

# Cass Lake Village Charter Commission Minutes

December 16, 2025

**Charter Commission Present:** Bob Redner, Cathy O'Connell, Brik Prado, Chris LaDuke, Jon Kellner. Attorney Jerry Fisher

**Residents Present:** 17 Residents

**Meeting was called** to order at 6:00 PM by Chris LaDuke.

**Roll Call:** All 5 Commissioners were present.

**Minutes:** - The meeting started with a review of the minutes of the Brik Pardo, which the secretary, Brik Pardo, read aloud.

Notes:

- **Village Name Consistency and General Powers** Cass Lake Village Information raised an issue with the draft charter referring to the entity as the "Village of Cast Lake," while the correct name is "Cass Lake Village". Cass Lake Village Information mentioned that this inconsistency appeared in the preamble, sections 1.1, and 2.1. Jerry Fisher agreed to reverse the name to ensure consistency. Regarding general powers (3.1 A or B), they confirmed that having the power to do something is at the council's discretion and would only create liability if the language stated they "shall do this," which was not the case.
- **Review of Enumerated Powers (3.1 C) and Police Power** Jerry Fisher directed the discussion to the enumerated powers section (3.1 C). Cass Lake Village Information proposed adding "canals" to the infrastructure list, alongside roads and bridges, for maintenance and acquisition. Cass Lake Village Information inquired about the applicability of police power regulations (Section C, item 8) since the village does not have its own police force. Jerry Fisher clarified that "local police power regulations" refers to the state's broad power to regulate for health, safety, and welfare, and therefore applies to the village.
- **Watercraft and Dock Regulation** A discussion was held on the need for authority to regulate canals, specifically concerning docks blocking traffic. Jerry Fisher agreed that if this is a specific concern, it should be added to the charter. Cass Lake Village Information clarified that they need to be able to place and maintain docks on waterways adjacent to either village-owned property or public roads within the village boundaries. They noted that their current marina is considered existing non-conforming under township zoning but could be formalized under the village's new charter.
- **Village Organization and Meetings** In Chapter 4, the commission agreed that the meeting day should be set by ordinance for flexibility. They also decided that the

newly elected council members should be seated and take office as soon as possible after the election is certified. The term of office for the president and vice president was confirmed as two years.

- **Compensation and Abstention from Voting** The commission decided to set compensation for council members, including reimbursement and pay for attending meetings, by ordinance rather than locking specific amounts into the charter. This allows for flexibility but means the council would vote on its own compensation. Cass Lake Village Information, along with the other attendees, agreed that the president and vice president should abstain from voting on their own compensation.
- **Vice President Duties and Delegation** Regarding the vice president's role, Cass Lake Village Information suggested that if the president became ill and the vice president had to take over, the ordinance could be changed to compensate the vice president at that time. A suggestion was accepted to include the ability for the president to delegate duties to the vice president.
- **Clerk and Treasurer Checks and Balances** Jerry Fisher introduced a section detailing the duties of the clerk, focusing on checks and balances with the treasurer. The clerk would prepare and execute warrants for all bills payable, which would serve as the treasurer's authorization for payment. This system ensures two sets of eyes on all money spent, with an exception for normal recurring bills, which can be specified by ordinance.
- **Treasurer Reporting and Village Departments** Jerry Fisher outlined that the treasurer should furnish the council with a financial statement showing cash balances, receipts, and disbursements. The commission requested this reporting be done monthly instead of every three months, noting that the books are not complicated. A provision was added stating that the village council may establish departments and authorize the hiring of employees.
- **Conflict of Interest and Referendum** A section (5.6) was added to prohibit conflicts of interest for council members, officers, appointees, or employees of the village. This includes prohibitions against accepting gifts or reduced rates from public utilities or persons endeavoring to secure a contract with the village. Jerry Fisher mentioned that a provision for a referendum was included, but not for initiative.
- **Public Comment: Board Compensation** Carl expressed concern about the proposed charter allowing the board to set their own compensation by ordinance, suggesting it could cause issues with voting because people generally dislike boards setting their own pay. Cass Lake Village Information clarified that the compensation can either be set as a dollar amount in the charter, requiring a resident vote to change, or set by ordinance, allowing changes over time. They also noted that any change in compensation would not take effect until the next

term, acting as a check and balance, and that residents have the option of a referendum if the compensation is deemed outrageous.

- **Public Comment: Check Writing Authority** Mike Johnson suggested setting dollar limits for check writing authority in the ordinance to prevent fraud, requiring a second signature or approval for amounts exceeding the limit, which Cass Lake Village Information supported. They agreed that any protective measures are important and that the specific dollar limit would be established by ordinance. Cass Lake Village Information confirmed that the ordinance would specify any check over the set amount would need signatures, such as the president's and treasurer's.
- **Public Comment: Policing and Millages** Mala Gupta inquired about the village's responsibility for policing and suggested coordinating with the township to deduct the public safety millage from residents' taxes if the village controls policing. Cass Lake Village Information explained that if the township provides police service through an intergovernmental agreement, that fulfills the village's obligation to provide policing. They also mentioned that the public safety millage is five and a half mills and, if it expires, the village could opt out of paying the roughly \$250,000 yearly community cost for public safety and contract with an alternative provider.
- **Public Comment: Property Access and Compensation Tie-in** Christine raised two points: one, the need for specific language in the charter to ensure access for maintenance and repair of utility infrastructure, such as the water system and roads, which Cass Lake Village Information acknowledged and requested a summary to be emailed. Two, they questioned if the board compensation could be tied to an adjustable rate, like inflation or the value of the community, to allow for reasonable adjustments over time without requiring frequent votes. Cass Lake Village Information stated they were unaware of other entities doing automatic adjustments based on COLA.
- **Canal Committee Review: Condition and Impact** Wade presented a review of the canal committee's efforts, noting that the village has about 2.3 miles of accessible canals, covering 58 surface acres of water, and that dredging costs are based on surface area. Wade reported that 135 properties have canal access, with over half of the properties in the village impacted by the canals. Key issues include water levels being too high or too low, muck levels being too high, and erosion of side banks, which is causing the loss of road right-of-way in some areas.
- **Canal Maintenance: Erosion and Depth** Wade discussed solutions to canal issues, noting that riprap can reduce erosion but narrows navigability, and seawalls are the best solution, including for individual homes. Weeding efforts evolved from using a pontoon boat to a \$12,000 annual chemical control program, which has been effective and is currently paid for by the association. For muck control, a third-party organic sediment reduction program was

demonstrated at \$8,775 for a 7.5-acre area, with the cost of treating all 50 acres estimated at \$58,500.

- **Canal Dredging and Cost Estimates** Muck control efforts, relying on donations and self-application by volunteers, have decreased due to a drop in participation, with a \$700 box of the control material being enough for a personal area. Wade explained that the material converts the muck from anaerobic to aerobic, causing it to decompose, which can significantly reduce the volume of muck and impact the high cost of dredging disposal. Estimated costs for canal work ranged from \$740,000 for water jetting and bagging two feet of muck to over \$10 million for dredging five feet deep across the entire area.
- **Canal Value and Village Control** The discussion covered the character and value canals bring to the neighborhood, with Cass Lake Village Information emphasizing that the character and scenery contribute significantly to property values. Wade's presentation raised the question of whether property owners could sue the village for lack of access due to high mud levels. As a village, Cass Lake Village Information noted that it seems like it would be easier to manage the canals, and they would maintain control over seawall installation, which is currently regulated by the township.
- **Bridge Department Review and Maintenance Strategy** Josh Barstow presented the bridge department review, stating that the 13 remaining bridges have an 80-year design lifespan and will not last forever, but an aggressive maintenance plan could extend their life by about 10 years, potentially delaying the next replacement until 2036. A bridge condition report from Spicer Engineering Group in 2022 identified three bridges in serious non-critical condition, which would require maintenance to prevent them from becoming safety issues. The total estimated cost for recommended maintenance on all bridges is around \$1.65 million.
- **Bridge Replacement Plan and Financing** The 2015 fire code requires bridges to support 38 tons, which is necessary for large fire trucks, and new bridges like Greer are rated at 80 tons. Josh presented a long-term replacement strategy, recommending replacing all 13 bridges over the next 70 years, which would necessitate saving \$166,000 per year, not including maintenance costs or inflation. Josh suggested a minimum annual maintenance budget of \$50,000, and warned that if a long-term plan is not accepted by the state and township, a special assessment district (SAD) might be imposed to cover replacement costs.
- **Water System Infrastructure and Costs** The community is meeting with the Michigan Rural Water Association to set water rates and fees. The cost of running the water system varies, with operational costs ranging from \$28 to \$50 a year per household for water delivery, and total operational costs (including maintenance and repairs) ranging from \$200 to \$500 per household per year. Future planned projects include a \$50,000 refurbishment of existing well pumps and investigating treatments for iron bacteria in the aquifer.

- **Water Main Replacement and Financial Scenarios** The primary reasons for replacing the water mains are the elimination of all lead service lines, a requirement by 2030-2035, and the need for adequate flow for firefighting. Replacing the entire system is projected to cost about \$8 million, and Spicer Engineering will provide a refined cost estimate on December 19th. Two scenarios for financing the \$6 million cost were presented: an all-at-once approach would cost about \$990 per house per year for 40 years, and a three-phase approach over eight years would cost about \$550 per house per year for 20 years, both in addition to the regular \$562 projected annual water costs and assuming no grants.
- **Funding and Water System Project** Cass Lake Village Information discussed funding options for a lead removal project, including federal grants, the drinking water revolving fund, and long-term loans. Spicer will assist in setting up the project to secure funding. Although no money has been dedicated, they suggested setting aside reserve funds for upfront costs such as engineering and testing to allow the process to start. Receiving funding is prioritized due to the presence of lead in the system.
- **Sewer Billing and Metering Discussion** Cass Lake Village Information reported on discussions with the West Bloomfield water sewer department regarding metering for private wells, noting that currently all private wells pay a flat rate without exception. The superintendent will consult with a lawyer about options for metering and accepting meter readings for reduced household sewer rates, potentially using the village's status as leverage. The flat rate currently charges the maximum possible usage. A potential benefit mentioned is that Cass Lake Village does not treat their water with chlorine, and this lack of residual chlorine might dilute West Bloomfield's system, which has a push to remove it. The authority for West Bloomfield to bill for sewer comes from their pass-through status, as it is not the entity that treats the water, which is done by Oakland County.
- **Village's Options and Authority** The possibility of the village bypassing the township entirely for sewer billing, possibly by contracting out maintenance functions, was raised for further investigation with an attorney or the drain commissioner of Oakland County, Jim Nash. Cass Lake Village Information stated that the village has little choice regarding compliance with water standards, as authorities like EAGLE can compel action through penalties, fines, or by enforcing a special assessment district that could result in substantial household bills. It was noted that giving up control over the water system project could lead to the county replacing it for \$15 million, with the cost levied as a lien on properties.
- **Metering and Fees Comparison** Steve Steer Linwood brought up that Waterford, which has wells as part of their municipal water system, is metered and does not pay a flat rate, similar to Cass Lake Village's system. Steve Steer Lynwood

commented that the sewer fees are largely about the money, noting that the unmetered rates charge the maximum possible amount.

- **Canal Erosion and Seawall Construction** Mala raised a question about the erosion along the canals and whether there is a plan to backfill the land in coordination with constructing a seawall. Cass Lake Village Information confirmed that no study has been conducted yet to determine the rate of erosion. The importance of conducting studies and engineering work ahead of time was highlighted as it helped secure the bridge grant previously. Lel, a property owner, detailed their experience in Ferndale with changing meters and replacing lead service with copper in about three hours without extensive digging. Lel also discussed that property owners are generally cautioned against recovering land that has eroded past the surveyed property line.
- **Reclaiming Land and Charter Language** The discussion shifted to whether the village, as opposed to the township, has the authority to establish a policy allowing for seawall construction and backfilling to reclaim eroded land, provided it is consistent with state law and EAGLE regulations. Cass Lake Village Information stated they would follow up with a lawyer on this question. John confirmed that they were able to reclaim some severely eroded property behind their dock after John Roa placed markers where the seawall should be.
- **Financing Seawall and Dredging Costs** Chris 10 suggested including seawall work in the cost of dock projects to stop erosion, which would reduce the amount of dirt sliding in and lessen the need for continuous dredging. Cass Lake Village Information introduced the idea of a matching fund with property owners, where the village covers a percentage of the cost (e.g., 30%) and the homeowner covers the rest (e.g., 70%), as a way to defer costs and increase homeowner investment in community improvement projects.

## Suggested next steps

- ✓ Cass Lake Village Information will submit the next bridge information tonight or tomorrow and provide Jerry Fisher with the latest version of the draft.
- ✓ Cass Lake Village Information will revise the name 'Village of Cass Lake' to 'Cass Lake Village' in the definitions throughout the document and change the word 'city' to 'village' in section 5.2 related to legal service.
- ✓ Cass Lake Village Information will add 'canals' to section 3.1 C, subsection 3 of the enumerated powers, for the acquisition or by purchase of anything to maintain infrastructure.
- ✓ Cass Lake Village Information will add the regulation of watercraft and dock location on waterways adjacent to either village owned property or public roads within the village to the charter.
- ✓ Cass Lake Village Information will update the document to say 'The council may adopt bylaws' for establishing operating rules for meetings and procedures.
- ✓ Cass Lake Village Information will add language to section 5.3 to allow the president to delegate duties to the vice president.
- ✓ Cass Lake Village Information will add an exception to the warrant requirement for ongoing bills, specified by ordinance, to the clerk's duties and add a reference to resolutions that require publication in the clerk's duty number 9.
- ✓ Cass Lake Village Information will change the frequency for the Treasurer to furnish the council with a statement of cash on hand, receipts, and disbursements to monthly instead of every three months.
- ✓ Cass Lake Village Information will ensure Bob Redner, Kathy Okonnell, and John Kelner are included on the original email when sending out the drafts.
- ✓ Cass Lake Village Information will put a provision in the draft for referendum.
- ✓ Cass Lake Village Information will talk to their lawyer about the village's authority regarding property lines and the seawall, specifically asking if they can establish a policy for backfill consistent with state law or Eagle.
- ✓ Cass Lake Village Information will try to investigate, possibly with the attorney or Jim Nash, to see if there is a way for the village to bypass the township entirely regarding sewer billing.

## Adjournment of Meeting

<https://bsaonline.com/>, which will reference all municipal information.

Minutes