

# Township of Lake

Huron County, Michigan  
August 20, 2012

Interim Supervisor Bushey called the meeting of the Lake Township Board to order at 7:30 P.M. Pledge of allegiance. Roll call. Osborne, Fischer, Bushey, Hartsell and McCallum present along with approximately 20 guests.

**Meeting Agenda:** Agenda approved with the addition of Huron Gas contract, and publication media upon **motion by Fischer, seconded by Hartsell.** Motion carried – all ayes.

**Minutes of July 16, 2012:** Discussion on public comments included in minutes. Bushey stated it isn't necessary to include the comments in their entirety, but only name the person and the topic they addressed and stated that this will be discussed further under new business. **Motion by Hartsell to approve the minutes, with correction on page 4 to read: "Motion by Osborne to go into closed session to discuss Zoning Administrator's contract, seconded by Hartsell", seconded by Osborne.** Motion carried – all ayes.

**Closed Session minutes of July 16, 2012: Motion by Osborne to approve, seconded by Hartsell.** Motion carried – all ayes.

**Supervisor's Report:** Bushey reported on the following: Pat Smith will be Deputy Supervisor. Supervisor's office hours will be Monday, Wednesday and Friday from 9 AM until 11 AM. The attorney requested that the board appoint two members as contact persons for Lake Township. Bushey stated that she would like those persons to be herself and Osborne and requested it be added under New Business. Bushey also reported on meetings she attended in the past month.

**Treasurer's Report** – Fischer's report submitted but not in balance.

**Clerk's Report** – Certificate of Determination issued by County Clerk for Primary candidates who will move on to General Election. McCallum presented completed Easement Maps for Lake Township public and private easements, acknowledging the work of Lou Colletta in collecting the information from subdivision plats. The maps will be on display at the Township Hall and copies can be purchased from the Huron County Tax Mapping Department. McCallum asked Len Pilato about the board receiving CAFPA minutes and this year's millage. Pilato will check on minutes and advised the Board that the CAFPA millage will be the same as last year at 6/10ths of a mil.

**Trustee's Reports** – Hartsell stated that the zoning ordinance regarding recreational vehicles was sent back from the planning commission to the board for the board to change.

**Correspondence read.** No Zoning Administrator's report or Planning Commission minutes. July Board of Review minutes and email from Dan Radtke read by Bushey. Memo from Lou Bushey read by Osborne.

No petitions.

**Public Comment:** Len Pilato had a book on CAFPA's policies to present to the Board.

Jim Simmons referenced his comment in the July minutes regarding a DNR violation and wanted it noted that he did contest the ticket and won.

Lou Colletta asked whether the minutes were accepted or rejected with corrections. He also asked why his letter sent to the township regarding property devaluations in England was not included in the correspondence. He also commented that he had asked for a copy of planning commission minutes and still has not received them and they are not posted on the website.

Dave Szumlinski commented that some public comments are not included and other persons get half a book.

Clay Kelterborn commented that he feels that as a township public body the minutes should have as much information as possible in order to keep people informed and that during the years he served on the board many people were appreciative of what was included in the minutes. He stated that in contrast to Dave Szumlinski's comment about some people having more and others less, he stated that during public comments some people are allowed to talk longer than the allowed three or five minutes and others are cut off. He stated that at a planning commission meeting Dr. Swinbanks came to talk about acoustics and was given three minutes with an egg timer ticking on the table, which was an insult and embarrassment to do that to someone of his background and education.

Pat Przystup suggested recording the public comments and print them out word for word, thereby either stating what they said in its entirety or not at all.

Walt Kloc commented that the minutes need some balance, that Novesta Township doesn't put in anything under public comments and maybe Lake puts in too much; two extremes, and suggested guidance from the MTA. He also commented on Section R-1 702 G of the Zoning Ordinance and the amendment which allows only 300 square feet of deck and that when it was approved by the Board, it was approved with the promise that it would be re-evaluated by the planning commission. He asked for a moratorium in regard to the 300 square foot limitation stating that it requires a variance which costs \$375 and that there was a promise made that is not being honored.

Bob Siver commented that he would like to see more rather than less in the minutes and that it is hard to get every word and the board has the opportunity to correct any mistakes. Recording is a great suggestion but transcription services are expensive.

**Old Business:**

**Re-evaluation of Zoning Administrator Contract:** Osborne recommended tabling any discussion on this contract until next March. **Motion by Osborne to table re-evaluation of Zoning Administrator's contract until March 1, 2013 when the contract ends, seconded by Hartsell.** Motion carried – all ayes.

**Information Board Bids:** Osborne stated he will work on this for the next meeting.

**Zoning Amendments – Recreational Vehicle Use – Section 1202.4 Use of Mobile Homes and Recreational Equipment:** Discussion on changes made. McCallum recommended leaving ordinance as it is currently written since it has been in effect since 1992 and has not presented any problems and in both public hearings held on the proposed changes, the majority of comments and letters submitted requested the board to leave it alone and not change it. Osborne commented that he feels it should be more lenient to allow for camping during the Cheeseburger Festival. No board member had a copy of the proposed amendment. **Motion by Osborne to table further discussion until next meeting when the board has the proposed amendment available, seconded by Fischer.** Motion carried – all ayes.

**Publication media:** Bushey commented that there have been problems getting public hearings published in a timely fashion and asked whether it would be possible to allow the board to change its resolution to publish in the View to also allow publication in the Huron Daily Tribune when necessary. McCallum commented that there should not be any difficulty in publishing a notice timely in the View, that the reason the Board chose the View was because all residents get a copy, the Tribune requires a subscription. When the planning commission schedules a public hearing during their monthly meeting, they are scheduling it for their next month's meeting which is 30 days away. If the clerk receives notification of a request to publish a notice by the following Monday, the deadline is easily met since the notice only needs to be published 15 days prior to the public hearing. No action taken.

**New Business:**

**Road Work – Brining:** Bushey asked about a work order for road brining and grading. **Motion by Osborne to write up a work order, seconded by Hartsell.** Motion carried- all ayes.

**MTA Conference – Frankenmuth:** Bushey and Fischer will be attending.

**Discuss Platted 50 foot lots:** Bushey wanted background on this issue. McCallum explained.

**Audit Report for 2011-2012 Fiscal Year:** Bushey would like the auditor to attend the September meeting to present the audit. No action taken.

**Clarity of contents of meeting minutes:** Osborne stated that according to the MTA the public comments should state, "Frank commented on disapproval of the wind ordinance. Jim Jones commented on transparency of the Board" rather than quoting very derogatory comments. He stated it has been a bone of contention of his for years, the negativity; it is hard to find positive comments in the minutes. Bushey agreed and stated she has served on other boards and the minutes are for the board as to action taken, not for the purpose of writing a newsletter. Hartsell commented that there is not a lot the Board can do other than striking out what they don't like before approving or get an opinion from the attorney to see what the board can do about it. Bushey asked why the synopsis can't be what is published on the website until the minutes are approved. McCallum commented that the minutes have to be available eight days after the meeting so the synopsis will not suffice. Bushey suggested the board move on. No action taken.

**Suri Tax Appeal:** Bushey will look into this.

**Franklin Zoning Appeal Fee: Motion by McCallum to refund the \$375 fee, seconded by Hartsell.** Motion carried – all ayes.

**Huron Gas: Motion by Hartsell to sign up for the pre-buy, seconded by Osborne.** Motion carried – all ayes.

**Attorney Contact Representatives: Motion by Hartsell to approve two representatives from the township board, Bushey and Osborne, to seek legal counsel, seconded by Fischer.** Fischer added that the Building Inspector or the Zoning Administrator cannot contact the attorney. Motion carried – McCallum opposed.

**Public Comments:**

Paul Golsch commented on the current recreational vehicle ordinance and believes that it also would allow for two 14 day periods back to back.

Dave Szumlinski commented on the problem the planning commission has with publications and stated that they need an alternate plan.

Neil Rohner stated that the minutes will have a slanted opinion from the person writing them. He also commented on the 50' platted lots and that there were a number of people at the first meeting after the change of administration who stated that their lots were put together if side by side and many expressed an opinion that they had no notification when they made the new ordinance and there needs to be something done. He also asked about the Suri tax appeal and the history of the building, whether there are building plans and records of inspections and what is the status of the place and why a taxable value of \$650,000.

Jeanne Williams commented on the editing of public comments. She stated that many property owners are weekenders and vacationers and are not here all the time and it is important to put as much as possible in the minutes but that she wishes people would think of how they phrase their comments.

Bob Siver commented he is troubled by the board's attempt to censor the minutes. He stated that they may not be verbatim, but the people and the board have an opportunity to clarify if there is a mistake and make a correction. He stated that many people making comments want it on the record. He stated that as far as the camping ordinance he is neutral but based on the meetings, the majority wants it to remain as is. He also commented on Dr. Swinbacks being an international authority on acoustics and was treated disrespectfully at a meeting and requested that Lou Colletta's letter regarding property values be available at the next meeting.

Lou Colletta commented on the treasurer's reports not being correct and that perhaps someone can help.

Walt Kloc commented that the recreational vehicle ordinance should stay the way it is based upon the public hearings where 95% of the people did not want it changed. He stated there was only one person who wanted it. He stated he is concerned about the money being spent on the planning commission. He has attended meetings over the years and meetings used to be three and four hours and now the meetings are short and maybe the planning commission should spend more time at their meetings. He also asked whether the building inspector and zoning administrator reports are available for public review. McCallum advised him that they are.

Clay Kelterborn commented on transparency. He stated that when he started on the board he did not make it his position to be critical of the prior administration but rather tried to learn from them and it was a very open time. Over the past 3-1/2 years there has been a problem with transparency and the community wants to know they can trust their local officials; decisions should not be made behind closed doors. He also suggested that the township send the treasurer to some basic accounting courses.

Jim Simmons commented that if the previous administration was so honest, why did they spend thousands of dollars on a sewer study before the people knew about it.

Frank Konke asked about the Faber job and asked who he can come to see when he has a question, the building inspector or the zoning administrator, Bill Osborne or Lisa Zadrzynski? He stated he was turned down for a variance and he has decided to switch a wall and run it the opposite way and now it has to go to an attorney. He stated the variance turned down was for a 2,064 square foot garage, not moving a wall.

Bushey responded to Konke that a variance was held and denied and he cannot come back for another variance and suggested that they talk about it privately.

Konke expressed his displeasure at comments Trustee Osborne made about Mr. Faber and asked why he has been put through this trouble and stated that the taxpayers now have to pay for everything going through the attorney.

Bushey advised Konke that public comments is not the time for this discussion.

**Payment of bills:**

**Motion by Hartsell to pay bills with the addition of the Huron County Road Commission invoice for \$54,312.10 and Huron Gas pre-buy invoice for \$896.08, seconded by Osborne.** Motion carried – all ayes.

**Motion by Fischer to adjourn, seconded by Hartsell.** Motion carried – all ayes.

Meeting adjourned at 9:16 P.M.

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Valerie McCallum, Clerk