

Township of Lake

Huron County, Michigan
February 16, 2009

The regular meeting of the Lake Township Board was called to order by Supervisor Smith at 6:00 P.M. Present were Smith, Fischer, McCallum, Hyzer and Hartsell along with approximately 55 guests.

Minutes of January 19, 2009 regular board meeting approved upon motion by Hyzer, seconded by Fischer. Treasurer's report approved upon motion by Hyzer, seconded by Hartsell. Motion carried.

Agenda: Smith requested addition of Supervisor's comments under New Business. Fischer requested addition of credit cards. Smith asked McCallum why the township received two new credit cards. McCallum stated that Fischer was requested to add McCallum and Bolton as authorized personnel for making inquiries and obtaining information regarding credit card transactions and Fischer had the wrong form sent and completed which resulted in additional credit cards being issued rather than inquiry authorization. A second form was eventually completed and McCallum and Bolton are now able to make inquiries on transactions when processing bills for issuance of payment.

Agenda approved with the addition of Supervisor's comments under New Business upon motion by Hartsell, seconded by Hyzer. Motion carried.

Correspondence:

Correspondence read.

Smith to attend MDOT Transportation Information meeting on March 9th.
Sleeper State Park email advising Township that the Park does not want any brush spraying in the ditches adjacent to state property on State Park Road.
Letter from John McCallum regarding property tax relief for all township residents in conjunction with wind energy development and an offer to assist in a survey in this regard.

Public Comments:

Letter read by Gerry Simmons regarding Kelterborn response.

Paul Beck asked whether the Township had a contract with the assessor and when it was approved by the Board. Smith stated it was approved by four members of the board via telephone. Mr. Beck asked whether it was consummated at a township board meeting. Smith stated it was not. Mr. Beck requested a copy of the contract.

Mr. Beck also requested that elected or appointed officials with a vested or financial interest in wind development should not be allowed to vote on anything that would generate income for themselves. Smith responded that if there is a conflict of interest, they cannot vote.

Letter read by Lisa Konke regarding Kelterborn response.

Walt Kloc questioned membership of zoning board of appeals and planning commission members serving on both boards. Colletta responded that law requires a township board member to serve on both boards as well as a planning commission member to serve on the zoning board of appeals.

No Petitions.

New Business:

Kelterborn response. Smith asked each member on the Township Board whether or not they had a conflict of interest in regard to this issue. No board members felt they had a conflict. Smith asked all members other than McCallum whether or not they felt McCallum had a conflict to which all four responded yes. Smith stated that McCallum would not be able to reply to Kelterborn's request. McCallum asked whether or not Smith had contacted the Township attorney in this regard and whether he had anything in writing. Smith stated he had and the attorney felt McCallum would have a conflict but he had nothing in writing and the attorney is out of town until 8 PM tonight. McCallum suggested tabling the matter until the attorney could be available to provide an opinion. The Board wanted to take care of the issue tonight. Smith then asked each board member what their response to Kelterborn is. Hyzer stated anything he heard is hearsay, Fischer stated it's all hearsay, Hartsell said he doesn't think the board can make a resolution but could only put comments on the record and stated he'd tell Clay that he never said anything and would give his apologies, but didn't think a resolution was appropriate. Smith stated that the board may have to give a resolution and asked McCallum whether that would be appropriate. McCallum read from the letter sent to Dorothy Fischer and copied to the Township Board requesting either a retraction or the basis for the allegations, and stated that the board has been asked to provide a basis for any allegations. Hartsell stated he was just elected and wouldn't know if anything was taken from the hall but has no reason to believe anything was taken. Smith stated he felt the same as Hartsell and has known Clay for a long time but cannot apologize for something he was not a part of and suggested that the board should make a resolution. Fischer stated she never accused anyone individually. After discussion on a resolution, Smith concluded by stating that the Board as a whole did not say anything that was wrong and will not apologize. Smith then asked Clay if he had a response.

Kelterborn addressed the Board and those in attendance wanting to address statements read from letters during public comments. He stated that the allegations did not stop with the election and that is why he proceeded as he did. He stated that he did attempt to address the allegations during the election and spoke to Fischer at that time. Kelterborn stated allegations of theft are serious and should not be made without any basis. He also stated he was aware of comments made regarding Smith, but that he was not part of that, and was also aware that the matter was addressed and the comments stopped. He stated he has no ill feelings towards the new administration and wishes them well. He stated that it

appears that some people in the township are unhappy with decisions made by the previous administration, but that those decisions were made collectively by a Board, three of whom are still on the Board, and not made solely by one person. He stated it is wrong to direct all angst against one person of a five member Board, since decisions are made by five board members. As far as the office being closed following the election, Kelterborn stated that the previous office secretary ran for office and following the election she made the decision not to stay on as secretary and that is why the office was closed and that he was out in the field harvesting corn.

Supervisor's Comments: Smith stated he had requested the secretary keep a log of her work and based upon that and the fact that the assessor will be needing assistance, he would like to increase her from two to three days.

Smith then asked Colletta why the Planning Commission meeting was changed from the 25th to the 18th of February. Colletta responded that the date was changed due to members having other commitments on the 25th.

Smith advised the Board that Mary Johnson, the Township Secretary, has agreed to take minutes for the planning commission and the Board of Review. She may also be the recording secretary for the ZBA, if requested. The secretary will receive the \$25.00 per diem for the planning commission and \$10.00 per hour for the Board of Review hours.

Smith then asked about the township providing lunch for the Board of Review since the election workers are provided lunch. McCallum stated that election workers cannot leave for lunch, the Board of Review recesses for lunch and dinner and can leave the premises and suggested that Smith recommend a per diem increase rather than providing meals.

McCallum asked whether the secretary would be allowed additional weekly hours when needed in order to complete minutes of the different boards. Smith stated he would make phone calls to the board members as the need arises to get approval. McCallum stated that the Board previously approved up to 20 hours per week and monies are budgeted to allow for 20 hours, and suggested that the board make a motion at this time allowing the secretary to work up to 20 hours per week, if needed. **Motion by Smith to allow the secretary up to 20 hours per week to use office time for work, whether it be minutes or other township work, if needed, seconded by Hartsell. Motion carried.**

2009 Dust Control Contract: Motion by Smith to accept dust control bid by Wilkinson, seconded by Hyzer. Motion carried.

Deputy Supervisor's Report on Pinnebog Watershed: Pat Smith read her report on the meeting of the Pinnebog River Watershed steering committee held on January 21, 2009. (Report attached.)

Motion by Smith for Board approval allowing his **Deputy to perform duties** of internet and library research on township issues and telephone contacts when the supervisor is busy, **seconded by Fischer. Motion carried.**

Clerk's Report on District 7 Officials Meeting with Commissioner Damrow: McCallum advised the board of the topics discussed at the meeting held on February 5, 2009 in Port Austin. (Report attached.) McCallum also asked that board officials be advised of these meetings in the future.

2009-2010 Budget Preparation: Smith stated he would like to schedule a separate meeting to prepare the 2009-2010 budget inasmuch as he was not prepared to work on it at tonight's meeting since he had not received a copy of the budget worksheet in his packet and, therefore, has not had time to review the budget. McCallum stated that the worksheet is the same as the budget given to Smith when he took over duties as Supervisor and that this meeting was scheduled to begin earlier than normal in order to allow enough time for the budget preparation rather than scheduling a separate meeting which costs \$160.00. Smith and Hyzer both suggested scheduling a separate meeting and dates were discussed. Smith also stated he does not want to adopt the General Appropriations Act and asked for a second. Hyzer seconded. McCallum stated that it is required for adoption of the budget. Smith responded that he doesn't like the fact that the Planning Commission, for example, has control over their own budget. McCallum stated that the board has control over the budget in that they set the budget. McCallum recommended adjourning rather than scheduling a separate meeting. Motion by McCallum to adjourn until Tuesday evening at 7 PM. No second. The board continued on with the business on the agenda.

Old Business:

Township Secretary (Duties/Responsibilities Policy): McCallum recommended forwarding the policy prepared to the Township attorney for review. Hyzer said he didn't think a policy was necessary. **Motion by Hartsell to adopt the Township Secretary Duties/Responsibilities Policy as written, seconded by McCallum. Motion carried.** Hyzer and Fischer opposed.

Septic Committee: Smith stated he would hold off on anything to do with the septic committee until the wind ordinance was complete. McCallum questioned this decision inasmuch as they are unrelated and also the fact that the proposed economic stimulus monies are being directed toward water and sewer infrastructure projects and perhaps the township may want to look into what kind of monies will be available. Smith stated he would discuss this with Commissioner Damrow Wednesday night either before or after the planning commission meeting.

Russ Mangiapane asked whether the Board was going to review the CAFPA budget prior to adjourning. Smith read through the CAFPA budget. It was noted that the tanker truck is paid off and the CAFPA millage proposed for 2009 will be reduced from 7/10ths of a mil to 6/10ths.

Public Comments:

Walt Kloc stated that the word "stealing" is defined as a taking away and asked what the alleged taking away is. Ruth Depner stated that the word "stealing" was used and that Dorothy Fischer had told a neighbor that Clay stole paper from the township and that he stole a specific number of reams of paper although Mrs. Depner could not remember the specific amount that was mentioned.

Jeanne Williams questioned the Board's decision in regard to a conflict of interest on the Kelterborn response in that Dorothy Fischer and Robert Hyzer, Dorothy's father, were not subject to a conflict of interest. Hartsell replied that the primary person accused should not have been excused.

Bob Siver stated that both Bob Smith and Dale Hartsell denied making any allegations, but that Fischer is the primary person involved and did not deny making any allegations.

Dale Dietlin stated that the meeting did get out of hand and that the Board members should work on communication between meetings rather than having disagreements during meetings. McCallum responded that Mr. Dietlin has a valid point, but that decisions in regard to township business are required to be made during public meetings and not beforehand or between only limited members of the township board as is being done by the current administration.

Syrie Hirth commented on the Township's building and zoning departments and asked whether the Township Board would consider turning those departments over to the County. Smith responded that the Township Board did make such an attempt years back and over 300 residents signed a petition against such action.

Motion by Hyzer to adjourn until 7 PM Tuesday, February 17th, seconded by Hartsell. Motion carried.

Motion by Smith to pay bills, seconded by Hartsell. Motion carried.

Meeting adjourned at approximately 8 PM.

Tuesday, February 17, 2009 – 7 PM. Regular meeting of Lake Township Board resumed with all board members present along with 29 guests.

McCallum provided Smith with information from the Michigan Townships Association related to the General Appropriations Act stating that adoption is required by law.

McCallum mentioned that a current set of tax maps are needed at the Township Hall since the assessor does not work from the hall and has the current set in her possession. Smith will order a new set.

McCallum recommended that mileage reimbursement not be paid for within County mileage and suggested if there is any objection that officials could request a salary increase to make up for this change in policy.

2009-2010 projected revenues were reviewed and proposed. No figures for 2009 taxable value available. Expenses reviewed and proposed. Suggestions for 2009-2010 budget as follows:

- Pre-pay Air Advantage for one year to save one month fee;
- Increase zoning appeal fee to \$400.00 to cover costs;
- Increase Planning Commission per diem rate to \$70.00;
- Increase Zoning Board of Appeals per diem rate to \$55.00;
- Increase Recording Secretary fee for Planning Commission and Zoning Board of Appeal to \$30.00;
- No extra-voted millage allotment to Gypsy Moth Fund for 2009 tax collection;
- Increase Board of Review per diem rate to \$80.00
- Supervisor Salary increased to \$9,500;
- Treasurer Salary increased to \$13,000;
- Assessor Salary increased to \$20,000;
- Hall Maintenance increased to \$3,500;
- Zoning Administrator Salary increased to \$9,400;
- \$5,000 Transfer to Capital Improvement Fund;

Smith to check with Bill Bittner of Elkton Ambulance for 2009-2010 contract fee in order to determine required budget amount.

Smith advised Colletta, Planning Commission Chairman, that a wind ordinance must be ready by May or the Township Board will submit their own ordinance.

Syrie Hirth asked the Board to invite Russ Lundberg, Huron County Planning & Zoning Director, to speak at their next meeting regarding the County's ability to take over the Lake Township zoning and building departments.

Motion by Hyzer to adjourn, seconded by Hartsell. Motion carried. Meeting adjourned at 9:20 P.M.

Valerie McCallum, Clerk

Approved at a Township Board meeting held on the ____ day of March, 2009.

Robert T. Smith, Supervisor