

OVID TOWNSHIP BOARD

August 12, 2013

PUBLIC HEARING ON WAYNE BEACH LANE AND ABUTTING PROPERTIES

The Ovid Township Board met at the Township Hall on Monday August 12, 2013.

Members present: Sue Miller, Supervisor; Nancy Price, Treasurer; Judy Sabaitis, Clerk; Ron Sampsel, Trustee; and Larry Omo, Trustee. Also in attendance were 10 guests.

The Public Hearing was called to order by Sue Miller at 7:00 P.M.

The Board led the guests in the Pledge of Allegiance.

- A. Review Petition from property owners abutting Wayne Beach Lane and Miller Road to create a special assessment to authorize Excell Paving to pave Wayne Beach Lane. The cost of project shall be paid by those property owners abutting Wayne Beach Lane and Miller Road.
- Sue Miller reviewed the petition to pave Wayne Beach Lane. The petition was signed by 79% of the total frontage within the boundaries described in the Petition. The total road frontage is 1,780 feet. The total frontage signed by the record owners equals 1,406. Thirteen of the seventeen property owners signed the petition.
- B. Sue Miller reviewed the estimated cost of \$17,920 plus \$40 for advertising for a total of \$17,960. The road project is set up on a “per share” cost, 1 share equals \$898, 2 shares equal \$1,796, and 3 shares equal \$2,694.
- C. Public Comment
- Roy Branan, Lot 711 Mr. Branan stated he does not own any frontage on the road, only has an easement and objects to paying 3 shares. An extensive discussion was held on the amount of the Wayne Beach Lane traffic that is directly related to his property, boat launch and rentals. Several more times during the Public Hearing, the traffic directly related to Mr. Branan’s property was discussed.
 - Mr. Branan stated that he did not pay for paving the road in the beginning so why did he need to pay for it now. Mark Chaney, Lot 674 also stated he did not pay for it either. A discussion was held on how a portion of the road was paved by mistake during the sewer project and several residents did not pay for the paving. Steve Smith, Lot 688 and 690, stated that all the remaining property owners paid their share for the paving. He further stated that everyone uses the road and it is only fair for everyone to pay now.
 - Stacey Lascala, Lot 701 Ms. Lascala asked several questions related to the “committee” and who decided that the cost be divided into shares. Ms. Lascala stated her issue with the project was how it was calculated. There are 3 property owners that only own property on one side of the road. She stated that she felt they should only pay ½ of a share.
 - Ms. Lascala stated that she did not receive a notice. Mark Chaney stated that he was never contacted about the Petition and did not receive the notice. Roy Branan also stated that he did not receive a notice. Mr. Smith and Mr. Gilbert stated that they tried unsuccessfully to contact Mr. Chaney several times and finally asked his neighbors to let him know about the Petition. Mr. Branan agreed that Mr. Smith and Mr. Gilbert had contacted him and that he did know about the project but added that he did not receive the notice.
 - Sue Miller asked the property owners (other than Mr. Smith and Mr. Gilbert) present if they were in agreement with the Petition
- | | |
|------------------------|-------------------------------|
| The Clemmers – Lot 698 | Yes |
| Mark Chaney – Lot 674 | No - cannot afford more taxes |

Roy Branan – Lot 711 No - how the cost is calculated and how it was approached
Stacey Lascala – Lot 701 No - how it is calculated

- Mrs. Clemmer stated that no one likes to spend money but that spending money is part of owning and keeping up your property. She agreed with Mr. Smith that the road needs to be done now before it becomes a major expense.
- Mr. Smith addressed the Board to point out that 13 of the 17 property owners agreed with the equitable shares and signed the Petition.

A discussion was held on Mr. Clemmer’s concerns about the low areas on the road.

D. Sue Miller closed the Public Hearing closed at 7:25 P.M.

Regular Board Meeting

Sue Miller called the Regular Board Meeting to order directly following the Public Hearing.

AGENDA: Larry Omo made a motion to approve the agenda as presented, supported by Ron Sampsel. MOTION CARRIED.

MINUTES: Ron Sampsel made a motion to approve the Public Hearing minutes from July 8, 2013 as presented, supported by Nancy Price. MOTION CARRIED.

MINUTES: Ron Sampsel made a motion to approve the regular board meeting minutes from July 8, 2013 as presented. MOTION CARRIED.

TREASURER’S REPORT: Sue Miller asked if everyone reviewed the Treasurer’s Report and if there were any questions or comments. Upon having no questions or comments, Sue Miller stated that the Treasurer’s Report would be placed on file.

Sue Miller made a motion to approve payment of the Pontum Software invoice for \$527, supported by Larry Omo. MOTION CARRIED.

PUBLIC COMMENT: None.

OLD BUSINESS:

- A. Update on West Channel Drive Project. The Branch County Road Commission has completed the road and cul-de-sac prep and is ready for the first application of the double-chip and seal this week.
- B. Sue Miller offered a reminder of the second Public Hearing for weed control on Marble-Coldwater Lake Chain to be held on Saturday, August 17th at the Coldwater Township Hall.

NEW BUSINESS:

- A. Resolution to create the Special Assessment District on Wayne Beach Lane and abutting properties for asphalt paving on a private drive.
 - a. Ron Sampsel made a resolution to create the Special Assessment District on Wayne Beach Lane and abutting properties for asphalt paving on a private drive, supported by Larry Omo.

Upon a roll call vote, the result was as follows:
Aye: Sampsel, Miller, Sabaitis, Price and Omo
Nay: None
MOTION CARRIED
- B. The Board reviewed and discussed the additional costs on West Channel double-chip and seal project to expand the cul-de-sac at the end of the drive with the cost not to exceed \$1,500, which will be split between Ovid and Algansee Townships. The Branch County Road Commission recommended expanding the cul-de-

sac from 90 feet to 100 feet diameter. Russ Jennings shared that the large trucks using the cul-de-sac need the additional diameter to turn around and not damage the road. He further stated that Algansee agrees to pay ½ half of the expense if Ovid agrees to pay the other half. Motion by Larry Omo to approve \$750 to expand the cul-de-sac from 90 feet to 100 feet diameter, supported by Sue Miller. MOTION CARRIED.

PUBLIC COMMENT: None

REPORTS:

ZONING – Russ Jennings submitted the zoning report and stated that 5 permits and 1 land split issued for July.

ASSESSING – Sue Miller stated that the July Board of Review met on July 16th. Board action was required on 13 property issues.

DPW – Paul Winbigler reviewed the June 11th DPW Board minutes.

COUNTY COMMISSIONER – Don Vrablic presented the County Commissioner’s report including the following subjects:

- County Audit
- Pension Annual Report
- Joint Resolution with Road Commission concerning funding repair to roads
- Rail Line being taken up and returned to interested adjacent landowners
- Jail overcrowding
- Personal property tax

CEMETERY SEXTON – George Baker reported 1 burial. A discussion was held on issues related to cremation burials. The Board supports that burial permits and payment for the burial must be provided the Sexton prior to all burials.

CORRESPONDENCE – Farmland Development Rights Agreement for Lee and Nancy Price and Steve and Sherry Norton, DEQ for Everett Broadwater at 160 Robin Drive and Michigan Gas meeting notice.

ADJORNMENT: Nancy Price made a motion to adjourn the meeting at 8:22 P.M., supported by Larry Omo. MOTION CARRIED.

Respectfully Submitted:

Judy Sabaitis
Ovid Township Clerk