

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

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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

**Members Present:** Lacca, Grey, Kiel, Griffin, and Torgerson  
**Members Excused:** Dunn and Pattison

Motion made by Lacca, seconded by Kiel, to approve the agenda with the addition of New Business #7 “Resolution 2007 – 03” and New Business #8 “Request to be Excused.” VOICE VOTE: MOTION CARRIED.

Motion made by Griffin, seconded by Grey, to approve the Consent Agenda which included the balance sheet, income and expense report, bills to be paid (Checks 3318 through 3348), Planning Commission Report, and the Village Council minutes from the December 19, 2006 regular meeting. ROLL CALL VOTE: YEAS: Lacca, Grey, Kiel, Griffin, and Torgerson; NAYS: None; MOTION CARRIED.

The Manager’s report was given by Wolff, see attached.

The LIPOA report was submitted in writing, it highlighted the continued work on the lake management study project.

There was no President’s report.

Steve LeVier from Page Olson & Company was present to give the Village Council the annual audit report. The Village received a clean opinion again for the 2005-2006 fiscal year. LeVier stated that he continues to see improvement each year on the accounting and financial management of the Village.

**Public Comments:**

None

**Existing Business:**

1. Charter Review Committee Appointments

Wolff reported to the Council that no applications had been submitted. He suggested that letters be sent out to members of the community who have either served on a committee in the past, or had expressed an interest in serving and solicit them to apply for the Charter Review Committee.

The Council agreed with the Manager’s recommendation and directed him to proceed.

**New Business:**1. Resolution 2007-01 Transfer of Jurisdiction of Baseline Road east of School Road

A motion was made by Kiel, seconded by Grey, to adopt Resolution 2007-01, which transfers jurisdiction of Baseline Road, east of School Road to the Chippewa River from the Isabella County Road Commission to the Village of Lake Isabella. ROLL CALL VOTE: YEAS: Lacca, Grey, Kiel, Griffin, and Torgerson; NAYS: None; MOTION CARRIED.

2. Resolution 2007-02 Approval of Duquesa Court into Local Street System

A motion was made by Kiel, seconded by Lacca, to adopt Resolution 2007-02, which adds Duquesa Court into the Village's local street network. ROLL CALL VOTE: YEAS: Lacca, Grey, Kiel, Griffin, and Torgerson; NAYS: None; MOTION CARRIED.

3. Introduction of Proposed Ordinance 2007-01 "Zoning Administration Amendment"

Proposed ordinance 2007-01 was formally introduced and a public hearing was scheduled for the February 2007 regular meeting.

4. One Month Patrol Agreement with Isabella County Sheriff

Wolff reported to the Council that he has had several conversations recently with the Sheriff on implementing the one month patrol agreement that the Council approved in 2006. The Council reviewed the approved agreement and made no changes. Wolff reported that he it is likely to see the agreement fulfilled in March or April.

5. Solid Waste Licensing Fee

Wolff presented research to the Council regarding a solid waste licensing ordinance. The Council had previously discussed a single vendor contract to cover the entire Village. A solid waste licensing fee would allow individuals to use the solid waste service of their choice, but give the Village authority to regulate the scope of solid waste operations, such as time of day that refuse pick-up is allowed, size of trucks used, and also the Village to collect a licensing fee from each vendor that operates in the Village.

The Council directed Wolff to begin work on drafting such an ordinance for them to consider.

6. 2007 Local Street Project

The Council reviewed the proposed scope of the project and the proposed project budget as outlined in the Village Manager's Project Report. Wolff submitted numbers showing an assessment on each lot on a gravel street for \$1,300 and each lot on a "chip-coat" street for \$1,200. He stated that these numbers could increase by about \$50 per lot, depending on the price of paving. The total scope of the project would pave the remaining 14.71 miles of local streets, and has an estimated budget of \$1,800,000. The individual assessments would be payable up front without interest over 10 years on the individual parcel's tax bill with interest. Wolff suggested that since the Village would be initiating the project, not the residents, the Village send postcards out that the property owner(s) could send back if they objected to the assessment project.

The Council set a public hearing for their special meeting of April 3, 2007 to consider the first resolution for the project, Resolution 2007-06. They asked Wolff to include information on the project in the Village's newsletter to be published in late February and to proceed with the postcard idea.

7. Resolution 2007-03 “Damaged Mailbox Policy”

A motion was made by Griffin, seconded by Lacca, to adopt Resolution 2007-07, which creates a policy by which the Village would compensate any individual who has their mailbox damaged during snow plowing with \$30. ROLL CALL VOTE: YEAS: Lacca, Kiel, Griffin, and Torgerson; NAYS: Grey; MOTION CARRIED.

**Public Comments:**

David McGrath of Queens Way: Asked if each lot would be counted as an objection if a person owned multiple lots for the local street paving project. He was informed by Torgerson that would be the case.

With no further business before the Council the meeting was adjourned at 8:36 PM

X  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X  
\_\_\_\_\_  
David Torgerson  
Village President Pro-Tempore

## Village Manager’s Report

◆ January 2007 ◆

### Annual Zoning Report

Attached is a summary of our zoning activity for 2006. With the drop off in the housing market, we saw our lowest number of permits and new homes since incorporation. While these numbers were low, I would not be upset that we added 16 new homes into the Village in 2006. So far in 2007 we have approved 2 new homes for construction.

### Cable Franchise

I have contacted Charter, they are going to wait until the Michigan Public Service Commission issues the new forms based on the changes adopted into law on January 1, 2007. These forms will be released at the end of the month. Also, attached is an e-mail form Law Weathers & Richardson explaining how the new State and Federal laws might effect local franchises.

### Village of Lake Isabella 2006 ZONING ACTIVITY RECAP

Year	Total Zoning Permits	New Homes	Variances Approved	Ordinances Adopted	Planning Commission Meetings
1998	48	29	0	3	5
1999	90	45	9	2	12
2000	77	36	3	3	13
2001	73	35	2	2	12
2002	85	39	0	1	11
2003	59	37	2	0	12
2004	58	30	6	3	15
2005	61	27	3	2	17
2006	40	16	2	3	13
2007					
<b>Totals</b>	<b>591</b>	<b>294</b>	<b>27</b>	<b>19</b>	<b>110</b>

**The Village’s Master Plan was last updated in 2005.**

### **2006 Zoning Chapters Reviewed/Amended/Created**

- 1252 Waterfront Shoreland Overlay
- 1244 Airport Commercial
- 1284 Land Division Regulations
- 1254 Open Space Recreational

**The Planning Commission set the following as goals for 2007. (Not in any order)**

- ❖ Amend regulations on swimming pools.
- ❖ Discuss a location for a cemetery owned by the Village.
- ❖ Update the provisions relating to the Zoning Board of Appeals in the codified ordinances.
- ❖ Consider a simple ordinance on conditional rezoning.
- ❖ Review the square footage allotments for signs in the commercial and office service districts.

**Village of Lake Isabella**  
**Village Council Minutes**  
Regular Meeting – February 20, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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

**Members Present:** Pattison, Grey, Torgerson, Griffin, and Dunn  
**Members Excused:** Lacca and Kiel

The agenda was accepted as presented.

A motion was made by Torgerson, which was seconded, to approve the Consent Agenda which included the balance sheet, income and expense report, bills to be paid (Checks 3349 through 3376), Planning Commission Report, and the Village Council minutes from the January 16, 2007 regular meeting. ROLL CALL VOTE: YEAS: Grey, Pattison, Griffin, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Manager's report was given by Wolff, see attached.

There was no LIPOA report.

There was no President's report.

**Committee Appointments**

Dunn nominated the following persons to serve on Village committees:

- Arlene Klinke ~ Planning Commission (Term expires: July 2008)
- Robert Laraway ~ Charter Review Committee
- Donna Whaley ~ Charter Review Committee
- Larry Hiither ~ Charter Review Committee
- Terri Zitzelsberger ~ Charter Review Committee
- Jim Kenney ~ Charter Review Committee
- Dan Grisdale ~ Charter Review Committee
- Garl Perleberg ~ Charter Review Committee
- John Spiris ~ Charter Review Committee (Alternate)
- Jerry Supina ~ Charter Review Committee (Alternate)

There were no objections from the Council to these appointments.

**Public Comments:**

None

**Existing Business:**1. Resolution 2007 – 04 “Fund Balance Policy”

A motion was made by Torgerson, which was seconded, to adopt proposed resolution 2007-04, which creates a fund balance policy for the Village. This policy was reviewed by the Village’s legal counsel, and was recommended for adoption by the Village Council from the Finance Committee. This policy calls for the cash reserves to be maintained at or above; \$100,000 for the general fund, \$40,000 for the major street fund, and \$25,000 for the local street fund.

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

2. Request from Isabella County to transfer ownership of the Lake Isabella water system

The Village was presented with a letter from Isabella County formally requesting that the Village of Lake Isabella assume ownership for the water system currently owned and operated by Isabella County which services the Forest II.

Torgerson suggested that if the Village were to pursue this, the Village should also request to take ownership of Gilmore Park in addition to the water system.

The Council directed Wolff to send a letter to Isabella County that acknowledges a the desire to acquire the system at a point to be determined in the future, but not at the present time.

3. Village Office

The Council discussed the options regarding the future Village office. The Council eliminated purchasing the Shimunek building from consideration due to financial concerns. The Village will entertain action on bids at their March meeting.

The Council asked if Wolff would research other options for the proposed office location.

4. Resolution 2007 – 05 “Notice of intent to issue municipal securities”

A motion was made by Torgerson, which was seconded, to adopt resolution 2007 – 05 which authorizes the Village to sell municipal securities for financing of a new office building.

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

5. LIPOA dam inspection memo, request for funds.

The Village reviewed a request from the LIPOA to contribute funds for an underwater inspection of the dam. No action was taken by the Council.

**New Business:**1. Introduction of proposed ordinance 2007 – 02 “Village Planning Ordinance”

Proposed ordinance 2007-02 was introduced and a public hearing set for the March meeting.

2. Fiscal Year 2006 – 2007 Budget Amendments

Upon recommendation of the Finance Committee, the Village Council reviewed a series of proposed budget amendments for the 2006 – 2007 fiscal year.

A motion was made by Torgerson, which was seconded, to adopt the proposed budget amendments.

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

3. 2007 Road Mowing Contract

A motion was made by Grey, which was seconded, to enter into an agreement with the LIPOA for row mowing services for 2007 in an amount not to exceed \$6,000.

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

4. Sewer Escrow Account ~ Consent Judgment

Wolff reviewed the provisions of the consent judgment on the sewer escrow account and asked for the Council's consent to pursue an amendment which would allow the funds to be used for localized cluster or community systems as opposed to a village-wide sewer system. There was no objection from the Council on this request.

5. Semi-Annual 2% Grant Applications

Wolff submitted forms to the Council to fill out their priority desires for grant applications from the Saginaw Chippewa Indian Tribe.

**Public Comments:**

Bill Dunham of Fairway Drive: Encouraged the Council to consider all options in the Office Service District for a future Village office.

Dave Ochander of Fairway Drive: Encouraged the Council to consider planning for a community center and other programs to be run jointly with the LIPOA in the 2% grant cycle.

With no further business before the Council the meeting was adjourned at 8:03 PM

X  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X  
\_\_\_\_\_  
George Dunn  
Village President

## Village Manager's Report

◆ February 2007 ◆

### **GOLF ESTATES II BUILD-ABILITY MAP**

Included in the Council packet is a color map and chart which outlines the history of home construction in Golf Estates II. Per the plat restrictions there is the ability for 31 more homes to be built. However, it also shows that 22 homes have been built on “unbuildable” lots.

### **RECYCLING INFO**

In the months of October, November, and December the County collected 14.6 tons of materials in the Village. This is not a bad start, but we have a ways to go, during this same time period 25.8 tons of materials were collected in the Village of Shepherd.

### **ONE-MONTH PATROL AGREEMENT**

The one-month agreement with the Sheriff's department has been approved and signed. It will go into effect towards the end of March.



**Village of Lake Isabella**  
**Village Council Minutes**  
Special Meeting – April 3, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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

**Members Present:** Lacca, Grey, Pattison, Torgerson, and Dunn

**Members Absent:** Griffin and Kiel

A motion was made by Torgerson, which was seconded, to approve the Consent Agenda which included the balance sheet, income and expense report, bills to be paid (Checks 3377 through 3444), Planning Commission Report, and the Village Council minutes from the February 20, 2007 regular meeting. ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Manager's report was given by Wolff, see attached.

Dave Ochander updated the Council on the progress of the Lake Management study that the LIPOA is working on.

Dunn took a moment to briefly thank Torgerson for his services as President Pro-Tempore and Wolff for his work on the agenda items being considered at the meeting.

**Public Hearings**

1. Proposed Resolution 2007 – 06; Local Street Paving Project

Dunn opened the public hearing at 7:09 PM.

The Council received correspondence from the following people in objection to the project:

- Harold Warr of Northview Drive.
- George & Beverly Morgan of Kent Street.
- Jeff & Shannon Browne of Iberian Drive.
- Joseph Beam of Tee Drive.
- Teresa Allen of Channel Drive.

Dunn opened the floor for public comments.

- Kim Barnes of Pueblo Pass: Spoke in opposition to the manner in which the project was going to be funded through assessing only the lots on the local streets, and not every lot owner as was done on the Major Street Special Assessment project.
- Rudy Castillo of Carmen Drive: Spoke in opposition to the project and formally objected. He stated that since the Master Plan was done in 2005 the results were no longer valid.
- Bill Latham of Sandtrap Drive: Spoke in opposition to the project and asked questions regarding the plans for drainage, contracting, and engineering.

- Mike Gordon of Brinton Road: Spoke in opposition to the project, and stated that the Village should sell the 115 lots that it owns and use the money from that towards the project.
- Ron Barnes of Pueblo Pass: Spoke in opposition to the project, and stated that the Village should sell more lots to help cover the cost of the project. He also asked how much the Village would be assessed for the new office building.
- Mike McElmurray of Par Drive: Spoke in opposition to the project and stated that the paving cost is worth more than his lot.
- Kathy Gordon of Brinton Road: Spoke in opposition to the project, and stated that she feels everyone should be assessed.
- Nancy Tilmann of Sequoia Drive: Spoke in opposition to the project, and stated that she felt the timing was bad due to the economy.
- Cindy Lamb of Siesta Lane: Spoke in opposition to the project, and objected. She also stated that she felt the Village should have asked for endorsements rather than objections on the post cards that were sent out.
- Ed Nurski of Sequoia Court: Voiced his concern over the ability to maintain so many miles of paved streets.
- + Mike Scherba of Lincoln Drive: Spoke in favor of the project, especially pursuing the project in bulk to keep the costs down.
- + Arvil King of Vallado Drive: Spoke in favor of the project.
- + Ron Peterson of Tee Drive: Spoke in favor of the project, and stated that he would like to see everyone contribute as was done on the Major Street Special Assessment project.
- + Bill Keelean of Duquesa Drive: Spoke in favor of the project, and also commented that perhaps a Millage would be a better means to fund the project.
- + Dave Ochander of Fairway Drive: Spoke in favor of the project.

The Village received a total of 230 objections via postcard, writing, e-mail or in person at the public hearing to the project. There are a total of 1321 private lots in the proposed special assessment district, thereby making the total percentage of objections 17.41%

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public.

- Dunn noted that there is a legal difference between the Major and Local Streets of the Village. He also stated that it is his belief that the overall cost will be lower for everyone by doing the project in bulk.
- Pattison explained that the Village does not collect any profit from the sale of the lots we own. The lots were purchased from the State of Michigan who acquired them via tax foreclosure, and have a clause on the deed that requires the Village to turn all profits over to the Isabella County Treasurer.
- Grey commented on the difference between the Major Streets and the Local Streets.
- Lacca commented that he would still like to see the residents bring forth a petition requesting the project.
- Pattison asked Wolff how much this proposed assessment price is compared with other Local Street ones done by the Village.

Wolff stated that the estimated price per lot for this project is \$1,275 to \$1,375 per lot compared to; Fairway Drive (paved in 2003) \$1,800 per lot, Queens Way (paved in 2004) \$1,859 per lot, Castle Drive (paved in 2005) \$1,474 per lot, and Putter Drive (paved in 2005) \$2,189 per lot.

With no further comments, Dunn closed the public hearing at 7:48 PM.

2. Proposed Ordinance 2007 – 01; “Zoning Administration Update”

Dunn opened the public hearing at 7:49 PM.

Dunn opened the floor for public comments.

- Rudy Castillo of Carmen Drive: Asked if the proposed Village inspection would conflict with the inspection that Isabella County performs.
- + Ron Barnes of Pueblo Pass: Stated that he felt the follow-up inspection was needed and hoped it would prevent situations like the one near his home and Clubhouse Drive.

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public.

- Dunn asked Wolff to reply to Mr. Castillo. Wolff stated that the Village’s follow-up inspection would only cover zoning matters, and that Isabella County handles the building inspection, as such there would be no conflict.

With no further comments, Dunn closed the public hearing at 7:54 PM.

3. Proposed Ordinance 2007 – 02; “Village Planning”

Dunn opened the public hearing at 7:55 PM.

Dunn opened the floor for public comments: *None*

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public: *None*

With no further comments, Dunn closed the public hearing at 7:55 PM.

**Public Comments:**

The Council received communication in writing or e-mail from the following:

- Jim Dufty of Circle Drive: Expressing his concerns over the bidding process for the Village office project.
- Joan Spring of Carmen Drive: Expressing her desire to see the Chippewa River dredged and also expressing her concerns over the health of the lake.
- Elmer Ledbetter of Red Fox Court: Expressing his desire to see the Village office built at the airport.

Other public comments:

- Reber Pummill of Sequoia Court: Inquired about the Village office location.
- George Colby of Carmen Drive: Inquired about maintaining and cutting brush along the streets.
- Brian Roberts of York Drive: Informed the Council that the LIPOA’s new website is up.

**Existing Business:**

1. Proposed Resolution 2007 – 06; “Local Streets Paving Project”

A motion was made by Torgerson, which was seconded, to adopt resolution 2007 – 06; “Local Streets Paving Project.”

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

The Council also set a public hearing for Resolution 2007-08 for their meeting of May 15, 2007. Resolution 2007-08 include parcels originally omitted from Resolution 2007-06 due to a mailing error.

2. Proposed Ordinance 2007 – 01; “Zoning Administration Update”

A motion was made by Torgerson, which was seconded, to adopt ordinance 2007 – 01; “Zoning Administration Update.”

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

3. Proposed Ordinance 2007 – 02; “Village Planning”

A motion was made by Torgerson, which was seconded, to adopt ordinance 2007 – 02; “Village Planning.”

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

**New Business:**

1. 2007 Independence Day Fireworks Contract

A motion was made by Lacca, which was seconded, to approve the proposed contract with RKM fireworks in the amount of \$5,750 for the 2007 Independence Day Fireworks Celebration to be held on June 30<sup>th</sup>.

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

2. Schedule of Bond Payments

A motion was made by Pattison, which was seconded, to approve the following bond payments:

Major Street SA	\$5,362.50	Queens Way SA	\$1,800.00
Fairway Drive SA	\$1,496.25	Castle/Putter SA	\$3,460.00

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

3. Nottawa-Sherman Fire Department; Contract Payment

A motion was made by Grey, which was seconded, to approve the second of two contract payments to the Nottawa-Sherman Townships Fire Department for coverage of the portion of Broomfield Township located within the Village limits in the amount of \$13,076.30.

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

4. Zoning Board of Appeals Appointment

The Village has received notice of a Brent Case’s resignation from the Zoning Board of Appeals. Dunn appointed, without objection of the Village Council, Larry Hiither to fill the remaining portion of Case’s term, which runs until July of 2007, on the ZBA.

5. Purchase Agreement; Village Office Location

A motion was made by Torgerson, which was seconded, to go into closed session, as permitted under MCL 15.268(d) to discuss the purchase of real property for the proposed Village office at 8:36 PM.

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

A motion was made by Torgerson, which was seconded, to leave closed session at 8:59 PM.

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

A motion was made by Torgerson, which was seconded, to approve the submitted purchase agreement with Lake Isabella Land Company LLC for lots 147-148 of Golf Estates I.

ROLL CALL VOTE: YEAS: Pattison, Lacca, Torgerson, and Dunn; NAYS: Grey; MOTION CARRIED.

6. Village Office Bids

A motion was made by Pattison, which was seconded, to award the bid for construction of the Village office to JBS Contracting Inc. of Mount Pleasant, including performance, labor and material bonds, in the amount of \$232,409 for construction at 1010 Clubhouse Drive.

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

7. Proposed Resolution 2007 – 07; Award of Bond Sale, Proposed Village Office Project

A motion was made by Grey, which was seconded, to adopt resolution 2007 – 07; “Award of Bond Sale, Proposed Village Office Project.” The resolution awards the bond sale to Isabella Bank & Trust in the amount of \$275,000 at an average interest rate of 4.8514%.

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

**Public Comments:**

None

With no further business before the Council the meeting was adjourned at 9:12 PM

X \_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X \_\_\_\_\_  
George Dunn  
Village President

Village Manager's Report  
◆ April 2007 ◆

**SOLID WASTE LICENSING ORDINANCE**

I have been working on drafting an ordinance regarding solid waste hauler regulations for the Village. I likely will have it finished for the Council's regular meeting in May, perhaps earlier depending on my schedule.

**LAWN HEIGHT ORDINANCE**

At the regular meeting in April there will be introduced an ordinance that amends the blight code to allow the Village to take action on properties with lawns that are in violation due to tall weeds and/or grass. Our current regulations prevents the Village from taking action other than issuing a civil infraction ticket.

**CHARTER REVIEW COMMITTEE**

The Charter Review Committee held their first meeting this past month. There are four areas of the Charter that they are interested in review further for possible amendment. Those four areas are as follows. The length of time a person must be a resident prior to being a qualified elector, changing the frequency of our independent audit from annually to bi-annually, adding language to our non-discrimination clause, and increasing the Millage rate from 1 Mill.

**Village of Lake Isabella**  
**Village Council Minutes**  
Special Meeting – April 17, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

=====

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

**Members Present:** Lacca, Grey, Kiel, Torgerson, Griffin, and Dunn

**Members Absent:** Pattison

A motion was made by Kiel, which was seconded, to approve the agenda with the addition of New Business #5 “Election Update.” ROLL CALL VOTE: YEAS: Grey, Lacca, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Griffin, which was seconded, to approve the Consent Agenda which included the balance sheet, income and expense report, Planning Commission Report, and the Village Council minutes from the April 3, 2007 special meeting. ROLL CALL VOTE: YEAS: Grey, Lacca, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Manager’s report was given by Wolff, see attached.

There was no report given by the LIPOA.

There was no report given by the Village President.

**Public Comments:**

The Council received communication in writing or e-mail from the following:

- Al & April Davis of Coldwater Road: Inquiring as to the Village’s desire to purchase their commercial building for office use.
- Joe Beam of Tee Drive: A follow-up letter regarding the local street special assessment paving project.
- Elmer Ledbetter of Red Fox Court: Expressing his concerns regarding building the office building on Clubhouse Drive.

Other public comments:

- Don Clynick of La Cruz: Spoke to the Council regarding people using ORVs on the Village owned lots on La Cruz. He also spoke on behalf of Elmer Ledbetter and the letter he sent to the Council.
- Ron Barnes of Pueblo Pass: He also spoke on behalf of the letter that Elmer Ledbetter submitted to the Council. He also inquired about having a stop sign placed at the intersection of Monterrey Trail and Pueblo Pass.
- Mike Scherba of Lincoln Drive: Expressed his concern over the maintenance of the shoulders of the paved streets.
- Mike Slasor of Fairway Drive: Spoke regarding the new village office building. He asked if there was going to be a vote on this issue and if the plans were open to public inspection.



**Existing Business:**1. Approval of Contract; Local Streets Paving Project Engineering

A motion was made by Kiel, which was seconded, to approve the engineering contract with Rowe Incorporated in the amount of \$29,660 for preliminary plans, engineering, and bidding of the project, and \$88,710 for construction observation for a total contract price of \$118,370. ROLL CALL VOTE: YEAS: Grey, Lacca, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Approval of Contract; Village Office Project

A motion was made by Griffin, which was seconded, to approve the design/build contract with JBS Contracting of Mount Pleasant, pending approval of the Village's legal counsel, for design, construction, and PLM bonds in the amount of \$232,409. ROLL CALL VOTE: YEAS: Grey, Lacca, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

3. Approval of Closing; Lots 147-148 Golf Estates I

A motion was made by Torgerson, which was seconded, to approve closing of lots 147-148 of Lake Isabella Golf Estates I once the Village has successfully entered into a purchase agreement for the acquisition of Lake Isabella Golf Estates I lot 149. ROLL CALL VOTE: YEAS: Grey, Lacca, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

**New Business:**1. Planning Commission Joint Meeting Date

The Village Council reviewed the request from the Planning Commission regarding scheduling a set annual meeting date. After discussion the Village Council directed the Manager to propose to the Planning Commission a set annual meeting date of the fourth Tuesday of September.

2. Introduction of Proposed Ordinance 2007 – 03 “Rezoning”

Proposed ordinance 2007 – 03 was introduced as recommend by the Planning Commission and a public hearing scheduled for the May regular meeting.

3. Golf Carts; ORV Access Routes

The Village Council reviewed the information submitted regarding the ability of the Village to establish ORV access routes via ordinance. After discussion, the Council referred this item to the TSI Committee for research and review.

4. Cable, Telecommunications & Video Service Franchise Coordinator

A motion was made by Torgerson, which was seconded, to appoint the Village Manager as the Cable, Telecommunications, & Video Service Franchise Coordinator. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

5. Election Update

Grey updated the Council on election training for the September 2007 Village Council election.

**Public Comments:**



- Ron Peterson of Tee Drive: Commended the Council for the work they are doing, especially on the local street paving project.
- Ron Barnes of Pueblo Pass: Inquired as to the difference in cost for chip-coated and gravel streets.
- Garl Perleberg of Cantabrian Drive: Expressed his desire to see the local street project include walking/biking lanes.
- Mike Slasor of Fairway Drive: Asked if there were any major reasons for the difference between the high and low bid on the office project.

With no further business before the Council the meeting was adjourned at 8:44 PM

X  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X  
\_\_\_\_\_  
George Dunn  
Village President

## Village Manager's Report

◆ April 2007 ◆

### **CABLE FRANCHISE & R-O-W ORDINANCE**

Part of this is covered under New Business #4. There have been changes in the law recently regarding local control over right-of-way regulation and telecommunications. Attached are two e-mails (one from each of our legal firms) that summarize this situation better. In speaking with the representative from Charter regarding our cable franchise situation, they informed me that they plan to have the draft to us by the end of this month. Law Weathers is currently reviewing right-of-way ordinances, such as ours, to see how the changes in the law will or might affect us.

### **LAWN HEIGHT ORDINANCE**

I have been working on this little by little over the past couple of weeks. I am working on one change of substance which has prevented me from wrapping this up for this month's meeting. Under Public Act 359 of 1941 "The Noxious Weeds Act," we need to appoint a "noxious weeds commissioner." I am working on incorporating this language into our code enforcement chapter so that by default the Village Manager has this role. I am also working on changing the procedure for violations by allowing the Village to collect fines and not have to send these tickets to the court as we do with our other tickets. If anyone would like to review a copy of "The Noxious Weeds Act" Public Act 359 of 1941, please let me and I will get you a copy.

### **2010 CENSUS**

The first informational meeting for the 2010 census is scheduled for May 4<sup>th</sup>. I plan to attend, it is vital to our state funding levels to have an accurate (and high) census count.

### **LOCAL ZONING IMMUNITY**

As a side note, in the rare chance the ZBA does not approve our variance application on Monday, the office project can still be completed and move forward without issue. Municipalities are immune from their own zoning restrictions<sup>1</sup>; as such the project should start in the next couple of weeks. While it is very nice that we have this immunity, I still feel that it is proper for us to act in same manner as a private developer would have to. At the very least, it helps us better examine our own system to try and see if there are ways to be more "user friendly."

### **SHERIFF'S DEPARTMENT PATROL AGREEMENT**

I spoke with Sheriff Mioduszeski last week and he informed me that there is enough money in our contract for an extra two weeks of patrol. This should carry us up towards the end of this month.

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<sup>1</sup> Morrison et al. v. City of East Lansing; 255 Michigan Court of Appeals, 505 (2003)

**Village of Lake Isabella**  
**Village Council Minutes**  
Regular Meeting – May 15, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

=====

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

**Members Present:** Lacca, Grey, Kiel, Torgerson, Griffin, Pattison and Dunn  
**Members Absent:** None

A motion was made by Grey, which was seconded, to approve the agenda with the addition of Consent Agenda #9 “Clubhouse Drive Overlay Bid Approval.” ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Pattison, which was seconded, to approve the Consent Agenda which included invoices & disbursements (checks 3445 to 3482), the balance sheet, income and expense report, approval of MDOT-MSSA Bond Payment to Firstbank due June 1<sup>st</sup>, Planning Commission Report, the May 10, 2007 minutes of the Charter Review Committee, the Village Council minutes from the April 17, 2007 regular meeting, and the acceptance of the bid to Central Asphalt for the Clubhouse Drive overlay paving. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Manager’s report was given by Wolff, see attached.

The LIPOA report was given by new LIPOA President Larry Hiither. He commented on the annual meeting and the upcoming lake management study.

The Village President gave a report highlighting the Michigan Municipal League regional meeting and the Village Manager’s graduation from the Rollie Denison Leadership Insitute.

**Public Hearings**

1. Proposed Resolution 2007 – 08; Local Street Paving Project

Dunn opened the public hearing at 7:15 PM.

Dunn opened the floor for public comments.

- Robert Simpson of Brinton Road: Asked if Brinton Road was still part of the paving project?
- Suzi Fussman of Bishop Lane: Asked if the Council had been presented with the petition of the property owners on Seabury Lane and Bishop Lane requesting to be removed from the paving project?

With no further public comments, Dunn closed the public hearing at 7:18 PM

2. Proposed Ordinance 2007-03; Lake Isabella North Lots Rezoning

Dunn opened the public hearing at 7:18 PM.

Dunn opened the floor for public comments.

- None

With no further public comments, Dunn closed the public hearing at 7:19 PM

3. Truth in Taxation Public Hearing, 2007-2008 Village Budget and Proposed Millage to be Levied; Resolution 2007-09

Dunn opened the public hearing at 7:19 PM.

Dunn opened the floor for public comments.

- None

With no further public comments, Dunn closed the public hearing at 7:20 PM

4. Proposed Ordinance 2007-06; Charter Franchise Agreement

Dunn opened the public hearing at 7:20 PM.

Dunn opened the floor for public comments.

- Robert Simpson of Brinton Road: Asked if Brinton Road was still part of the paving project?
- Suzi Fussman of Bishop Lane: Asked if the Council had been presented with the petition of the property owners on Seabury Lane and Bishop Lane requesting to be removed from the paving project?

With no further public comments, Dunn closed the public hearing at 7:18 PM

**Public Comments:**

The Council received communication in writing or e-mail from the following:

- Elmer Ledbetter of Red Fox Court: Once again stating his displeasure with the new village office location.

Other public comments:

- Robert Simpson of Brinton Road: Asked a series of questions; he asked how multiple lots would be assessed in the paving project, if the assessment is on a footage basis, the status of septic systems in Isabella South, how to appeal his SEV. He also complimented the Village Manager on the work he is doing for the Village.
- Joan Ledbetter of Red Fox Court: Asked if the Village could address a garage sale the lasts all summer at the corner of Peninsula and Clubhouse Drive.
- Tim Walton of Bishop Lane: Stated that he was concerned about increased traffic speed if the Bishop Lane were to be paved. He also expressed his opinion that Wilcox Excavating has done an excellent job maintaining the Village's streets.
- Suzi Fussman of Bishop Lane: Stated she has several unbuildable lots and that is why she is opposed to having her street paved.
- Jack Walker of Queens Way: Commented on the Morning Sun article about the village office location. He stated that the Planning Commission had reviewed locations as early as 2002 and that all locations had been considered. He also stated that the work done by the Village to select the current site and floor plan was very well done.

**Existing Business:**

1. Proposed Resolution 2007-08; Local Street Paving

A motion was made by Torgerson, which was seconded, to amend the resolution by removing all lots from Canterbury Estates. VOICE VOTE: MOTION CARRIED.

A motion was made by Pattison, which was seconded, to adopt the resolution as amended.  
ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn;  
NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Proposed Ordinance 2007-03

A motion was made by Kiel, which was seconded, to adopt Ordinance 2007-03, which rezones several lots in Lake Isabella North from Open Space Recreational to Lake Residential-1. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

3. Lake Isabella Airpark & Lake Isabella South Septic Permit Review

The Council discussed the recent meeting with the Central Michigan Health Department and the Michigan Department of Environmental Quality. There was discussion among the Council as what specifically is the Village's responsibility towards resolving this situation as the Village of Lake Isabella did not create the restrictions, enforce the restrictions, or feel they should remain in place. The Council also discussed the need for the property owners to organize and present their case to our elected officials in Lansing.

There was also discussion about potential legal with the property owners of the unbuildable lots to take action against the CMDHD and the DEQ for the haphazard manner in which the restrictions have been enforced and in regards to regulatory taking.

**New Business:**

1. Resolution 2007-09; 2007-2008 Village Budget, Capital Improvement Plan, and Millage Rate to be Levied.

A motion was made by Kiel, which was seconded, to adopt Resolution 2007-09. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Request from the LIPOA; Lake Management Plan

The Village received a request from the LIPOA regarding the lake management plan. No action was taken on this item.

3. Introduction of Proposed Ordinance 2007-04; Parcel K Rezoning

Proposed Ordinance 2007-04 was introduced and a public hearing set for the regular council meeting in June.

4. Introduction of Proposed Ordinance 2007-05; Right-of-Way Regulation

Proposed Ordinance 2007-05 was introduced and a public hearing set for the regular council meeting in June.

5. Proposed Ordinance 2007-06; Charter Franchise Agreement

A motion was made by Torgerson, which was seconded, to adopt the proposed franchise agreement with Charter Communications and add language supplied by the Village's attorney regarding right-of-way police powers. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

6. Resolution 2007-10; Proposed Charter Amendment #1

A motion was made by Griffin, which was seconded, to adopt Resolution 2007-10 which introduces proposed Charter amendment #1. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, and Griffin; NAYS: Kiel, Torgerson, and Dunn; MOTION NOT CARRIED (*Proposed Charter amendments require a 2/3 vote of the legislative body to be introduced*).

7. Resolution 2007-11; Proposed Charter Amendment #2

A motion was made by Grey, which was seconded, to adopt Resolution 2007-11 which introduces proposed Charter amendment #2. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Torgerson, and Griffin; NAYS: Kiel and Dunn; MOTION CARRIED

8. Resolution 2007-12; Proposed Charter Amendment #3

A motion was made by Kiel, which was seconded, to adopt Resolution 2007-12 which introduces proposed Charter amendment #3. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

9. Resolution 2007-13; Proposed Charter Amendment #4

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-13 which introduces proposed Charter amendment #4. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

10. Resolution 2007-14; Proposed Charter Amendment #5

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-14 which introduces proposed Charter amendment #5. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

11. Resolution 2007-15; Proposed Charter Revision Ballot Question

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-15 which introduces ballot language for the required question of Charter Revision on the 2007 ballot. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

12. Village Office Project; Geothermal Change Order

A motion was made by Torgerson, which was seconded, to approve Change Order #2, in the amount of \$9,377 which changes the proposed heating and cooling system of the new village office to a geothermal open looped system. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Torgerson, which was seconded, to amend the agenda by moving Public Comments prior to New Business #13. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

**Public Comments:**

- Dave Ochander of Fairway Drive: Asked what the purchase agreement for New Business #13 pertained to.

- Suzi Fussman of Bishop Lane: Stated that she was told by the CMDHD that the Village is to fault for the septic restrictions, and that the Village wants them to remain in place.
- George Colby of Carmen Drive: Asked when the Village would be brining the gravel roads.
- Jack Walker of Queens Way: Stated that there is a very long history regarding the septic permit issue.
- Harry Kuhn of Marietta Lane: Questioned what areas of Golf Estates II were still buildable.

Dunn responded to Mrs. Fussman’s comment by stating that the Village of Lake Isabella is not party to the restrictions, did not create them, does not enforce them, and desires to see them lifted.

New Business #13

Purchase Agreement, Lake Isabella Golf Estates I, Lot 149

A motion was made by Kiel, which was seconded, to go into closed session at 9:05 PM to discuss a real estate purchase agreement. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Grey, which was seconded, to come out of closed session at 9:12 PM. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Griffin, which was seconded, to approve the purchase agreement for Lake Isabella Golf Estates I, Lot 149. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

With no further business before the Council the meeting was adjourned at 9:15 PM

X  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X  
\_\_\_\_\_  
George Dunn  
Village President



## Village Manager's Report

◆ May 2007 ◆

### **RISK MANAGEMENT MEETING**

In late April I had a meeting with our representative from the MML regarding our liability and property insurance. For the most part the meeting went very well. We have zero loss record and it is my goal to keep that! One thing we have been asked to do is a review of our administrative procedures. Taking this survey was an eye-opener for me personally. While our current office setting precludes a need for most of the items on the survey, it is clear to me that as we move out we will need look at few of the items from the survey.

### **MSU CONFERENCE**

I have been asked by the MML to attend, at the expense of Michigan State University, a two-day conference at the Kellogg Center on May 17<sup>th</sup> and 18<sup>th</sup> to work on drafting a policy document on promoting local government cooperation. I have attached some information regarding this for your review. To the best of my knowledge, this is a sub-committee from the Governor's Task Force on Local Government Fiscal Stability that was formed in 2005.

### **MML REGIONAL MEETING**

Thank you to everyone who attended! I hope you enjoyed the day and found it worthwhile.

### **STOP SIGNS**

You may remember Ron Barnes asking last month for a stop sign at the intersection next to his home. Attached is the information I was able to find on this. I will have a full report and recommendation for the June meeting.



**Village of Lake Isabella**  
**Village Council Minutes**  
Special Meeting – June 12, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

=====

The Meeting was called to order at 6:11 PM by President Dunn and the pledge of allegiance was recited.

**Members Present:** Lacca, Kiel, Torgerson, Griffin, and Dunn  
**Members Absent:** Grey and Torgerson

**Public Comments:**

None

**Business:**

1. Public Hearing; Proposed trade of Lake Isabella North Lots 250 - 251

Dunn opened the public hearing at 6:12 PM

Public Comments: None

Dunn Closed the public hearing at 6:13 PM

2. Proposed trade of Lake Isabella North Lots 250-251

*Grey arrived at 6:16 PM...*

A motion was made by Pattison, which was seconded, to approve the trade of Lake Isabella North lots 250-251 to Lake Isabella Land Company in exchange for a reduction of \$6,000 from the recorded land contract between the Village and Lake Isabella Land Company for the purchase of Lake Isabella Golf Estates I lot 149.  
ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Griffin, and Dunn; NAYS: None; MOTION CARRIED.

3. Resolution 2007-16; Appointment of Deputy Clerk

A motion was made by Pattison, which was seconded, to appoint Village Manager Tim Wolff as Deputy Clerk and acting Village Clerk for the 2007 Village Council Election.  
ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Griffin, and Dunn; NAYS: None; MOTION CARRIED.

With no further business before the Council the meeting was adjourned at 6:20 PM

X  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X  
\_\_\_\_\_  
George Dunn  
Village President

**Village of Lake Isabella**  
**Village Council Minutes**  
Regular Meeting – June 19, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

=====

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

**Members Present:** Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn  
**Members Absent:** None

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

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

A motion was made by Griffin, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3483 through 3532 and check 8 MDOT Bond Service), the balance sheet, the revenue/expenditure report, the investment report, Resolution 2007 – 22 “Approval of Yearend Transfers,” the minutes of the May 15, 2007 Village Council meeting, the minutes of the June 12, 2007 Village Council meeting, and the minutes of the May 15, 2007 Finance Committee meeting.

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

**Reports**

- The Village Manager gave a report updating the council on the progress with the new Village office building, the proposed revision to the statutory revenue sharing formula, establishing truck routes in the Village, the upcoming fireworks, and the engineering plans for the Local Streets Special Assessment Paving Project district.
- The LIPOA report was given by Larry Hiither, he reported on dam inspection scheduled for June 22, e-coli testing, the recent lake treatment, and the work on the lake management plan.

**Public Hearings**

1. Public Hearing for Proposed Ordinance 2007 – 04 “Parcel K Rezoning”

Dunn opened the public hearing at 7:17 PM.

A synopsis of the proposed ordinance was read.

Public Comments/Questions: None

Dunn closed the public hearing at 7:18 PM

There was a brief discussion by the Village Council over the proposed ordinance. Specifically the question was asked regarding the Planning Commission’s recommendation on this ordinance, and if the Village could even legally rezone the property due to the filed airport approach plan by MDOT.

Wolff informed the Village Council that the Planning Commission has recommended that the proposed ordinance not be adopted. He further replied that in speaking with

MDOT, if any rezoning were to occur, it would have to conform with the approved airport approach plan.

2. Public Hearing for Proposed Ordinance 2007 – 5 “Right-of-Way Regulation”

Dunn opened the public hearing at 7:25 PM.

A synopsis of the proposed ordinance was read.

Public Comments/Questions: None

Dunn closed the public hearing at 7:26 PM.

**Public Comments**

- Joan Ledbetter of Red Fox Court; Thanked the Village work addressing her concerns regarding the rental property on Clubhouse Drive, she also inquired as to the status of garage sales in the Village and the unfinished house at 1254 Clubhouse Drive.

**Existing Business**

1. Proposed Ordinance: 2007 - 04; “Parcel K Rezoning”

A motion was made by Kiel, which was seconded, to adopt proposed ordinance 2007-04, which would rezone “Parcel K” from Lake Residential 1 to Commercial.

ROLL CALL VOTE: YEAS; None; NAYS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn; MOTION TO ADOPT NOT CARRIED

2. Proposed Ordinance: 2007 - 05; “Right-of-Way Regulation”

A motion was made by Grey, which was seconded, to adopt proposed ordinance 2007-05, which would amend text in the Village’s right-of-way regulations.

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

3. Proposed Resolution 2007 - 17; “Charter Amendment 5.11(d)”

A motion was made by Grey, which was seconded, to adopt resolution 2007-17 which would place the following Charter amendment question on the 2007 Village ballot:

*Proposed Amendment #1: Shall subsection (d) of Section 5.11(d) of the Charter of the Village of Lake Isabella be amended to provide that following the occurrence of a vacancy on the Village Council, if the Village Council does not make an appointment within forty-two (42) days, instead of thirty (30) days, the Village President shall make the appointment, so that the provisions of Section 5.11(d) read as follows:*

*Section 5.11 (d) Filling of Vacancies.*

*A vacancy in the Village Council shall be filled for the remainder of the unexpired term, if any, at the next regular election. If the next regular election occurs more than 60 days from the date of the vacancy, the Council, by majority vote of all its remaining members, shall appoint a qualified person to fill the vacancy until the next regular election. If the Council fails to do so within forty-two (42) days following the occurrence of the vacancy, the Village President shall make the appointment.*

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

4. Proposed Resolution 2007 - 18; “Charter Amendment 10.02(a)”

A motion was made by Torgerson, which was seconded, to adopt resolution 2007-18 which would place the following Charter amendment question on the 2007 Village ballot:

*Proposed Amendment #2: Shall Section 10.02 of the Charter of the Village of Lake Isabella be amended and renumbered as Section 10.02(a) to provide that the ad valorem levy for general Millage shall not exceed 1½ mills, in place of 1 mill, of assessed property value and to indicate that the general Millage is operating Millage so that the provisions as amended read as follows:*

*Section 10.02(a) General Operating Millage*

*Upon approval of this Charter, the annual general operating ad valorem tax levy for Village purposes shall not exceed one and one-half mills (1.5/10 of 1%) of the assessed value of real and personal property in the Village. This general operating tax limitation may be increased for a period of not to exceed three years at any one time to not more than 2 mills of the assessed valuation of such real and personal property by a majority vote of those electors voting thereon an any regular village election or special election called for that purpose.*

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

5. Proposed Resolution 2007 - 19; “Charter Amendment 10.02(b)”

A motion was made by Lacca, which was seconded, to adopt resolution 2007-19 which would place the following Charter amendment question on the 2007 Village ballot:

*Proposed Amendment #3: Shall Section 10.02 of the Charter of the Village of Lake Isabella be amended to add a new subsection (b) to provide that beginning in 2008 the Village Council may levy ad valorem tax for public safety (police and fire) services at a rate not to exceed two (2) mills on the assessed value of property provided that Council adopts an ordinance authorizing the levy by a two-thirds (2/3) vote, , so that the new subsection reads as follows:*

*Section 10.02(b) Public Safety; Police and Fire Services*

*Beginning in calendar year 2008 the Village Council may levy ad valorem tax at a rate not to exceed two (2) mills on the assessed value of real and personal property within the incorporated boundaries of the Village for the purpose of covering the costs for providing public safety (police and/or fire) services, provided that the Council adopts an ordinance authorizing such a levy by a two-thirds (2/3) majority vote of its members.*

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

6. Proposed Resolution 2007 - 20; “Charter Amendment 16.03”

A motion was made by Kiel, which was seconded, to adopt resolution 2007-20 which would place the following Charter amendment question on the 2007 Village ballot:

*Proposed Amendment #4: Shall Section 16.03 of the Charter of the Village of Lake Isabella be amended to remove the requirement that the question of a charter revision be placed before the electors at least every 10 years after 2007 and provide that after 2007 the question may be presented at other times as provided by statute, so that the provision reads as follows:*

*Section 16.03 Charter Revision*

*The question of revision of this Charter shall be placed before the electors of the Village at the general election in the year 2007, and thereafter may be presented at other times in the manner provided by statute.*

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

**New Business**

1. Introduction of Proposed Ordinance 2007 - 07; “Noxious Weeds & Rummage Sales”

A motion was made by Dunn, which was seconded, to introduce proposed ordinance 2007-07 as amended, and to set a public hearing for the July 19, 2007 regular Village Council meeting.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

2. Introduction of Proposed Ordinance 2007 - 08; “Sign Regulation Update”

A motion was made by Grey, which was seconded, to introduce proposed ordinance 2007-08 as recommended by the Planning Commission, and to set a public hearing for the July 19, 2007 regular Village Council meeting.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

3. Resolution 2007 – 23; Fiscal Year 2006 – 2007 Budget Amendments

A motion was made by Kiel, which was seconded, to adopt resolution 2007-23 as recommended by the Finance Committee.

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

4. 2007 Local Streets Special Assessment Paving Project

A motion was made by Kiel, which was seconded, to approve the continuation of the Local Streets Special Assessment Paving Project district.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

5. 2007 Local Streets Special Assessment Paving Project; Approval of Bidding

A motion was made by Pattison, which was seconded, to approve seeking bids for the Local Streets Special Assessment Paving Project district as prepared by the Village’s professional engineering firm, Rowe Incorporated.

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

6. Proposed Resolution 2007 - 21; 2007 LSSAPP; Appointment of Assessor

A motion was made by Grey, which was seconded, to adopt resolution 2007-21, which names Jessica Manley as the Village Assessor for the Local Streets Special Assessment Paving Project district.

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

7. Traffic Control Order 2007-01; Monterrey Trail & Pueblo Pass Stop Sign

A motion was made by Torgerson, which was seconded, to adopt traffic control order 2007-01 which would transform the intersection of Monterrey Trail and Pueblo Pass into a three-way stop.

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

**Public Comments**

- Dan Grisdale of Crown Point: Asked about having the brush along Crown Point and at the intersection of Crown Point and Queens Way clear-cut.
- Joan Ledbetter of Red Fox Court: Asked about the current ordinance regulations regarding to weeds and long grass.
- Garl Perleberg of Cantabrian Street: Asked if the regulations for weeds and long grass affected all parcels or only those with dwellings.

With no further business, the Village Council stood in adjournment at 8:26 PM.

x\  
\_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

x\  
\_\_\_\_\_  
George Dunn  
Village President



**Village of Lake Isabella**  
**Village Council Minutes**  
Regular Meeting – July 17, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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

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

**Members Excused:** Dunn

Dunn was excused without objection.

A motion was made by Kiel, which was seconded, to approve the agenda with the addition of “Election Report” under Reports #4.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Griffin, 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 3533 through 3562), the balance sheet, the revenue/expenditure report, the investment report, and the minutes of the June 19, 2007 Village Council meeting.

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

**Reports**

- The Village Manager report was submitted in writing, see attached.
- The LIPOA report was given by Larry Hiither, he reported on dam inspection report, and the expected preliminary report from Environmental Horizons regarding the Lake Management Study.
- Grey gave a brief report on the upcoming September election.

**Public Comments**

- Larry Hiither of Queens Way: He made a complaint about the appearance of a home being remodeled on Queens Way.
- George Colby of Carmen: Commented on the unfinished house at 1254 Clubhouse Drive.

**Public Hearings**

1. Proposed Ordinance 2007-08 “Signs Update”  
Torgerson opened the public hearing at 7:21 PM.  
A synopsis of the proposed ordinance was read.  
Public Comments/Questions: None  
Torgerson closed the public hearing at 7:25 PM

**Existing Business**

1. Proposed Ordinance 2007-08 “Signs Update”  
A motion was made by Pattison, which was seconded, to adopt proposed ordinance 2007-07, which updates the provisions of the Village’s zoning code pertaining to signs.

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

2. Receipt of Bids; LSSAPP

The Village Council formally received the bids that were opened on July 12, 2007 at 4:00 PM for the Local Streets Special Assessment Paving Project.

3. Introduction of Proposed Ordinance 2007-09 “LSSAPP Bond Ordinance”

Proposed ordinance 2007-09 “LSSAPP Bond Ordinance” was introduced and a public hearing set for August 7, 2007.

A total of two bids were received, both bid totals were verified prior to being presented to the Council. The bid results were as follows:

- ◆ Reith Riley of Big Rapids: \$1,297,497 construction and paving; making a total project budget of \$1,613,000.
- ◆ Central Asphalt of Mount Pleasant: \$1,399,592 construction and paving; making a total project budget of \$1,733,500.

4. Resolution 2007-24 “Filing of Special Assessment Roll, Setting of Public Hearing.”

A motion was made by Grey, which was seconded, to adopt Resolution 2007-24 “Filing of Special Assessment Roll, Setting of Public Hearing.” This resolution introduces the proposed Special Assessment Roll for the Local Streets Special Assessment Paving Project (Based on the low bid by Reith Riley), and sets a public hearing for confirmation of the roll for August 7, 2007.

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

5. Village Park & Sell

The Village Council was presented with information on operating a “park & sell” location. After reviewing the materials, the Council took no action on the matter.

6. Proposed Ordinance 2007-07 “Noxious Weeds & Rummage Sales”

The Council reviewed the proposed changes to ordinance 2007-07, included language that requires clean up of yards once trees have fallen or been cut. A public hearing was set for August 7, 2007.

**New Business**

1. Proposed Ordinance: “Truck Routes”

The Council reviewed a rough draft of an ordinance that would create truck routes in the Village. Lacca requested that El Camino Grande not be considered a truck route.

2. Proposed Resolution 2007-25; “Statutory Revenue Sharing”

A motion was made by Grey, which was seconded, to adopt Resolution 2007-25 regarding Statutory Revenue Sharing.

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

3. Proposed Resolution 2007-26; “House Bills 4463 & 4464”

A motion was made by Lacca, which was seconded, to adopt Resolution 2007-26 which states the Village’s objections to House Bills 4463 and 4464.



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

4. Village Council Table

After discussion regarding the proposed Council table and the overall cost and aesthetics of the new Village office, a motion was made by Griffin, which was seconded, to approve the bid of \$2,450 by Mike Fiorillo to build a half-octagon Council table.

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

5. Correspondence from Edward Farrell Jr.

A motion was made by Grey, which was seconded, to accept Mr. Farrell's offer of Lake Isabella Golf Estates II lot 495 on the condition that it not cost the Village anything financially.

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

**Public Comments**

- Harry Kuhn of Marietta: Inquired about the offer of Lake Isabella Golf Estates II lot 495.
- George Colby of Carmen: Inquired about weekend dog pick-up.

**Annual Village Manager Evaluation**

This item was tabled until the special meeting on August 7, 2007.

With no further business, the Village Council stood in adjournment at 8:29 PM.

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Jeffrey P. Grey  
Village Clerk

x\  
\_\_\_\_\_  
Dave Torgerson  
Village President Pro-Tempore

## Village Manager's Report

◆ July 2007 ◆

### LAKE ISABELLA SOUTH LOT 24

At our last meeting, Mrs. Ledbetter inquired as to the zoning status of an “unfinished” house at 1256 Clubhouse Drive. I followed up with a request for the County Inspections Department to review the status of the permit that was issued. As noted in my memo to Isabella County, the permit was issued in 1996, prior to our incorporation as a village.

### MEMO FROM LAW WEATHERS & RICHARDSON

As I reported last month, the Michigan Supreme Court ruled in favor of the City of Saginaw's ability to regulate the discharge of firearms within their incorporated limits. I have spoken with Representative Caul's office and have requested that the Attorney General issue an opinion regarding the legal status of Village's to regulate this matter. Law Weathers also followed-up on this matter with the attached memo.

### ZONING STATUS, GOLF ESTATES II LOT 544

The Village has received to complaints regarding the construction of a privacy barrier on Clubhouse Drive near Elmer Ledbetter's home. In visiting the site and referencing our zoning regulations. It is my opinion as the Zoning Administrator that what has been constructed is permitted under zoning as it is actually nothing more than a small fenced in area. There is no roof, foundation, floor, or other improvements that would classify this as a structure. It is simply a very small fenced in area that is used as a changing area for the lot owner.

Village of Lake Isabella  
1096 Queens Way  
Lake Isabella, MI 48893

Village Council  
Special Meeting  
August 7, 2007

President Dunn called the meeting to order at 7:00 PM and the pledge was recited by all in attendance.

**Members Present:** Pattison, Grey, Torgerson, Kiel, Griffin, and Dunn

**Members Absent:** Lacca

Dunn asked for the Council and audience to observe a moment in silence in honor of Ken Torgerson.

### **Business**

1. Public Hearing for Resolution 2007-27

Dunn opened the public hearing at 7:03 PM

The proposed resolution was read by Torgerson.

Public Comments and/or Questions:

- Charlene Johnson of Vallado: Inquired as to the possibility of moving the project to 2008 in light the storm damage and also how soon would she have before having to make the first installment.
- Nancy Tillman of Sequoia: Asked how to appeal the assessment for a second “unbuildable” lot and if curbs were part of the project.
- + Dave Hardenburgh of Brinton: Spoke in favor of the proposed project.
- William Lobert of Vallado: Opposed to the project as it is a financial hardship for him and his family.
- Robert Simpson of Brinton Road: Spoke in opposition to the project as he owns four “unbuildable” lots.
- Doug & Andrea Lobert of Iberian: Objected because it will be a financial hardship for her and her family. She also objected because she feels pavement will make the hill on Iberian unsafe.
- Ron Plooster of Carmen Drive: Objected because he feels long term maintenance will be more costly on paved streets.

The Village also received written objections in advance of the public hearing from the following:

- Jeff & Shannon Browne
- Richard & Beth Herbert
- Gerry & Kelly Dziesinski
- John & Gloria Roberts
- Ron & Susan Plooster
- Robert Simpson
- Greg Coston
- Cadillac Products, Inc.
- Cadillac Ferndale Corporation

Dunn closed the public hearing at 7:22 PM

There was discussion from the Council regarding the comments and questions from the public.

2. Resolution 2007-27

Grey made a motion, which was seconded by Pattison, to adopt Resolution 2007-27 as presented. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

3. Public Hearing for Ordinance 2007-09

Dunn opened the public hearing at 7:35 PM

A synopsis of the proposed ordinance was read.

Public Comments and/or Questions:

- Robert Simpson of Brinton Road: Spoke in opposition to the ordinance and the street paving project when the property owners affected do not represent 51% of the district in his area.

Dunn closed the public hearing at 7:42.

There was discussion from the Council to Mr. Simpson's question.

4. Ordinance 2007-09

The ordinance was read aloud by Griffin.

Kiel made a motion, which was seconded by Torgerson, to adopt Ordinance 2007-09 as presented. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

5. Award of LSSAPP Contract

Kiel made a motion, which was seconded by Griffin, to award the contract for the local streets special assessment paving project to Rieth-Riley in the amount of \$1,297,496.74. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

6. Public Hearing for Ordinance 2007-07

Dunn opened the public hearing at 7:49PM

Public Comments and/or Questions:

- + Garl Perleberg of Cantabrian: Asked who would be responsible for weeds along the sides of the roads.
- Elmer Ledbetter of Red Fox: Feels that prohibiting the placement of signs in the right-of-way is ridiculous. He also asked if the large brush pile that he annually burns on his property
- Robert Simpson of Brinton Road: Asked if the provision limiting the sale of cars could be more than thirty days.
- Linda Tinker of Carmen Drive: Stated that she feels it is ridiculous that the prohibition of placing signs in the

- + Dave Hardenburgh of Brinton Drive: Spoke in favor of regulating the number of days a lot can have a rummage sale.
- William Lobert of Vallado: Asked how what type of timeframe a person would have to clear fallen or damaged trees.
- + Mike Scherba of Lincoln Drive: Spoke in favor of the proposed ordinance.

Dunn closed the public hearing at 8:06 PM.

7. Ordinance 2007-07

Kiel made a motion, which was seconded by Torgerson, to adopt Ordinance 2007-07 as presented. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

8. Public Hearing for Resolution 2007-28

Dunn opened the public hearing at 8:06 PM.

Public Comments and/or Questions:

- + Elmer Ledbetter of Red Fox Court: Spoke in favor of the eyebrow abandonment.
- Dunn closed the public hearing at 8:09.

9. Resolution 2007-28

Torgerson made a motion, which was seconded by Pattison, to adopt Resolution 2007-28 as presented. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

10. Authorization of LSSAPP Bank Account and Funds Creation

Torgerson made a motion, which was seconded by Kiel, to authorize the creation of a bank account at Isabella Bank & Trust, and the creation of Village Accounting Funds for the Local Streets Special Assessment Paving Project. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

**Public Comments**

George Colby of Carmen Drive: Stated that members of the audience should turn off their cell phones at Council meetings.

Elmer Ledbetter of Red Fox Court: Suggested the Village burn the brush from the storm that is accumulating at the lagoons.

Dave Hardenburgh of Brinton Road: Complemented the good work that everyone involved with the Village is doing.

Charlene Johnson of Vallado Drive: Apologized for her cell phone call in the meeting, and also thanked the Village for the work done on clean-up after the storm.

Mary Hines of Cordoba Lane: Stated that she feels all lot should be required to cut their yards, not just the ones with houses.

Robert Simpson of Brinton Road: Expressed his condolences to Dave Torgerson for the loss of his father, stated that while he doesn't agree with the road project the process was fair.

Torgerson made a motion, which was seconded by Grey, to go into closed session as allowed under MCL 15.268(a) for the annual personnel review of the Village Manager at 8:28 PM. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

Grey made a motion, which was seconded by Torgerson, to come out of closed session at 9:14 PM. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

A motion was made by Grey, which was seconded by Torgerson, to extend the base contract of the Manager through the end of the 2009-2010 fiscal year. ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn: NAYS; None: MOTION CARRIED UNANIMOUSLY.

With no further business, the Council adjourned at 9:16 PM.

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Jeffrey P. Grey  
Village Clerk

x\  
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George Dunn  
Village President

**Village of Lake Isabella**  
**Village Council Minutes**  
Regular Meeting – August 21, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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

**Members Present:** Pattison, Grey, Kiel, Torgerson, and Dunn

**Members Excused:** Griffin and Lacca

Griffin and Lacca were excused without objection.

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

ROLL CALL VOTE: YEAS; Pattison, Grey, Kiel, Torgerson, and Dunn; 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 3563 through 3607), the balance sheet, the revenue/expenditure report, the investment report, and the minutes of the July 17, 2007 Village Council meeting, August 7, 2007 Village Council meeting, and the June 12, 2007 Planning Commission meeting.

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

**Reports**

- The Village Manager report was submitted in writing, see attached.
- The LIPOA report was given by Larry Hiither, he thanked the Village for the excellent job done on clean-up after the storm. He also updated the Council on the dam inspection, he reported that the LIPOA has requested an estimate from Gerace Construction.
- Grey gave a brief report on the upcoming September election.

**Public Comments**

- Margaret VanFaussien of Bundy Drive: Commented on her garage sale and event sign being removed from Village right-of-ways. She also commented that it would be helpful if the Village could provide message boards for people to post their events since signs are not allowed in the right-of-way, or to have a registration process to allow signs in the right-of-way.

**Public Hearings**

*None*

**Existing Business**

1. Proposed Ordinance “Truck Routes”

The Council reviewed the submitted map which outlined the proposed streets that would be classified as a truck route. The Council directed the Village Manager to finalize

work on the proposed ordinance for the October meeting and schedule a public hearing for such time.

2. Village Council & Planning Commission Joint Meeting

The Planning Commission submitted a request for their annual joint meeting to be held on Tuesday, October 30<sup>th</sup>. The date was accepted by the Village Council without objection.

**New Business**

1. Copier Bids, 1010 Clubhouse Drive

A motion was made by Kiel, which was seconded, to approve the bid submitted by AB Dick of Western Michigan for a Kyocera KN-4050 at a price of \$5,586 plus a five year service agreement.

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

2. September Saginaw Chippewa Indian Tribe 2% Grant Applications

A list of possible applications was reviewed by the Council. The Council agreed that the number 1 priority application should be the Lake Management Study.

3. Communication Equipment

Information was presented to the Council on emergency communication equipment and an emergency generator for the new office building. The Council directed the Village Manager to research this matter further and report back in October.

4. City of Mount Pleasant Request; Community Recreation Center Work Group

The Council was presented with a request from the City of Mount Pleasant to participate in a work group for the new community recreation center. After discussion, the Council agreed to forward this request on to the LIPOA.

5. Village Office Open House

The open house for the new Village office was set for September 29<sup>th</sup>, from 11 AM to 2 PM.

**Public Comments**

*None*

With no further business, the Village Council stood in adjournment at 7:49 PM.

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 Jeffrey P. Grey  
 Village Clerk

x\  
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 George Dunn  
 Village President



**Village of Lake Isabella**

**Village Council Minutes**

Regular Meeting – September 18, 2007

**1010 Clubhouse Drive  
Lake Isabella, MI, 48893**

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

**Members Present:** Lacca, Grey, Torgerson, Griffin, and Dunn

**Members Excused:** Kiel

Kiel was excused without objection.

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

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

A motion was made by Torgerson, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3608 through 3654), minutes of the August 21, 2007 Village Council meeting, approval of October 1<sup>st</sup> bond payments, approval of payments to Clark Hill PLC and Reith-Riley for the Local Streets Special Assessment Paving Project, and a request by Dunn to be excused for the October meeting.

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

**Reports**

- The Village Manager report was submitted in writing, see attached.
- The LIPOA report was given by Steve Clark and Dan Grisdale. They reported on the rough draft of the Lake Management Study.
- Dunn gave a brief report. He commented on the following items; the September Village Council election, concerns that the Village did not provide enough notification to the community for the election, and the award being presented to the Village Manager from the Michigan Municipal League.

**Public Comments**

- Dan Grisdale of Crown Point: Extended his congratulations to the Village for the new building.
- Margaret VanFaussien of Bundy Drive: Thanked the Village staff for helping her properly file her paperwork for the recent election.
- Roger Hauck: Candidate for Drain Commissioner.
- Mike Scherba of Lincoln Drive: Stated his hope that the road project would be evaluated in the spring.

**Public Hearings**

*None*

**Existing Business**

None

**New Business**

1. Letter of Resignation

A motion was made by Grey, which was seconded, to accept Dave Torgerson's letter of resignation for his Council term ending January, 2008 in order for him to fill the Council seat he won at the September general election.

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

2. Certification of 2007 Village General Election

The Village Council was presented with the results of the 2007 general election and the qualifications of the candidates that were elected. A motion was made by Grey, which was seconded, to accept the election results and qualification of candidates from the 2007 general election.

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

3. Village Council Appointment

A motion was made by Lacca, which was seconded, to appoint Dan Pattison to the vacancy on the Village Council created by Torgerson's resignation from his term ending January, 2008.

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

4. Planning Commission Appointment

The Village did not receive any applications for the appointment.

5. Appointment of Acting Village Manager

A motion was made by Torgerson, which was seconded, to accept Wolff's letter appointing Bill Dunham as Acting Village Manager while he is attending the MML convention in Traverse City. VOICE VOTE: MOTION CARRIED

**Public Comments**

None

With no further business, the Village Council stood in adjournment at 7:41 PM.

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Jeffrey P. Grey  
Village Clerk

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George Dunn  
Village President

**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

# Village of Lake Isabella

1010 Clubhouse Drive  
Lake Isabella, MI 48893

## Village Council ~ Planning Commission Joint Meeting October 30, 2007

The meeting was called to order at 7:00 PM by Village President Pro-Tempore Torgerson and Planning Commission Vice-Chairman Kerr.

**Village Council Members Present:** Griffin, Lacca, Grey, Torgerson, and member-elect Miller

**Planning Commission Members Present:** LaPointe, Kerr, Grey, Gloden, Klinke, and Walker

**Public Comment:** *None*

The meeting began with a review of the goals laid forth in the Village's Master Plan. There was discussion about working with the LIPOA to create a cover page for the zoning and ACC permits that highlights the different roles and responsibilities of each organization.

The unbuildable lots issue was discussed. The deed restrictions on the lagoon property and the work being done to amend those restrictions were also discussed. The proposed change to the sewer escrow fund consent judgment was also discussed.

The airport was briefly discussed, as well as the Village's obligation to maintain it as a public facility for 20 years due to the Village's MDOT grant.

There was lengthy discussion over the public safety needs of the community. The different options for policing streets and the lake were discussed.

The Council discussed setting a work session in January.

With no further business, the meeting was adjourned at 9:02 PM.

X \_\_\_\_\_  
Jeff Grey, Village Clerk

X \_\_\_\_\_  
Dave Torgerson, President Pro-Tempore

**Village of Lake Isabella**  
**Village Council Minutes**  
Special Meeting – December 11, 2007

**1010 Clubhouse Drive**  
**Lake Isabella, MI, 48893**

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

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

**Members Absent:** None

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

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

A motion was made by Griffin, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3713 through 3763), the Treasurer's Report, Village Balance Sheet, Investment Report, minutes of the October 16, 2007 Village Council Meeting, Minutes of the October 30, 2007 Joint Planning Commission/Village Council Meeting, Minutes of the October, 2007 Planning Commission Meeting, Minutes of the November, 2007 Planning Commission Meeting, and approval of payment to Reith-Riley for the Local Streets Special Assessment Paving Project.

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

### **Reports**

- The Village Manager submitted a report highlighting the upcoming ZBA meeting, the Planning Commission's work on the zoning code update, and code enforcement.
- The Village President submitted a report discussing the positive change he has seen in the community and the direction the Village is heading in the future.
- The Finance Committee reported on their meeting with the auditors regarding the close of the fiscal year 2006-2007 audit.

### **Public Comments**

- Bill Dunham of Fairway Drive: Thanked Dunn for his service to the Village and complimented him on the accomplishments of the Village during his time as Village President.

### **Existing Business**

#### **1. Unbuildable Lots: Status Report**

The Council discussed the draft that was prepared for the mass mailing to all unbuildable lot owners. The Council requested that the first question be reworded. The Council also directed that 1 copy be sent to each owner regardless of how many lots were owned and to create a new page on the Village web-site about the unbuildable lots.



Pattison requested that a statement be included in the document that reflected the need for action to help unbuildable lot owners who have been paying taxes, assessments, and other fees with little use of their property.

2. Sewer Escrow Fund Consent Judgment

The Council reviewed the final copy of the agreement to amend to sewer escrow fund consent judgment.

A motion was made by Pattison, which was seconded, to approve the language and submit it to the LIPOA and Lake Isabella Development Company for their endorsement.

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

3. Streetlight Request; Cantabrian Drive & Termino Park

The Council discussed the quote received from Tri-County electric on the installation of a streetlight at Cantabrian Drive and Termino Park. There was discussion as to whether it was needed for vehicular traffic.

After discussion, the Council delegated the matter to the TSI Committee to generate a comprehensive street lighting plan for the entire Village.

4. Truck Route Ordinance

The Council reviewed the draft of the Truck Route ordinance and requested that changes be made to exempt waste haulers. A public hearing was scheduled for the January meeting.

**New Business**

1. Approval of Final Payment: JBS Contracting, Inc.

A motion was made by Kiel, which was seconded, to approve final payment to JBS Contracting, Inc. for construction services for the new Village Hall.

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

2. Village Manager Contract

A motion was made by Dunn, which was seconded, to approve the manager's contract as updates per pervious evaluations. VOICE VOTE: MOTION CARRIED UNANIMOUSLY.

3. Village Prosecutor

The Council discussed the need to have a local attorney serve as the Village Prosecutor for Civil Infraction tickets. The manager was directed to send out a request for proposals and qualifications and select a local attorney prior to any upcoming formal hearings and report back at the January meeting.

4. Special Land Use Application 2007-01; Izzy Kids Day Care

A motion was made by Torgerson, which was seconded, to approve Special Land Use Permit 2007-01.

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

5. Proposed Ordinance 2007-04; Parcel K Rezoning

A motion was made by Grey, which was seconded, to reintroduce proposed ordinance 2007-04 and set a public hearing for the January meeting. VOICE VOTE: MOTION CARRIED UNANIMOUSLY.

**Public Comments**

- Bill Dunham of Fairway Drive: Commented that a streetlight at Termino Park will not help with the nuisance complaints.

With no further business, the Village Council stood in adjournment at 8:17 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

x\ \_\_\_\_\_  
George Dunn  
Village President