

Township of Lake

Huron County, Michigan
April 20, 2009

The regular meeting of the Lake Township Board was called to order by Supervisor Smith at 7:30 P.M. Present were Smith, Fischer, McCallum, Hyzer and Hartsell along with approximately 55 guests.

Russ Lundberg, Director of Huron County Building & Zoning Department, talked about the process involved and the advantages and disadvantages of turning over the Township's building department to the County. Lake Township is the only municipality in Huron County maintaining its own building department. The County has three building inspectors, one of which is also a mechanical inspector and another is also an electrical inspector. The County also employs a plumbing, mechanical and soil erosion inspector. Four inspectors, in total, to serve 39 jurisdictions.

The process involved to turn over the building department to the County would involve a request from the Township Board, a reason to rescind the department, authorization from the State (i.e. no building inspector available), and a one year waiting period. Lundberg stated that the State does not want a Township to fall under the County unless it is the only feasible alternative.

Syrie Hirth asked Lundberg various questions relating to the County's process for issuing a building permit including whether or not the County stamps building plans to which Lundberg stated that proof of approval of building plans is the building permit. Other questions asked concerned complaints and response time, revenues and permit fees.

(At 8:10 Mr. Lundberg's presentation concluded and he left the meeting.)

Minutes of the March 30, 2009 regular board meeting and public hearing on the 2009-2010 fiscal year budget approved upon motion by Hartsell with the following corrections: Resolution 2009-10, Supervisor's Salary, Smith abstained; Supervisor's Resolutions for Zoning Ordinance Amendments – "Motion by Smith to have the planning commission change Sections 805.3..." , and striking of Harold Lundy for Township Hall repairs, rephrased to state "to pay \$15.00 per hour for future Township Hall repairs". Motion approving minutes with corrections seconded by Fischer and carried.

Treasurer's Report approved upon motion by Hartsell, seconded by Hyzer. Motion carried.

Agenda: McCallum requested the following items be added to the agenda:

- Letter from Robert Siver
- August 7, 2006 letter from Attorney Salens to Dale Dietlin
- Public Service Commission Notice of Public Hearing
- Bank Accounts Resolution under Old Business
- Building Inspector Geilhart's Memo under New Business

Smith wanted to be added for comments under New Business.

Correspondence:

The following correspondence was read by McCallum:

- Email of April 20, 2009 from Robert Siver
- August 7, 2006 letter from Attorney Salens to Dale Dietlin on behalf of Lake Township
- Letter of February 17, 2009 from Kathleen Bolton in response to Syrie Hirth's letter

Smith commented on the planning commission minutes of March 25, 2009 stating that the County's allowable height is 35 feet and lot coverage is 25% in residential and 15% in rural residential.

Smith read email correspondence from Cindy Davis of MTA stating that the assessing unit is responsible to respond to Michigan Tax Tribunal petitions and therefore responses to petitions would be the responsibility of the current assessor.

Public Comments:

Syrie Hirth responded to Bolton's letter and her issues with the Township's building department. She stated that Fischer told her it was a "cover up". Fischer denied.

Stannette Malosky questioned the automatic combining of 60' lots in common ownership.

Commissioner Damrow discussed County issues including the proposed Health Center, the Veterans Clinic, the muck and algae on the beaches, and the National Flood Insurance Program. The next District 7 meeting is scheduled for May 14, 2009 at the Port Austin Township Hall. Joy Brooks of the DEQ Floodplain Program will be at the meeting to explain the Flood Insurance Program. The first legislative committee meeting to review the County's wind ordinance will be in three weeks and is open to the public. He mentioned pending legislation which would allow non-homestead residents to vote on local millages, stating it would hurt the schools and local funding. Also mentioned the County's lead in educating for wind technicians. *(Commissioner Damrow finished and left the meeting at 8:50)*

No Petitions.

New Business:

Resolutions for Fee/Per Diem Rates. Resolution 2009-17, Board of Review Per Diem Rate, offered by Smith and supported by McCallum. Roll call vote: All ayes.

Resolution 2009-18, Planning Commission and Zoning Board of Appeals Per Diem Rate offered by McCallum and supported by Smith. Roll call vote: two ayes. Smith, Fischer and Hyzer – Nay. Resolution failed. McCallum stated the resolution was based upon increases recommended during the budget preparation at the February 16th meeting. Hyzer stated the increases were too much and not necessary, that \$65.00 for the planning commission and \$50.00 for the Zoning Board of Appeals would be adequate. **Resolution 2009-19, Planning Commission & Zoning Board of Appeals Per Diem Rate** offered by Smith and supported by Hyzer. Roll call vote: Four ayes. McCallum – Nay.

Resolution 2009-20, Zoning Appeal Fee, offered by Hyzer and supported by Hartsell. Roll call vote: All ayes.

Assessor Proposals: Three letters received from the following assessors: Coiene Tait, Susan Dumaw and Jo Wolschlager. Hartsell will check references.

2009-2010 Budget Amendment: Motion by Hartsell to amend budget item for On Line Service to \$550.00, taking additional \$50.00 from contingency fund, seconded by Smith. Motion carried.

Smith had the following comments:

Wanted to know when zoning changes he requested will be on the agenda, stating that he has been requesting these changes since February 18th. Colletta stated he will put it as a priority at the April 22nd meeting following Susan Topp's presentation.

Old Business:

Resolution 2009-21, Bank Account Policy Resolution, offered by Hartsell and supported by Fischer. Roll call vote: All ayes.

Review of Ordinance to Confirm Establishment of a Planning Commission with Zoning Authority tabled upon motion by Hyzer, seconded by Smith. Motion carried.

Septic Committee/Draft Septic Ordinance. Smith will meet with Bob Siver on Wednesday, April 22, 2009 at 10 A.M.

Public Comments:

Yvonne Bushey stated that there have been comments made regarding the assessment roll at previous meetings and it is only fair that the assessor should be present in order to defend and explain the accusations.

Tom Mangiapane stated he would appreciate some gravel on James Road. Smith stated he would be reviewing the roads with the County Road Foreman on Tuesday. Gerry Simmons requested Old Sand Road be done, also.

Yvonne Bushey asked McCallum to explain why she mentioned Lou Bushey's name and one parcel at the March 16th meeting. McCallum stated that Mr. Bushey is the Chairman of the Board of Review and was therefore referenced in order to point out the deficiencies in the assessment roll by comparing his assessment to some of his neighbors.

Jeanne Henry commented on Commissioner Damrow's comments on the non-homestead property owners being allowed to vote on local millage issues if the proposed legislation passes, that it is classic taxing without representation and we shouldn't be so hard on part-time residents.

Kelterborn stated that insofar as the 2009 Assessment Roll, the Clerk notified the Township Board and the Board of Review of the deficiencies in its preparation, mailing of assessment notices not done timely, the fact that splits and combines were not done and new construction not picked up. He stated his biggest concern is the assessments in the Township that have been zeroed out, meaning that those property owners will pay no taxes for 2009. He stated that the Township Board and the Supervisor, who is the Chief Assessing Officer, have neglected their responsibilities. Taxes are supposed to be fair and uniform and the Board should start addressing this issue rather than focusing only on the planning commission and the wind ordinance.

Payment of Bills:

McCallum advised the Board of two additional bills, John Hancock participant fee and Huron County for labels. Motion by Hartsell to pay bills with the two additional bills, seconded by Fischer. Motion carried.

Motion by Hartsell to adjourn, seconded by Fischer. Meeting adjourned at 9:40 P.M.

Valerie McCallum, Clerk

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

Robert T. Smith, Supervisor