

Village of Lake Isabella
Village Council Minutes
Regular Meeting – October 16, 2007

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 7:00 PM by Village President Pro-Tempore Dave Torgerson and the pledge of allegiance was recited.

Members Present: Lacca, Grey, Kiel, Pattison, Griffin, and Torgerson

Members Excused: Dunn

Dunn was excused without objection.

A motion was made by Kiel, which was seconded, to approve the agenda as presented.

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

A motion was made by Kiel, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3655 through 3712), minutes of the September 18, 2007 Village Council meeting, approval of payment to Reith-Riley for the Local Streets Special Assessment Paving Project, requests by Kiel and Pattison to be excused for the October meeting, Minutes of the August 14, 2007 Planning Commission meeting, and the appointment of Bruce LaPointe to the Planning Commission

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, and Torgerson; NAYS; Pattison; MOTION CARRIED 5:1.

Reports

- The Village Manager report was submitted in writing, see attached.
- The LIPOA report was given by LIPOA President Larry Hiither. He reported on the estimate for the dam repairs (\$7,500 to \$9,500 estimated), weed control bidding for 2008, and the lake management meeting to be held at the Village Hall.

Public Comments

- Frank Engler of Beal City: Presented his campaign for County Drain Commissioner to the Village Council.

Existing Business

1. Unbuildable Lots: Status Report

The Council discussed the report from the Village Manager regarding his recent meeting with the Village's legal counsel regarding legal action pertaining to the building and use restrictions which restrict development in Lake Isabella South, Lake Isabella North, Lake Isabella Golf Estates II, Lake Isabella Airpark, and Canterbury Estates.

After discussion, a motion was made by Grey, which was seconded, to have the Village Manager draft a letter outlining the history of the matter, along with a reply request regarding individual willingness to support further legal action on the matter, as well as having the Village Manager attempt to have the Village's State Representative and State

Senator intervene on behalf of the Village of Lake Isabella and its residents to apply pressure on the Central Michigan District Health Department and Michigan Department of Environmental Quality to amend the restrictions, and attend a community meeting on the matter.

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

2. Sewer Escrow Fund Consent Judgment

The Council was presented with a request to pursue an amendment to the sewer escrow fund consent judgment. In summary, the proposed amendment which will need to be agreed to by all parties of the judgment, would allow the Village to use the money currently held in the fund to be used on a pro-rated basis to address buildability in each of the unbuildable plats. Presently expenditure of funds is restricted in a manner that requires buildability to be addressed collectively in all plats at one time.

After discussion, a motion was made by Pattison, which was seconded, to direct the Village's legal counsel to begin work on drafting language to amend the sewer fund consent judgment, and to request that other parties to the judgment endorse the amendment.

ROLL CALL VOTE: YEAS; Grey, Lacca, Kiel, Pattison, and Torgerson; NAYS; Griffin; MOTION CARRIED 5:1.

New Business

1. 2007-2008 Nottawa-Sherman Fire Department Contract

A motion was made by Grey, which was seconded, to approve the 2007-2008 contract for fire protection services for Lake Isabella, Broomfield Township in the amount of \$28,689.

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

2. Approval of Payment; 2007-2008 Nottawa-Sherman Fire Department Contract

A motion was made by Grey, which was seconded, to approve payment of the first of two installments on the 2007-2008 fire protect contract with the Nottawa-Sherman Townships Fire Department in the amount of \$14,344.

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

3. Streetlight Request

The Council discussed the request from the LIPOA to have a streetlight placed at the cul-de-sac on Cantabrian Drive. Lacca requested that the light use a motion sensor for activation. The Village Manager was directed to draft an RFP and report back.

4. Resolution 2007-30; Board/Committee/Council Per Diem Payment Dates

A motion was made by Kiel, which was seconded, to adopt Resolution 2007-30 which changes the per diem payment for Village meetings from monthly to quarterly.

ROLL CALL VOTE: YEAS; Grey, Lacca, Griffin, Kiel, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

5. 2007 Trick-or-Treat Hours

A motion was made by Kiel, which was seconded, to set the 2007 Trick-or-Treat hours as 5 PM to 7 PM on Halloween night. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

Public Comments

- Joan Ledbetter of Red Fox Court: Asked whether the public safety Millage was adopted at the September election.

With no further business, the Village Council stood in adjournment at 8:44 PM.

x\ _____
Jeffrey P. Grey
Village Clerk

x\ _____
Dave Torgerson
Village President Pro-Tempore