

# Township of Lake

Huron County, Michigan  
February 15, 2010

Regular meeting of the Lake Township Board called to order at 6:30 P.M

Smith, Fischer, McCallum, Hyzer and Hartsell present along with approximately 27 guests. Pledge of allegiance.

Bill Bittner from Elkton Ambulance was in attendance to answer any questions. Hartsell asked whether Bill Simmons was still working for Elkton Ambulance. Mr. Bittner advised the Board that Bill Simmons was no longer working for the service.

**Minutes of January 18, 2010 Regular Meeting:** Motion by Hartsell to accept the minutes as prepared, seconded by Fischer. Motion carried.

**Treasurer's Report:** Motion by Hyzer to accept the Treasurer's Report, seconded by Hartsell. Motion carried.

**Agenda:** Smith requested the addition of recycling flyers for the Transfer Station. McCallum requested the addition of correspondence from Michigan Par Plan, Risk Control Division, Property Insurance renewal and MTA Governance Pledge.  
**Agenda approved with additions upon motion by Hartsell, seconded by Fischer. Motion carried.**

**Correspondence** read including letter from Michigan Township Participating Plan regarding recommendations following risk control analysis of Township.

No Petitions.

## **Old Business:**

**Septic Committee:** Yvonne Bushey advised the Board that after five meetings and the drafting of a simple point of sale ordinance which was reviewed by the township attorney and County departments, it was determined that the proposal was insufficient and she would like the Board to turn it over to the Township Planning Commission for further work and to finalize. McCallum asked about the original ordinance that had been drafted by the original septic committee. Bushey said it was too complicated and duplicated county requirements and they attempted to draft a simple ordinance. McCallum requested Mrs. Bushey turn over her file and copies would be provided to the planning commission. Dave Szumlinski commented that the planning commission is short a member. Smith stated that he had someone interested but their letter of intent was not turned in. McCallum mentioned there were letters of intent on file.

**Motion by Fischer to table appointment to fill vacancy, seconded by Hartsell.** Motion carried. Notice of vacancy will be posted at Township Hall.

**New Business:**

**Recycling flyers:** Copies will be made and distributed at Transfer Station.

**Resignations of Konke and Johnson: Motion by Smith to accept the resignations of Konke and Johnson,** seconded by Hartsell. Motion carried.

**Secretarial/Webmaster position: Motion by Smith to appoint Lisa Konke as the Township secretary and webmaster,** seconded by Fischer. Motion carried. McCallum opposed.

**Property Insurance Renewal:** McCallum reviewed options Township has for property insurance deductibles to reduce insurance premium.

**Snow removal.** Discussion with Brandon Fritz regarding snow removal at Township Hall and Transfer Station. Dave Ferris, Transfer Station Attendant, advised to contact Fritz directly when needed. All Board members provided with contact information for Fritz.

**Letter from Attorney Lohrstorfer to Dorothy Fischer:** McCallum asked questions regarding letter sent to Dorothy Fischer from Attorney John Lohrstorfer and the distinction between a general ordinance and zoning ordinance and what information Fischer provided to the attorney. McCallum contacted the attorney and read from his response to McCallum's questions including his offer to review the ordinance and DTE's lease agreement and provide an opinion based upon complete information.

**MTA Governance Pledge:** McCallum and Hartsell signed the pledge of governance from the Michigan Townships Association.

**2010-2011 Budget Preparation: Motion by Hyzer to table budget preparation for a special meeting,** seconded by Fischer. Motion carried. Hartsell and McCallum opposed.

**Motion by Fischer to transfer funds from Trustee Education to Trustee Special meetings to cover costs for the February 23, 2010 budget preparation,** seconded by Smith. Motion carried. McCallum opposed.

**Motion by Fischer to schedule a special meeting for February 23, 2010 at 6:30 P.M. for the purpose of budget preparation,** seconded by Smith. Motion carried. McCallum opposed.

**Public Comments**

Dave Szumlinski commented that the wind ordinance is a general zoning ordinance because it is not specific to any developer.

Kelterborn commented that general ordinances are administrative with police powers while zoning ordinances deal with setbacks, height regulations, et cetera and recommended confirming the distinction with legal counsel.

Charlie Henry asked about the costs for a special meeting. Smith indicated that it costs \$160.00.

Tim Lalley commented on Neil Rohner's letter regarding McCallum and the video in question. Also commented on conflict of interest and stated that although someone may legally be within the law, there is the aspect of public perception. He commented that although it may be legal for Hyzer and Fischer to vote on an ordinance that will directly influence them financially since Hyzer has a lease with DTE, it reflects poorly on Lake Township and the Township Board. He stated Hyzer stepped down once on this same issue and therefore has already admitted he has a conflict of interest. Lalley then provided documents and an audio CD relating to a wind project in Vinalhaven, Maine to each board member.

Ann Krzeminski inquired as to the feasibility of a webcam for township meetings to allow residents to watch the meetings from home.

**Julie & Dean Kreh, DJ's Septic Service:** Julie Kreh of DJ's Portable Toilets and Septic Service stated she is a certified septic evaluator and can locate septic tanks, fields, drywells, inspect tanks and fields and determine condition and life span. She indicated that she took the certification program in Ingham County and stated that Ingham County is a leader in Michigan at setting precedent and that before residents can obtain a building permit for additions to homes, they must have their septic inspected and they are also requiring a point of sale inspection. Ms. Kreh indicated that she will be certified in well inspections in the near future and Dean will also soon be certified in both septic and well inspections. Smith asked about costs. Ms. Kreh stated that an inspection with the tank pumped out would cost \$300.00. McCallum asked Ms. Kreh whether Ingham County had an ordinance and suggested that the planning commission should check with Ingham County for a copy and also asked Ms. Kreh whether she would be willing to come back and work with the planning commission on drafting an ordinance. Ms. Kreh was willing to do that.

Jeanne Williams thanked McCallum and Hartsell for signing the governance pledge.

Walt Kloc commented that he is very interested in the septic ordinance and offered to be a test case for applying the ordinance and asked that the board members follow suit and go through the process of having their septic comply with the ordinance.

**Payment of Bills:**

**Motion by Hyzer to pay bills** with addition of Lou Bushey's mileage, Burnham and Flower insurance renewal as billed and M3 bill, seconded by Fischer. Motion carried.

Motion by Hyzer to adjourn, seconded by Fischer. Motion carried. Meeting adjourned at 8:05 P.M.

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Valerie McCallum, Clerk