

Township of Lake

Huron County, Michigan
December 17, 2012

Supervisor McCallum called the meeting of the Lake Township Board to order at 6:30 P.M. Pledge of allegiance. Mary Johnson was introduced as the new Clerk of Lake Township. Roll call. Kelterborn, Johnson, McCallum, Hartsell and Fischer present, with approximately 32 guests.

Meeting Agenda: Motion by Fischer to add Lisa Zadrzynski to the agenda. McCallum stated that it had to be done in writing prior to the meeting. Fischer stated that she wanted it added to the agenda anyway. **Motion seconded by Hartsell.** Motion carried. McCallum and Kelterborn opposed.

Minutes of November 19, 2012 approved upon **motion by Hartsell, seconded by Kelterborn.** Motion carried – all ayes.

Supervisor's Report: McCallum indicated that she and Kelterborn attended a meeting with the Sheriff Hanson, CO Officers Scott Brown and Bob Hobkirk and Commissioner John Nugent to discuss complaints regarding target shooting and what can be done to resolve this problem. McCallum stated that this is a topic under old business.

Treasurer's Report – Fischer's report submitted.

Clerk's Report – None.

Trustee's Report – None.

Correspondence read. No Petitions.

Public Comments:

Gerry Simmons read many letters regarding gunshots heard in Lake Township, she stated there is constant firing of Weapons in the areas, and they sound like machine gun firing, she added that most of the letters that were about to be read were more than her 3 minute time allotment and asked the board for time enough to read them all. McCallum gave her permission with the board's consent to read them. She proceeded through the many letters which are all available with the clerk with the original copy of the minutes at the Lake Township Hall.

Dave Szumlinski commented on the office secretary's hours being reduced.

Gerry Pobanz commented that there could be some sort of governmental help from the ATF for the firearms problem on Sand Road, and also suggested posting signs stating no ATV's

Old Business

Municipal Civil Infractions: McCallum stated that the township adopted an ordinance converting certain sections of the zoning ordinance to a municipal civil infraction and when the 2007 Zoning Ordinance was adopted, the general Ordinance was not amended to correspond with the section numbers in the new zoning ordinance. Also, the garage sale general ordinance is a municipal civil infraction violation and the water craft and boat hoist general ordinance probably should also be a municipal civil infraction. McCallum recommended forwarding the existing municipal civil infraction general ordinances along with the updated sections of the zoning ordinance to the township attorney for review. **Motion by Kelterborn to send updated zoning ordinances to attorney, seconded by Johnson.** Motion Carried – all ayes.

Complaints regarding target shooting: McCallum suggested that an advisory committee be created to study this issue and asked Hartsell if he would be willing to volunteer to head such a committee. Hartsell agreed. McCallum asked Gerry Simmons if she would be interested. Gerry was willing and agreed to contact other members of the community to participate. McCallum suggested using the Hall and stated that the committee but must follow open meetings act as an advisory committee. Charles Henry added that his neighbor is a retired Oakland County Sherriff and might be interested in participating, he would inquire. Hartsell conferred that he would be interested in the project and would make the time. **Motion by Hartsell to create an advisory committee, seconded by Kelterborn.** Motion carried - all ayes.

New Business

Township Computers: McCallum stated that the Treasurer's computer crashed two months ago, the Clerk's and Supervisor's were all purchased at the same time are all the same model, and are about eight years old. One month after the Treasurer's crashed the Clerk's crashed and since then the server crashed. The Supervisor's computer is on its last leg. McCallum had a quote from Heiden Consulting for two pc's and a server capable of establishing a network system with potential for future expansion to possibly include online assessment information. **Motion by Johnson to purchase new computers and server as quoted by Heiden Consulting, seconded by Kelterborn.** Motion carried – all ayes

Attorney: Hartsell asked if we checked around for attorneys. Kelterborn also asked if we could have some background on Attorney Garner. McCallum indicated that she met these attorneys at a seminar on the Zoning and Enabling Act some years ago. Following that seminar, Lake Township organized a presentation of the same seminar in Huron County by the same attorney who is one of the partners in the firm and many Huron County municipalities attended. McCallum stated that this law firm has much experience with Township and municipal work, including zoning, tax appeals and ordinances. They have a good background in municipal law and their rate is similar to local fees. McCallum recommended working with

this firm at least until the end of the fiscal year. Kelterborn stated that this firm has a good reputation and are familiar with tax tribunals which may be necessary in the near future and the fact that they are charging the same rate as our former attorney is a positive. **Motion by Kelterborn to hire Taylor, Butterfield, Howell, Churchill, & Jarvis, P.C., seconded by Hartsell.** Motion carried – Fischer opposed.

Township Hall Repairs: Kelterborn stated that the front door and back door are in need of repair and/or replacement. Hartsell suggested we start taking bids for repair on both. McCallum suggested having the Building Inspector and the Zoning Administrator look at the doors to see what they need first and then put an ad in the paper for the January meeting. **Motion by Kelterborn to have the Building Inspector and Zoning Administrator assess the front and back door of Township Hall as to needed repairs, seconded by Hartsell.** Motion carried – all ayes.

Zoning Administrator Winter Hours: McCallum stated that the Zoning Administrator has requested Friday's off during the winter months because work is slow but he will be available by phone or will come into the office if needed. Kelterborn inquired as to how long into the year this would run. McCallum replied that last year was busy due to the warm weather but typically it will run until March. **Motion by Kelterborn to allow the Zoning Administrator to take Friday's off during the winter, seconded by Hartsell, seconded by Kelterborn.** Motion carried – all ayes.

Website Maintenance: McCallum stated that Lou Colletta created the original website, the Township was always satisfied with his work and he has submitted a bid to reformat and update the existing website. Kelterborn asked about the fees for this service. McCallum replied that it is \$10.00 per hour and the office secretary is the current webmaster at the same rate. McCallum thought it was a good idea to have someone offsite handling the website. Fischer commented that we already have a webmaster and do not need a change. Kelterborn stated that the change would be for the better for the Township; that when Colletta did the website there were many compliments from the community regarding ease of use. Colletta stated that there was ease of linking to other sites and downloads and that the website would stay up to date with ordinance maintenance. Hartsell commented that if no one told either Lisa or Lou to put something on the web, then it would not get on, there was no difference between the two, it was done the same way. **Motion by Kelterborn to approve Lou Colletta's bid for website maintenance, seconded by McCallum.** Motion carried – Hartsell and Fischer opposed.

Board of Review Appointments: McCallum stated that Board of Review appointments are necessary. Fischer asked how they all get reappointed on the same year. McCallum replied that it is always that way with the Board of Review; every two years with appointments made in December for a two year term beginning with the odd year. McCallum recommended the appointment of Penny Talarak, Charles Henry, and Bob Siver as regular members and Jim Quinn and Mary Ann Williams as alternates. **Motion by Kelterborn to approve Board of**

Review appointments as recommended, seconded by McCallum. Fischer commented that we should leave the board that we have as they are, as they are educated and know what they are doing, and we should not replace them at this time. Hartsell agreed. Kelterborn stated that at this time he thought we needed some fresh faces on the board; there were some complaints from the community that we don't have a Board of Review that is responsive to the community. If we have people willing to fill these positions, we should take advantage of that. As far as training the new board, Kelterborn commented that there is the County and the MTA that put on training; that these are highly qualified individuals and the board should support their appointment. Fischer stated that we should definitely stick with the board we have. Hartsell commented that Kelterborn implied that residents were upset with the Board of Review and he had never heard any negative comments from the residents. McCallum stated that if there are people in the Township that are interested in these positions, it is good to let new people have a chance. McCallum asked for a vote on the motion. **Motion carried** – Hartsell and Fischer opposed.

Township Board Representative to Planning Commission: McCallum recommended appointment of Clay Kelterborn to the Planning Commission as the Township Board's representative. Fischer stated that Dale has been on it and has been good on it, she did not understand why anyone would want to remove him. Kelterborn stated he was willing to serve in any capacity that the Supervisor wanted him to serve for the community. Hartsell stated he had experience on the Caseville Planning Commission and was doing just fine and did not want to be on the Zoning Board of Appeals. **Motion by Johnson to appoint Kelterborn to the Planning Commission, seconded by McCallum.** Motion carried - Fischer and Hartsell opposed.

Township Board Representative to Zoning Board of Appeals: McCallum stated that we need a Township representative for the Zoning Board of Appeals. Hartsell was not interested. McCallum asked Mary Johnson if she would be interested in the position on the Zoning Board of Appeals; Johnson replied yes. Kelterborn stated that since Johnson is our new clerk it would be a good opportunity for her to get to know the zoning ordinance and community. **Motion by Kelterborn to appoint Johnson to the Zoning Board of Appeals, seconded by Hartsell.** Motion carried – Fischer opposed.

Planning Commission: McCallum stated that on the Planning Commission Gordie Krueger's term expired in August 2010 and he was never reappointed and, therefore, this is an open position and recommended the appointment of Gerald Pobanz. **Motion by Kelterborn to appoint Gerald Pobanz to the Planning Commission, seconded by Johnson.** Motion carried - Fischer and Hartsell opposed.

Zoning Board of Appeals Alternates: McCallum said the current alternates are Conrad Przystup and Willard Cregeur. Jeannie Henry was on the ZBA and is quite familiar with zoning ordinances and Lou Coletta submitted a letter and was a former Planning Commissioner, he would be a great asset to the ZBA. McCallum

recommended the appointment of Jeannie Henry and Lou Colletta to the Zoning Board of Appeals as alternates. Hartsell thought the alternates were fine the way they were. Kelterborn asked what the term is for the alternates. McCallum replied that the attorney should be contacted with that question, she thought it was three years, just as it would be for any other member. **Motion by McCallum to appoint Jeanne Henry and Lou Colletta as alternates to the Zoning Board of Appeals, seconded by Kelterborn.** Motion carried - Fischer and Hartsell opposed.

Construction Board of Appeals: McCallum advised the Board that the Construction Board of Appeals appointments have also expired and has not had an opportunity to talk to the current members. McCallum suggested waiting until January in order to allow time to contact current members and seek additional interested persons. Kelterborn asked if it will be posted on the website. McCallum stated that a posting went out on the list serve and it can also be posted to the website. **Motion by Kelterborn to table the Construction Board of Appeals until January, seconded by Hartsell.** Motion carried – all ayes.

Township Correspondence Policy: Kelterborn asked what was currently in place for a Township correspondence policy, McCallum replied that no e-mail correspondence is accepted or read at a board meeting and everything is to be in one week before the meeting. Kelterborn commented that when he was on the Board they never had a time limit as to when the correspondence had to come in to the Board, maybe there is an issue on the agenda someone wants to address and they cannot attend the meeting. This would not only serve the residents, but also the non-residents. Kelterborn stated he would like to see a change in the policy that is not so expressly intent on preventing communicating with elected officials in a timely fashion. Hartsell commented that we don't get to see the documents. Fischer commented that we have the whole month to do this. Hartsell stated that they have to be in by that Friday. Fischer stated one week before. McCallum expressed that she did not agree with requiring it to be received one week before and that e-mail should be acceptable. Fischer stated there is no signature on an e-mail. Kelterborn commented that it can be verified by address. Hartsell stated that even attorneys send e-mails. Kelterborn agreed with Hartsell that correspondence is in three days before unless it was sensitive or from the Township Attorney. Kelterborn asked when Hume and other Township agendas go out. Johnson offered to find out. Hartsell wants correspondence in his packet to be able to read. McCallum stated that correspondence was read at the meeting and questioned whether each Board member needed a copy of all correspondence. Kelterborn made a motion to table this until January pending finding out what neighboring Townships are doing with their correspondence and changing the current policy by eliminating the requirement for correspondence to be received one week prior to the meeting. McCallum agreed but suggested that this be separated into two separate motions. **Motion by Kelterborn to table correspondence policy regarding deadlines until January, seconded by Hartsell.** Motion carried – all ayes.

Motion by Kelterborn to eliminate the requirement of correspondence to be into the board one week prior to the meeting, seconded by Hartsell. Motion carried – all ayes.

Third Quarter Budget Review: The following line items were reviewed:

Elections: Election supplies was over budget by \$1,683 due to the fact that the townships had to pay for programming previously done by the former County Clerk and were not informed of this change in costs, which was \$1,300 for each election. Election salaries also exceeded what was budgeted by \$527. Total shortage of \$2,210 in Elections.

Zoning Administrator Salary: Will have a year end shortage of \$2,250 due to the pay increase mid-year.

On Line Service: Short \$20.00

Zoning Board of Appeals Salary: Short \$350.00 at this time. This is a user based item covered by fees paid but there have been more zoning appeals this year than in prior years and \$1,000 should cover an upcoming zoning appeal.

Transfer Station Compactor: Short \$200 at this time with January through March left. Last winter's last quarter was \$6,000 for compactor charges which were \$675 as compared to \$982 and the fuel/environmental charges have increased from \$50 to over \$300. Discussion on fees charged and the need to possibly review those fees since costs have increased over the past few years and fees have not.

McCallum recommended transferring \$12,000.00 from the general fund balance to distribute to the various shortages, putting \$5,100 into the Compactor Rental and \$1,400 into Office Equipment to cover the new computers. Kelterborn asked if the transfer to office equipment was enough for extras such as battery back-ups and asked Fischer whether she had a battery back-up. Fischer stated she does not. McCallum then agreed that \$2,000 should go into the office equipment line item, with \$4,500 going toward Compactor Rental.

Motion by Kelterborn to transfer \$12,000.00 from the General Fund into the various accounts: elections, online services; Zoning Board of Appeals, Zoning Administrator Salary, Compactor Rental and Office Equipment, seconded by Hartsell. Motion carried – all ayes.

Motion by Kelterborn to review the Transfer Station fee schedule and put on the January agenda, seconded by Hartsell. Motion carried – all ayes.

Bank Accounts – New Signatures: McCallum stated that the township has a policy requiring the Clerk, Deputy Clerk, Treasurer and Deputy Treasurer to be the signers on the general checking account. It is also policy for the Clerk to be on all bank account except the Property Tax account and suggested that a motion in the minutes to update the Clerk and Deputy Clerk authorized signers should be sufficient for the banks to make the updates. **Motion by Kelterborn to update the signers to reflect the new Clerk, Mary Johnson, and Deputy Clerk, Nell Jacniacki, on the General Checking account at Independent Bank, seconded by Hartsell.** Motion carried – all ayes.

Motion by Kelterborn for Clerk, Mary Johnson, to be signer on all accounts except the Property Tax Account, seconded by Hartsell. Motion carried – all ayes.

East Michigan Council of Governments: McCallum asked the Board to take some time to review the EMCOG information for the January Board meeting. Ten years ago Huron County was a member, we had many benefits then. The Planning Commission could use them for their Master Plan. Kelterborn stated that EMCOG helped in many ways with grants, etc. **Motion by Kelterborn to table EMCOG until January Board meeting, seconded by Johnson.** Motion carried – all ayes.

Township Policy on Employee Parking: McCallum suggested that we have employee parking on the east and west sides of the building in order to leave the parking in front of the hall available for residents who come to the hall. **Motion by Kelterborn requiring employees and township officials park in the parking lot east of the building or to the west of the building leaving the front parking spaces open, seconded by Hartsell.** Motion carried – all ayes.

Extra Office Discussion: Fischer stated that Lisa Zadrzynski was hired by the Board and her hours were set by the Board, she has done a fantastic job, she does everything she is supposed to do in this Township and made a **motion to hire her back five days per week, Hartsell seconded.** McCallum stated policy for the secretary position states up to 20 hours per week. Former Supervisor, Mr. Smith, needed secretarial assistance. Clerk Johnson wants to be in the office during regular hours in order to get familiar with the work and the people and in order to be fiscally responsible, two or three people are not necessary to answer phones. The Board has a responsibility to be fiscally responsible. McCallum stated that Lisa will be here on Monday and Wednesday when the Zoning Administrator and Building Inspector are working in order to assist them; that it is slow during the winter months. Kelterborn commented he understood why the new clerk is trying to learn a new job and statutorily the clerk is required to have a deputy who also needs to learn the job. Fischer commented that the deputy does not need to learn the job until the clerk learns the job.

Kelterborn stated that the deputy clerk needs to learn the job as well, it is required by law and it should be up to the Supervisor and Clerk to work out some sort of scheduling arrangement. Motion by Fischer to have extra office help five days per week, seconded by Hartsell. Johnson, McCallum and Kelterborn opposed. Motion failed.

Kelterborn stated that during times when there are training seminars, sickness, etc. we need to cover the office and be able to call in the extra office help. **Motion by Kelterborn to maintain extra office at the discretion of the Supervisor and the Clerk, seconded by Johnson.** Fischer and Hartsell opposed. Motion carried.

Public Comments:

Margaret Szumlinski questioned the validity of Kelterborn voting on his appointment to the planning commission.

Vivian Osborne questioned the decision to hire someone from outside the hall to maintain the website when the cost is the same and asked the Clerk to read the motion made regarding the township correspondence policy.

Bill Williams asked why the board members would want to reappoint someone to the planning commission who had violated the zoning ordinance by building without a permit.

Dave Szumlinski questioned the reduction in the secretary's hours by the Supervisor without board approval and Krueger's appointment expiring in 2010 and whose responsibility it was to keep track of that.

Len Pilato asked how much it actually costs the Township to run the Transfer Station and stated he would like to see a study to see if it would be less expensive to have curbside pick-up. Kelterborn commented that there were many residents who did not want trash pickup when he was Supervisor due to unsightliness, wear and tear on the roads, etc. The cost to the Township was worth it to the residents. Now the costs are going up and as costs are going up, the township may need to pass this on to the residents and this is why it needs to be discussed and evaluated in January.

Pat Prystrup commented on some of the board decisions and the 3/2 votes.

Paul Golsch commented that instead of choosing sides, this community needs to come together; we all have a difference of opinion that we can't always resolve.

Lou Colletta stated that the problem he has in the last four years is there are no job descriptions for what a Trustee does or what anyone is supposed to do. He stated when he was Chairman, he kept a record of the expiration dates of his board and he would remind them. He also commented on the fact that over the last four years the board decisions were often a 4/1 vote.

Jim Simmons questioned the single bid for the new computers.

Yvonne Bushey asked that when doing a motion it would be helpful for those attending to say whether the motion carried or failed.

Lou Colletta asked for a moment of silence for the tragedy at Sandy Hook Elementary in Connecticut. (*Moment of silence held.*)

Payment of Bills:

Motion by Kelterborn to pay bills as presented, seconded by Hartsell. Motion carried – all ayes.

Motion to adjourn by Kelterborn, seconded by Hartsell. Motion carried - all ayes.

Meeting adjourned at 9:36 P.M.

Mary E. Johnson, Clerk