

**BAY TOWNSHIP BOARD OF TRUSTEES**  
**October 10, 2019**  
**REGULAR MEETING MINUTES**  
**APPROVED**

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

**CHAIRPERSON:** **MOTION by Monk, seconded by Ritter to authorize Clerk Simmons to chair the October 10, 2019 meeting in absence of Supervisor Moeschke passed upon unanimous affirmative vote.**

**AGENDA** Simmons requested the Zoning Ordinance Amendment be removed from the agenda as it is not ready to present.

**PUBLIC COMMENT** Opened and closed public comment at 6:37 PM. No public comment received.

**PRIOR MEETING MINUTES** **MOTION by Ritter, seconded by Monk, to dispense with the reading of the September 12, 2019 Board of Trustees regular meeting minutes, passed upon unanimous affirmative voice vote of the Board Members present.**

**MOTION by Monk, seconded by Ritter, to approve the September 12, 2019 Board of Trustees regular meeting minutes passed upon affirmative voice vote of the Board Members present.**

**TREASURER REPORT** September 2019 Treasurer's report as follows:

<u>Huntington Banks Accounts</u>	
General Fund Savings	\$ 74,960.73
General Fund Checking	\$ 15,524.36
Road Fund	\$ 230,075.34
Tax Collection Fund Checking	\$ 8,317.29
CD** (Matures July 7, 2020)	\$ 34,322.39
<i>**Moved to 4Front Federal Credit Union Account</i>	
4Front Federal Credit Union Account	
General Fund Savings	\$ 68,425.22
4Front Federal Credit Union Account	
CD (Matures June 16, 2020)	\$ 100,000.00 *
<i>*Moved from general fund savings into CD</i>	

Ritter reported 98% of all summer taxes have been collected and the Township has been reimbursed from Charlevoix County Parks Millage fund the monies requested for Camp Sherwood and Franklin Street Lake access grants.

**CLERKS WARRANTS** Simmons presented the warrants for payment.  
**MOTION by Ritter, seconded by Monk, to approve the October warrants, totaling \$14,529.82 ~~\$14,529.82~~ \$14,476.83 to be paid from the General Fund, passed upon unanimous affirmative roll-call vote of the Board Members present.**

**PLANNING COMMISSION REPORT** *Note: A copy of this report is on file with the Township Clerk which has further detail.*  
 There will be a special Planning Commission meeting on Thursday, October 17, 2019 at 7:00 PM to review two Special Use applications. One is for 04775 Church Road and the other is for 07018 Meadowoods Lane.

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**ZONING ADMINISTRATORS REPORT**

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

**ZONING BOARD OF APPEALS REPORT**

A Zoning Board of Appeals meeting was held on Wednesday, October 9, 2019 in the matter of 02519 Eagle Island Rd. variance request. Request was denied.

Ritter asked if it were possible or even legal for the ~~Planning Commission~~ ZBA to not accept variance requests that are not legally conforming. This will be sent to the ~~Planning Commission~~ ZBA for review and an answer.

**LOT SPLITS**

Per Van Zee a lot line adjustment is in the works on Horton Bay Road as soon as the completed survey is received.

**CEMETERY COMMITTEE REPORT**

Monk reported there was no meeting held this month. The next scheduled meeting will be held on October 30, 2019 at 9:00 AM. Wreaths Across America will be sponsored again this year. We now have 50 Veterans located in the four Bay Township locations. She will have updated donor information out soon.

**INTERGOVERNMENTAL AGREEMENT STORM WATER MANAGEMENT ORDINANCE ADMIN. AND ENFORCEMENT**

**Motion by Monk, seconded by Ritter to approve the Intergovernmental Agreement Storm Water Management Ordinance Administration and Enforcement with the County of Charlevoix passed upon unanimous affirmative voice vote of the Board Members present.**

**Motion by Monk, seconded by Simmons to have Clerk Simmons sign the Intergovernmental Agreement Storm Water Management Ordinance Administration and Enforcement with Charlevoix County in Supervisor Moeschke's absence passed upon unanimous affirmative voice vote of the Board Members present.**

**ROAD VACATION IN ZENITH HEIGHTS**

Simmons presented the request from Barron & Engstrom, P.L.C. Attorneys and Counselors at Law, representing Lesley Vyletel, and Brian R. Ellis requesting the abandonment of Valley Brook Avenue and a portion of Shady Nook Avenue located in Zenith Heights. Attorney Murray's opinion was passed on to all Board members prior to this meeting. Wehrenberg suggested, since Bay Township has vacated other inaccessible paper roads in Zenith Heights that the residents should all get together and present all of these paper roads in Zenith Heights to be abandoned. None are to lake access.

It was requested by the Board to return this back to Supervisor Moeschke to follow up with Attorney Murray. The Board has no problem vacating these roads but it needs to be done according to the Michigan Land Division Act, MCL 560.101 and will require the Plaintiff (s) to file much more detail.

**OTHER**

Monk asked for any updates on the road plan to date and Wehrenberg indicated he would have an update next month.

There was no action taken on the possibility of putting a maximum cap amount on zoning permits. Bay Township Zoning permits are based on a percentage of the building cost.

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Wehrenberg asked if employee reviews had been completed. Simmons indicated she was waiting for Moeschke to schedule.

**PUBLIC COMMENT**

Opened and closed at 7:10 PM. There was no public comment.

**ADJOURNMENT**

**MOTION by Monk, seconded by Wehrenberg to adjourn the meetings at 7:10 PM, passed upon affirmative voice vote of the Board Members present.**

Respectfully submitted,



Wendy Simmons  
Bay Township Clerk