

Township of Lake

Huron County, Michigan

March 29, 2010

Regular meeting of the Lake Township Board called to order at 7:05 P.M

Smith, Fischer, McCallum, Hyzer and Hartsell present along with approximately 21 guests. Pledge of allegiance.

Bill Bittner from Elkton Ambulance was in attendance and suggested that the AED Unit returned by Bill Simmons be returned to First Responder, Nora Jacoby. McCallum stated that in 2006 when the two AED units were purchased by the Township they were purchased for the use of the First Responders. **Motion by Smith to return the AED Unit to Nora Jacoby, seconded by Fischer.** Motion carried.

Minutes of February 15, 2010 Regular Meeting and February 23, 2010 Special Meeting: Motion by Hartsell to accept the minutes as prepared, seconded by Fischer. Motion carried.

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

Agenda: Smith requested the addition of Supervisor's comments under New Business. **Agenda approved with addition upon motion by Fischer, seconded by Hartsell.** Motion carried.

The public hearing on the 2010-2011 Budget was opened by Smith at 7:10 P.M.

Board was questioned by C. Kelterborn on the 6% decrease in revenues and 41% increase in expenditures. The Board went through the proposed budget and made the following adjustments:

- Trustee Mileage/Housing reduced to \$500.00
- Board of Review Salary reduced to \$2,500
- Office Expenses: Legal Services reduced to \$4,000
- Office Expenses: County Computer Services reduced to \$6,000
- Office Expenses: Insurance/Bonds reduced to \$5,000
- Planning & Zoning Salary reduced to \$4,500
- Zoning Board of Appeal Salary reduced to \$1,500
- Transfer Station Repairs reduced to \$2,000
- Health & Welfare: Public Health reduced to \$500
- Transfer to Road Fund reduced to \$15,000
- Transfer to Capital Improvement Fund reduced to \$2,500

Above changes reduced the 2010-2011 Expenditures by \$21,800.

Lou Colletta asked what Extra Office under Office Expenses covered and was advised that it included secretary and website expenses for Lisa Konke. Colletta also questioned travel expenses.

After no further questions or comments, the public hearing was closed upon **motion by Fischer, seconded by Hartsell. Motion carried.**

Public Hearing closed at 7:40 P.M.

Correspondence read. Smith took issue with correspondence in packets from Bill and Maryanne Williams dated March 21, 2010 due to the fact that it was not date stamped. **Motion by Smith that all correspondence received by mail be date stamped, seconded by Fischer.** Motion carried. Letters read.

Old Business:

AED Unit: Approval to return AED Unit to First Responder Nora Jacoby (see motion above).

Township Hall Keys: McCallum requested a listing of individuals assigned keys to the Township Hall. There were ten keys made by B & M Glass and two master keys. Lisa Konke provided a partial listing, remaining keys accounted for and McCallum will retain list.

Transfer Station Salary: Resolution 2010-01, Transfer Station Per Diem Rate, offered by Hartsell and supported by Fischer. Roll call vote: All ayes.

Vinalhaven/Swinbanks: McCallum asked if Board members had listened to the CD provided by Tim Lalley at the February meeting and read the letters of Dr. Swinbanks sent to the Michigan Public Service Commission also provided by Lalley. Smith stated he didn't get a packet. McCallum acknowledged that one packet had been left on the table after the February meeting and gave it to Smith. Fischer, Hyzer and Hartsell did not listen to the CD or read the information. Fischer stated she threw her packet away.

2009-2010 Budget Amendments: The following amendments to the 2009-2010 Budget were proposed:

- Transfer \$65.00 from Deputy Supervisor Education to Deputy Supervisor Salary;
- Transfer \$100.00 from Board of Review Supplies to Board of Review Salary and \$50.00 from Board of Review Education to Board of Review Salary;
- Transfer \$500.00 from Office Expenses: Supplies to Salary – Extra Office;
- Transfer \$100.00 from Transfer Station: Compactor Rental to Facilities;
- Transfer \$1,000 from Contingency Fund to Payroll Taxes;
- Transfer \$55,000 from Township Road Fund Balance to Road Maintenance.

Fischer wanted minutes amended to note that Trustee Robert Hyzer said he did listen to the CD provided by Lalley.

Motion by Fischer approving 2009-2010 budget amendments, seconded by Smith. Motion carried.

Recycling – Thumb Industries: McCallum advised the Board that Thumb Industries has offered to drop off a trailer on the Friday before the recycling date and will pick it up on the following Monday if the Township provides them with a key to the gate which will allow Diva Disposal to load paper and cardboard directly to the Thumb Industries trailer saving them from having to segregate the paper products and deliver them to Thumb Industries. Motion by Hartsell to provide Thumb Industries with a key to the Transfer Station gate, seconded by Smith. Motion carried.

Road Brining Contract: Motion by Smith to contract with Wilkinson Corporation for 2010 road brining, seconded by Fischer. Motion carried.

Risk Control Analysis: Smith will contact Fire Chief Ben Willenberg and make arrangements for the fire extinguisher to be inspected and recharged.

Smith called for a 10 minute recess at 8:25 P.M.

New Business:

Great Lakes Wind Council Meeting (GLOW): McCallum attended the March 25, 2010 GLOW meeting in Saginaw and informed the board that the council has determined a site off the tip of the thumb comprising 27 square miles suitable for an offshore wind development and based upon the survey conducted at the meeting, the majority of attendees were supportive of offshore wind developments.

Ordinance to Confirm Establishment of Planning Commission with Zoning Authority: Proposed ordinance was read by Fischer. McCallum questioned the lack of a section on a capital improvement plan and stated that even if there are no plans currently, there may be a need for plans in the future and the planning commission can always submit an annual report stating there are no plans. McCallum stated it is easier to put it in the ordinance at this time so as not to require amending it later. No action taken.

Elkton Ambulance Contract: Motion by Smith to accept the contract, seconded by McCallum. Motion carried – Fischer opposed.

Road Millage Proposal for 2010: Motion by Fischer to place proposal on August ballot for road millage renewal for 2011 through 2014, inclusive, seconded by Hartsell. Motion carried.

Post Office/Township Post Office Box: Motion by Fischer to keep P O Box 429 as the Township address. McCallum requested an opportunity to discuss her decision to open a new post office box before a second and explained that with 2010 being an election year and absentee ballots, as Clerk she felt it appropriate to open a PO Box for Clerk mail, only, rather than sending it to her home address.

McCallum provided a copy of the forwarding order filed with the Post Office which showed "Lake Township Clerk" to all board members and stated that if any other mail is incorrectly forwarded, it is put into PO Box 429. Fischer withdrew her motion.

2010 Township Millage Levy Resolution: Resolution **2010-02**, Lake Township Millage Levy, offered by Fischer and supported by Hyzer. Roll call vote: All ayes.

2010 CAFPA Millage Levy Resolution: Resolution **2010-03**, CAFPA Millage Levy Resolution, offered by Fischer and supported by Smith. Roll call vote: All ayes.

Planning Commission Schedule for 2010-2011: Resolution **2010-04**, Planning Commission 2010-2011 Meeting Schedule, offered by Hartsell and supported by Smith. Roll call vote: All ayes.

Lawn Maintenance Contract: Motion by Fischer to hire Paul Santhany for 2010 lawn maintenance, seconded by Hartsell. Motion carried.

2010-2011 Budget: Resolution **2010-05, General Appropriations Act**, offered by Fischer and supported by Smith. Roll call vote: Four ayes – McCallum opposed.

2010-2011 Meeting Schedule Resolution: Smith recommended a second meeting in February for budget preparation to be scheduled on the second Monday of February at 6:30 P.M. **Resolution 2010-06, Township Board 2010-2011 Meeting Schedule** offered by Smith and supported by Fischer. Roll call vote: Three ayes – McCallum and Hartsell opposed.

Salary Resolutions for Township Officers: Resolution 2010-07, Resolution to Establish **Supervisor's Salary**, offered by Hartsell and supported by Fischer. Roll call vote: All ayes.

Resolution 2010-08, Resolution to Establish Clerk's Salary, offered by Hartsell and supported by Smith. Roll call vote: All ayes.

Resolution 2010-09, Resolution to Establish Treasurer's Salary, offered by Hartsell and supported by Smith. Roll call vote: All ayes.

Resolution 2010-10, Resolution to Establish Trustees' Salaries, offered by Smith and supported by Fischer. Roll call vote: All ayes.

Resolution 2010-11, Resolution for Township Auditor, offered by Hartsell and supported by Smith. Roll call vote: All ayes.

Resolution 2010-12, Resolution for Township Attorney, offered by Fischer and supported by Smith. Roll call vote: Four ayes – McCallum opposed.

Resolution 2010-13, Resolution for Township Depository, offered by Smith and supported by Fischer. Roll call vote: All ayes.

Resolution 2010-14, Resolution for Township Publication Media, offered by Hartsell and supported by Smith. Roll call vote: Four ayes – McCallum opposed.

Resolution 2010-15, Resolution for Tax Collection Administrative Fee, offered by Fischer and supported by Smith. Roll call vote: All ayes.

Maurer Electric proposal under correspondence accepted upon motion by Smith, seconded by Fischer. Motion carried.

Supervisor's Comments: Smith read written comments he prepared on the wind ordinance draft, which included the fact that the draft doesn't allow wind turbines to be built in Lake Township, he had a problem with the height regulations and that it does not conform to the county's master plan. He also did not think the real estate property protection plan was necessary. Smith stated that the draft ordinance will be put on April's agenda. McCallum questioned Smith on who prepared his comments because they were similar to those previously made by DTE. Smith stated that he and his wife prepared them.

Public comments:

Lou Colletta asked how the restructuring of Caseville as a City will impact the Caseville Area Fire Protection Association. He also commented that it does not matter whether Lake Township's ordinance concurs with the County's master plan, the only duty the county has is to review the procedures followed.

Len Pilato asked how the final determination on a wind ordinance will be made. Smith stated that the township board will eventually resolve the issue.

Clay Kelterborn thanked Tim Lalley for his continued efforts after his dismissal and stated he was disappointed in Fischer for discarding the information given to her commenting that public officials should look at what people ask them to look at.

Jeanne Henry agreed with Kelterborn's comments and stated that she hopes this is an unusual case and that everyone is supposed to be learning and if we only listen to what is inside our own head, we are not serving the people.

Tim Lalley stated that he will try not to be too negative, but that two other members have already made up their mind and there is new information that is important in that it contradicts what DTE has said and it is scientific evidence. He commented that Hartsell signed the Pledge of Governance code of ethics, that two planning commissions have endorsed the wind ordinance which includes the planning commission that has been handpicked by the township board, it took almost three years to do the research and write the ordinance, that members of the new

planning commission had private talks with DTE and still endorsed the ordinance and that endorsement needs to be taken into consideration. Lalley also asked Hyzer if he will recuse himself (*Fischer interrupted stating that Lalley's three minutes were up*). Lalley asked Hyzer if he will recuse himself from voting on the draft. Hyzer stated he will not comment, he doesn't know yet. Smith advised Lalley that his time was up.

Payment of Bills:

Motion by Fischer to pay bills with the addition of Checks 9229 through 9235 as submitted by McCallum, seconded by Smith. Motion carried.

Motion by Hyzer to adjourn, seconded by Fischer. Motion carried. Meeting adjourned at 9:35 P.M.

Valerie McCallum, Clerk

Approved at a Township Board meeting held on April 20, 2010.

Robert Smith, Supervisor