

# BAY TOWNSHIP BOARD OF TRUSTEES

## DECEMBER 13, 2018 REGULAR MEETING MINUTES

### APPROVED

#### CALL TO ORDER

Supervisor Moeschke called the meeting to order at 6:30PM and led with the Pledge of Allegiance. Other Board members in attendance were Clerk W. Simmons, and Trustee W. Wehrenberg. Treasurer S.L. Ritter and Trustee G.R. Monk were absent (excused).

#### BOYNE CITY LIBRARY

Supervisor Moeschke welcomed Monica Kroondyke, Boyne City District Library Director. The Bookmobile was at the Township Hall for a tour and open for the public prior to the Township Meeting.

Kroondyke updated the Board on all of the Library happenings and the information that can be found on their web site including upcoming events for adults and children. The Library continues to go after Grants that are available at various sources. The Library also has available for checkout, at no cost, T-mobile hotspots that can be used BY anyone with a library card. These are working in almost all areas the District Library covers.

#### PUBLIC COMMENT

Moeschke opened public comment at 6:43 PM.

Rich Brown, Representative from the Villa de Charlevoix inquired about road funding and if the amount of funding had gone down. It was explained that there will be a May election requesting for a renewal of the current 1 mil for road funding which, if passed will bring in approximately \$162,345.

Moeschke closed public comment at 6:45 PM

#### PRIOR MEETING MINUTES

**MOTION by Simmons, seconded by Wehrenberg, to dispense with the reading of the November 08, 2018 Board of Trustees regular meeting minutes, passed upon unanimous affirmative voice vote of the Board Members present.**

**MOTION by Wehrenberg, seconded by Moeschke, to approve the November 08, 2018 Board of Trustees regular meeting minutes, as corrected, passed upon affirmative voice vote of the Board Members present.**

#### TREASURER REPORT

November 30, 2018 Treasurer's report as follows:

<u>Huntington Banks Accounts</u>	
General Fund Savings	\$ 23,553.36
General Fund Checking	\$ 9,915.83
Road Fund	\$ 71,437.63
Tax Collection Fund Checking	\$ 601.11
CD (Matures June 2019)	\$ 33,234.62
<u>4Front Federal Credit Union Account</u>	
General Fund Savings	\$ 212,076.64

#### CLERKS WARRANTS

Simmons presented the December warrants for payment.

**MOTION by Simmons, seconded by Wehrenberg, to approve the November warrants, totaling \$ 16,713.74 to be paid from the General Fund, passed upon unanimous affirmative roll-call vote of the Board Members present.**

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#### PLANNING COMMISSION REPORT

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

Zoning Ordinance Article III, IV, and V text amendments final draft was reviewed and forwarded to legal counsel for review.

Review of the proposed revisions to the Bay Township Master Plan Chapter 8 which now includes an "Action Plan". The "Action Plan" is a narrative consisting of policies, goals, and actions which have been identified by the Planning Commission and the recent Community Survey results. Final draft to be presented at the Planning Commission January meeting.

A priority list will be established for Parks and Recreation Grant Applications for Grant submittals.

The Bay Township Community Recreation Plan 2019 – 2023 will go to public hearing on January 2, 2019 and then be forwarded to the Board of Trustees for approval at the January 10, 2019 meeting. A copy of the draft was requested to be sent to all Board members in advance in the future. This update must be approved prior to the end of January to qualify for upcoming grants. This plan is not required to be run through legal.

#### ZONING ADMINISTRATORS REPORT

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

Van Zee issued two zoning permits for new single-family residence, and is reviewing applications for a residence on James Dilworth Way and on Fox Run. Work on the parcel division for Sho Sho Nie Beach Drive continues. Van Zee inspected and wrote three violation letters.

Van Zee continues working with the Charlevoix County Planning Department on corrections to the Bay Township Zoning Map for commercial zoning around Bear Cove Marina and continues to work with attorneys and property owners at Bear Cove Condominium Association on proposed easement relocation.

#### CEMETERY COMMITTEE REPORT

Wreaths Across America will take place on December 15, 2018 at 11:45 AM. All are invited.

#### ZONING ORDINANCE REVIEW

Wehrenberg requested that in order to better keep open communications between the Board of Trustees and the Planning Commission that items such as the draft Parks and Rec plan and the upcoming Zoning Ordinance changes be forwarded to the board to keep them in the communication loop.

Wehrenberg stated all changes requiring legal opinion should come to the board first as the board has the ultimate responsibility. He was referring to the Planning Commission forwarding the Zoning Ordinance Article III, IV, and V text amendments final draft to legal counsel for review prior to sending to the Board of Trustees who then forwards items to legal counsel. It was explained why this was sent to legal first by Dave Skornia, Planning Commission Chairperson. Wehrenberg disagreed that if the board wanted to change something it would mean doubling up on legal fees. Simmons understood what Wehrenberg was saying, however, in a situation as this the process is worked on and reviewed by the Planning Commission, Beckett and Raeder our professional planners, and Charlevoix County prior to legal. After working with all of these professionals who understand the laws and requirement why would

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the Board not want legal input prior to them approving? Why would a Board member feel the need to change something after the process has gone through all the qualified professionals and entities along with legal?

Skornia requested legal fees be added to the Planning Commissions Budget for 2019 – 2020.

### CORRESPONDENCE

*Note: A copy of these notifications are on file with the township Clerk which have further detail.*

- **FEDERAL EMERGENCY MANAGEMENT** – Final flood hazard determination in compliance with Title 44, Chapter 1, Part 67, Section 67.11 CFR notification of prior to May 16, 2019, Bay Township is required to adopt floodplain management regulations.
- **DEPARTMENT OF NATURAL RESOURCES** – New Flood Insurance Rate Maps (FIRMs) for Charlevoix County from FEMA. As a member of NFIP (National Flood Insurance Program) Bay Township must adopt (prior to May 16, 2019) the new maps by current floodplain ordinance.
- **DEPARTMENT OF TREASURY STATE OF MICHIGAN** - Audit of Minimum Assessing Requirements (AMAR) summary of findings.
- **DEPARTMENT OF NATURAL RESOURCES STATE OF MICHIGAN** – Notice of Intent to close certain forest roads to Conventional Vehicles, close certain roads to use Off-Road Vehicles, or open certain forest roads to Off-Road Vehicles on State of Michigan land located in the northern lower peninsula.
- **COUNTY OF EMMET Dept. of Planning** – Public notice of intent to create a 2020 Master Plan.

### OTHER

#### **SALE OF SPIRITS**

Simmons presented a State of Michigan Certification of Legislative Body on Sale of Spirits. David Marvin, Michigan Liquor Control Commission informed Bill Mansfield of Lavender Hill Farms, that back in 1934 when prohibition ended, the Michigan Constitution gave local units of government the opportunity to pass and/or adopt the sale and service of Spirits and mixed Spirit drink for consumption on premise. David Marvin reports that Bay Township never reported an adoption of this resolution. There is no resolution and/or adoption on record in the Bay Township archived minutes dating from 1930 through the 1940's. In order for Lavender Hill Farms to be able to have the sale and consumption of Spirits on their property this certification must be adopted. This is not just for Lavender Hill Farms but would include other appropriately zoned business.

Moeschke requested more information and better understanding on this. Simmons forwarded David Marvin, Michigan Liquor Control Commission information and phone number so Moeschke could speak directly to him for better understanding.

#### **MAY ELECTION DEADLINE FOR LOCAL PROPOSAL**

Simmons is working with Equalization for the wording on the Road Millage Renewal Proposal. This must be certified to the County prior to February 14, 2019.

#### **ROAD PLAN**

Wehrenberg would like to start work on the next five (5) year Road Plan.

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**GREAT LAKES ENERGY** – Wehrenberg has asked if Great Lakes Energy would consider donating the electricity to Dyer Cemetery because of the small usage.

**LIGHT AT SUMNER AND CAMP DAGGET** – Simmons will look through the minutes between 1989 and 1990 for any mention of the Board approving to pay for the electric for this light.

**PUBLIC COMMENT**

Simmons welcomed and introduced Miss Emily Bonneville, Bay Township resident and Boyne City School student who was at this meeting as part of her Civics project to learn more about the workings of the local “grass roots” government.

Moeschke opened and closed public comment at 7:48 PM.

**ADJOURNMENT**

**MOTION by Wehrenberg, seconded by Moeschke, to adjourn the meeting at 7:48 PM, passed upon affirmative voice vote of the Board Members present.**

Respectfully submitted,



Wendy Simmons  
Bay Township Clerk