

Village of Lake Isabella
Village Council Minutes
Regular Organizational Meeting
January 3, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Eberhart, Grey, Griffin, Lacca, & Torgerson

Members Absent: Kiel & Pattison

Village Clerk Grey swore in new Councilmember John Eberhart.

The agenda was accepted without objection or modification.

Business:

1. Election of Officers

A motion was made by Grey, seconded by Lacca, to retain the slate of officers from the previous Session of the Village Council, which was as follows:

- Village President: Dave Torgerson
- Village President Pro-Tempore: Dan Pattison
- Village Clerk: Jeffrey P. Grey
- Village Treasurer: Charles Kiel
- Village Deputy Treasurer: Arnold Griffin

ROLL CALL VOTE; YEAS: Eberhart, Lacca, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Committee Appointments

Village President Torgerson opened the floor up for discussion from Council members as to their interest to serve on various committees. After a brief discussion, Torgerson made the following appointments for the 8th Session of the Village Council:

- Personnel Committee: Pattison (Chair), Torgerson, and Grey
- Liaison Committee: Griffin, Lacca, and Eberhart
- Council Representative to the Planning Commission: Grey
- Council Representative to the ZBA: Griffin
- Village Representative to the JCCA: Manager Wolff
- Council Representative to the Airport Advisory Board: Kiel
- Village Deputy Clerk: Manager Wolff

Torgerson also created a Special Ad-hoc Community Panel to formulate a plan to address the deer overpopulation problem in the community and asked Eberhart to lead the Community Panel. Torgerson set the frame work for the Community Panel to have three members from the community with one of them being an LIPOA representative. The goal of the Community Panel is to generate and report back a plan that the Village Council could implement. Grey asked if the group could also look into the geese

problem and be focused on all aspects of wildlife management and problems in the community based on feedback he has received.

The Ad-hoc Wildlife Management Community Panel and other appointments were made without objection from the Village Council.

3. Regular Meeting Date & Time

A motion was made by Grey, seconded by Lacca, to set the regular meeting date and time as the 3rd Tuesday of the month at 7 PM. ROLL CALL VOTE; YEAS: Eberhart, Lacca, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

4. Resolution 2012-01: Village Bank Accounts Signers

A motion was made by Grey, seconded by Eberhart, to adopt Resolution 2012-01 which designates the authorized signers on all Village bank accounts. ROLL CALL VOTE; YEAS: Eberhart, Lacca, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Public Comments:

- Dave McGrath of Queens Way: Voiced his support for getting the deer population under control.

Wolff announced that there would not be a regular meeting on the 3rd Tuesday of January as a quorum would not be present.

With no further business, the Village Council stood in adjournment at 7:16 PM.

x\
Jeffrey P. Grey, Village Clerk

x\
Dave Torgerson, Village President

Village of Lake Isabella

Village Council Minutes

Regular Meeting – March 27, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Eberhart, Grey, Lacca, & Torgerson

Members Excused: Griffin, Kiel, and Pattison

The agenda was accepted without objection or modification.

A motion was made by Lacca, which was seconded by Grey, to approve the Consent Agenda as presented, which included the following items;

- Invoices & Disbursements (Bills to be Paid)
- Balance Sheets
- Investment Reports
- Income/Expenditure Reports
- Joint Construction Code Authority Report
- Minutes of the December 20, 2011 Village Council Meeting
- Minutes of the December 20, 2011 Village Council Closed Session
- Minutes of the January 3, 2012 Village Council Meeting
- Minutes of the January 10, 2012 Planning Commission Meeting
- Minutes of the February 21, 2012 Planning Commission Meeting
- Draft Minutes of the March 13, 2012 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (4-0-0).

Reports:

- Village Manager Wolff gave his monthly report to the Council. He detailed year-to-date permit and code enforcement activity. He discussed the MML Capital Conference where he was awarded the Michigan Municipal League's Outstanding Service Award. He also informed the Council that for the winter season the Village used roughly 35% of the annual plowing budget. He discussed traffic to the Village's website in 2011, noting that there were just fewer than 60,000 page views on the site and over 14,000 individual visitors. He also updated the Council on the continued abeyance of the Village's appeal of MDEQ permit 11-37-0017-P, and the Finance Committee meeting from earlier in the evening.
- John Tanner from Rowe PSC presented a report regarding the emergency sluice gate on the Lake Isabella Dam. Tanner stated that the Village had commissioned Rowe PSC to review the available plans and reports on the dam and determine if the Village's concerns regarding using the emergency sluice gate in a partially open position are valid. Tanner also stated that Rowe was requested to provide suggestions on alternative means to lower the lake level if their research ended with concerns about using the emergency sluice gate.

Tanner reviewed the specific areas of concern addressed by the report. The concerns and findings were as follows:

“Does the use of the sluice gate to manipulate the lake level for a partial drawdown make the gate mechanism more likely to fail due to vibration when the tabs on the back of the gate are not aligned with the wedge blocks?” Tanner stated that it was their opinion, based on the information reviewed, that a significant amount of the vibration is caused by the gate itself not being smooth. He also stated that they were surprised to see the location of the gate on the outlet side of the sluice box. Tanner stated that typically gates like the one for Lake Isabella are placed on the inlet side of the sluice box.

“Is there a greater risk for gate vibration due to the intake pipe becoming partially obstructed?” Tanner referenced the November 2011 report from the Spicer Group which outlined concerns about the intake pipe becoming obstructed. Tanner stated that in Rowe’s opinion Spicer’s comments are accurate, and that the greatest danger from some type of obstruction would be air causing the pipe to float.

“If the support rod is exposed for the winter months in a partial drawdown, does this affect whether the gate would be able to withstand the force and pressure of the water and winter elements?” Tanner stated that in Rowe’s opinion the rod should be able to withstand the force, pressure, and elements when exposed during the winter months.

“Should a stop block be installed at the bottom of the sluice box so that if the control rod was to break, the gate would fall back into a closed position?” Tanner stated that upon review of the plans they recommend that a stop block be installed to prohibit the gate from falling past the closed position.

“Should a nut be installed on the control rod so the gate cannot be opened too far?” Tanner stated that Rowe does recommend some type of nut be welded to the rod to prevent the gate from being opened too far.

“Should the control rod be marked in a way to show the operator when the gate is aligned with the wedge blocks?” Tanner stated that based on the design of the gate system, the wedge blocks are not designed to provide any type of structure stability to the gate, but rather to simply align the gate as it opens or closes.

“Based on the design of the emergency sluice gate, are the risks of using it to conduct a drawdown different if the gate is fully or partially open?” Tanner stated that it was the opinion of Rowe that the gate should not be left in a partially open position. Given the fact that the gate has needed repairs on more than one occasion demonstrates that the gate has been exposed to conditions which have been detrimental to its own structural integrity. He stated it was their opinion the fully opening the gate would greatly reduce the risk of damage.

Tanner then discussed the possible modifications to the dam to address the concerns raised in Rowe’s report. Tanner outlined the options presented in the report, they are as follows:

Option 1: Construct a second gate on the opposite side of the wall where the current gate is located. This would create a double gate system which would allow the lake to be lowered by opening the existing gate 100% and then using the new second gate to

manipulate the lake level to the desired drawdown amount. They estimate that the cost to complete this option would be around \$33,000.

Option 2: Remove the existing gate and replace it with a smooth gate. They estimate that the cost to complete this option would be around \$43,000.

Option 3: Construct an aluminum stop log structure inside the sluice box. To lower the lake, the existing gate would be opened 100% and then “logs” removed from the structure to allow the lake level to drop. The estimated cost to complete this option is slightly less than \$65,000.

Option 4: Construct a siphon system to draw water out of the lake. The estimated cost to complete this option is roughly \$188,500.

Tanner also stated that they considered a pumping system, however the amount of water needed to be pumped to lower the lake make it financially unrealistic to consider. They also considered the construction of a second spillway and full weir gate. Once again they did not pursue this option in detail as the cost would be significant and they also do not recommend modifications which would require excavation of the earthen embankment. Tanner stated that the risks for this option are too high in light of other options that can achieve the same result with little risk at a fraction of the cost.

Village President Torgerson opened the floor up for questions:

- Councilman Eberhart thanked Rowe for the report and stated he thought it was very well done.
- Councilman Lacca asked how long it would take for the construction of a second gate? Tanner stated that it could be done in about a 1 week’s time. Lacca then stated that he would like to see this option pursued, but is unsure how it would be financed. He supports having the lake lowered, but wants it done safely and feels that this option accomplished that. Tanner noted that he is familiar with other dams that use a double gate system, and they have an excellent safety record.
- Councilman Grey voiced concern that a second gate wouldn’t address the issue of sediment discharge during a drawdown, nor would it help in limiting the fish loss during a drawdown. He asked which system is easier for maintenance, a stop log or second gate. Tanner replied that a second gate would be easier as there are less moving parts.
- Councilman Eberhart asked if a stop log system were installed to accommodate a deep drawdown, would it be able to withstand the water pressure of the lake when the lake level is up. Tanner replied that the stop log system is probably the most common type of system used in Michigan, and there have not been any problems with leakage or failure. Eberhart also asked about what permitting would be required for Option 1. Tanner stated that it would require a state permit, but that it would be the easiest option to obtain a permit for as the state would likely see it as an enhancement to the dam.
- Village President Torgerson asked that since the existing gate is designed to be either open or closed, is it an adequate means to manipulate the lake level. Tanner stated that the gate was not designed for that purpose.

Village President Torgerson opened the floor for questions from the public.

- Mike Scherba of Isabella Vista asked about issues with dissolved oxygen levels due to the drawdown being a bottom release. Tanner stated that Rowe did not specifically look at this issue, but when the water being released hits the spillway it gets fairly agitated and regains a good amount of its oxygen content. Sherba also asked if it were feasible to do a drawdown by using tubes that would be temporarily placed over the top of the earthen embankment. Tanner stated that it could be done, however a concern would be any leakage from the tubes which could lessen the structural integrity of the earthen embankment.
- Dave McGrath of Queens Way asked how air could get into the intake pipe to cause it to float. Tanner replied that if the intake pipe became obstructed it could suck air into the pipe on the backside and cause the pipe to float. McGrath also asked if the damage to the gate was done by vibration or operator error. Tanner stated that the design of the gate is the main cause for the vibration and damage from being left partially open. He stated that it is possible that the gate may have been operated incorrectly, but damage from that would have only amplified the damage already done.
- Larry Russell of Fairway Drive stated that after doing over 20 draw downs in the past, he doesn't understand why this is all the sudden an issue.
- Larry Hiither of Queens Way asked if a stop log structure were constructed, where would it be located? Tanner replied that it would be built inside the current sluice box.
- Councilman Eberhart submitted a letter of resignation from the Wildlife Committee. Village President Torgerson asked him to reconsider. Torgerson stated that the task charged to Mr. Eberhart was to review the information already gathered with a committee to formulate recommendations with respect to the issues people are having with deer, geese, and other nuisance animals. Councilman Eberhart agreed to reconsider his resignation.

Public Hearings: None

Public Comments:

- Dave McGrath of Queens Way stated that he was glad to see Councilman Eberhart reconsider his resignation from the Wildlife Committee. He stated that he believes this is an area that needs to be looked at as he hears frequent complaints about both deer and geese.
- Paul Cueny of Clubhouse Drive stated that he did not understand why the Village filed to re-open the 1982 Court Order establishing the normal lake level since legal fees will have to be paid by both the Village and LIPOA to fight each other on this issue. He stated that it was also his understanding that the Village handled matters related to the Village only and the LIPOA handled the lake and parks, and that he strongly objects to the Village's involvement in anything concerning the lake. He further stated that he feels since the former LIPOA Board is no longer in power and lost control of the LIPOA, that group of people are now trying to control the LIPOA by having the Village get involved in lake matters. He stated that it was always his understanding that there was to be a separation of power between the Village and LIPOA.

- Bill Keelean of Duquesa Drive also asked why the Village has opened up the 1982 Court Order. And also why the nobody responded to the previous question when it was asked.
- Councilman Grey addressed Mr. Keelean's concern and stated that the Council receives all comments from the floor before responding.
- Larry Russell of Fairway Drive stated that he met with Village Manager Wolff and Village President Torgerson in early January and told them that he wanted to work out an informal agreement with the Village regarding the 1982 Court Order, but did not want it opened. He stated that it was his fear that the Village was involving too many people in the process, and that the LIPOA could lose control over the lake.
- Councilman Eberhart asked when the Council voted to authorize filing the motion with respect to the 1982 Court Order, and asked that it be noted that the vote occurred prior to him taking office. Wolff replied that the vote was at the December 20, 2011 meeting.
- Councilman Grey responded to the questions about the motion to have the 1982 Court Order clarified and amended by stating that he supports having the order reviewed by the Court as it is 30 years old and does not reflect current environmental law. He stated that he supports the Village's involvement in the matter as he was approached by several residents with concerns regarding the use of the emergency sluice gate in the manner being proposed by the LIPOA, and as an elected official he has a duty to ensure the public's health, safety, and well-being is accounted for.

Existing Business:

1. Resolution 2012-03: Broomfield Township Fire Protection Special Assessment District

A motion was made by Grey, which was seconded by Lacca, to adopt Resolution 2012-03 which is the first of the two required resolutions needed to renew the annual special assessment district for fire protection for Broomfield Township residents of Lake Isabella, it sets a public hearing for the April 17th Village Council meeting. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (4-0-0).

New Business:

1. Snow Plowing Damage Request

The Village Council reviewed a request from a property owner on Siesta Lane regarding damage done to a fence located in the Village's right-of-way during this past plowing season. Wolff explained that the Village has a policy which provides a \$30 stipend to people that have mailbox damage from plowing, but nothing in place which addresses private property located in the Village's right-of-way.

Torgerson asked if any part of the fence was located on private property, and if fences in the right-of-way were allowed? Wolff replied that he visited the location, and believes the entire fence to be located in the right-of-way. Wolff further explained that the Village's fence regulations prohibit fences in the right-of-way unless placed by the Village.

A motion was made by Lacca, which was seconded by Grey, to deny payment for damages caused to a non-conforming fence on Siesta Lane from snow plowing. VOICE VOTE: MOTION CARRIED 4-0-0.

2. Isabella County Charge Back Lots (Resolution 2012-02)

Wolff presented Resolution 2012-02 to the Council for consideration. The resolution would request that Isabella County transfer ownership of all lots that were recently charged back to the Village. These are lots which were foreclosed by Isabella County for unpaid property taxes which did not sell at either auction in 2011.

A motion was made by Grey, which was seconded by Eberhart, to reject Resolution 2012-02 as presented.

There was further discussion; Lacca stated that he would like to see the item tabled until the rest of the Council was present for discussion.

Wolff was asked to further explain the situation with Isabella County. Wolff explained that the Village has already repaid Isabella County for the money originally settled to the Village as required by the General Property Tax Act, and the matter simply is does the Village wants to sell the lots or have Isabella County sell them. He noted if the Village elects to sell the lots; the Village may be able to set a higher price than what Isabella County would accept for the lot, and would ultimately be able to recover more of the money that was repaid to Isabella County.

Grey withdrew his motion.

At the request of Councilman Lacca, this item was tabled until the full Council meets in May without objection.

3. Proposed Truck Parking Ordinance

Wolff presented a concern over the Village's ordinance dealing with the parking of trucks and other commercial equipment in residential districts. He discussed that the way the current ordinance is written, it would prohibit even commercial pick-up trucks from parking in driveways, and to the best of his knowledge that was not the intent of the ordinance. Wolff asked if the Council would like to have a draft prepared to address this issue. The Council indicated that they would like to see this area addressed and review a draft to that effect.

4. Proposed Seasonal No Parking Ordinance

Wolff presented a proposed ordinance which would amend the Village's parking regulations and prohibit all on-street parking in the Village between November 1st and April 30th. Wolff discussed that this is an issue that came out of the discussions between the Presidents and Managers of the Village and LIPOA this winter. The LIPOA has received complaints from residents that people are parking on several side streets and accessing the lake over vacant lots.

Wolff explained that if the Village wanted to address this issue, there are two options to consider. The first option would be a blanket parking prohibition during the winter months as proposed in the draft. The other would be to specifically designation areas of seasonal no parking, and erect no parking signs in those areas.

There was discussion over enforcement and how to accommodate people needing to parking in the street for special events during this time of year. It was discussed that the Village could create a free digital permit that people could email when they were planning on having guests park in the street.

Grey expressed concern over banning parking on all streets during the winter.

The Council asked Wolff to present both options at the April meeting for further review and discussion.

5. Village Owned Lot Purchase Requests

Wolff presented requests from residents who wish to purchase Village owned lots that are adjacent to property they own. The Council directed Wolff to schedule public hearings for the requests, as required by the Village Charter, for the April meeting.

6. Wolverine Power Company Easement

Wolverine Power Company has requested that the Village enter into updated easement agreement for their easement at the Village's lagoon property. At the time of the meeting, Wolverine had not responded to requested changes to the easement language requested by the Village's attorney. Wolff reported that he would place this item on the Agenda again once Wolverine had responded to the modifications in the agreement.

7. Wall of Honor Committee

Torgerson presented three names to the Council for their consideration for appointment to the Wall of Honor Committee. The selection committee for the Wall of Honor is to be comprised of a resident at large, a current Village Council member, and a former Village Council member. The individuals are former LIPOA President Dave Ochander as the "resident at large," Bill Dunham as the former Village Council member, and Arnold Griffin as the current Village Council member. There were no objections from the Village Council, and the three nominated individuals were accordingly appointed to the committee.

8. Lot Combination Deed Waivers

Wolff presented a request by a lot owner in Lake Isabella South to have the deed restriction requiring his lot to be combined with an adjoining lot to be waived. Wolff reported that this individual purchased the property after it was foreclosed by the Department of Housing and Urban Development and that when HUD went through the foreclosure process they did not foreclose on the adjoining, and un-mortgaged, lots per the deed restriction. He reported that the deed restriction came from the Village lot sale in 2006, and the Village gave the purchasers a \$500 discount to combine the lots. He further reported that the same situation has happened in Lake Isabella North.

A motion was made Grey, which was seconded by Eberhart, to release the deed combination requirement for Lake Isabella South lots 70, 72, and 73; and Lake Isabella North lots 314, 315, 316, 317 provided that the \$500 combination discount granted to the original purchasers are repaid to the Village. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (4-0-0).

9. Community Gardens/Farmers Market

Wolff presented a request to the Council by a resident seeking to either lease some of the land behind the Department of Public Works building at 201 S. Coldwater Road for a personal garden, or develop a larger area behind the DPW building for a community garden area where other residents could also garden. Wolff discussed that an idea would be to allow people to garden there for free in return for being responsible for operating a produce stand/farmer's market one day per summer. After briefly discussing the options,

the Council requested that Wolff prepare proposals for each option for consideration at the April meeting.

10. 2% Grant Requests

The Council discussed the merits of submitting any requests for the spring round of 2% funding from the Saginaw Chippewa Indian Tribe. It was discussed that the Village should discuss the upgrades to the emergency sluice gate with the LIPOA and consider submitting an application for that this fall.

Eberhart asked what projects have been applied for in the past. Wolff replied that in the past the Village has applied for funding for street paving, walking paths, equipment, a lake management study with the LIPOA, and other items. He noted that due to the Village being outside the boundaries of the reservation and having a very low native population the Tribe has traditionally not funded projects in the Village.

Public Comments:

- Greg Travis of LaCruz Court stated that he was one of the owners impacted by the deed combination requirement. He stated that he purchased his home from HUD and was never aware of the combination requirement.
- Larry Russell of Fairway Drive stated that he does not want to see a total prohibition of on street parking in the winter as he has friends that stop by and often park in the street.

With no further business, the Village Council stood in adjournment at 8:42 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella

Village Council Minutes

Regular Meeting – April 17, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Eberhart, Grey, Griffin, Lacca, and Torgerson

Members Excused: Kiel and Pattison

The agenda was accepted without objection or modification.

A motion was made by Lacca, which was seconded by Grey, to approve the Consent Agenda as presented, which included the following items;

- Invoices & Disbursements (Bills to be Paid)
- Balance Sheets
- Investment Reports
- Income/Expenditure Reports
- Joint Construction Code Authority Report
- Minutes of the March 27, 2012 Finance Committee Meeting
- Minutes of the March 27, 2012 Village Council Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

Reports:

- Village President Torgerson discussed how the Village Council handles the public comment periods of the meetings. He discussed the Council's practice of receiving all questions and comments from the floor before responding. He further stated that it is at the individual discretion of the members of the Council if they want to respond to the questions or comments asked from the public.
- Village Manager Wolff gave his monthly report to the Council. He detailed year-to-date permit and code enforcement activity. He discussed finding a target location for the Blight Reduction Program for 2012, but being unable to do so yet due to not having a final list of foreclosures from Isabella County. He discussed the development of DSL in Lake Isabella by Frontier Communications. Work has begun, and should be completed in about 3 months.

Wolff also discussed another request for compensation from snow plowing damage. This request is for \$460 by Doc and Marie Winters of Sequoia Court. Wolff discussed that the Village has no policy in place allowing him to compensation the Winters. He did state that he informed them that the issue was just discussed at the March meeting, and the Council voted not to provide compensation to any private property left in the Village's right-of-way. Lacca asked if this item could be added to the Agenda for further discussion.

A motion was made by Lacca, seconded by Grey, to amend the agenda to include New Business #7, Snow Plow Damage Request. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

- Councilman Eberhart re-submitted a letter of resignation from the Wildlife Committee.

Torgerson stated that he was perplexed as to why Eberhart was resigning since the Committee's only charge was to review a topic and make a recommendation.

Eberhart stated that he understands the main focus of the committee is to be on addressing the deer population in the Village, and he doesn't feel that it is a problem.

Grey stated that he had hoped the Committee would look at more than just deer, and also examine the problems that residents are having with geese.

Griffin stated that he feels this issue has been publicly discussed about for some time, and was hoping that with Councilman Eberhart's experience on the topic that some progress would finally be made. He stated that, however if Eberhart does not want to form the Committee there is not much the Council can do about it.

A motion was made by Griffin, seconded by Grey, to accept John Eberhart's letter of resignation from the Wildlife Management Committee. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

Public Hearings:

1. PROPOSED RESOLUTION 2012-04

Torgerson opened a public hearing on proposed Resolution 2012-04, which would renew the annual special assessment district which provides fire and rescue services to Lake Isabella residents living in Broomfield Township at 7:19 PM.

Wolff explained that this hearing is to consider the annual renewal of the special assessment district created in 2000 to provide service to residents of Lake Isabella. He detailed the history of Broomfield Township informing the Village that they would no longer provide fire protection for their residents living in the Village after the Village incorporated.

Public Comment:

- Jack West of Circle Drive asked about how the fire department is dispatched in an emergency situation. Wolff responded that the department would be dispatched by Isabella County Central Dispatch, and that residents should call 911 in an emergency.
- Elmer Ledbetter of Red Fox Court asked if the lake is drawn-down, will that impact the protection rating of the fire department. Wolff stated that he asked this question to the fire department, and was told that the protection rating would not change.
- Eric Ho of Bundy Drive asked why Broomfield Township is handled differently than Sherman Township. Wolff explained that residents in Sherman Township pay the same 1 Mill as the residents in Broomfield Township, the difference being that they pay it directly to the township as it is a voter approved millage.

Torgerson closed the public hearing at 7:29 PM.

A motion was made by Lacca, seconded by Eberhart, to approve Resolution 2012-04. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

2. PROPOSED RESOLUTION 2012-05

Torgerson opened a public hearing as required under the Village Charter on proposed Resolution 2012-05, which would offer for sale the following lots owned by the Village of Lake Isabella; Lake Isabella North lots 254-255, Lake Isabella Golf Estates II lot 372, and Lake Isabella South lots 69 & 71 at 7:30 PM.

Public Comment:

- Paul Cueny of Clubhouse Drive: asked if the Village had to offer these via an auction, and when would other Village owned lots be offered for sale. Wolff replied that the Village is required to offer most of the lots they own at fair market value per the conditions of the sale from the State of Michigan when the Village purchased the lots. Wolff further stated that the Council had offered a large number of lots for sale in 2006, but had stopped selling them in 2009 when work was progressing on addressing the unbuildable lot situation. He stated the reason for this was at the time the Village did not know if it may have been suitable to use these locations as a community drain field for smaller neighborhood sewer systems.
- Dave Shoemaker of Isabella Vista: asked what the price was that these lots were being sold for, and if the deed contained any restrictions. Wolff replied that the price was \$1,000 per lot and the deeds would not have any additional stipulations or conditions other than the normal ones required by law.

Torgerson closed the public hearing at 7:33 PM.

A motion was made by Grey, seconded by Griffin, to approve Resolution 2012-05. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

3. PROPOSED RESOLUTION 2012-06

Torgerson opened a public hearing on proposed Resolution 2012-06, which would amend the Major Street Special Assessment roll for Lake Isabella North lots 254-255 at 7:34 PM.

There were no questions or comments from the public.

Torgerson closed the public hearing at 7:35 PM.

A motion was made by Grey, seconded by Lacca, to approve Resolution 2012-06. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

4. PROPOSED RESOLUTION 2012-07

Torgerson opened a public hearing on proposed Resolution 2012-07, which would amend the Local Streets Special Assessment Paving Project special assessment roll for Lake Isabella Golf Estates II lot 372, and Lake Isabella South lots 69 & 71 at 7:36 PM.

There were no questions or comments from the public.

Torgerson closed the public hearing at 7:37 PM.

A motion was made by Grey, seconded by Eberhart, to approve Resolution 2012-07. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

Public Comments:

- Dave Shoemaker of Isabella Vista: asked about the proposal received by the Village to have the Sheriff perform extra marine patrols on the lake this summer.
- Doug Theisen of River Road: asked about the proposed sewer system for southern Lake Isabella.
- Paul Cueny of Clubhouse Drive: Stated that he didn't understand why the Village would spend money on studies for a sewer system for southern Lake Isabella before asking people if they wanted it. He also stated that in his opinion any member of the Village Council or Planning Commission who own a lot in that area of the Village should not be able to vote on the topic as he feels it is a conflict of interest.
- Wolff replied that the marine patrol proposal would be discussed at the next Liaison Committee meeting between the Village and LIPOA. Wolff discussed the sewer system and the meeting held on March 13th and information on the Village's website. He stated that once the Village hears back from the USDA a mailing will be done to everyone in the proposed service area detailing the project and costs. He stated the Village will likely hold a couple of informational meetings for people to come and get their questions answered, but ultimately will be presented with a postcard to respond by. This postcard would be the owner's consent to begin the special assessment process. Wolff further stated that with these postcards a majority of property owners would need to endorse and return the cards in order to meet the 51% threshold for initiating a special assessment district. He stated that for those who don't return their postcard, that would be counted as a "no" vote in beginning the special assessment process.

Existing Business:

1. PROPOSED ORDINANCE 2012-04: REGULATION OF PEDDLERS

Wolff presented a revised draft of the ordinance to regulate peddlers. He discussed the changes made to the draft based on the discussion at the December Village Council meeting.

After reviewing the draft, the Village Council set a public hearing on the ordinance for the May meeting.

2. PROPOSED ORDINANCE 2012-05: SEASONAL NO PARKING

Wolff presented a revised draft of the ordinance to regulate on-street parking in winter months. He stated the draft was been narrowed down to several specific problem areas. He recommends contacting residents in these areas to gauge their interest in the matter and see if they have concerns about prohibiting on-street parking during the winter.

The Council requested that Wolff carry out that recommendation to contact residents that may be impacted by the no parking zones and report back to the Village Council on what their feelings are about this issue.

3. PROPOSED ORDINANCE 2012-07: TRUCK PARKING REGULATIONS

Wolff presented a draft of an ordinance to amend the regulation of truck parking in residential districts. The Village Council set a public hearing on the draft for the next meeting.

4. COMMUNITY GARDENS

The Council reviewed the options for allowing residents to garden on vacant lots owned by the Village and also behind the DPW building. The Council discussed how they hoped this program, if successful, could be opened up to additional locations in coming years, and maybe lead to the creation of a Farmer's Market.

A motion was made Lacca, seconded by Griffin, to grant authority to the Village Manager to allow residents to use these areas for gardening once they have signed a liability waiver. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

5. WOLVERINE POWER COMPANY EASEMENT AGREEMENT

Wolff reported that they had not heard back from Wolverine yet, and would inform the Village Council when that happens.

New Business:

1. NOTTAWA-SHERMAN TOWNSHIPS FIRE CONTRACT RENEWAL

A motion was made by Grey, seconded by Eberhart, to approve the 2012-2013 contract with the Nottawa-Sherman Townships Fire Department for fire and rescue services. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

2. APPROVAL OF BID: F-150 PURCHASE

Wolff reported that bids were received to replace the 1997 Chevy pick-up which was totaled in an accident in March. Bids were opened on Friday, April 13th and reviewed by the Finance Committee.

A motion was made by Grey, seconded by Eberhart, to approve the Finance Committee's recommendation of purchasing a 2012 F-150 from Signature Ford of Owosso. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

3. RESOLUTION 2012-08: INSTALLMENT PURCHASE AGREEMENT

A motion was made by Eberhart, seconded by Lacca, to approve Resolution 2012-08 which creates an installment purchase agreement with Isabella Bank for the 2012 F-150 purchase. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

4. 2012 CRACK SEALING BIDS

A motion was made by Grey, seconded by Eberhart, to approve the Finance Committee's recommendation and approve the bid to G.T. Contracting for crack sealing services.

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

5. 2012 TRAFFIC LANE REPAINTING BIDS

A motion was made by Grey, seconded by Griffin, to approve the Finance Committee's recommendation and approve the bid to Michigan Pavement Markings for traffic line repainting services. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

6. LIAISON COMMITTEE MEETING AGENDA

The Village Council discussed items for the next Liaison Committee meeting with the LIPOA.

7. SEQUOIA COURT SNOW PLOWING DAMAGE

Torgerson asked Mr. Winters to detail his request.

Mr. Winters stated that he feels the liability insurance of the Village or plowing company fort damage done to the right-of-way adjacent to his property.

Torgerson stated that the problem is that the damage was done in the Village's right-of-way, and was not on his private property.

Grey apologized to Mr. Winters for the damage, but stated that he feels the Village has no obligation to repair the damage done to the sod and sprinkler system in the Village's right-of-way.

A motion was made by Grey, seconded by Griffin, to deny payment on this claim and all future claims for damage done to private property, excluding mailboxes, in the Village's right-of-way from snow plowing work. VOICE VOTE: MOTION CARRIED 4-1-0 (*Lacca cast the dissenting vote*).

Public Comments:

- Elmer Ledbetter of Red Fox Court: stated that he walks the streets in the morning, and would like to see the crack sealing company do a better job of getting the material into the crack and not on top of it.
- Dave Shoemaker of Isabella Vista: stated that he feels the Village has an obligation to maintain the right-of-way, and that residents should not be penalized for damage done when they are trying to improve the area.
- Paul Cueny of Clubhouse Drive: asked to have it made clear that a non-response in the sewer mailing would be a "no" vote. He also stated that the Village should consider a policy that it will not cover right-of-way damage done within 3 feet of the edge of pavement, but would evaluate other instances as they happen.
- Fernando Terreros of Castle Lane: asked about having more intersections curbed.
- Minde Lux of Mt. Pleasant: Introduced herself to everyone and stated that she is running for County Clerk.
- Todd Buchanan of Circle Drive: commented on the draft for the truck parking ordinance and stated that a proposed GVW of 8,000 is too low.
- Bill Keelan of Duquesa Drive: stated that he hoped the Village would not use funds to improve the sites where residents want to garden.

- Bob Laraway of Marietta Lane: commented that the Village should consider using Gross Vehicle Weight Rating (GVWR) in the truck parking ordinance.
- Wolff replied that he is happy to make it clear tonight, in the minutes, in the mailing, and on the postcard that a failure to return the card would be counted as a no in the special assessment process. He also stated that the reason for the lack of curbing at intersections goes back to the Major Street Special Assessment project. He stated that curbing was kept to a minimum to keep the project costs down.

Receipt of Legal Opinion

A motion was made by Grey, seconded by Lacca, to enter into a Closed Session at 8:50 PM to review a legal opinion marked Privileged and Confidential. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

A motion was made by Lacca, seconded by Eberhart, to exit the Closed Session at 9:44 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

Wolff made a recommendation to the Council that the Village withdraw its appeal of MDEQ permit 11-37-0017-P, and also offer to make a donation to the Lake Isabella Property Owners Association or Isabella County Drain Commissioner towards installing a second gate on the Lake Isabella Dam as proposed by Rowe PSC in an amount equal to half of the construction, labor and materials cost, and all of the engineering required for the project.

A motion was made by Grey, seconded by Eberhart to approve Wolff's recommendation. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Lacca, & Torgerson; NAYS: None; MOTION CARRIED (5-0-0).

With no further business, the Village Council stood in adjournment at 9:47 PM.

x\
Jeffrey P. Grey, Village Clerk

x\
Dave Torgerson, Village President

Village of Lake Isabella

Village Council Minutes

Regular Meeting – May 15, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

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

Members Excused: Griffin

The agenda was accepted without objection or modification.

A motion was made by Lacca, which was seconded by Kiel, to approve the Consent Agenda as presented, which included the following items;

- Invoices & Disbursements (Bills to be Paid)
- Balance Sheets
- Investment Reports
- Income/Expenditure Reports
- Joint Construction Code Authority Report
- Minutes of the April 17, 2012 Finance Committee Meeting
- Minutes of the April 17, 2012 Village Council Meeting
- Minutes of the April 26, 2012 Liaison Committee Meeting
- Draft Minutes of the May 8, 2012 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

Reports:

- Village Manager Wolff gave the Council his monthly report. He reported on year to date permit and code enforcement activity. He also discussed upcoming training being offered by Isabella County for the Zoning Board of Appeals.

Public Hearings:

1. PROPOSED ORDINANCE 2012-04: REGULATION OF PEDDLERS

Torgerson opened a public hearing at 7:04 PM.

Public Comment:

- Amanda Walton of Clubhouse Drive; asked if the regulations applied to Girl Scouts. Wolff replied that the draft excludes religious, charitable and other non-profit organizations.
- Brad Sims of Clubhouse Drive; asked if a license would require a fee. Wolff replied that there would be a small fee for the license, which would be set by a Resolution of the Council.

Torgerson closed the public hearing at 7:09 PM.

Pattison asked if canvassers for candidates or ballot proposals would be required to register. Wolff replied that they were also exempt.

A motion was made by Kiel, seconded by Grey, to approve Ordinance 2012-04. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

2. PROPOSED ORDINANCE 2012-07: TRUCK PARKING

Torgerson opened a public hearing on proposed Ordinance 2012-07 at 7:14 PM.

Public Comment:

- Paul Cueny of Clubhouse Drive; asked about the items included on #6 of the proposed draft.
- Amanda Walton of Clubhouse Drive; asked about making an exception for bona-fide construction related equipment for the items in #6.

Torgerson closed the public hearing at 7:33 PM.

A motion was made by Grey, seconded by Lacca, to table action on proposed Ordinance 2012-07 to allow for additional changes to the draft. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (6-0-0).

Public Comments:

- Paul Cueny of Clubhouse Drive; voiced his opinion regarding items on the Village's website relating to the Lake Isabella Dam.
- Dave Ochander of Fairway Drive; discussed Rowe's report on modifications to the Lake Isabella Dam and voiced his opinion that a weir gate would be a better option than a second gate.

Existing Business:

1. WOLVERINE POWER COMPANY EASEMENT AGREEMENT

A motion was made by Lacca, seconded by Kiel, to approve the updated easement agreement with Wolverine Power Company which runs along the western property line of the Village's lagoon property. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (6-0-0).

2. 2012 ENHANCED MARINE PATROL: ISABELLA COUNTY SHERIFF

The Village Council reviewed the proposal submitted by the Isabella County Sheriff for an enhanced patrol on the lake this summer. Wolff reported that this item had been discussed at length at the April Liaison Committee meeting, and that group had suggested reducing the number of dates from the original proposal and also hosting at least one boater's safety class in conjunction with an increased lake patrol.

Pattison asked if the dates would be weekdays or weekends. Wolff replied that they would be weekend dates.

Torgerson asked if the proposal was for one year, or multiple years. Wolff replied that the proposal was for 2012.

A motion was made by Grey, seconded by Lacca, to approve the proposed enhanced lake patrol agreement with the Isabella County Sheriff's Department. ROLL CALL VOTE;

YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

3. ISABELLA PELLET – BASELINE PAVING REQUIREMENT EXTENSION REQUEST

The Village Council reviewed a request by Isabella Pellet to extend their deadline to pave Baseline Road. Mitch Panchula discussed the problems encountered by the factory with their start-up funding from the USDA and also the abnormally warm winter experienced in 2011-2012. He requested that the Council grant an extension until May of 2013.

Grey asked what could be expected if the 2012-2013 winter is as warm as the past winter. Panchula replied that he didn't know, but they are working on diversifying their product line to better withstand variations in winter weather.

Kiel asked if the Council extended the deadline until this November would that allow them to build-up enough capital to complete their paving requirement. Panchula stated that what little capital they will be build up this summer is the money needed to acquire materials for the start of the winter heating season.

A motion was made by Kiel, seconded by Pattison, to table action on this item to allow for additional information to be provided relating to the cost of paving Baseline. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (6-0-0).

4. RESOLUTION 2012-02: ISABELLA COUNTY CHARGE BACK LOTS

A motion was made by Kiel, seconded by Eberhart, to adopt Resolution 2012-02. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

New Business:

1. RESOLUTION 2012-09: 2012 BLIGHT REDUCTION PROGRAM LOCATION

A motion was made by Kiel, seconded by Lacca, to adopt Resolution 2012-09. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

2. RESOLUTION 2012-10: 2012 LE TOUR DE MOUNT PLEASANT

A motion was made by Lacca, seconded by Eberhart, to adopt Resolution 2012-10. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

3. RESOLUTION 2012-11: 2012 VILLAGE LOT SALE

Proposed Resolution 2012-11 was introduced and a public hearing set for the June 12th Village Council meeting without objection.

4. INTRODUCTION OF PROPOSED ORDINANCE 2012-08: CONDITIONAL REZONING

Proposed Ordinance 2012-08 was introduced and a public hearing set for the June 12th Village Council meeting without objection.

5. VILLAGE HALL CONFERENCE ROOM PA SYSTEM BIDS

The Village Council reviewed the proposals submitted to install a microphone and speaker system in the Village Council Chambers. Wolff reported that after the last

meeting he was approached by Councilman Eberhart who had been approached by several residents that had difficulty hearing at the previous meeting.

Grey stated that he liked the equipment proposed by each vendor, and that a wireless system would be the best option in his opinion.

A motion was made by Kiel, seconded by Eberhart, to approve the bid from I.Comm to install a wireless microphone and speaker system in the Village Council Chambers. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

6. VILLAGE COUNCIL DIGITAL PACKETS

The Council reviewed a proposal from the Village Manager detailing the costs of copying, assembling, and delivering packets. Wolff reported that over a 4 year time span that cost is estimated to be just under \$3,000 and account for nearly 65,000 pages. He reported that based on the current price of technology the cost would be very competitive if the Council were to go to paperless packets.

There was discussion regarding whether to require Council members to contribute towards the purchase price which would allow them to own the equipment or to have the equipment returned at the end of their service.

The Council requested that a formal proposal be submitted for the June meeting.

7. RESOLUTION 2012-12: SENATE BILL 1052

A motion was made by Grey, seconded by Pattison, to adopt Resolution 2012-12. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

8. PROPOSED ORDINANCE 2012-02: GOLF CARTS, ORVs, & ATVs

The Village Council reviewed the ordinance reviewed by the Planning Commission which would make it permissive to operate ATVs and ORVs on streets in the Village. The Village Council discussed the concerns raised by the Planning Commission relating to the inability to include golf carts into the ordinance in a way that was reasonable.

The Planning Commission has recommended to the Council that the ordinance not be adopted, and to give the community an update on this issue in the next newsletter.

The Village Council thanked the Planning Commission for their work on the draft, and took no further action on the draft.

Public Comments:

- Paul Cueny of Clubhouse Drive; asked that it be reflected in the minutes that the Council declined to respond to his statements earlier in the meeting.
- Amanda Walton of Clubhouse Drive; discussed the drop-box program that is used on the android platform which may be used for paperless packets.
- Dave Ochander of Fairway Drive; also discussed drop-box, and also asked about Senate Bill 1052. Wolff replied that SB 1052 would grant riparian owners on the Great Lakes the ability to groom their beaches and mow vegetation between the ordinary high water mark and the water's edge without having to obtain a permit from the DEQ. Wolff stated that the Village is concerned that if the legislature wants to preempt the DEQ with respect to

waterfront owners on the Great Lakes, that the same preemption should be granted to inland lake waterfront owners.

Receipt of Legal Opinion

A motion was made by Grey, seconded by Kiel, to enter into a Closed Session at 8:38 PM to review a legal opinion marked Privileged and Confidential. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

A motion was made by Lacca, seconded by Grey, to exit the Closed Session at 9:08 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Lacca, Pattison & Torgerson; NAYS: None; MOTION CARRIED (6-0-0).

With no further business, the Village Council stood in adjournment at 9:09 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella
Village Council Minutes
Special Meeting – June 12, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 9:00 AM by Village President Dave Torgerson and the pledge of allegiance was recited.

Members Present: Grey, Kiel, Pattison, and Torgerson

Members Absent: Eberhart, Griffin, and Lacca

Public Hearings:

1. Proposed Resolution 2012-13: 2012-2013 Village Budget

Torgerson opened a public hearing for proposed Resolution 2012-13 at 9:01 AM.

Village Manager Wolff gave a presentation on the proposed budget. He discussed the Village's tax cap of 1 Mill established in the Village Charter, and that the Village had levied to the cap since 2000, with the Headlee Rollback this rate has shrunk to 0.845 Mill. He discussed the multi-year capital improvement plan, fund totals, and the line item budget. Once again he presented a 2 year line item budget for the Council's review. This accounts for the budgeted amounts in the upcoming fiscal year as well as the projected budget requests for the subsequent fiscal year.

Public Comments:

- Dave Shoemaker of Isabella Vista questioned how far the Pellet Factory would be required to pave Baseline Road. He also asked if the Village had budgeted funds toward installing a second gate on the dam.
- Paul Cueny of Clubhouse Drive asked if the Village Manager was proposing to raise taxes in the budget.
- Mike Scherba of Isabella Vista thanked the Village and its staff for their good fiscal management and planning for the community.
- Geoff Elais of Clubhouse Drive asked if there was a breakdown on legal fees in the budget.

Wolff stated that as was highlighted in his budget proposal, the Village was at its maximum allowed levy and that the Village cannot raise the property tax rate without a vote of the people as detailed in the Charter. He also stated that Isabella Pellet is only obligated to pave Baseline to their drive.

Grey replied that in the budget there is a line item detailing legal expenses for the previous year and the amount budgeted in the upcoming year.

Torgerson closed the public hearing at 9:10 AM.

Kiel thanked the Village Manager for his work on the budget and having the budget and other financial information posted online so that it is easy for the community to examine.

A motion was made by Kiel, seconded by Grey, to adopt Resolution 2012-13. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

2. Proposed Ordinance 2012-08: Conditional Rezoning

Torgerson opened a public hearing for proposed Resolution 2012-13 at 9:11 AM.

Village Manager Wolff gave a brief synopsis of the proposed ordinance which would conditionally rezone roughly 7.5 acres on Drew Road from LR-1 to Ag.

Public Comments:

- Paul Cueny of Clubhouse Drive stated that he was opposed to the rezoning as it arbitrary in nature, serves to advance a private interest, and a conditional rezoning is by definition spot zoning.

Pattison asked Mr. Cueny if he had attended the public hearing held by the Planning Commission on the issue and voiced these concerns to them. Mr. Cueny stated that he did not, and had only recently learned of the ordinance and also had not researched conditional rezoning.

Torgerson closed the public hearing at 9:15 AM.

A motion was made by Grey, seconded by Kiel, to adopt Ordinance 2012-08. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

3. Proposed Resolution 2012-11: Village Lot Sale

Torgerson opened a public hearing for proposed Resolution 2012-11 at 9:17 AM.

Public Comments:

- Dave Shoemaker of Isabella Vista stated that he feels the proposed prices are too low and will hurt private parties who are trying to sell vacant properties.
- Wayne Frazier of Clubhouse Drive asked for details on how the sale would happen.

Grey stated that the sale would begin in July, adjacent owners would have the first chance to purchase the lot, which would then be offered for sale to the general public if left unpurchased.

Torgerson closed the public hearing at 9:21 AM.

A motion was made by Kiel, seconded by Grey, to adopt Ordinance 2012-08. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

Public Comments:

- Dave McGrath of Queens Way asked if the Village was planning on paying off any outstanding assessments on the lots that they are offering for sale.
- Paul Cueny of Clubhouse Drive asked for the Village Council to state their position on the Court Order.
- Geoff Elias of Clubhouse Drive invited any of the Council members over for a boat ride to see the condition of the lake.
- Wayne Frazier of Clubhouse Drive asked for an update on the status of amending the 1982 Court Order which governs the drawdown process for the lake.

Grey replied that it has been the Village's practice in the past to pay off any outstanding assessments when property is sold.

Existing Business

1. Proposed Resolution 2012-14
A motion was made by Kiel, seconded by Pattison, to adopt Resolution 2012-14. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).
2. Proposed Resolution 2012-15
A motion was made by Kiel, seconded by Grey, to adopt Resolution 2012-15. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

New Business

1. 2012 Fireworks Contract
A motion was made by Grey, seconded by Kiel, to approve the contract with Freedom Fireworks in the amount of \$8,000 for the 2012 Impendence Day Fireworks to be held on June 30th. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).
2. Fireworks Permit
A motion was made by Grey, seconded by Kiel to approve the permit for the 2012 Independence Day fireworks. VOICE VOTE; MOTION CARRIED UNANIMOUSLY (4-0-0).
3. Committee Appointments
Village President Torgerson made the following committee appointments without objection from the Council.
 - 3 year term on the Planning Commission: Jim Wirtz
 - 3 year term on the Airport Advisory Board: John Terry
 - 3 year term on the Airport Advisory Board: Tom Courser
4. Cost Recovery Ordinance Discussion
The Council discussed creating a cost recovery ordinance to offset any costs the Village may have in addressing an emergency situation with one of the streets. Concerns were voiced over timing of requests and how people would be notified.
5. Peddler Permit Process & Fee
Wolff presented an overview of the Michigan State Police's ICHAT program and offered that as his recommendation for the background check process for the Village's peddler permits. HE stated that he had contacted the Sheriff's Department and this was what they were recommending.
6. Extended Warranty F250
A motion was made by Kiel, seconded by Pattison, to purchase an extended warranty for the Village's F250 from Ford. ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

Public Comments:

- Dave McGrath of Queens Way asked if peddlers granted a permit would be required to display an ID badge.
- Paul Cueny of Clubhouse Drive stated that the Village had the wrong ordinance linked on the Ordinance Page of the website for Ordinance 2012-08, and that this prevented the people of the community from knowing what was really in the ordinance.
- Keith Bartle of Fairway Drive commented on the condition of the lake.
- Richard Losey of Fairway Drive commented on the condition of the lake.
- Jerry Morey of Fairway Drive inquired about the Village's interest in building a second gate on the dam, and asked if there were other issues the Village was concerned about with respect to the dam.
- Wayne Frazier asked if Boy Scouts would be required to get a permit under the Peddler's ordinance.

Kiel replied that the Boy Scouts, Girl Scouts, religious, non-profit and other charitable peddlers were fully exempt from the ordinance.

With no further business, the Village Council stood in adjournment at 9:40 AM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella
Village Council Minutes
Regular Meeting – July 17, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

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

A motion was made by Grey, seconded by Kiel, to accept the Agenda as presented. ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, Griffin, and Pattison; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

A motion was made by Kiel, seconded by Griffin, to approve the Consent Agenda as presented which included the following items:

1. Invoices & Disbursements (Bills to be Paid)
2. Balance Sheets
3. Investment Reports
4. Income/Expenditure Reports
5. June Joint Construction Code Authority Report
6. April 17, 2012 Village Council Closed Session Minutes
7. May 15, 2012 Village Council Closed Session Minutes
8. Minutes of the May 15, 2012 Village Council Meeting
9. Minutes of the June 12, 2012 Village Council Meeting
10. Draft Minutes of the June 26, 2012 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, Griffin, and Pattison; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Public Comments:

- George Dunn of Queens Way asked if anyone cared to share their opinion of the current status of the relationship between the Village and LIPOA. He also asked if anyone cared to comment on whether or not adding a second gate adequately addresses the concerns of residents regarding the use of the existing sluice gate to conduct a partial drawdown of the lake.
- Lou Ann Schmidt of Shepherd was present and discussed her candidacy for Isabella County Clerk with the Council.
- Karen Jackson of Shepherd was present and discussed her candidacy for Isabella County Register of Deeds.
- Alaina Leemaster Wills of Mount Pleasant was present and discussed her candidacy for Isabella County Register of Deeds.

Existing Business

1. Proposed Resolution 2012-16

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2012-16. ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, Griffin, and Pattison; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

New Business

1. Liability Coverage Increase

The Village Council reviewed the annual renewal for the Village’s liability and property insurance. The Council discussed increasing the Village’s base coverage amount from \$2,000,000 to \$5,000,000.

A motion was made by Kiel, seconded by Grey, to approve the renewal of the Village’s policy with the Michigan Municipal League and increase the coverage from \$2,000,000 to \$5,000,000. ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, Griffin, and Pattison; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Committee Appointment

Mark DiSalvo was appointed to a three-year term on the Planning Commission without objection.

3. Neighborhood Watch

Village Manager Wolff discussed the parameters of a formal Neighborhood Watch Program with the Council. He detailed the proposed program and organizational structure. Wolff stated he would have the program into a formal resolution for the Council to act on at their meeting in August.

Public Comments: None

With no further business, the Village Council stood in adjournment at 7:30 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dan Pattison, Village President

Village of Lake Isabella
Village Council Minutes
Special Meeting
August 10, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 9:00 AM by Village President Dave Torgerson and the pledge of allegiance was recited.

Members Present: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, & Torgerson

Members Absent: None

Public Comments: None

Business:

1. Approval of Bid – Joint 2nd Gate Project with LIPOA

The Council reviewed the bids and recommendation from Rowe PSC regarding the 2nd gate project for the dam. Rowe is recommending that the project be awarded to the low bidder, that being Isabella Corp. of Mt. Pleasant in the amount of \$21,250. Wolff reported that the LIPOA meeting earlier in the week the LIPOA had approved the bid of Isabella Corp.

There was discussion regarding the need for this project to get done as soon as possible so that it does not interfere with the drawdown of the lake this winter.

A motion was made by Grey, seconded by Lacca, to approve the bid of Isabella Corp. for the 2nd gate project. ROLL CALL VOTE: YEAS; Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson, NAYS; None. MOTION CARRIED UNANIMOUSLY

Wolff also requested permission to send a letter to the MDEQ detailing the Village's support for the pending permit to do the project. There were no objections from the Council on his request.

With no further business, the Village Council stood in adjournment at 9:09 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella
Village Council Minutes
Regular Meeting – August 21, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

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

The agenda for the meeting was amended to include New Business #5 “Isabella County Planning and Zoning” without objection.

A motion was made by Kiel, seconded by Grey, to approve the Consent Agenda as presented which included the following items:

1. Invoices & Disbursements (Bills to be Paid)
2. Balance Sheets
3. Investment Reports
4. Income/Expenditure Reports
5. June Joint Construction Code Authority Report
6. Minutes of the July 17, 2012 Village Council Meeting
7. Minutes of the August 10, 2012 Village Council Meeting
8. Draft Minutes of the August 14, 2012 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Reports:

- Village President Torgerson presented Village Clerk Grey a plaque in honor of his 10 years of service on the Village Council.
- Village Manager Wolff gave a report to the Council detailing the year to date numbers for permits, code enforcement, tax collection, and recycling. He also discussed the upcoming Village Blood Drive, and a recent meeting with the MDEQ, MDNR, LIPOA, Drain Commissioner, and Saginaw Chippewa Indian Tribe regarding the refill date on the existing drawdown permit.

Public Hearings: None

Public Comments: None

Existing Business

1. Proposed Resolution 2012-16

A motion was made by Kiel, seconded by Grey, to adopt Resolution 2012-16 which creates a Neighborhood Watch program. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Proposed Ordinance 2012-07

The Council reviewed an updated draft of proposed Ordinance 2012-07. After reviewing the changes, a public hearing was set for the September meeting.

3. Baseline Road Paving Update

The Council reviewed a correspondence from James Gutierrez of Isabella Pellet. It discussed their hope to have the required paving done this year, but did not guarantee it. Wolff noted that in addition to the required paving being incomplete, the landscaping of the berms has also not been finished, and the exterior façade of the west edge of the office remains unfinished.

The Council directed the Village Manager to have a letter sent to Isabella Pellet by the Village's legal counsel indicating Isabella Pellet that if all items are unfinished by the end of the year, the Village will notify the Department of Treasury that the conditions of the P.A. 198 Abatement have not been met, and ask that no abatement be given until such time as the outstanding items are completed.

New Business

1. Resolution 2012-17; Council Rules Amendment

A motion was made by Grey, seconded by Eberhart, to adopt Resolution 2012-17 which amends the Council Rules to allow the posting of meeting packets to the Village website prior to meetings. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. September Meeting Date

There was a discussion over attendance for the September meeting. Council members Kiel, Eberhart, Grey, and Torgerson stated they would be available on the regular meeting date.

3. Liaison Committee Agenda

There was discussion over items to place on the agenda for the next Liaison Committee meeting. Two items were discussed, those being a silt trap downstream from the Dam and the LIPOA's view of the proposed ordinance to allow the keeping of chickens in residential districts.

4. MML Annual Convention

At the request of the MML, the Village appointed Village Manager Wolff to the voting delegate for the Village at the MML's annual convention this October. Village President Torgerson was selected to be the alternate delegate.

5. Resolution 2012-19; Isabella County Planning & Zoning

A motion was made by Kiel, seconded by Eberhart, to adopt Resolution 2012-19 which states the Village's opposition to the budget proposal being considered by Isabella County which would end planning and zoning services to the 9 townships (including Broomfield Township) which rely on County zoning. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Public Comments: None

A motion was made by Pattison, seconded by Grey, to reconsider action on item #3 under Existing Business. VOICE VOTE: MOTION CARRIED (5-0-0).

Torgerson asked if Mr. Gutierrez wished to add anything more than what was in his correspondence.

Mr. Gutierrez apologized for being late, and stated that they are optimistic that they will be able to pave at the end of this paving season and that they would like to get trees planted this year. He stated they may have an issue with planting on the berm at the present time as they are looking at moving the berm more to the west.

Grey asked what he felt the odds were of having the paving done this year. Mr. Gutierrez responded that he would like to say 100%, but realistically is closer to 75% to 80% that it will happen.

Receipt of Legal Opinion

A motion was made by Grey, seconded by Kiel, to enter into a Closed Session at 8:00 PM to review a legal opinion marked Privileged and Confidential. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

A motion was made by Grey, seconded by Eberhart, to exit the Closed Session at 8:34 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

A motion was made by Pattison, seconded by Grey, to approve the language and parameters of the Court Order Draft and “Side Agreement.” ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

A motion was made by Grey, seconded by Eberhart, to defer the change of date for the formal hearing to the wishes of the LIPOA. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison; and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

With no further business, the Village Council stood in adjournment at 8:37 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella

Village Council Minutes

Work Session – October 11, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 3:00 PM by Village President David Torgerson and the pledge of allegiance was recited.

Members Present: Pattison, Lacca, Grey, Kiel, Griffin, Eberhart, & Torgerson

Members Excused: None

Public Comments

- None

Discussion

Middle Michigan Development Corporation

The Council reviewed the programs and costs for joining MMDC. After discussion concerns we voiced over the proposed cost of \$5,000 annually. A motion was made by Grey, seconded by Kiel, to not join MMDC at a cost of \$5,000. VOICE VOTE: MOTION CARRIED 7-0-0.

Master Plan

The Council discussed means of getting community feedback on the Master Plan. Manager Wolff presented a brief demo of a software option called Mind Mixer. After reviewing the demo and discussion, the Council asked for the Manager to schedule a full Demo with the vendor of the software.

Community Projects & Services

The Council discussed what projects should be pursued next. There was discussion regarding bike and walking paths as well as partnering with the LIPOA on a lake dredging project. The Council discussed cityhood, but feels the other two projects mentioned are more pressing at this time.

With no further business, the Village Council stood in adjournment at 5:05 PM.

x\

Jeffrey P. Grey, Village Clerk

x\

David Torgerson, Village President

Village of Lake Isabella
Village Council Minutes
Regular Meeting – October 16, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

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

The agenda for the meeting was approved with the addition of “Receipt of Legal Opinion” added between business items “X. Announcements” and “XI. Adjournment” without objection.

A motion was made by Pattison, seconded by Kiel, to approve the Consent Agenda as presented which included the following items:

1. Invoices and Bills to be Paid
2. Investment Report
3. Balance Sheet
4. Income & Expense Report
5. Approval of the August 21, 2012 Village Council Minutes
6. Approval of the September 11, 2012 Planning Commission Minutes
7. Approval of the October 11, 2012 Village Council Work Session Minutes
8. Approval of the October 11, 2012 Personnel Committee Minutes
9. Disposal of October 11, 2011 Closed Session Minutes

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson
NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Reports:

- Brian Anderson from Middle Michigan Development Corporation was present and gave a presentation on the services that MMDC offers. There was discussion over if the services MMDC provides are a good match for the Village based on the community’s needs for economic development. The Village Council asked to revisit the item at the November meeting.
- Village Manager Wolff gave a report detailing the progress of installing the 2nd gate on the dam.

Public Hearings:

1. Proposed Ordinance 2012-07

Torgerson opened a public hearing on proposed ordinance 2012-07 at 7:52 PM

Public Comments: None

Torgerson closed the public hearing at 7:53 PM.

A motion was made by Lacca, seconded by Grey, to adopt proposed ordinance 2012-07.
ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson
NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Public Comments: None

Existing Business:

1. Proposed Ordinance 2012-03: Backyard Chickens

The Council discussed proposed Ordinance 2012-03. The issue of keeping chickens in residential districts was discussed at the most recent Liaison Committee meeting. The Liaison Committee has recommended that the Village not adopt an ordinance making it permissive to keep chickens in residential districts due to the conflict it creates with the building and use restrictions of the various plats of the Village.

A motion was made by Grey, seconded by Kiel, to send proposed Ordinance 2012-03 back to the Planning Commission and request that it be returned with the proposed amendments to the fence code in “Exhibit B” of the draft separate from the chicken regulations of “Exhibit A.” VOICE VOTE: MOTION CARRIED UNANIMOUSLY (7-0-0).

2. Isabella County Zoning 2013 Budget – Follow-up Discussion

The Council discussed the likelihood of Isabella County proposing to eliminate zoning services to the 9 townships that they service in the 2013-2014 budget year. The Council directed the Village Manager to contact Broomfield Township to discuss this situation with them, and to see if there is any interest from the township to have the Village provide professional services to the township with respect to zoning and planning.

3. Proposed Amendment to 1982 Court Order & Side Agreement

The Village Council reviewed the draft of the proposed updated Court Order and side agreement. A motion was made by Grey, seconded by Kiel, to approve the language of both. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (7-0-0).

New Business

1. Planning Commission Appointments

Village President Torgerson appointed George Dunn to the Planning Commission for the completion of a term ending on June 30, 2015 and Angela Schofield to the Planning Commission for the completion of a term ending on June 30, 2014. There was no objection from the Village Council to these appointments.

2. Resolution 2012-20: Code Enforcement Procedures

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2012-20, which makes amendments to the adopted procedures and job requirements for employees performing Code Enforcement for the Village. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Traffic Control Order 2012-01: Clubhouse Drive Speed Limit

The Village Council reviewed the request to lower the speed limit on Clubhouse Drive between Fairway Drive and Birdie Drive from 30 MPH to 25 MPH. After discussion, a motion was made by Lacca, seconded by Grey, to keep the posted speed limit at 30 MPH for this section of Clubhouse Drive. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (7-0-0).

4. Traffic Control Order 2012-02: Queens Way Speed Limit

The Village Council reviewed the results of a speed study conducted on Queens Way between Pequena Drive and Duquesa Drive. There was discussion over whether or not the 85th percentile speed was suitable for this section of roadway. Council members Eberhart, Pattison, and Grey all voiced concern over raising the speed limit from 30 MPH. A motion was made by Lacca, seconded by Kiel, to indefinitely table action on TCO 2012-02 for additional legal research regarding what the legal speed limit options are based on state statute. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (7-0-0).

5. Traffic Control Orders 2012-03 through 2012-08: No Parking Zones

A motion was made by Kiel, seconded by Pattison to adopt Traffic Control Orders 2012-03, 2012-04, 2012-05, 2012-06, 2012-07, and 2012-08. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

6. Isabella County Emergency Management Code Red System

A motion was made by Kiel, seconded by Griffin, to approve the Village’s participation in the proposed Code Red Emergency Warning System as presented by Isabella County. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Public Comments:

- John Boyd of Bundy Drive ~~Queens Way~~ commented on the need for the Village Council to revisit the Village’s fireworks ordinance in light of changes made to state law.
- Mike Scherba of Isabella Vista discussed the speed limit on Queens Way between Pequena Drive and Duquesa Drive.

Receipt of Legal Opinion

A motion was made by Pattison, seconded by Grey, to enter into a Closed Session at 8:50 PM to review a legal opinion marked Privileged and Confidential. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

A motion was made by Kiel, seconded by Eberhart, to exit the Closed Session at 9:09 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

With no further business, the Village Council stood in adjournment at 9:10 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President

Village of Lake Isabella

Village Council Minutes - DRAFT

Regular Meeting – November 20, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Grey, Griffin, Kiel, Lacca, & Torgerson

Members Excused: Eberhart & Pattison

A motion was made by Kiel, seconded by Grey, to approve the agenda with the addition of “Approval of Closed Session Minutes” as item #9 to the Consent Agenda, and “Traffic Control Order 2012-09” as New Business item #6. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

A motion was made by Kiel, seconded by Lacca, to approve the Consent Agenda as amended which included the following items:

1. Invoices and Bills to be Paid
2. Investment Report
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes of the October 22, 2012 JCCA Meeting
6. Approval of the October 8, 2012 Liaison Committee Minutes
7. Approval of the October 30, 2012 Planning Commission Minutes
8. Approval of the October 16, 2012 Village Council Minutes
9. Approval of the October 16, 2012 Village Council Closed Session Minutes

ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Reports:

- Village President Torgerson briefly commented on his appreciation for the Village Manager’s quick response to the vandalism that occurred on Devil’s Night. He stated that the next day he saw the Village Manager removing graffiti from vacant homes and other areas so that those areas were not blighted by the vandalism.
- Village Manager Wolff gave a report to the Council. He discussed DSL Service from Frontier which is now available in most of the Village. He discussed the FY 2011-2012 audit by Yeo & Yeo. He noted that the auditors finished their field work and were mostly done with the audit in one day with no problems found. He discussed upcoming tree trimming work along the north part of Carmen Drive. He also discussed the agenda for the December Planning Commission meeting and shared a letter sent to Broomfield Township regarding planning and zoning services. He also discussed Isabella Pellet’s initial paving of Baseline Road.

Griffin asked about maintenance on Channel Drive, noting the call in the contact log. Wolff stated that the Village has added gravel and asphalt patch to the street, but based on the condition of the road there is only so much that can be reasonably done. He

noted that he thinks it may be best to bring in a crusher and return Channel and Northview to gravel.

Lacca questioned about what Frontier plans to do about the area of Clubhouse and Fairway that they currently are unable to service. Wolff stated he has brought this up with representatives of Frontier and has made it known to them that this area would likely be a high customer area and should be addressed by them soon.

Grey asked what the plan is to get the pellet factory on track to finish paving and finish the installation of the trees for screening. Wolff suggested that the Village invite them in to meet with the Finance Committee about generating a timeline to get these two items resolved.

Grey also asked about the comment in the contact log regarding concerns of the office hours of the JCCA. Wolff stated that this is the first complaint to his knowledge regarding our change from Isabella County to the JCCA and was unaware if this builder had called the inspector to get a verbal "OK" to start before the site visit.

- Dave McGrath commented for the LIPOA Report. He noted that they did not have a meeting yet this month, and that the meeting was being held next Wednesday.

Public Hearings: None

Public Comments: None

Existing Business:

1. MMDC Membership

The Village Council reviewed the information from last month's presentation on joining the MMDC. Wolff presented a two-part economic development plan which includes joining the MMDC at an annual cost of \$1,681 and creating a website to market the Village for business development and attraction for an annual cost not to exceed \$319, for a total annual economic development budget of \$2,000.

Griffin stated that he thinks the website part sounds good.

Kiel and Grey both stated that they do not feel the Village would get a return on the annual cost of membership to the MMDC equal to our contribution.

Lacca stated that if MMDC was better suited to attract retail and service businesses to the Village he would be supportive of membership.

A motion was made by Grey, seconded by Griffin, to decline membership in the MMDC at this time. VOICE VOTE: MOTION CARRIED 5-0-0.

A motion was made by Griffin, seconded by Lacca, to approve the creation of a Lake Isabella marketing website by the Village Manager for economic development purposes. VOICE VOTE: MOTION CARRIED 5-0-0.

2. Mind Mixer Agreement

The Village Council discussed the proposed agreement with Mind Mixer to develop an online Town Hall Meeting website. Kiel discussed his impression of the demo and stated he was impressed at the options that could be built into the site, and that he feels it is a worth the cost for a year.

A motion was made by Lacca, seconded by Griffin, to accept the proposal. ROLL CALL VOTE; YEAS: Griffin, Kiel, Lacca, and Torgerson NAYS: Grey; MOTION CARRIED UNANIMOUSLY (4-1-0).

New Business

1. Dedicated Patrol Agreement with Sherman Township

The Village Council reviewed the proposed agreement between Sherman Township and the Village for a dedicated patrol agreement of 40 hours per month, for an annual cost of \$7,500. Sherman Township Marshal Hooker was present and discussed the Township's interest in the agreement, and asked that a section 4.03 be added regarding costs for adding the Village as an additional insured on the Township's policy.

Grey asked if Marshal Hooker had the ability to conduct Marine Patrols. Marshal Hooker stated that he does have the legal authority, but presently does not have a patrol boat. He stated he could look into having one donated for the season if the Village was interested in lake patrols.

Lacca asked if the Marshal had additional staff that would be able to cover some of the time. Marshal Hooker stated that he did.

Grey also asked about the 90 day cancelation clause. Both Marshal Hooker and Manager Wolff stated that if ever invoked the patrols could stop immediately and that the 90 days was intended for bookkeeping purposed for the Township if they needed to pro-rate a refund of our annual payment.

A motion was made by Kiel, seconded by Lacca, to approve the agreement with the addition of section 4.03. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Resolution 2012-21; FY 2012-2013 Budget Amendments

A motion was made by Kiel, seconded by Griffin, to approve Resolution 2012-21 which amends the FY 2012-2013 budget. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

3. Resolution 2012-22; PA 152 Opt-out

A motion was made by Grey, seconded by Kiel, to approve Resolution 2012-22 which opts the Village out of the requirements of Public Act 152. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

4. Proposed Fireworks Ordinance Update

Manager Wolff presented information to the Council regarding changes made to state law regarding fireworks. He asked if the Council would like to have our legal counsel provide an ordinance to update the Village's regulation of fireworks to conform to the new state law. The Council asked the Manager to have an ordinance submitted for consideration.

5. Proposed Ordinance 2012-01; Site Plan Review Standards

Proposed Ordinance 2012-01 was introduced without objection, and a public hearing set for the December meeting.

6. Traffic Control Order 2012-09

A motion was made by Kiel, seconded by Lacca, to approve Traffic Control Order 2012-09 which sets a permanent No Parking Zone on Queens Way near Gilmore Park. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

Public Comments:

- John Boyd of Bundy Drive thanked the Village Council for looking into the fireworks ordinance; he also thanked the Council for the added patrol agreement with Sherman Township. He also thanked the Council for their oversight in making sure the second gate was placed on the dam. He stated that it was his understanding that the original gate not only was vibrating but that the bolt holding the gate to the stem was in questionable condition, as well as a large crack in the face of the dam and a leak in the dam has been observed. He asked that the Village stay on top of these issues and address them with the LIPOA in the next Liaison Committee meeting.
- Dave McGrath of Queens Way asked if Marshal Hooker would only be patrolling the Sherman Township portion of the Village, or the entire Village. Torgerson replied that the agreement was for the entire Village.
- Larry Hiither of Queens Way asked how long it would take for a newsletter to go out for information regarding Mind Mixer. Wolff stated that from the time he starts to the time the newsletter gets to people's mailboxes is about 10 days.
- Skip Curtis of Circle Drive asked if Mind Mixer was like Facebook. Wolff replied that it was not.

With no further business, the Village Council stood in adjournment at 8:35 PM.

x\
Jeffrey P. Grey, Village Clerk

x\
Dave Torgerson, Village President

Village of Lake Isabella
Village Council Minutes
Regular Meeting – December 18, 2012

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison & Torgerson
Members Absent: None

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Kiel, seconded by Lacca, to approve the Consent Agenda with a correction to the Liaison Committee Minutes which included the following items:

1. Invoices and Bills to be Paid
2. Investment Report
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes of the November 20, 2012 Village Council Meeting
6. Draft Minutes of the December 11, 2012 Liaison Committee Meeting
7. Draft Minutes of the December 11, 2012 Planning Commission Meeting.

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Reports:

- Village Clerk Grey briefly discussed the Sherman Township Library and the current vacancies on their board.
- Village Manager Wolff reported on the Sherman Township Board Meeting that he and Village Treasurer Kiel attended the night before. He also informed the Council that the 2013 Fireworks would be on Saturday, July 6th. Wolff also discussed efforts to meet with Broomfield Township regarding zoning services. Lastly he discussed up coming MML training being offered for elected officials.

Public Hearings: Proposed Ordinance 2012-01: Site Plan Review:

Village President Torgerson opened the Public Hearing at 7:08 PM. Manager Wolff read a synopsis of the ordinance.

Public Comments or Questions: None

Village Council Comments or Questions: None

Village President Torgerson closed the public hearing at 7:09 PM.

A motion was made by Grey, seconded by Kiel, to approve Ordinance 2012-01. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Public Comments: None

Existing Business:

1. Proposed Ordinance 2013-01; Fireworks
Proposed Ordinance 2013-01 was introduced and a public hearing set for the next meeting without objection.

New Business

1. Proposed Ordinance 2012-03; Backyard Chickens
Proposed Ordinance 2013-03 was introduced. A motion was made by Pattison, seconded by Lacca, to table further action on the ordinance indefinitely. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 7-0-0.
2. Proposed Ordinance 2012-06; Fence Regulation
Proposed Ordinance 2012-06 was introduced and a public hearing set for the next meeting without objection.
3. Proposed Ordinance 2012-09; Non-Residential Accessory Structures
Proposed Ordinance 2012-09 was introduced and a public hearing set for the next meeting without objection.
4. Proposed Resolution 2012-23; Employee Vacation Buy-back
A motion was made by Grey, seconded by Eberhart, to approve Resolution 2012-23. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

Public Comments:

- John Boyd of Bundy Drive thanked the Village Council for looking into the fireworks ordinance.
- Mike Scherba of Isabella Vista asked about the difference between tabling proposed ordinance 2012-03 and setting a public hearing for the other drafts.

With no further business, the Village Council stood in adjournment at 7:35 PM.

x\ _____
Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President