

# Township of Lake

Huron County, Michigan  
December 15, 2008

The regular meeting of the Lake Township Board was called to order by Supervisor Smith at 6:32 P.M. Present were Smith, Fischer, McCallum, Hyzer and Hartsell along with approximately 40 guests.

Minutes of November 17, 2008 regular board meeting approved upon motion by Hyzer, seconded by Fischer. Motion carried.

Minutes of November 22, 2008 special board meeting approved upon motion by Fischer, seconded by Hyzer. Motion carried.

Minutes of November 26, 2008 special board meeting approved upon motion by Fischer, seconded by Hyzer. Motion carried.

Treasurer's Report tabled until next meeting.

Agenda approved upon motion by Fischer with the addition of the Building Inspector's Report, hiring of a secretary and a letter from Hume Township Supervisor under correspondence, seconded by Hyzer. Motion carried.

### **Correspondence:**

Resignation letter of Carl Wisniewski, Board of Review, read by Smith. Motion by Hyzer to accept Carl's resignation, seconded by Hartsell. Motion carried.

The following letters were read:

Letter from Deputy Clerk, Kathleen Bolton, regarding Township file access.

Letter from Yvonne Bushey regarding the new Township administration.

Letter from Charles Henry regarding Zoning Administrator, Arnie Russell.

Letter from Hume Township Supervisor, Jim Roland, regarding Lake Township's zoning and Zoning Administrator, Arnie Russell.

Pigeon River Intercounty Drain Notice of Determination read.

### **Public Comments:**

Lou Colletta asked about a letter read at the November 19<sup>th</sup> planning commission meeting by Deb McBride. Colletta had asked her to read the same letter to the Township Board at this meeting and also had asked for a copy of the letter. Ms. McBride said she has a copy and will provide it. Colletta asked that it be read inasmuch as there were integrity factors involving township personnel. Ms. McBride stated she did not have the letter with her and that she would read it at the next board meeting.

### **New Business:**

**Quarterly Budget Review and Amendments:** McCallum reviewed the budget and recommended necessary budget amendments. Motion by Fischer to transfer

\$6,000 from the General Fund to Assessor Salary; \$5.00 from Contingency Fund to Dues; \$500.00 from Contingency Fund to Township Hall Supplies. Motion seconded by Hartsell and carried.

**File Access:** McCallum stated that one file cabinet will remain locked and will not impede any official from performing their duties and if anything is needed from that cabinet, they can contact McCallum.

**Credit Card Policy.** McCallum reminded the Board members that use of the Township credit card is limited to the Clerk for specific purposes, such as registering officials for seminars or Quickbooks updates and not to be taken by public officials to seminars for expenses.

**File Cabinet Quotes:** McCallum presented quotes to the Township Board for two fireproof file cabinets, one letter, one legal, which are needed for the assessing files and the Township general files. Motion by Fischer to transfer \$1,000 from Land Acquisition in the Capital Improvement Fund to Office Equipment in the same fund in order to purchase two fireproof file cabinets, as quoted, one letter, one legal, for a total cost of approximately \$5,300, seconded by Hyzer. Motion carried.

**Tape Recorder Quotes:** Smith received quotes from Thumb Office for tape recorders but stated he already purchased one for less at Wal-Mart.

**Board of Review Appointments:** After discussion on Board of Review appointments, Smith recommended the following persons be appointed to the Board of Review for a two-year term commencing January 2009.

William Osborne, regular member  
Lou Bushey, regular member  
Vivian Osborne, alternate member  
Denise Carriveau, alternate member  
Dave Szumlinski, regular member

Motion by Hyzer in support of recommended appointments, seconded by Hartsell. Motion carried.

**Resolution Authorizing Change in Bank Depository:** McCallum read resolution authorizing Treasurer to use Bay Port State Bank and Team One Credit Union in addition to Independent Bank and Thumb National Bank for Township banking. Resolution 2008-23 offered by Hyzer and supported by Fischer. Roll call vote: All ayes.

**Planning Commission/ZBA Appointments:** Motion by Smith to appoint Dale Hartsell to the Planning Commission, seconded by Fischer. Smith recommended reappointment of Bob Hyzer to the ZBA. Motion by Hartsell to support recommendation, seconded by Fischer. McCallum opposed.

**Termination of Zoning Administrator:** Smith recommended going into closed session with Zoning Administrator, Arnie Russell. McCallum asked Russell if he wanted the Board to go into closed session. Russell said discussion could be done in an open meeting. Smith stated he wants the Zoning Administrator to put all the work into the computer, fill out all paperwork and have the ability to read blue prints. Fischer stated the Planning Commission does half of Arnie's job. Hyzer stated the Zoning Administrator should not have to go to the Planning Commission for help. Russell stated that the Zoning Ordinance requires any projects in the R-1 District go through review by the Planning Commission. Smith stated that there are not too many builders who want to build in Lake Township because it takes so long to get permits. McCallum stated that Arnie is following the Zoning Ordinance and he can't be terminated for doing his job and that the Zoning Administrator also has the right to consult the planning commission if needed whether or not the Planning Commission does site plan review. Hyzer suggested leaving it alone. Fischer also said to leave it alone until the ordinance is changed.

**Resolution on Township Hall Access:** Smith offered a resolution limiting access to the Township Hall when it is closed to the public to elected officials, only, and their deputies when accompanied by the elected official. McCallum asked what hours the Township Hall is open to the public. Smith said between 10 AM and 2 PM. McCallum wanted clarification as to the Building Inspector and Zoning Administrator in cases where a Township resident wanted to meet with them on a building project during non-office hours and also regarding the Deputy Clerk. Motion by Hyzer to table resolution, seconded by Hartsell. Motion carried.

**Township Secretary:** Smith stated that the Township received 25 resumes, many of whom were "over-qualified". He checked references and stated the Board was not going to conduct interviews. McCallum stated the Township has always interviewed job applicants when it has advertised for a position. Hartsell suggested a committee to select some of the candidates to interview. Fischer stated that some applicants may eliminate themselves once they find out that the job will only be on Tuesday's and Wednesday's until March. Smith asked Fischer to meet with him on Thursday and McCallum on Friday to select four to six candidates to interview.

Lou Colletta asked why Dale Hartsell was appointed to the Planning Commission. Smith responded that he wants the Planning Commission to go in a different direction. Colletta asked why Hyzer was reappointed to the ZBA. Smith stated that Hyzer has been with the Township the longest and that there is a new Board and everything is changing. Colletta asked why it is only half changing. Smith stated that it was decided as a Board, that he had asked other Board members.

McCallum asked when the Board would like to set up interviews for the secretary. It was agreed that members could be available on January 7, 2009 at 9 AM. Motion by Hartsell to schedule a special meeting for that date, seconded by Hyzer. Motion carried.

**Old Business:**

**Haz-Mat Ordinance:** Smith asked CAFPA Representative, Len Pilato, about the proposed service charge ordinance. Pilato stated that the Fire Department has nothing to do with hazardous materials and it was brought to the attention of the fire board following a Fire Chief's meeting. A meeting was held at the Fire Hall with Township officials to discuss the ordinance and what happens with hazardous spills. The ordinance was drawn up by the attorney and the purpose is to really alert the population that it is their responsibility to be sure they have insurance coverage for spills of hazardous substances. Without an ordinance, the Township could end up being charged for clean up costs. Russ Mangipane stated that the purpose of the ordinance is to protect the Township. Motion by Smith to adopt the proposed ordinance, seconded by Hartsell. Roll call vote: All ayes.

**Public Comments:**

Tim Lalley, Planning Commission member, stated that the replacement of McCallum at this time, with the wind ordinance almost complete, seems irresponsible. Lou Colletta stated that McCallum has close contact with lawyers and some expertise, without any disrespect to Hartsell, but that the continuity isn't there if McCallum is removed. Vi Renius agreed and asked whether the Board is going to review their decision. Smith stated no. Deb McBride stated that everyone needs to get along and maybe the audience could be polled. Bill Osborne stated that Dale Hartsell has knowledge and experience as a planning commission member in Caseville but asked whether there were some options on keeping McCallum in an advisory position to the planning commission. Hyzer stated not at this time.

**Payment of Bills:**

Motion by Fischer to pay bills, seconded by Hyzer. Motion carried.

Lalley stated that the Planning Commission issue is not resolved and asked the Board whether they were going to discuss it anymore. Smith stated no.

Motion by Hyzer to adjourn, seconded by Hartsell. Meeting adjourned at 7:40 P.M.

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Valerie McCallum, Clerk

Approved at a Township Board meeting held on the \_\_\_\_ day of January, 2008.

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Robert T. Smith, Supervisor