

Township of Lake

Huron County, Michigan
September 17, 2012

Interim Supervisor Bushey called the meeting of the Lake Township Board to order at 7:32 P.M. Pledge of allegiance. Roll call. Osborne, Fischer, Bushey, Hartsell and McCallum present along with approximately 24 guests.

Meeting Agenda: Agenda approved with the addition of July 18th CAFPA minutes, Planning Commission minutes of August 22nd and letter from HCC Public Risk Service under correspondence, upon **motion by Hartsell, seconded by Osborne.** Motion carried – all ayes.

Minutes of August 20, 2012: Motion by Osborne to approve the minutes, seconded by Hartsell. Motion carried – all ayes.

Supervisor's Report: Bushey reported that she attended the Michigan Townships Association Fall District meeting sessions, *Putting your Fund Balance to Work* and *Advocating your Point of View*; the Pigeon River Intercounty Drain meeting for opening bids on the work, stating that the total project will cost \$5,000,000 and Lake Township's portion will be \$38,000 over a 15 year period.

2011-12 Audit Report: Auditor, Ken Berthiaume arrived and began the audit presentation at 7:41 P.M., stating that the audit went smooth, no difficulties or problems with the work on Quickbooks, invoices and payments are well documented and the township is in full compliance with GAMPS and the State of Michigan; there were no expenditures over what was budgeted; 75% of the township's deposits/investments are covered by FDIC insurance, which is typical and appropriate. Mr. Berthiaume advised the board that the Capital Improvement Fund is no longer allowed to be a separate fund and expenses typically associated with this fund should go through the general fund. The Township's Fund Balance is more than adequate for what is required and the audit report will be sent to Lansing before the end of the month and will then be available on line.

Treasurer's Report – Fischer's report submitted. Township Road Fund balance needs correction and \$128.30 in interest on the \$80,000 Team One CD added. Fischer stated she attended the *Planning for Wind* session at the MTA Fall District meeting which discussed wind energy siting issues such as the Zoning Enabling Act, tower heights, noise levels and setbacks.

Clerk's Report – McCallum reported that the ballot proofs arrived, the ballot will include six state proposals and advised those present that they could view their ballot on line at www.michigan.gov/sos and also had copies available from that website for anyone interested. Thumb Industries has called several times regarding difficulty with the lock on the gate at the Transfer Station. McCallum asked that the Trustees look into a new lock. A variance application was submitted for scheduling without a survey and, according to Zoning Administrator Treder, Bushey had approved scheduling it without a survey. McCallum questioned the board on this matter and after some discussion Bushey stated that

the Zoning Ordinance must be followed and the Zoning Administrator should know the ordinance.

Trustee's Reports – Osborne stated that he and County Road Foreman, Greg Polega, will be traveling the township's roads to check conditions. Polega has requested that the township approve a \$5,000 discretionary fund for the road commission to use as needed without having to wait for board action. Bushey recommended getting additional information and talk about it next month.

Correspondence read. No petitions.

Public Comments:

Bev Herford expressed confusion as to who the deputy clerk is. McCallum responded that currently Mary Johnson is the deputy clerk; Clay Kelterborn filled in for a brief period of time between Nicole Collins and Mary Johnson due to the legal requirement for the Clerk to have a deputy.

Old Business:

Zoning Amendments 1202.4 Use of Mobile Homes & Recreational Equipment:

Hartsell read the proposed ordinance. Bushey asked the board whether they want to consider the proposed amendment as is or make any changes. Fischer stated that she would like to adjust it to include a ten day waiting period between permits, requiring the camper to be pulled out for ten days and then apply for a new permit. Bushey indicated that as currently proposed, a camper would be allowed for 36 days without a waiting period. Hartsell suggested leaving the ordinance in its original form since there haven't been any complaints, that he had checked with other area townships and they are similar to what we currently have in effect. Osborne asked about the opinion of the planning commission. Hartsell stated they are divided. Osborne commented that if there is no clear consensus and no complaints then he is in favor of leaving it as is. **Motion by Osborne to retain the original language in Section 1202.4, seconded by Hartsell.** Roll call vote: All ayes.

Zoning Amendment 1203.4 Waterfront Easements – Boat Hoists.

Not all members had a copy of the proposed amendment. Osborne stated that nothing has been provided stating that the township has legal jurisdiction in the waters. No board member had followed up with any of the planners or the attorney referenced in information previously supplied by McCallum on the issue. Tabled until next month.

Municipal Civil Infraction Ordinance Amendment:

Discussion on making appropriate amendments to existing ordinance to correlate to updated zoning ordinance.

Job Estimates for Information Board:

Motion by Osborne to table this project until after the election, seconded by Hartsell. Motion carried – all ayes.

New Business:

L-4029:

Resolution 2012-16, Millage Rate Authorization, offered by Hartsell and seconded by Fischer. Roll call vote: All ayes.

2nd Quarter Budget Review:

The budget was reviewed. Bushey recommended waiting to address adjustments to Planning and Zoning Salary and Zoning Administrator Salary at the end of the third quarter. **Motion by Osborne to approve budget transfers as follows:**

\$800.00 from Election Supplies to Election Salary;
\$2,000 from the Capital Improvement Fund: Office Equipment to Maintenance (Inside/Outside);
\$400 from Zoning Administrator Site Plan Fees to Zoning Administrator Education;
\$500 from Contingency to Zoning Board of Appeals Salary; and
\$200 from Contingency to Zoning Board of Appeals Publications.

Motion seconded by Fischer. Roll call vote – all ayes.

FOIA Coordinator:

Motion by Osborne to retain the Township Supervisor as the FOIA Coordinator, seconded by Hartsell. Motion carried – all ayes.

Planning Commission Master Plan Budget:

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

Zoning Amendments to Sections 605.4, 705.4 & 805.1:

Hartsell read proposed changes. McCallum indicated that amendments to 605.4 are necessary but had reservations as to the clarity of the amendments as written. **Motion by Bushey to accept Section 605.4 as amended, seconded by Hartsell.** Roll call vote: Fischer, Osborne, Hartsell and Bushey – aye. McCallum – nay.

Motion by Fischer to accept 705.4 as amended, seconded by Osborne. Roll call vote: Bushey, Fischer, Hartsell, Osborne – aye. McCallum – nay.

Motion by Hartsell to accept 805.1 as amended, seconded by Bushey. Roll call vote: Fischer, Osborne, Bushey, Hartsell – aye. McCallum – nay.

Public Comments:

Neil Rohner asked whether the millage rate will be decreased for this year or remain the same as last year. Bushey responded that they will remain the same as last year. He also asked why the board is making adjustments in the budget at this time. Bushey explained that the budget needs to be reviewed quarterly and adjustments made which do not change the bottom line.

Larry Murdoch asked when the zoning amendments will take effect. McCallum will check and let him know.

Walt Kloc asked whether there is any impact on what is said at public hearings because from the planning commission minutes of August 29th it doesn't seem as though any consideration is given as to the comments made. He requested that before the next board meeting everyone read the minutes and consider the comments. Bushey responded that sometimes in public hearings the person speaking doesn't have all the information the planning commission has so it is personal opinion rather than what is in the general good for the whole township.

Dave Szumlinski stated that at the public hearing there was no comment against the proposed ordinance. He also stated that the comments in the board minutes are unfair comparing comments by Kelterborn included in the minutes to the lack of his comments, and if public comments are going to be included in the minutes they should all be included so it is a level playing field.

Paul Golsch commented that minutes of public hearings are forwarded to the Huron County Planning Commission for their review so they are also aware of any comments made.

Cindy Jurek asked whether copies of the Treasurer's Report could be made available at board meetings. Fischer stated it is not required. Ms. Jurek responded that it is a matter of political transparency. She also inquired whether elected officials have to follow the ordinances, inquiring about political signs on easements. Bushey stated that she would look into the matter and get back with Ms. Jurek. Ms. Jurek also mentioned that the political signs located at 6580 Champagne Road, which has previously been reported to the township as being in violation of the Garage Sale Ordinance, would appear to be a conflict of interest. Osborne responded that the township has tried to get compliance in this matter and the property owner claims they are not having a garage sale all the time but is leaving the sign up and the township has no means of enforcing the ordinance at this time.

Payment of bills:

Motion by Bushey to pay bills, seconded by Osborne. Motion carried – all ayes.

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

Meeting adjourned at 9:35 P.M.

Valerie McCallum, Clerk