the inspector as areas for the Council to either address or improve. It was determined that the items would be reviewed in depth by the clerk and treasurer and that they would come back to the Council with recommendations for those issues.

Clerk Poirier said that the Sportsman's Club presented him with a resolution approving a gaming license for their annual raffle as required by the State. After a brief discussion the resolution was introduced by Trustee Hoffman and supported by Trustee Schuldt for the approval of the license. All were in favor. Motion was carried.

Committee Reports:

Executive (Chair:Trustee Fisher):

President Fisher informed the Council that, as per previous discussions by the Council, he had met with the Menguzzos regarding the possible annexation of the property owned by his corporation adjacent to the southern boundary of the Village. Fisher recommended that the Council pursue the annexation for a number of reasons that would be advantageous to the Village. Considerable discussion ensued regarding the process, pitfalls, and procedures of an annexation and also about venturing into the area of possible Brownfield money that would be required to help clean up the property. After a lengthy discussion a motion was made by Trustee Aittama and supported by Trustee Schuldt to approve the Resolution to request of the Houghton County Board of Commissioners approve the addition of the 14.12 acre parcel described below to the incorporated Village of Lake Linden:

A parcel of land being part of Government Lot One of Section Seven, and part of Government Lot Four of Section Six, Township 55 North, Range 32 West, Torch Lake Township, Houghton County, Michigan, described as follows:

Commencing at the South $\frac{1}{4}$ corner of Section Six, Township 55 north, Range 32 West, thence North 59 degrees, 23 minutes, 30 seconds East 67.94 feet to the centerline of Highway M-26, which is the point of beginning; thence North 14 degrees, 56 minutes 10 seconds East 144.46 feet along the centerline of M-26; thence along the centerline of M-26 on a curve to the right 388.41 feet, which curve has a radius of 1910.08 feet and a chord length of 387.73 feet and bearing North 20 degrees, 45 minutes, 40 seconds east, said point being on a southerly boundary of a parcel previously conveyed to the Houghton County Historical Society; thence south 72 degrees, 00 minutes, 50 seconds east 187.41 feet along the boundary of the Houghton County Historical Society property; thence North 17 degrees, 59 minutes, 10 seconds east 100.00 feet along the boundary of the Houghton County Historical Society; thence south 72 degrees, 00 minutes, 50 seconds east 528.13 feet along the boundary of the Houghton County Historical Society property to a meander corner on the shore of Torch Lake; thence along the shore of Torch lake on a meander line bearing south 36 degrees, 05 minutes, 30 seconds west 773.86 feet; thence along the shore of Torch Lake on a meander line south 43 degrees, 38 minutes, 30 seconds west 277.74 feet to a meander corner; thence north 69 degrees, 28 minutes, 30 seconds west 388.16 feet to the centerline of Highway M-26; thence along the centerline of highway M-26 on a curve to the left 338.74 feet, which curve has a radius of 1432.69 feet and a chord length of 337.97 feet and bearing north 21 degrees, 42 minutes, 35 seconds east, said point also being the Point of Beginning, the above-described parcel containing 14.12 acres, more or less, and it being expressly understood and intended that the above-described land extends to the water's edge of Torch Lake.

Trustee Aittama also stipulated that before any additional expenses regarding the annexation were incurred that the issue be again brought before the Council. Poll vote: Yes; Aittama, Schuldt, Hoffman, Friendewey and Fisher. No; None. Motion was carried. Resolution hereby adopted.

President Fisher outlined a plan that he had developed to supply the proposed water system project in Hubbell and Tamarack with water from the Village system. He said that it was hoped that by submitting the bill for consideration on the list of American Recovery and Reinvestment Act stimulus projects that the project would be funded more quickly, but the project was to go ahead anyway. He said that although it had not yet been determined where the water for the system would come from, Lake Linden could bid on supplying that water in varying capacities. It could wholesale water, sell and bill for water, or sell, bill and maintain the system. He said these options did not yet have to be decided but to leave the option open and to come up with a cost was a valid step in the process. He presented to the Council a summary of calculations included in determining a wholesale cost for selling water. He said a profit was built in along with components for maintenance and upgrades and administration. After a brief discussion a motion was made by Trustee Friendewey and supported by Trustee Aittama to authorize President Fisher to pursue this project and continue to press for the Village to supply the project with water. All were in favor. Motion was carried.

President Fisher also informed the Council that in addition to the Hubbell water project the Village submitted the Sibilsky Acres II utility project for consideration under the federal stimulus project. He said that it was a worthwhile project that would open up a number of salable lots for the Village. A motion was made by Trustee Aittama and supported by Trustee Friendewey to submit that project as well and to continue to search for alternate funding options for the Sibilsky II project. All were in favor. Motion was carried.

President Fisher also said that he was preparing to talk to Hitch, Inc. to begin preparing the next application for the Americana/Village Hall project. He said the hope was to include the second floor windows and louvers on the exterior of the second floor. He said the amount needed for this phase would probably not require the Village to pledge a cost-share this year, since it would be a slightly smaller request. After a brief discussion a motion was made by Trustee Hoffman and supported by Trustee Friendewey to fully support the pursuit of the grant for 2009 and to authorize the President to approve a final application to the Americana on the Council's behalf. All were in favor. Motion was carried.

Utilities/Services (Chair: Trustee Hamlin):

Clerk Poirier informed the Council that he was going to pursue a possible grant for the addition of a cell tower that would serve to increase cell phone coverage. He said that infrastructure grants for unserved and underserved areas was also part of the ARRA of 2009 and that he would seek help from people more well-informed about the technology required for that type of project. The Council expressed full support and it was decided that if funds were at some point required he would come back to the Council for approval.

Buildings & Parks(Chair: Trustee Frendewey):

Clerk Poirier said that, as per Council action, he had conferred with Trustee Schuldt to produce an apples to apples comparison of the submitted bids. He said that Cozy Home Heating had the low bid by a substantial margin and that the other bidders had been notified that they were not chosen. He said the bid was \$9,928 and that work would begin the week of March 16th.

Equipment(Chair: Trustee Frohmader):

No report.

Streets(Chair: Schuldt):

Clerk Poirier said that a proposed part of the stimulus project was money to the state for local and major street funds and that they would be calculated based on road mileage as were the state Act 51 monies. He said he would let the Council know if and when that took place.

Public Safety(Chair: Trustee Hoffman):

Clerk Poirier introduced a new police report format for February. Chief Peters had included a section wherein he suggested the Council address ordinance shortcomings in the areas of open burning and dog feces, which were popular sources of complaints in the summer months. The clerk said he would meet with the committee to craft possible recommendations for these issues for upcoming meetings. A motion was made by trustee Hoffman and supported by Trustee Aittama to accept the police report as read. All were in favor. Motion was carried.

Referring back to the consensus of the public hearing, a motion was made by Trustee Frendewey and supported by Trustee Aittama to approve moving forward with the application process with Rural Development for the new police vehicle and to authorize the Clerk and President to sign all appropriate documents to facilitate the process. All were in favor. Motion was carried.

Zoning Task Force:

Clerk Poirier said that with spring around the corner he had some recommendations for ordinance reviews from the committee. He said the two most common complaints/concerns from residents were burning within the Village limits and people who did not pick up after their dogs. Trustee Schuldt explained that the committee would convene to discuss these issues in the near future.

Downtown Development Authority:

President Fisher, who is also the Village rep on the DDA Board, said that Robert Young, a downtown business owner had expressed interest in one of the DDA vacancies. After a brief discussion President Fisher recommended Mr. Young for that position. A motion was made by Trustee Aittama and supported by Trustee Hoffman to appoint Robert Young as a Trustee on the DDA Board. All were in favor. Motion was carried.

Torch Lake Area Sewage Authority

Trustee Aittama said that the new project was essentially complete and that a few more minor things would complete the project in the spring. He said that spring would allow the Board to see how the improvements to reduce inflow had worked.

Lake Linden Housing Commission

President of the Housing Commission Jason Reese was on hand and said the Commission was to receive monies from the federal stimulus package. He said they expected about \$100,000 and that it would be used for capital improvements.

Late Agenda Items:

None.

New Business:

None.

Old Business:

None.

Announcements:

None.

Adjournment:

A motion to adjourn the meeting was made by Trustee Aittama and supported by Trustee Schuldt. All were in favor. Meeting was adjourned at 7:43pm. There were 8 members of the public in attendance.

Edward R Fisher, President

Robert A. Poirier, Village Clerk