

Lake Township, Huron County

Board Minutes-March 31st, 2014

Meeting was called to order at 7 P.M. Pledge of Allegiance was recited.

Roll call: Valerie McCallum, Dorothy Fischer, Clay Kelterborn, Dale Hartsell, Claren Russell.
Guests-14

Approval of Agenda: One addition- Mr. Prill is here to address the Board regarding running for Circuit Court Judge this Aug. Primary and November General election. He will speak at the end of the public hearing. Motion made by Kelterborn to approve the agenda. Supported by Hartsell. All in favor, motion carried.

Open Public Hearing on 2014-2015 Fiscal Year Budget: Received another street lighting bill that will put our need to increase new budget amount to \$450 (from \$350) since the electric cost is rising. We share the cost with Hume and Chandler Township annually. Also received a bill for the dumpster today that will cause a need to increase the future Transfer Station budget. Suggested by Kelterborn to increase the budget item by \$1000 to \$34,000. McCallum stated that Tory Geilhart, Building Inspector, also asked her to express disappointment at the raise he has been given. Questions from the floor: Mr. Rohner asked if the Transfer Station is going to close? McCallum stated there had been no discussion to close it but we recently took a survey to asking residents' opinions on curbside pickup, and will report on that later tonight. He asked if a study had been done. McCallum explained the review of the Transfer Station budget and sign-in sheets at the Station were used to establish the budget. She pointed out the transfer Station is partially subsidized as a service to the Township, and also provides a way for recycling for our residents. Mr. Pobanz, another guest, explained the advantage of offering Transfer Station service to those who do not want curbside pick-up. After much conversation, McCallum offered to cover the results of the survey that had been sent to every tax payer in our Township Newsletter with the winter taxes and posted on our website. The results were 46 voted "Yes", in favor of curbside pick-up. Of those, 33 were year round residents and 13 were not. Those not in favor were 101. Of those, 37 were permanent residents and 64 were seasonal. No further questions on the budget. Regarding the raise for Tory Geilhart, Russell brought up that though the Board did not grant the amount he asked for, they did agree to a cost of living raise, and that she had explained to him that the Board had done a survey of similar townships and found his wages were comparable. Per Russell, Mr. Geilhart had spoken to her today and seemed more satisfied. Another question raised by Victor Rohner, about the line item titled Public Safety, there is a raise from last year of \$8000 to \$10,000 this year. What is that for? It is for the contracted police coverage that we have recently begun during the summer and through the hunting season due to the Public Safety Committee's recommendation. Hartsell stated that the committee was made up of himself, and several residents from Lake Township who had expressed trouble with gun noises, 4 wheelers racing, and fireworks going off at inappropriate times last summer and fall. Mr. Prill, an attorney who will be running for Circuit Judge in August, spoke up about recent prosecutions as a result of last year's township coverage. He also supported hiring the Sheriff Department as there are only a few law enforcers on duty most of the time during the summer and they must cover the entire Huron County area. That threatens quick response times when a situation needs an officer. Mr. Neil Rohner asked about the

maintenance budget for the roads of Lake Township. His position was that all roads would be maintained by the County since they are county roads. Kelterborn explained there are State roads, County roads, and those that are referred to as County-local roads, which are the responsibility of the township. If we don't spend the road millage money on keeping up our township's road conditions, it cannot be used for anything else. Mr. Neil Rohner expressed that if Lake Township didn't maintain these roads, the County would, and it would lower our taxes. Russell explained the millage for the Township Roads has been voted by the people and are exclusively designated for maintaining our roads. Another guest, Mr. Nelson, stated that if we didn't spend the money to maintain the Township roads, the County would take care of them but we would be billed for them anyway. Another guest, Tracey Swift, stated at as a local government we can have input as we see the road necessity. She moved from a city where the care is terrible on the streets and here, in Huron County, the roads are good. She would rather pay a small amount for the millage on her property taxes and not have to spend money repairing the damage to her car due to potholes, etc. Lou Colletta, another guest, stated if we didn't vote for a road millage absolutely no roads would get fixed. McCallum requested if there were any other comments or questions regarding the budget. There being none, Hartsell motioned to close the Budget Hearing and Kelterborn seconded it. All in favor. Hearing closed.

Guest, Gerald Prill, was introduced and given the floor. He is running for Circuit Court Judge in Aug. 5th primary and the General Election in November. He was born and raised in Huron County and has been a practicing attorney for almost 18 years and has handled many fields of law. He is married 22 years and has 3 children. When asked what he thought some of the challenges will be in that office, Mr. Prill mentioned budgeting, and issues involving the ITC Thumb Loop.

Approval of Feb. 17, 2014 and March 5, 2014 meeting minutes: Motion made by Fischer to approve both minutes, and supported by Hartsell. All ayes. Motion carried.

Reports from Board Officers:

Supervisor: McCallum announced there are two training sessions for the Planning Committee and the Zoning Board of Appeals in Caseville through the Michigan Planning Assoc. of Ann Arbor. The first is April 26th from 9 A.M. to 2 P.M. and the second meeting is an in depth training for the ZBA on May 3rd from 9 A.M. to 12 P.M. They are requesting RSVP's so please let us know if you plan to attend. Kelterborn stated that this will meet our policy for training every 2 years for the Zoning Board of Appeals.

McCallum attended a meeting in Caseville dealing with the Pigeon and Pinnebog water sheds. They discussed agricultural setbacks of river corridors and drains. Reference was made to Ohio nutrient stewardship certification which deals with setbacks. When the subject of septic came up, Charlie Bauer from the DEQ stated that in Bay County the Saginaw Bay Coastal Initiative has come up with a draft for a regional sanitary code that hopefully will bring all septic into the permitting process and they will be able to set rules at the beginning during the construction permits. Eventually other counties will be able to adopt it. Huron County has been looking at it.

Regarding the bid from Wilkinson for spraying of the roads, McCallum has called three times about a possible wrong charge due to recent paving on Griggs Road, but they have not responded, yet.

The Board of Review has adjourned for the year completing 5 meetings, and 6 appeals.

Treasurer: The report is in for February. The interest is not done for March due to bank statements being finalized as of today. The tax season is done and went well.

Clerk: Russell is looking into a new service through Frontier Telephone that will provide free long distance and local calls. It will eliminate the need for Power Net Global as a long distance carrier and save about \$40 per month. Kelterborn asked if we can get a high speed internet service bundled with our phone service. Russell will ask about it.

Trustees:

Hartsell will talk with Brian Wisenbaugh of the County Sheriffs' Dept. about setting up Township police services for the summer/fall season once the budget is approved. Hartsell will also be available for meeting with the Public Safety Committee this summer.

Kelterborn stated the Road Commission is pursuing local application of brining rather than sub-contracting. They are also trying to keep maintenance of roads in-house with road brining and brush cutting. They believe they can offer better service in-house. They are looking at costs comparisons. They are also looking at spraying and using the new brush cutter. They can cut the small brush and the saplings down, but will need to spray to keep it from growing back and spreading. Hopefully it will reduce the need for so much spraying as in times past. Kelterborn also mentioned it would be a good place to use the inmates of the Sheriffs' Department in helping to clear the brush but we are unsure if they are used for this type of labor anymore due to the liability issue. Mr. Prill, one of the guests, stated we could contact Doug Ginther since he is in charge of the inmates scheduling. Regarding the local repair work for the Township front door, Kelterborn said he and Tory Geilhart had talked about the possibility of installing a windbreak but we are on the road right-of-way, and that would call for a variance. Also they talked about a heavy-duty door catch, and/or there was interest in using the side (east) door as the main entrance and keeping the South door as an emergency exit. McCallum recommended checking with the Election Bureau since there was grant money available at one time for providing accessibility to the voting place. Perhaps there would be money available for converting the ramp entrance to the main entrance. The Township Hall bathroom is also deteriorating and needs to be addressed. The Building and Grounds Committee will be coming back from Florida soon, and they will schedule a meeting in the next 6 to 8 weeks.

Correspondence: CAFPA Minutes, Zoning Administrator's Report, Building Inspector's Report, and the Planning Commission Minutes are enclosed in our packets. Regarding the MDOT correspondence, they have offered to meet with us locally in April or May. The Board will decide when it will be convenient for them and us.

Lawn Maintenance Bid from Paul Santhany: He has submitted his bid which will include Spring clean up, lawn mowing and trimming, spraying and fertilizing, planting of flower

seeds, and fence painting, all materials being provided by him at the cost of \$65 per lawn mowing, with the west lot being \$27.50, and the east side being \$37.50 as sometimes only one half needs to be mowed.

Petitions/ Public Comments:

Two questions presented regarding the Planning Commission minutes of March 26th. What happened about the lighting ordinance and the port-a-john ordinance? Kelterborn stated they are working on the draft language for the lighting ordinance, and the port-o-john is in discussion but no wording has been drafted due to work on the wind ordinance draft, and the lighting ordinance. Then they will address drafting a port-o-john ordinance. Another guest questioned if the Township had a policy for mailbox replacement due to the snow removal. The guest was referred to the County Road Commission. Victor Rohner has seen the American eagle twice, and noted our new Zoning Administrator, Tracey Swift's, name is not listed on the Lake Township website. It was agreed to post it.

Old Business:

Recycling –Thumb Industries: They came to recycle last month at a cost of \$50 but we need to decide if we want to pay \$50/month to have recycling. That covers expenses to deliver the trailer used to collect the recycle items, and then pick it up again. Hartsell asked if the Township could pick up and deliver the trailer ourselves in order to avoid the cost? He offered his truck to use. McCallum stated we would have to ask, and we have time to make the decision at the April Board meeting since the recycle date for April has been moved to April 27th due to Easter falling on the 3rd Monday of the month. McCallum agreed to check with Thumb Industries. Also, McCallum spoke to Shelley, the clerk from Caseville Township, and there was interest in recycling for their Township. We are in a contract at this time but McCallum stated we could discuss possibilities of joint recycling in the future. Kelterborn motioned to keep the Thumb Industries Recycling service and pay the \$50 as we continue to evaluate alternatives. Hartsell supported the motion. All were in favor. Motion carried.

2013-2014 Budget Review/Amendments: Under Planning and Zoning, they had 2 more meetings in March that put them over budget. It was suggested that we take \$1000 from Consultants and move to Salaries; Street lighting, move \$100 from contingency to Street Lighting; move \$300 from contingency to the Transfer Station. That is a total of \$400 from contingency. Motion made by Kelterborn, supported by Fischer to make the three budget amendments. All ayes. Motion carried.

Fireworks Ordinance: Looking over the Caseville Ordinance, fireworks have been restricted 8-11 P.M. Fridays and Saturdays only, during the summer, and only on the day before a holiday, the day of, and the day after the holiday. It is agreed that it is difficult to enforce it when you don't know where it is coming from, but at least, if it is a neighbor, for example, it can be enforced with this ordinance. The Board would like to review this ordinance and talk about adopting our own ordinance at the next Board Meeting. A Board member asked why there is no allowance for Chinese fire lanterns. It can be a fire hazard if it floats back to land, and there is the issue of liter as they do not burn up completely. Jeanne Henry, a guest, asked if there was something in it about fire hazards. McCallum stated there is a provision to ban

fireworks when a burn-ban is in effect. Kelterborn requested that the print on the Caseville ordinance be cleaned up so it is easier to read. We will review the ordinance at the April meeting.

Philp Park Facilities: We are thinking about requesting bathroom facilities at Philps Park. Fischer stated the recent Road Commission meeting told us the bathroom facilities for the parks are requested through MDOT. We, as a Township, could request it through the County Road Commission, but the Road Commission would pass the request to MDOT.

Oak Beach County Park: McCallum asked if there was any conversation about building an entry facility to the Lake at Oak Beach? Kelterborn said the conversation was mostly about costs and financing, and that grants needed to be written. That, in itself, was a cost, and the subject was not encouraging. Per McCallum, Neal Henschl of the Road Commission was in attendance a meeting of the public committee organized for developing Oak Beach and he sounded very positive about building. She will get in touch with him and report at the next meeting.

ZBA & Transfer Station Fees: The Transfer station collection for the past year is about \$19,800, and we have expenses of approximately \$32,000 plus the salary for the attendant at about \$6500. So we are close to 50% subsidized, as we had intended. With further conversation, it was decided that we would not raise the rates at this time, and continue to monitor it.

Regarding ZBA charges, it has come to our attention that the fee of \$375 does not cover the process of publishing the notice, paying salaries of the Board and the secretary, plus sending notices to neighbors within 300 feet of the address in question. The question was raised as to what local communities charge for this same service in other areas. Until that can be determined, Kelterborn made a motion to raise the fee to \$450. Fischer seconded it. All in favor. Motion carried.

Lawn Maintenance Bid: Kelterborn motioned to accept Paul Santhany's bid for the lawn care at the Township Hall. Seconded by Hartsell. All in favor. Motion carried.

Zoning Administrator wages- Jan. and Feb., 2014: The list of his work during the two months was reviewed. Russell stated that Tory Geilhart did a good job forwarding the two pending appeals that had been started during the previous Zoning Administrator's position, and had settled a few disgruntled builders during this time of no permanent Zoning Administrator. Motion by Kelterborn, seconded by Hartsell to pay Geilhart the regular monthly wage of the Zoning Administrator of \$900 for each month. All in favor. Motion carried.

New Business:

Resolution 2014-2 General Appropriations Act/ 2014-2015 Budget: McCallum asked for any discussion. Per Kelterborn, discussion had been done at the Budget meeting and he felt there was no further discussion needed. Board agreed. Current wages read. Motion made by Kelterborn, seconded by Fischer to accept the wages as read and the general appropriations. Roll call vote: Aye-Fischer, Kelterborn, McCallum, Hartsell, Russell. Motion carried.

Annual Resolutions –

Resolution 2014-3 Township Attorney: McCallum had hoped to interview other attorneys but winter weather had prevented pursuing that goal. Resolution to continue with Taylor-Butterfield offered by McCallum. Kelterborn asked if we are locked into staying with the particular attorney from the firm that we have employed? McCallum will be able to check into that. Kelterborn supported the motion to continue with the current firm of Taylor-Butterfield. Roll call vote: Aye-Fischer, Kelterborn, McCallum, Hartsell, Russell. Motion carried.

Resolution 2014-4 Auditor: We have an engagement letter with Berthiaume & Co. through 2015. Kelterborn made a motion to continue with Berthiaume & Co., Hartsell seconded it. Roll call vote: Aye-Russell, Hartsell, McCallum, Kelterborn, Fischer. Motion carried.

Resolution 2014-5 Publication Media: Motion by Hartsell to approve the View as the Township Media. Seconded by Kelterborn. Roll call vote: Aye-McCallum, Russell, Fischer, Hartsell, Kelterborn. Motion carried.

Resolution 2014-6 Millage Levy: The Township levy of .9251 mills and 1.5 mills of extra voted millage both subject to the Headlee Rollback, motion made by Kelterborn, supported by Hartsell to adopt. Roll call vote: Aye-Hartsell, Kelterborn, Fischer, McCallum, Russell. Motion carried.

Resolution 2014-7 CAFPA Millage Levy: Kelterborn motioned to levy .60000 mills. Seconded by Fischer. Roll call vote: Aye-McCallum, Fischer, Russell, Kelterborn, Hartsell. Motion carried.

Resolution 2014-8 Tax Collection Administration Fee: Kelterborn made a motion to continue the 1 % administration fee. Seconded by Hartsell. Roll call vote: Aye- Kelterborn, Fischer, McCallum, Russell, Hartsell. Motion carried.

Resolution 2014-9 Township Banking: Currently we bank with Independent Bank, Team One Credit Union, and Thumb National Bank. McCallum asked Fischer if Team One Cr. Union has the best CD rates as one is coming due quite soon. Fischer said, yes. Motion by Hartsell and supported by Kelterborn to continue with these depositories. Roll call vote: Aye-Fischer, Russell, McCallum, Kelterborn, Hartsell. Motion carried.

Resolution 2014-10 Township Board Meeting Schedule 2014-2015: Russell suggested keeping the winter start time of 6:30 p.m. for the extra month of March since we have so much to review with the new budget, the annual resolutions and the regular business. We agreed to still keep the March meeting as the last Monday of the month and starting at 6:30 P.M. Kelterborn made a motion to accept the schedule as amended and Hartsell seconded it. Roll call vote: Aye-Hartsell, Kelterborn, Fischer, Russell, McCallum. Motion carried.

Resolution 2014-11 Planning Commission Meeting Schedule 2014-2015: Schedule made for the fourth Wednesday of the month except for the holiday months of Thanksgiving and Christmas where it is moved to a week earlier. Motion made by Kelterborn, supported by Fischer to accept schedule as presented. Roll call vote: Aye- McCallum, Kelterborn, Fischer, Hartsell, Russell. Motion carried.

Elkton Ambulance Contract 2014-2015: The contract is the same cost as last year, \$3,420. Kelterborn motioned to approve the contract for the coming year, Fischer seconded it. All in favor. Motion carried.

2014-2015 Road Work- Kelterborn stated the frost is not out of the ground yet and there is a need to drive around with the Road Commission foreman and evaluate the roads of the township. We had done a lot of road resurfacing last year. With the frost, Griggs Road and Duffy Rd. will need crack sealing. He also stated that we need to be diligent about setting aside some money for Blake Rd., Osbourne and Champagne Rd. We will have to start thinking about a road millage for November of this year also.

Transfer Station Sub-Attendant: Dave Ferris asked if he could have Joel Gingrich appointed as an assistant to cover when he can't work. It was questioned if the transfer station workers need to be bonded? It was thought that they would. McCallum agreed to check on it. Motion made by Kelterborn to have McCallum and Russell interview Joel for the job of assistant Transfer Station attendant and do a background check. Motion seconded by Hartsell. All in favor. Motion carried.

Pending Items:

Portable Toilet Ordinance- Was discussed earlier in the meeting.

Payment of the Bills: Will amend the bills to include the two checks for Tory Geilhart to cover Zoning Administrator coverage and correct the liability checks and pension check to include those payrolls. Hartsell motioned to pay the bills as amended with Geilhart's two checks and liabilities as needed. Kelterborn seconded it. All aye. Motion carried.

Public Comments: Mr. Neal Rohner asked if there had been any discussion about adding a P.A. system to the office for meetings. Kelterborn stated we have speakers in the ceiling already. Had one years ago but need to look into re-wiring. McCallum will look into it. Lou Colletta asked if we will continue the garbage pick-up survey? It was decided to end the survey at this time. Mr. Victor Rohner asked if there was any other "Frequently Asked Question" to put on the website, as the one on there now has been on much of the winter. We agreed to replace it with the garbage survey results. The question was asked if the results from the Feb. 25th Road Millage vote was on the website. Agreed to post that too. Lou Colletta asked about posting various minutes on the website and list-serve requirements.

Adjournment: There being no further business or comments, Hartsell made a motion to adjourn. Kelterborn supported that motion. All ayes. Meeting adjourned at 9:05 P.M.

Respectfully submitted,

Claren Russell, Clerk