

**BAY TOWNSHIP BOARD OF TRUSTEES
AUGUST 08, 2019
REGULAR MEETING MINUTES
AND BAY TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING MINUTES
APPROVED**

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

PLANNING COMMISSION Roll call was taken for the (published) special Planning Commission meeting of members present. Present were D. Skornia, S. Van Dam, X Gaudard, and W. Simmons. (Excused were members L. Maxwell, J. Shephard and J. Jones)

PUBLIC COMMENT Opened public comment at 6:30 PM.

Jim Anderton informed the Board of Trustees that a win – win agreement was worked out with regards to the Lily Pad Public Access Site between adjacent land owners regarding the placement of the signs, bench, and steps leading down to Walloon Access.

Public Comment closed at 6:33 PM.

PRIOR MEETING MINUTES

MOTION by Monk, seconded by Ritter, to dispense with the reading of the July 11, 2019 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 July 11, 2019 Board of Trustees regular meeting minutes, as amended, passed upon affirmative voice vote of the Board Members present.

TREASURER REPORT July 2019 Treasurer’s report as follows:

<u>Huntington Banks Accounts</u>	
General Fund Savings	\$ 58,706.94
General Fund Checking	\$ 19,190.44
Road Fund	\$ 230,017.68
Tax Collection Fund Checking	\$ 92,318.09
CD** (Matures July 7, 2020)	\$ 34,322.39
**Moved to 4Front Federal Credit Union Account	
<u>4Front Federal Credit Union Account</u>	
General Fund Savings	\$ 128,391.30
4Front Federal Credit Union Account	
CD (Matures June 16, 2020)	\$ 100,000.00 *
*Moved from general fund savings into CD	

CLERKS WARRANTS Simmons presented the warrants for payment.

MOTION by Ritter, seconded by Monk, to approve the August warrants, totaling \$85,697.54 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.

A Parks and Rec presentation was given on the completion of all 2019 Park Grants by Simmons. Public comment was given on the Lily Pad public access with Jim Anderton and Helena Pilnick statement on issues with the parking, bench and steps now located on the public access site. Pilnick's property adjoins the public access property to the North.

Concerns included

- entrance sign too large
- parking area blocks Pilnick's entrance to their parking area
- park bench location too close to lot line and is a safety issue to snowmobilers
- step/deck lake entrance too rocky/unsafe for visitors

Simmons explained Eagle Island-Lily Pad access location will be part of the Tip of the Mitt Waterways Trail and noted that the Pilnick's use the public access to enter their garage and parking area. At the Planning Commission meeting indicated they would like parking sign removed and the parking idea should be researched, as she feels there is no room for a parking area. She would also like the blue entrance sign replaced with a smaller sign, no bench, and no deck/stairs. Anderton stated that any work done to resolve issues would be at no cost to Bay Township, some Eagle Island-Lily Pad neighbors would cover. There was no final conclusion made.

The finalized version of the Flow Charts, with a color code legend key, was approved to go to the Board of Trustees for final approval.

LOT SPLIT(s)

Ron Van Zee presented the following Lot Splits to the Board.

Jennifer Clasman-Ammerman property ID 001.006.015.50 **Denied**. This lot split does not meet the minimum requirement for an agricultural zoned area.

Thomas A. & Gail P. Molan property ID 15.001.200.010.00 (Lot #10 and #11 in the Charlevoix Club) **Approved**. This lot line adjustment meets all requirement.

**ZONING ADMINISTRATORS
REPORT**

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

- Reviewing a request on Red Pine that will require ZBA action because of non-conformity
- Currently issued four zoning permits
- Received and reviewed two Lot Split Applications
- More than normal number of calls – High activity within the Township

**ZONING BOARD OF
APPEALS REPORT**

There will be two public hearings to be held on Tuesday, August 13, 2019 at 6:00 PM.

- In the Matter of Alice Keller (owner) 01001 Forest Avenue, Boyne City, MI 49712
- In the Matter of Robert & Melanie Lafave (Owners) 05045 Boyne City Road, Boyne City, MI 49712

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**CEMETERY COMMITTEE
REPORT**

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

- Cemetery Committee met with Karl Crawford, Superintendent of Greenwood Cemetery, Petoskey, Michigan on July 25, 2019
- Crawford shared information, multiple documents and answered many questions, followed by a tour of Greenwood Cemetery
- Next meeting set for August 28, 2019

**PARK GRANTS
PRESENTATION**

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

Simmons presented a complete breakdown of the four grant projects totaling \$28,133. \$19,555 to be reimbursed in grant monies with \$4,000 of in-kind donation being received. The total cost to the Township is \$4578.

On Wednesday, August 7, 2019 Jim Anderton presented a letter of agreement to the Dave Skornia, Xavier Gaudard, and Wendy Simmons (who headed up the Grant Project with regards to Lily Pad Public Access) and all agreed this compromise was a win-win for everyone. Anderton further requested this agreement be memorialized in these minutes. (Letter is attached.) In summary it was agreed upon:

- Remove and relocate the large blue sign at the entrance to the Lake front and move the smaller Public Access sign to the Eagle Island Road entrance
- Remove the "Park Here" sign from the site
- Relocate the bench by placing it between the steps and the tree to the right of the steps as one faces the lake, angle it to face the narrows, and make it removable because of safety concerns in the winter

The agreement further went on saying:

- By implementing immediately, receipt of the grant funds is not jeopardized because of breach of the contracts with the grantors
- Discuss the possibility of the 's being able to plant bushes on the unusable hillside of the site

Board discussion and disagreement followed with the following motions:

MOTION by Moeschke, seconded by Monk, to remove the parking sign from Lily Pad Public Access at the Township's expense, passed upon unanimous affirmative voice vote of the Board Members present.

MOTION by Moeschke, seconded by Wehrenberg, to relocate and make the bench non – stationary at Lily Pad Public Access site at the Township's expense, passed upon unanimous affirmative vote of the Board Members present.

MOTION by Moeschke, seconded by Wehrenberg, to remove the blue sign from the premise and ask the county to replace with a small public access sign at Lily Pad Public Access site, passed upon on a vote of three ayes, Moeschke, Ritter, Wehrenberg and two naves, Simmons and Monk.

Moeschke requested any plantings come before the board. Skornia indicated at this time the Parks and Rec portion of obtaining the grants and completing the projects for

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the grant funding and reimbursement was complete and all further actions will be the Boards responsibility.

BUDGET REVIEW

Simmons passed out the April through July 2019 Budget Performance Review.

LAKE STREET

Monk continues to work with Jim Vanek at the Charlevoix County Road Commission on applying for a permit from EGLE so larger rocks can be put at the waters edge to protect from further ice damage. Spring of 2020 could be anticipated as being approved.

Monk also reported ~~Caldcott~~ **Caldecott** moved two sections of dock on shore for safety reasons and a SHALLOW WATER sign was given to Supervisor Moeschke to put up at the end of the dock as the water is not as deep now that the overall dock does not extend out as far.

Signage for next year needs to include “for launching only” and “no tying up on dock” along with boats staying a certain distance from the launch and swim area. This will need to be reviewed starting in December and Moeschke prefers signs to indicate by “Charlevoix County Road Commission”.

RECORDING SECRETARY

Simmons discussed the aspects of having Kristin Baranski becoming the recording secretary for the Planning Commission and the Zoning Board of Appeals and the Board was in agreement to continue having Kristin Baranski be the recording secretary.

MOTION by Monk, seconded by Simmons, to pay the Planning Commission and Zoning Board of Appeals recording secretary \$200.00 per diem and to be reviewed on an annual basis, passed upon unanimous affirmative vote of the Board Members present.

EMPLOYEE EVALUATIONS

Wehrenberg indicated it was time for employee evaluations. It was decided that this year Simmons would assist the Supervisor in completing the evaluations. Evaluations will be reported back to the Board at the September Board meeting.

**2019 MILLAGE LEVY &
RESOLUTION NO 2019-8-1**

Simmons presented the L-4029 form, 2019 Tax Rate Request report to be forwarded to the County Board of Commissioners.

MOTION by Simmons, seconded by Wehrenberg, to approve Resolution No. 2019-8-1 Titled 2019 Millage Levy stating NOW, THEREFORE, BE IT RESOLVED, that Bay Township, County of Charlevoix, State of Michigan, levy the full 0.9607 operating millage allowed for December 1, 2019, and levy the full 1.0000 road millage allowed for December 1, 2019, to support the General Fund Budget and Road Fund Budget, each for the year ending March 31, 2020 passed upon unanimous affirmative roll-call vote of Board Members present.

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**COMMON ANGLE
IT SUPPORT**

Simmons requested and received the go ahead to look into better options for the data support and back up for the Township, sighting Common Angle's high rates and lack luster performance.

FLOW CHARTS

The final flow charts requiring an Amendment to the Bay Township Zoning Ordinance Articles XI, XIII, XIV, and XIX were submitted to the Board for final approval. Moeschke requested a Resolution and not an Ordinance be submitted for approval at the September Board Meeting.

Simmons indicated these charts have been reviewed by both legal and county. Their suggestions have been incorporated into them. Simmons further indicated the wording used in the flow charts matches the wording within our Zoning Ordinance.

PUBLIC COMMENT

Opened at 9:13 PM

Dave Skornia stated the Board was made aware of the grants since the beginning of the process in late December and early January when the Board passed the resolutions for the grant process.

He also questioned when Jim Anderton originally came to the Board and asked about the possibility of the board selling the public access to the neighbors why the board did not come out and say to Anderton directly that this was not an option. Anderton was still waiting for an answer. Skornia felt the Board needs to better communicate and respond to public questions.

Public comment closed at 9:23 PM

ADJOURNMENT

MOTION by Ritter, seconded by Simmons to adjourn the meetings at 9:23 PM, passed upon affirmative voice vote of the Board Members present.

Respectfully submitted,



Wendy Simmons
Bay Township Clerk