

# Township of Lake

Huron County, Michigan  
March 30, 2009

The regular meeting of the Lake Township Board was called to order by Supervisor Smith at 7:00 P.M. Present were Smith, Fischer, McCallum, Hyzer and Hartsell along with approximately 45 guests.

Minutes of February 16, 2009 regular board meeting approved upon motion by Hartsell, seconded by Fischer. Motion carried. Minutes of March 16, 2009 special board meeting approved upon motion by Hartsell, seconded by Hyzer. Motion carried. Treasurer's report approved upon motion by Hyzer, seconded by Hartsell. Motion carried.

**Agenda:** Agenda approved upon motion by Hartsell, seconded by Fischer with the following additions:

- PA 116 Removal for Opal Dufty property
- Letter from Gerry Simmons under correspondence
- Louis Bushey, Board of Review Chairman request to address Board
- Ditch Spraying
- Letter from Tory Geilhart under correspondence
- Township Holiday hours

Motion carried.

Supervisor Smith opened the public hearing on the 2009-2010 proposed fiscal year budget at 7:15 p.m.

Questions were asked about changes to the original proposed budget as prepared on February 16, 2009; question on the Deputy Clerk's Salary; questions on mileage; question on need for township government.

McCallum recommended removing line items under Assessor Expenses for Mileage/Housing and Education inasmuch as the Township should not be paying these expenses for a contract assessor.

Public hearing closed upon motion by Hartsell, seconded by Fischer. Motion carried.

**Correspondence:**

Smith questioned the Planning Commission minutes of February 25<sup>th</sup> wherein Tim Lalley stated that Bob Krohn of Oliver Township has nine turbines on his land. Lalley stated it was an error in the minutes and a correction was made to that at the March 25<sup>th</sup> Planning Commission meeting. Bob Krohn stated he was misquoted by Lalley.

The following letters were read:

- Letter of March 18, 2009 from M-DOT regarding right-of-way encroachments along M-25
- Letter of March 2, 2009 from M-DOT regarding the Adopt-A-Highway Program
- Letter from the Huron Conservation District/Pinnebog River regarding Cost Share Program
- February 18, 2009 letter from John McCallum to Kurt Damrow regarding Wind energy and investigation into potential property tax relief
- Lawn Maintenance Bid from Paul Santhany
- Email correspondence from Carol Neville regarding wind energy zoning
- Email correspondence from Marge Zott regarding wind energy zoning
- Email correspondence from Angie Weber regarding wind energy zoning
- Letter from Tory Geilhart regarding complaints of Syrie Hirth
- Letter from Gerry Simmons regarding Township Clerk and videotaping of meetings

**Public Comments:**

Yvonne Bushey asked why McCallum added the Board of Review and Assessment Roll to the agenda at the March 16<sup>th</sup> special meeting. McCallum stated she had concerns about the assessment roll such as the fact that it was not available for public inspection following the organizational meeting of the Board of Review, the fact that the assessments did not appear to be based on uniformity and the late mailing of assessment change notices not allowing taxpayers time to petition to the Board of Review and wanted the Board of Review to take the time to address these concerns and to carefully review the assessment roll prior to finalizing. Clay Kelterborn stated that he called Smith on March 4<sup>th</sup>, the day following the organizational meeting of the Board of Review, to look at the assessment roll, and again on March 5<sup>th</sup> and March 6<sup>th</sup> and his phone calls were never returned and the assessment roll was not available at the Township Hall.

Lou Colletta asked whether taxpayers who received their assessment notices late will have an opportunity to appeal to the Board of Review. Bushey stated he would call Lansing.

No Petitions.

**New Business:**

**Elkton Ambulance Contract.** Motion by McCallum, seconded by Fischer to accept the contract as proposed at \$4.00 per capita or \$3,984.00 for the current year. Motion carried.

**Resolution 2009-03, CAFPA Millage Levy,** offered by Hartsell and supported by Smith. Roll call vote: All ayes.

**Resolution 2009-04, Lake Township Millage Levy**, offered by Smith and supported by Fischer. Roll call vote: All ayes.

**Resolution 2009-05, Planning Commission 2009-2010 Meeting Schedule**, offered by Smith and supported by Fischer. Roll call vote: All ayes.

**Budget Adoption: Resolution 2009-06, General Appropriations Act**, offered by Smith and supported by Fischer. Roll call vote: Four ayes, McCallum Nay.

**Resolution 2009-07, Township Board 2009-2010 Meeting Schedule**, offered by Smith and supported by Hyzer. Roll call vote: All ayes.

**Resolution 2009-08, Township Clerk's Salary**, offered by Smith and supported by Hartsell. Roll call vote: All ayes.

**Resolution 2009-09, Township Treasurer's Salary**, offered by Smith and supported by Hyzer. Roll call vote: All ayes.

**Resolution 2009-10, Township Supervisor's Salary**, offered by Hartsell and supported by Fischer. ~~Roll call vote: All ayes.~~

**Resolution 2009- 11, Township Trustee's Per Diem Salary**, offered by Smith and supported by Fischer. Roll call vote: All ayes.

**Resolution 2009-12, Township Auditor (Berthiaume & Company) for the 2009-2010 audit**, offered by Smith and supported by Hartsell. Roll call vote: All ayes.

**Township Attorney:** McCallum questioned Fischer and Hyzer on attorney choice for the upcoming year since last year both were not in favor of Walt Salens as Township attorney. **Resolution 2009-13, Township Attorney (Walt Salens)**, offered by Smith and supported by Hyzer. Roll call vote: Four ayes – McCallum Nay.

**Resolution 2009-14, Township Depository** (Independent Bank, Thumb National Bank, Bay Port State Bank and Team One Credit Union), offered by Smith and supported by Fischer. Roll call vote; All ayes.

**Resolution 2009-15, Township Publication Media** (Huron Daily Tribune), offered by Smith and supported by Hartsell. Roll call vote: All ayes.

**Resolution 2009-16, Tax Collection Administration Fee (1%)**, offered by Smith and supported by Fischer. Roll call vote: All ayes.

*(A brief recess was taken at 8:55 P.M.)*

Roll call vote:  
Four ayes.  
Smith  
abstained.

**Lawn Maintenance Contract.** Motion by Smith, seconded by McCallum to accept proposal for lawn maintenance submitted by Paul Santhany. Motion carried

**Holiday Schedule.** Motion by Hyzer, seconded by Smith to observe the Huron County holiday schedule. Motion carried.

**Duffy PA 116 Removal.** Resolution for Partial Termination of PA 116 Agreement offered by Hyzer and supported by Fischer. Roll call vote: All ayes.

**Old Business:**

**2008-2009 Budget Amendments:** The following budget amendments were recommended by McCallum:

- \$600.00 from Contingency Fund to Board of Review Salary;
- \$100.00 from Contingency Fund to Board of Review Education;
- \$20.00 from Contingency Fund to On-Line Service;
- \$50.00 from Zoning Board of Appeals Supplies/Education to ZBA Salary

Motion by Fischer to approve the recommended amendments, seconded by Smith. Motion carried.

**Bank Account Signatories.** Discussion on bank account signatories. McCallum recommended that the Treasurer, Deputy Treasurer, Moira Foster, Clerk and Deputy Clerk, Kathleen Bolton, be authorized signatories on the General Checking account inasmuch as the Deputy Treasurer and Deputy Clerk have the same duties and responsibilities as the Treasurer and Clerk in case of the absence of either of the later two officials. Motion by Hartsell, seconded by McCallum. Motion carried. Hyzer and Fischer opposed.

Discussion on remaining bank accounts and CD's other than the property tax account. Motion by Hartsell to include Treasurer, Deputy Treasurer, Moira Foster, and Clerk as authorized signatures on remaining accounts other than property tax account. Motion carried. Hyzer opposed.

**Water Quality – Septic Committee/Draft Ordinance.** Smith asked Bob Siver to meet with him regarding the septic committee/ordinance.

**Supervisor's Resolutions for Zoning Ordinance Amendments.** Discussion on Resolutions prepared by Smith to amend zoning ordinance. McCallum advised the Board that the proper procedure for zoning ordinance amendments begins with the Planning Commission holding an initial public hearing, not the Township Board, the Planning Commission then makes its recommendation of amendments following the public hearing and forwards those recommendations to the County Planning Commission for their review and comment and then it is returned to the Township for the Township Board to adopt. The Township Board can hold an additional public hearing on the amendments if they choose.

change

McCallum recommended a motion requesting the planning commission to hold a public hearing on Smith's proposed amendments following the required procedures. Motion by Smith to have the planning commission ~~review amendments to~~ Sections 805.3, 705.4 and 605.2, Maximum Building Height from 28' to 35'; Sections 605.3, 705.3 and 805.4, Lot coverage from 25% to 35%; Section 307.2(d), no review by the planning commission for projects in the R-1 District; Dimensional Table of Page 4-4 to reflect above amendments and Section 302.2, membership of the planning commission be increased to a nine (9) member board. Motion seconded by Fisher and carried.

**Public Comments:**

Comments were made regarding videotaping and the agenda for the March 16<sup>th</sup> special meeting. It was suggested that perhaps the meetings should be streamed live.

**Payment of Bills:**

McCallum questioned a bill from Ken Mattingly for handyman work at the Township Hall at \$25.00 per hour as being an excessive hourly rate for handyman work and had checked with another local handyman who charges \$15.00 per hour and is also a Township resident. McCallum also questioned Attorney Salens invoice for charges incurred in sending a "cease and desist" letter to John and Ruth Depner on behalf of Dorothy Fischer. McCallum did not think the Township should be paying for this letter inasmuch as it was a personal issue, not Township related. Motion by Smith, seconded by Fischer to pay both of these bills. Motion carried. McCallum opposed.

Discussion on compactor repair at Transfer Station. Motion by Hyzer to contact Waste Management to do repair and if they do not, to hire someone with a portable welder to do repair and bill Waste Management. Motion seconded by Hartsell. Motion carried.

pay

Motion by McCallum to ~~contact Harold Lundy who charges~~ \$15.00 for future Township Hall repairs, seconded Hartsell. Motion carried.

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

Motion by Hartsell to adjourn, seconded by Fischer. Meeting adjourned at 9:45 P.M.

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Valerie McCallum, Clerk

Approved at a Township Board meeting held on the \_\_\_\_ day of April, 2009.

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Robert T. Smith, Supervisor