

**KINROSS CHARTER TOWNSHIP  
SPECIAL MEETING  
MEETING WITH LEGAL COUNSEL  
REGARDING DPW ISSUES**

**May 24, 2006**

**4884 W. Curtis Street**

**MEMBERS PRESENT**

Jason Oberle, Supervisor  
Marvin Besteman, Clerk  
Ed DeWitt, Trustee  
Fred McClendon, Trustee  
Dan Mitchell, Trustee

**MEMBERS ABSENT**

Vicki Ulrich, Treasurer  
Wayne Donaway, Trustee

Also, present Jim White Attorney, Norm Perkins DPW Superintendent and Mike Hoolsema Accountant.

Attendance 2

Supervisor Oberle called the meeting to order at 7:00PM.

Attorney Jim White from Mika, Meyers, Beckett & Jones explained that in 1998 a Supreme Court Ruling limited the use of surplus monies from water & sewer fund. No monies received by the Department of Public Works for the water & sewer department can be allocated to other departments. The township may adopt a policy for charge backs to Department of Public Works and the Department of Public Works may within reason charge back to the township for services they provide.

Board discussed combining the water & sewer ordinance, the fact that the township has no contract for water & sewer with Sault Tribe for services to tribal housing. Discussion also, held regarding antenna lease agreements on the water towers. Attorney White explained that all revenues from antenna agreements are to go to the Department of Public Works.

It was also, discussed that when the State deeded the water plant over to the township it then became the property of Kinross Charter Township. Some feel that the water plant belongs to all the citizens and not just those who use and pay for the system. Attorney White stated again that prior to 1998, the township could have used surplus money but the Court Ruling imposed now ties our hands on how the revenue may be spent.

**#1 MOVED:** by Dan Mitchell, second by Marvin Besteman, to hire Jim White to combine the water & sewer ordinance. Motion carried with one no vote.

**#2 MOVED:** by Fred McClendon, second by Dan Mitchell, to hire Jim White to negotiate a contract with Sault Tribe for water & sewer service to tribal housing. Motion carried with one no vote.

Meeting adjourned at 8:57PM.

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Marvin Besteman Jr., Clerk

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Jason Oberle, Supervisor