

# Township of Lake

Huron County, Michigan  
November 15, 2010

Regular meeting of the Lake Township Board called to order at 7:30 P.M.

Smith began the meeting by stating that the board members are the elected officials of the township voted in office to do the work of the township and the people in attendance are only here because it is a public hearing and he wants them to remember that and not speak out of line.

Pledge of allegiance.

(7:32) Sheriff Hanson addressed the Board and guests on the number of complaints handled by the Sheriff's Department, revenues, grants and other administrative matters including the new ordinance on medical marijuana. (7:40)

Roll call. Smith, Fischer, McCallum and Hartsell present along with approximately 30 guests. Hyzer absent.

**Motion by Hartsell to approve the Agenda with the addition of late correspondence received, seconded by Smith.** Motion carried.

**Minutes of October 18, 2010** approved with the following correction to McCallum's response to Jim Simmons' question under Public comments: "I think it is hypocritical here with this board. There is no liberty and justice for all, they've taken away the rights of all the people sitting here with the decisions they have made here, so I will not participate in hypocrisy." **upon motion by Fischer, seconded by Hartsell. McCallum opposed** for the reason that what is in the minutes is a summary of what was said. Motion carried.

**Report's from Board Officers:**

**Supervisor:** Nothing to report.

**Treasurer:** Nothing to report.

**Clerk:** Property Insurance renewal was reviewed including a questionnaire on zoning related concerns.

The General Election had 451 voters, about one-half were by absentee ballot, with a 58% turnout for Lake Township. Clay Kelterborn purchased lunch and dinner for the election inspectors. Robert and Ryan Lefief as well as Clay donated their time for election setup.

The MTA has a white paper on the medical marijuana act on their website which could be useful to the planning commission as they work on an ordinance. The November issue of the MTA magazine has a special feature article on Oceola Township's efforts to regulate a 162' cell tower. The supervisor of their township was quoted as saying: "here we were considering something that would impact our community for 20 or 30 years or more – and we were basically taking the applicant at its word that everything was in order...We, as a board, didn't have the technical knowledge to really interpret the application but we thought we

owed it to our future generations to take a closer look.” This article should also be provided to the planning commission, the significance being the concern of Oceola Township over one 162’ cell tower compared to the impact wind turbines will have on Lake Township.

The Frontier telephone bill was received late and added to the bills for payment in the amount of \$109.22. Dale Hartsell’s planning commission pay also needs to be added.

**Trustees:** Nothing to report.

Treasurer’s report was approved upon **motion by Smith, seconded by Hartsell.** Motion carried.

**Correspondence:** Correspondence read including two additional Notices of Hearings before the Michigan Public Service Commission for DTE and Thumb Electric as well as correspondence from Landplan, Incorporated which offers rural community planning and zoning services.

**Petitions:** Petition requesting censure of Clerk McCallum for refusal to say the Pledge of Allegiance submitted by Conrad Przystup with 130 signatures. **Motion by Fischer to include in the township minutes, seconded by Hartsell.** Supervisor Smith requested a roll call vote: Fischer, Smith, Hartsell – aye. McCallum – nay.

**Old Business:**

**CAFPA:**

Smith has contacted Attorney McQuillan and is waiting for Mr. McQuillan to get back with him. Smith is also waiting for a letter from Caseville Township.

**Gypsy Moth:**

Yvonne Bushey is going through the list of addresses called in with complaints of gypsy moth infestation and has found three confirmed cases out of 12 sites inspected. She will be getting in contact with the City of Caseville to assist in their search and when asked by McCallum about Caseville Township it was stated that Caseville Township did not want anything to do with it.

Smith requested board action on the recommendation submitted by the Huron County Planning Commission on the Lake Township Planning Commission zoning amendment recommendations. McCallum was unclear on exactly what was being recommended and asked for some clarification. Smith could not provide any clarification. **Hartsell made a motion to table until the next meeting when the information submitted to Huron County**

**could be provided to all board members. Motion seconded by Fischer.**  
Motion carried.

**New Business:**

**ZBA Appointment:**

McCallum requested the opportunity to read correspondence from ZBA member Jeanne Henry whose term of office expired on November 11<sup>th</sup>. Correspondence read.

Smith proceeded to inform the Board that Ron Polega was not interested at this time due to family concerns and that Rich Ehrlich, the current alternate, had requested appointment as well as Conrad Przystup and Mary Wojtysiak. **Motion by Smith to appoint Rich Ehrlich to the full time ZBA vacancy, seconded by Hartsell.** Smith requested a roll call vote: Fischer, Smith, Hartsell and McCallum – aye. **Motion by Smith to appoint Conrad Przystup to complete Rich Ehrlich term as alternate, seconded by Fischer.** Roll call vote: Hartsell, Smith, Fischer – aye. McCallum – nay.

**Snowplow bids:**

Two bids received:

Esch Landscaping – \$32.00 /township hall - \$42.00/transfer station per township specifications. Additional cost in the event of an accumulation of drifts in selective areas due to high winds and/or light snow accumulation and are not subject to a complete lot cleaning or when the management deems it necessary for additional plowing or removal of snow to be billed at ¼ hour intervals of \$60.00 per hour.

Konke Construction: \$35.00 / township hall - \$40.00 / transfer station per township specifications.

**Motion by Fischer to hire Konke Construction, seconded by Hartsell.** Smith requested a roll call vote: Fischer, Smith, Hartsell, McCallum – aye.

**Payment of Bills:**

**Motion by Hartsell to pay bills, seconded by Fischer.** Motion carried.

**Public Comments:**

Tim Lalley asked why Jeanne Henry was not given an opportunity to be reappointed to the ZBA. Smith stated that it is his choice as supervisor as to who he appoints to the various boards. Lalley also commented on a person's First Amendment rights.

Gerry Simmons asked about the AED Unit purchased by Lake Township for the first responders now that Nora Jacoby is no longer handling Lake Township. Smith will contact Bill Bittner.

Walt Kloc said he appreciated that the board is going to send the zoning ordinance amendments back to the planning commission. He also invited planning commission members to his home inasmuch as he has concerns about the definition of a seawall and would also like to see what information Building Inspector Geilhart has in this regard. McCallum clarified that the amendments are not being sent back to the planning commission at this time but will be addressed by the Township Board at the next meeting.

Dave Szumlinski commented that the planning commission is only trying to save residents survey costs when they want to put in a deck and that the township has no ordinance for decks at all, that decks will not be part of lot coverage and will be less restrictive and cost less money for homeowners.

Pat Przystup asked Sheriff Hanson his thoughts on the new liquor laws. Hanson had no comment.

Clay Kelterborn complimented the board on the fact that they now have a flag and that when he was supervisor he had tried to purchase a flag for the township and the board members would not approve the expense. He continued that although some veterans may be upset over McCallum's position on not reciting the Pledge of Allegiance, it stems from many instances wherein she and others have been prohibited from speaking and that everyone has the right to the freedom of expression through peaceful protest.

Pat Smith stated the Pledge is made to the flag and not the Board and this Board does not have the power to take away all the rights of all the people in Lake Township nor have they done so.

Motion by Smith to adjourn, seconded by Fischer. Meeting adjourned at 8:37 P.M.

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Valerie J. McCallum, Clerk