

# JOINT MEETING OF WATERVLIET AND COLOMA CHARTER TOWNSHIPS

July 27, 2010

7:00 p.m.—Coloma Township Hall

Dan Hutchins called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance. The following Watervliet Charter Township Board Members were present: Dan Hutchins, Patricia Bambrick, Bob Wallace, Vick Kinzler, Joe Stepich and Joe Matthews. Absent: Tom Scheid

The following members from Coloma Charter Township were present: Ken Parrigin, Sandy Kraemer, Lance Becht, Bryan Duffield, James Fulton, and Jeff Mitchell. Absent: Cynthia Aviles

The purpose of the Joint Meeting was to discuss the following:

- Paw Paw Lake Improvements
- Special Assessment Districts Timetable
- Intergovernmental Approval
- Adopt Resolution

Ken Parrigin called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance. Attorney William K. Fahey of the Fahey, Schultz, Burzych, Rhodes, PLC law firm was introduced as the Townships' joint counsel upon approval of both Townships. Watervliet Charter Township has already approved the Paw Paw Lake Improvement Interlocal Agreement and engaging the legal firm. Coloma Charter Township has not voted on these issues, but will before voting on the Resolution.

Fahey discussed the change in wording on the Resolution as requested by Coloma Charter Township. With the new wording, after the first five years of the lake assessment, the township boards would have to set up the project again and the special assessment rolls to continue the project. They would have to have two or more hearings. This would not have been necessary with the old wording.

Coloma Charter Township voted to approve retaining the Fahey, Schultz, Burzych, Rhodes, PLC law firm and the Paw Paw Lake Improvement Interlocal Agreement.

Nancy Baiers asked why there was no public hearing before the boards voted on tonight's resolution, what is the total cost of the assessment, and who is in the district. Attorney Fahey said this is a multi-step process conducted under Act 188 of the Public Acts of Michigan 1954. He said there are two different pilot projects and the weed project. He said they are going through the steps of the project. A map of the

assessment districts was on the wall of the Coloma Township meeting room. It was asked why only

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Paw Paw Lake people were to be assessed for the project. Fahey said the district covers those properties with direct or indirect access to the lake. The cost and who will be in the assessment district will be covered in the public hearing. Brad Dlouhy asked the boards, "how can you vote on something we haven't heard?". This will be covered at the public hearing. Cecil Martin asked if the general public gets to vote on this. The answer was no. Cheryl VanDrasek asked if they had explained the "veto process". Fahey said that the public could circulate a petition and if they got 20% of the assessment district area to sign opposing the assessment district by August 12, 2010, the process would have an automatic break and those in favor of the assessment district could circulate petitions and they would need 50% in favor of the assessment district to continue the process. Many of the people said this did not give them a reasonable amount of time to collect signatures. Fahey said they could have started the petition at any time. Bob Faulkner inquired about the chemical Sonar. Joe Stepich said it is Floridone and is acceptable to the MDNR. John VanDrasek said the committee started about two years ago and the meetings were closed to the public. He said the committee tells you what just what they want you to hear. He was advised that they did give committee reports at the township board meetings. Nancy Baiers asked, "Is there a dollar amount"? J. Stepich said this is a five-year project covering the weeds and Sonar and four years of follow-up to get rid of milfoil. He said there are two four-year pilot programs for testing. He discussed the aeration process. He said the estimated cost is \$950,000 to be spread over five years. Roy Caston asked about the area to be taxed. Frank Jurenka said he is happy with the proposed assessment district. Sue Foys complained about the taxes they pay and the fact that the township boards want only the lake people to pay the assessment. She said this is worse than Chicago and so unfair. John Bertuca said each condo unit is going to be taxed (assessed) and he said there was a rumor that the piers were going to also be taxed. Rick Rasmussen said that at least one of the public hearings should be held on a Saturday. Bob Faulkner requested a list of the people on the assessment list.

D. Hutchins asked what is the farthest the boards can push the date out for the 20% property area. John Fulton said he thinks they should get more time, whether it gets on the tax rolls this year or not. Vick Kinzler said absolutely. The people in opposition have to have their petitions in by the first public hearing. Then it was asked how long do the people in favor of the project have to get the 50% petitions. The answer was until they get it. V. Kinzler made a motion to change the date of the first public hearing from August 12, 2010 to Saturday, August 28, 2010 at 10:00 a.m. The meeting place will possibly be at the Watervliet High School Auditorium, but the availability for this date must be confirmed. P. Bambrick supported the motion. A roll call vote was as follows: J. Stepich, yes; J. Matthews, yes; P. Bambrick, yes; V. Kinzler, yes; B. Wallace,

yes; D. Hutchins, yes. The motion carried unanimously. The Coloma Charter Township Board also approved this date change to August 28, 2010.

Hal Bundy said Illinois and Indiana people use this lake and buy things. He said we have school millage and the N. Berrien Historical Society millage. He said he thinks the

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boards should make the decision. Rick Rasmussen said in the last 125 years, the community has never passed this kind of a millage. It was asked what percentage of people brought this to the boards. The answer was 900 roughly or about 70-71% of the assessment district. V. Kinzler asked if people off the lake can be assessed and the answer was no and that you would have to have a millage vote.

B. Wallace made a motion to adopt the amended resolution. J. Stepich supported the motion. A roll call vote was as follows: V. Kinzler, no; B. Wallace, yes; P. Bambrick, yes; J. Stepich, yes; J. Matthews, yes; and D. Hutchins, yes. The motion carried. The Coloma Charter Township Board also voted on the amended resolution. They approved adoption of the amended resolution with one no vote.

The boards were asked if they had a proposal of the project available. D. Hutchins said the whole project will be put on the township's websites. Coloma Township's website is colomatownship.org and Watervliet Township's website is watervliettownship.org. J. Stepich said that the Spicer Group and JFNew have a link to the whole study. Stepich said that dredging the lake was looked into but the cost would have been \$40,000,000, so this option was dropped.

V. Kinzler made a motion to adjourn the meeting at 8:45 p.m. J. Stepich supported the motion and it carried.

Respectfully submitted,

Patricia Bambrick  
Watervliet Charter Township Clerk

Dan Hutchins  
Watervliet Charter Township Supervisor

Recorded and transcribed by Marcia VanDrasek, Deputy Clerk