

BAY TOWNSHIP BOARD OF TRUSTEES

JUNE 8, 2017 REGULAR MEETING MINUTES

APPROVED

CALL TO ORDER

Supervisor Moeschke called the meeting to order at 7:00PM and led with the Pledge of Allegiance. Also in attendance were Clerk J.G. Vanek, Treasurer S.L. Ritter, Trustees G.R. Monk and W. Wehrenberg.

PUBLIC COMMENT

Moeschke opened public comment at 7:01PM.

Thomas Rudy: Lives on Hemingway Drive in the Charlevoix Club subdivision off Van Hoesen Road. Their subdivision has an association called the Horton Bay Club and within their subdivision there is a private road named Horton Creek Road, which is the same name as a public road off Horton Bay North Road. Mr. Rudy is requesting the township board change the name of their private road to Horton Creek Drive.

The Board advised this will be addressed at the July meeting.

Jim Anderton: Thanked the Board for the recent curbside trash pick up.

Moeschke closed public comment at 7:08PM.

HORTON BAY PARADE COMMITTEE

Mike Harmeling discussed the 2017 Horton Bay parade. He informed all the parade theme, as well as their budget and other parade aspects. He stated the township board helped the parade committee last year with a donation which was used to pay their liability insurance. Mr. Harmeling asked the board for monetary support for this year's parade to help pay their liability insurance, which increased \$5 from the previous year.

The Board discussed the township's legal ability to provide funds for Independence Day observances (see Act 110 of 1905).

MOTION by Monk, seconded by Ritter to donate \$755 to the Horton Bay Parade Committee to support the July 4th Independence Day celebration in Horton Bay, passed upon unanimous affirmative roll-call vote of the Board Members present.

ASSESSOR PRESENTATION

Township Assessor Anna Wasylewski stated she has another assessing job offer. Of the three township's she does assessing for, Bay Township is the only one that has her job classification as "Independent Contractor". She enjoys very much working for Bay Township, but is requesting a change in her employment status from "Independent Contractor" to "Township Employee" for the following reasons:

- Michigan Township Association has published a legal opinion that township assessors (if not done by the township Supervisor) be an employee of the township.
- The IRS also states the assessing duties constitutes the assessor be a township employee.
- The township auditor has also agreed with the Michigan Township Association and IRS's recommendations for being a township employee.
- Her family auditor states she should be a township employee.

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Wasylewski stated she is looking for a final decision on this matter from the Board as it will help her in making some decisions on her part.

The township Board deliberated extensively regarding “independent contractor” and “township employee” status.

Wehrenberg stated when Wasylewski was offered the assessing position, he pushed for the “independent contractor” status, but could support switching the assessor’s employee status, but a job description needs to be drafted.

Moeschke felt the assessor’s classification should remain the same because the Board doesn’t have any direct supervision over the assessor.

Ritter stated his communication and dealings with Wasylewski are awesome. He has been opposed in the past to switch her to a township employee but feels she has a legitimate request and would be in favor of classifying her as a township employee.

Monk and Vanek stated they have always felt Wasylewski should be classified as a township employee and are in favor of reclassifying her to an employee.

MOTION by Monk, seconded by Vanek to reclassify the Bay Township Assessor position from “Independent Contractor” to “Township Employee” and to terminate the existing Bay Township Assessor contract and offer the Bay Township Assessor position to Anna Wasylewski, effective July 1, 2017, passed upon affirmative voice vote of the Board Members present, with Moeschke voting against.

Wasylewski accepted and thanked the Board for the classification change.

Wasylewski also updated the Board on new legislation regarding addressing poverty tax exemption requests.

PRIOR MEETING MINUTES

MOTION by Monk, seconded by Ritter, to dispense with the reading of the May 11, 2017 Board of Trustees regular meeting minutes, passed upon unanimous affirmative voice vote of the Board Members present.

MOTION by Ritter, seconded by Monk, to approve the May 11, 2017 Board of Trustees regular meeting minutes, as amended, passed upon affirmative voice vote of the Board Members present.

TREASURER REPORT

May 2017 Treasurer’s report as follows:

<u>Huntington Banks Accounts</u>	
General Fund Savings	\$ 154,172.47
General Fund Checking	\$ 2,062.71
Road Fund	\$ 150,708.60
Tax Collection Fund Checking	\$ 684.59
Escrow Account (Checking)	\$ 1,000.00
CD (Renewed June 2016)	\$ 33,234.62

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4Front Federal Credit Union Account
General Fund Savings

\$ 256,441.49

CLERKS WARRANTS

Vanek presented the June warrants for payment.

MOTION by Ritter, seconded by Monk, to approve the June warrants, totaling \$15,209.75, to be paid from the General Fund passed upon unanimous affirmative roll-call vote of the Board Members present.

Moeschke left the meeting at 7:40PM; Vanek conducted the remainder of the meeting.

**PLANNING COMMISSION
REPORT**

Note: See the Planning Commission June 6, 2017 minutes for further details.

Vanek reviewed the meeting as follows:

- Held a public hearing to receive public comment on allowing Accessory Dwelling Units, through the Special Use permit process.
- Discussed extensively the various concerns raised at the **JUNE 6** public hearing of allowing Accessory Dwelling Units.

**ZONING ADMINISTRATORS
REPORT**

Note: A copy of this report is on file with the township Clerk which has further detail.

Zoning Administrator Ron Van Zee reviewed his May 12 – June 8 written report highlighting activities regarding Zoning Permits issued, Zoning Ordinance enforcement actions taken, and other related zoning activities.

**ZONING BOARD OF
APPEALS**

Ritter stated that two alternate zoning board of appeals members are needed. Wehrenberg will contact the Walloon Lake Association to possibly garnish interested candidates.

Ritter also suggested increasing compensation for the zoning board of appeals members.

**CEMETERY COMMITTEE
REPORT**

Monk reviewed their May 24th meeting as follows:

- Over 70 people attended the annual Dyer Cemetery Memorial Day ceremony.
- Cemetery Sexton Griswold has given his verbal notification that he is retiring; Vanek stated he has received a formal written resignation letter from Griswold.
- Steve Ritter is interested in the cemetery sexton position.
- Distributed the final Cemetery Sexton job description and reviewed the various revisions.
- North Bay Cemetery sexton Jack Staats may be quitting his position as sexton. After checking with the Michigan Township Association, if there is no one to oversee this non-township owned cemetery, the township (by default) would be responsible for overseeing and caretaking of this cemetery.

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- Working on a mission statement.
- Reminded Clerk to formulate a "Right-of-Burial" document in lieu of the current "deed" document.
- Next meeting is June 28th.

2017 SUMMER NEWSLETTER Monk stated the summer newsletter is complete and thanked everybody for their article contributions.

TOWNSHIP TRASH PICKUP UPDATE

Wehrenberg updated the Board on Preferred Waste 2 trash pick up throughout the township as follows:

- Numerous T.V.'s and appliances have been set out for pick up, which is not allowed. Next year better advertisement of not allowing these items will be done.
- Pickers are leaving a mess.
- All advertisement yard signs have been taken down and will be used again next year; only the dates will need to be changed.

TOWNSHIP LAWN MAINTENANCE BIDS

Ritter explained he contacted eight lawn maintenance companies and only received two quotes; Bay Area Turf Care and P.C. Lawn Care. Ritter suggested going with P.C. Lawn Care Company.

MOTION by Ritter, seconded by Monk to accept P.C. Lawn Care Company's quote to do lawn maintenance at Dyer and Oaklawn Cemeteries, and at the township hall, effective immediately, passed upon affirmative voice vote of the Board Members present.

TOWNSHIP VARIOUS ROAD END/LAKE ACCESS SIGNS

Ritter explained numerous lake access signs are either missing or vandalized throughout the township and need replacing. Vanek suggested contacting the road commission and inform them what signs need replacing so they can replace them. Ritter will follow through on this.

CORRESPONDENCE

The Board reviewed various pieces of correspondence received.

OTHER

Wehrenberg

- Updating the township website is progressing.

Ritter

- Stated the BS&A tax link on the website is not working; Wehrenberg will forward this onto Austin Jarema.

Monk

- Has already received a \$150 Wreaths Across America donation.
- Lake Street road end clean up is the same day as the Villa de Charlevoix subdivision annual meeting.

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- A new location for the township hall mailbox has been approved by the postal service.
- Called P.H. Caldecott to have him install the extra dock ladder on the Lake Street road end dock.
- Questioned who will paint the dry hydrant in the Villa de Charlevoix; Wehrenberg will contact Boyne City Fire Department to have them paint it.
- The township hall rear access gravel driveway keeps eroding. The Board agreed to obtain paving quotes; Vanek will obtain paving quotes.
- Township hall window washing will be done on June 22nd.
- P.C. Lawncare will look at the mostly dead evergreen shrubs at the township hall and see if they are worth saving.

PUBLIC COMMENT

Vanek opened public comment at 8:48PM.

Bill Nason: Stated the Charlevoix County Sheriff's Department has increased speed control on Boyne City Road within Horton Bay and feels it has helped with drivers complying with the 35 MPH speed limit.

Discussed having a yellow flashing caution light installed above the intersection of Boyne City and Sumner Road intersection.

Vanek closed public comment at 8:54PM.

ADJOURNMENT

MOTION by Ritter, seconded by Monk, to adjourn the meeting at 8:54PM, passed upon affirmative voice vote of the Board Members present.

Respectfully submitted

James G. Vanek
Bay Township Clerk