

**CHARTER TOWNSHIP OF LARKIN
September 13, 2011, Regular Board Meeting**

Board members present:
Call to Order 7:30 p.m.
Pledge of Allegiance

Public Comment: Mr. Humphrey has lot on Perrine Road and will be cleaning out the ditch, putting in a tube and back filling about 600'. He asked the board to cost share some of the cost. Board members explained that ditch work is done through the road commission in order to have cost share done.

Motion Hitchcock Second Rinas to Approve August 9, 2011 Regular Meeting Minutes as presented.

Roll Call Vote:

Yeas: Moe, Rinas, Harrington, Johnson, Crewes, Hitchcock, Atton

Motion Rinas Second Hitchcock to Approve August 31, 2011 Special Meeting Minutes as presented.

Roll Call Vote:

Yeas: Hitchcock, Johnson, Rinas, Atton, Crewes, Harrington, Moe

Motion Harrington Second Rinas to Approve Payment of September Invoices as presented.

Roll Call Vote:

Yeas: Crewes, Atton, Hitchcock, Johnson, Harrington, Moe, Rinas

Reports:

Treasurer:	General Fund	\$970,486.68
	Sanitation Fund	\$158,600.58
	Water #1	\$ 38,657.23
	Water #2	\$283,697.82
	Water #3	\$649,209.07

Building Department 11 Bldg Permits \$2,541, 2 Electrical Permits \$238

Planning Working on Master Plan

Zoning 1 pending meeting

Fire Department 24 Runs for the month, Osha called chief that a complaint had been filed.

Chief said with talking with them, they offered to come in and do a complete review and specify what area's need to come into compliance.

Motion Harrington Second Rinas Approving the Fire Chief contact Osha to come in and do a review of the department for Osha compliance.

Roll Call Vote:

Yeas: Johnson, Atton, Moe, Crewes, Rinas, Hitchcock, Harrington

Park None

Township Code Authority: General meeting

Motion Harrington Second Atton to Not Except the new Sign Ordinance as presented by Planning and to request that Planning add timing on how often Digital Signs can change. (15.14 Signs, # 2, B)

Roll Call Vote:

Yeas: Atton, Harrington, Johnson, Moe

Nays: Crewes, Rinas, Hitchcock

Board discussed Blueberry Lane water and Tabled approval of the Water Service Agreements until we have final approval from all Blueberry Lane Residents.

Announce acceptance of Pyramid's parking lot bid of \$44,170. Supervisor stated work is to begin Monday September 19, 2011.

Motion Johnson Second Moe to Approve quote from B&B Well Drilling to plug 4 abandoned wells at a cost of \$2,550.

Roll Call Vote:

Yeas: Atton, Rinas, Crewes, Harrington, Johnson, Hitchcock, Moe

Motion Johnson Second Atton to Approve First Amendment to the Urban Cooperation Act Agreement between the City of Midland and Larkin Charter Twp.

Roll Call Vote:

Yeas: Moe, Hitchcock, Atton, Crewes, Harrington, Rinas, Johnson

Jerry Steger, Planning Chair discussed possibility of Blight Ordinance for the Township. Supervisor thought a question should be placed on a ballot at an election. Clerk stated she did not think that was allowed on a ballot. Supervisor wanted Clerk to check with County Clerk to see if this can be done.

Jerry Stager also voiced his opinion on the board not approving the Sign Ordinance and wondered why the board did not review this sooner or attend the public hearing and voice changes at that time. Some board members stated that they never received the Ordinance to review in advance and some did attend the public meeting.

Supervisor brought up Harassment Report received last month from the attorney. He and the filler had a few words and were stopped.

Clerk then brought up the original Foia given on the Harassment report submitted and that the Supervisor stated after last month's meeting that the Clerk gave that out and it should not have been, per the attorney.

Clerk wanted clarification that she did not give them out in error and distributed an email from the attorney that stated that the Harassment report submitted are not exempt from disclosure under the Foia and he stated he did not advise the supervisor they were exempt .

Clerk then explained that the board needed to accept the report given by the attorney and that the statement "attorney-client privilege" on the report given by the attorney stating could be waived by a vote of the board.

Motion Johnson Second Atton to accept receipt and consideration of the Attorney's report dated August 9, 2011 on the May 2, 2011 Harassment Filed.

Roll Call Vote:

Yeas: Harrington, Moe, Hitchcock, Atton, Johnson, Crewes, Rinas

Motion Johnson Second Rinas to waive the attorney-client privilege statement on the Attorney's Report Dated August 9, 2011 and a copy to be given to filer, and all others must FOIA the document for review.

Roll Call Vote:

Yeas: Atton, Moe, Harrington, Hitchcock, Johnson, Rinas, Crewes.

Clerk then brought up who approved the Supervisor to destroy and sell the old office Furnaces. Supervisor stated it had been approved in the past and the Clerk stated that there was no record of a vote was in any past minutes. Clerk asked if any items had been sold and the Supervisor stated that one blower was sold. When asked who purchased the blower the Supervisor said he did not know his name and received cash for it.

Clerk then stated that per the attorney, the Supervisor does not have the authority to destroy or sell township property and this should have not happened until the approval by resolution of the Township Board was granted to sell property.

The attorney advised that legally, the sale is not effective and the board had two options.

- 1) To tender the \$ to the buyer and demand the item back
- 2) The Board should ratify the sale by resolving to approve the sale.

The Board then discussed their options. The Supervisor said he could get the blower back and return the funds if needed.

It was also discussed that each department make a list of assets that the township no longer uses or that are damaged and bring back in the next few months for a decision by the board to sell or dispose of.

Motion Rinas Second Moe to Approve to sell one blower to the unknown buyer for \$50.00, to give the other two blowers to the Fire Department to use and to scrap the rest of the three furnaces to Sova's Junkyard.

Roll Call Vote:

Yeas: Harrington, Hitchcock, Rinas, Crewes, Moe, Atton, Johnson

Clerk reminded the board that she maintains the web and all changes that are requested for the website. She requested that all changes be noted on the web change form and give to the her to make the changes and that the Office Manager/Deputy Clerk will do only agenda and minute uploads now.

Meeting Adjourned at 8:55pm

Respectfully Submitted,

Lisa K. Johnson, Clerk

Carl Crewes, Supervisor