

# Village of Lake Isabella

## Village Council Minutes

Regular Meeting – September 16, 2008

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

**Members Present:** Grey, Kiel, Miller, and Torgerson

**Members Excused:** Griffin, Lacca, and Pattison

*Griffin, Lacca, and Pattison were excused without objection.*

A motion was made by Kiel, which was seconded, to approve the agenda as presented. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY

A motion was made by Miller, which was seconded, to approve the consent agenda as presented which included the following items of business; invoices & disbursements (checks 4060 through 4095), minutes of the August 19, 2008 Village Council meeting, minutes of the September 9, 2008 Planning Commission meeting, minutes of the September 8, 2008 Zoning Board of Appeals, the Balance Sheet, the Income/Expense Report, the Investment Report, and approval of bond payments due October 1. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY

### **Reports**

- The Village Manager reported on work with Consumers Energy to build out their natural gas network in southern Lake Isabella, code enforcement and zoning activity, and the upcoming MML annual convention.
- Larry Hiither gave a report for the LIPOA, he highlighted weed treatment for 2008, Winntel's desire to raise the height of the communication tower and expand service, and the request for a fence moratorium.

### **Public Comments**

- Mike Scherba of Lincoln Drive: Thanked the Village for the recent crack sealing work done and the gravel shoulder work done.

### **Public Hearings**

1. Proposed Single Parcel Special Assessment District 08-01

A public hearing for proposed ordinance 2008-02 was opened by Torgerson at 7:20 PM.

Public Comments: None

Torgerson closed the public hearing at 7:21 PM

2. Proposed Single Parcel Special Assessment District 08-02

A public hearing for proposed ordinance 2008-02 was opened by Torgerson at 7:22 PM.

Public Comments: None

Torgerson closed the public hearing at 7:23 PM

**Existing Business**

1. Proposed Resolution 2008-18; Single Parcel Special Assessment District 08-01  
With a public hearing held earlier, the Council considered proposed resolution 2008-18. A motion was made by Kiel, which was seconded by Miller, to adopt resolution 2008-18. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY
2. Proposed Resolution 2008-19; Single Parcel Special Assessment District 08-02  
With a public hearing held earlier, the Council considered proposed resolution 2008-19. A motion was made by Kiel, which was seconded by Miller, to adopt resolution 2008-19. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY
3. Unbuildable Lots; Staff Report  
Wolff reported that the soil tests were underway with the DEQ and Central Michigan District Health Department. On Monday tests were completed at Lake Isabella Airpark and Canterbury Estates. Lake Isabella North was started Monday afternoon and will be complete on Wednesday morning. Testing in Lake Isabella South, Lake Isabella Golf Estates II, and the lagoon property is planned for Wednesday through Friday. He reported that once all the tests were conducted, a report would likely be ready in 2 to 4 weeks which details the results and recommends further action in the areas where unsuitable geotechnical conditions were found.
4. Proposed Resolution 2008-20; Canterbury Estates Paving District  
A motion was made by Grey, which was seconded by Miller, to adopt resolution 2008-18. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY

**New Business**

1. 2% Requests  
The Council briefly discussed possible applications for upcoming 2% submissions. A motion was made by Kiel, which was seconded to Grey, to go into closed session at 7:34 PM to receive a legal opinion marked “privileged and confidential,” which is exempt from disclosure under the Michigan Open Meetings Act. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY  
A motion was made by Grey, which was seconded by Miller, to exit the closed session at 8:04 PM. ROLL CALL VOTE: YEAS; Grey, Kiel, Miller, and Torgerson NAYS; None; MOTION CARRIED UNANIMOUSLY
2. Proposed Resolution 2008-21; Proposed Moratorium on New Fences  
The chair requested a motion on the proposed resolution. No motion was made, the chair ruled that agenda item was dead for lack of support.
3. Wilcox Contract Renewal  
The Council reviewed the existing contract with Wilcox Excavating and requested the manager begin work on updating the agreement.

**Public Comments**

- Larry Hiither of Queens Way: Asked if the Council did not act on fence moratorium due to a legal opinion, and if so he hoped that opinion would be disclosed by the Village.

With no further business, the Village Council stood in adjournment at 8:09 PM.

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Jeffrey P. Grey  
Village Clerk

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David Torgerson  
Village President