

Approved Minutes, Board of Trustees October 21, 2024

Lake Township
October 21, 2024
Board of Trustees
Held at Lake Township Hall
4988 W. Kinde Road, Caseville, MI 48725

Board of Trustees Meeting Called to Order 7:30P.M.

Present – Valerie McCallum ,Dale Hartsell, Jim Deming, Clay Kelterborn, Nicole Collins

Agenda – A motion was offered by Hartsell, supported by Collins, to approve the agenda with addition of employee compensation and salary policy to new business. All in favor, motion carried

September 16, 2024 Board of Trustees Regular Meeting Minutes - Motion by Hartsell, supported by Collins, to approve the minutes with correction removing redundant phrasing. All in favor, motion carried.

Reports – Supervisor – Huron County Road Commission would like the township’s plans for 2025 road work as soon as possible.

Treasurer – As submitted.

Clerk – AV ballots sent. Public Accuracy Testing will be posted as soon as schedule is received

Trustees – None

Correspondence –

CAFPA Minutes – September & October

Zoning Administrator’s Report – September

Building Inspector’s Report – September

Planning Commission Minutes – September

Huron County Road Commission Invoice

Foster Swift Press Release re. MPSC and PA233

Petitions/Public Comments – None

Old Business:

Building Inspector/Zoning Administrator Employment Agreements – Employment agreements for the Building Inspector/Zoning Administrator position were presented to the Board. After discussion, it was agreed the employee reviews were going to be set as a two year cycle from date of employment. Salaries are to be set by the General Appropriations Act yearly. A motion was offered by Kelterborn, supported by Collins, to approve the employment agreements. All in favor, motion carried.

Township Property/Hall Project – Surveyor has completed marking the lot corners and is in the process of completing the topographical survey.

Garage/Firewood Sale Ordinance – Firewood sales are being considered the add to **Ordinance 2015-1, Garage Sale Ordinance**. A summary of items to consider was given to the board from the township attorney. A discussion was held as to the necessity of the ordinance, the location and dimension parameters of the firewood displayed, permitting requirements and signage restrictions. The new regulation was being considered for the R-1, R-2 and RR districts of the township. After discussing the ordinance, suggestions were compiled to be sent to the Township Attorney to incorporate into the proposed ordinance amendment.

New Business –

ZBA Alternates Appointments – Randy Armstead and David Diehl were presented to the Board as replacements for resigning alternate members on the Zoning Board of Appeals. A motion was offered by Kelterborn, supported by Hartsell, to approve these appointments to complete the resigning members terms. Armstead will complete Richard Ehrlich’s term and Diehl will complete Marty Maurer’s term. All in favor, motion carried.

Zoning Amendments – Five Zoning Ordinance recommendations were presented to the Board from the Planning Commission as per the public hearing held on October 16, 2024. The five recommended amendments are summarized as follows;

- 1) Article 3, Footnotes for Table 3-4, Footnote 7(B) – Add R-1 District to the second sentence
- 2) Article 3, Footnotes for Table 3-4, Footnote 5(B) – Add language to define guidelines for reducing front yard setbacks in the R-1 District
- 3) Article 3, Footnotes for Table 3-4, Footnote 7(A)(2) Add paragraph defining procedure to adjust the 30 degree line based on neighboring nonconforming existing dwellings.
- 4) Article 20, Section 20.22 Clear Vision Zone – Amend this section by inserting diagram to assist in interpretation/application of this section
- 5) Article 20, Section 20.29 Lake Access and Frontage, A.9 – Strike language pertaining to public sewers.

After much discussion, the board decided Item 3, Article 3, Footnotes for Table 3-4, Footnote 7(A)(2) was confusing and should not be adopted at this time. A motion to adopt an ordinance incorporating Items 1, 2, 4 and 5 was offered by Kelterborn and supported by Hartsell. After a unanimous roll call vote, **Ordinance 2024 – 4, Zoning Ordinance Amendments** was adopted.

2023-24 Audit – Audit has been completed and filed with the state. Because the audit was received by the township the day of the meeting, a motion was offered by Hartsell, supported by Deming to table discussion until the November meeting. All in favor, motion carried.

Budget Review – The following amendments were presented to the board;

Add \$2,200 to Line 101-262-930.000 Machine Maintenance from the General Fund

Add \$4,350 to Line 101-445-801.000 Contracted Services from the General Fund

Move \$1,000 from Line 204-446-801.000, Contracted Services to Line 204-446-805.000, Road Brining

A motion was offered by Collins, supported by Kelterborn, to approve the budget amendments. All in favor, motion carried.

PA116 – ABL Land Company – On October 1, 2024 ABL Land Company applied a PA 116 enrollment of 80 acres of farmland in Lake Township. It was noted the Huron Conservation District had yet to approve the request. After discussion, a motion was to approve by resolution was offered by Kelterborn, supported by Hartsell, to approve the request contingent upon approval from the Huron Conservation District. After a unanimous roll call vote, **Resolution 2024-14, Approval of PA116 Enrollment** was adopted.

Consumers Energy Franchise Agreement – The Township received a draft of the franchise agreement from Consumers Power Company. After review by township attorney, an updated version of the ordinance was presented to the Board. A motion was offered by Kelterborn, supported by Hartsell, to adopt updated ordinance with the conditions requiring Consumers Power to agree to pay the township for publication of the notice in the View and to pay up to \$500 of associated attorney costs. By unanimous roll call vote, **Ordinance 2024-5, Consumers Energy Franchise Ordinance** was adopted

Foster Swift re. PA 233 – PA 233 restructured the permitting process, reducing the authority of local jurisdictions for siting of large scale renewable energy projects. Foster Swift is currently appealing the Michigan Public Service Commission's recent order outlining their interpretation of the new law as it pertains to local control. Foster Swift contends the interpretation by the MPSC is incorrect. Michigan Township Association has also joined in the appeal. Joining the appeal would 1.) share the cost of the appeal between more of the affected parties and 2.) Protect the Township should the appeal be won by the parties involved. A motion was offered by Kelterborn, supported by Collins, to have the township join Foster Swift and the associated parties in this appeal of the October 10, 2024 MPSC order concerning PA 233. All in favor, motion carried.

Employee Compensation – A former employee is owed compensation for partial pay periods worked. A motion was offered by Hartsell, supported by Collins to pay said employee wages owed. All in favor, motion carried.

Salary Policy – Deming asked for clarification on the township's salary policy as it pertains to pay periods. It was noted the pay period commences on the day after the previous BOT meeting date and ends on the current meeting date.

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Payment of Bills – A motion was offered by Hartsell, supported by Kelterborn, to pay the bills with the addition of Berthuiame and Co. in the amount of \$5675. All in favor, motion carried.

Public Comments – Randy Armstead reminded the Board that in the past the Planning Commission was addressed by a representative of the MDOT stating that the M25 road right of way falls under the jurisdiction of the state and Lake Township does not have the authority to regulate said right of way.

Armstead also asked for the township’s interpretation of the 30 degree rule in the Zoning Ordinance. Collins stated the current ordinance uses the corner closest to the neighboring property lot line when determining the point at which the 30 degree rule is applied. The Planning Commission is currently working to clarify this rule.

Adjournment – A motion was offered by Kelterborn, supported by Collins, to adjourn. All in favor, motion carried.

Meeting was adjourned at 9:17 P.M.

Respectfully submitted

Jim Deming