

BAY TOWNSHIP BOARD OF TRUSTEES

April 11, 2019 REGULAR 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, Trustees G.R. Monk and W. Wehrenberg.

PUBLIC COMMENT

John Cool, Tami Whitley (Bay Township residents) and Mike Hinkle introduced themselves to the Board. They will be operating the new Charlevoix State Bank in Boyne City.

Public comment closed at 6:33PM

PRIOR MEETING MINUTES

MOTION by Monk, seconded by Moeschke, to dispense with the reading of the March 14, 2019 Board of Trustees regular meeting minutes, passed upon unanimous affirmative voice vote of the Board Members present.

MOTION by Simmons, seconded by Ritter, to approve the March 14, 2019 Board of Trustees regular meeting minutes, as amended, passed upon affirmative voice vote of the Board Members present.

MOTION by Simmons, seconded by Monk, to dispense with the reading of the March 28, 2019 Board of Trustees special meeting (6:00PM) #1 minutes, passed upon unanimous affirmative voice vote of the Board Members present.

MOTION by Monk, seconded by Simmons, to approve the March 28, 2019 Board of Trustees special meeting (6:00PM) #1 minutes, as presented, passed upon affirmative voice vote of the Board Members present.

MOTION by Simmons, seconded by Moeschke, to dispense with the reading of the March 28, 2019 Board of Trustees special meeting (6:30PM) #2 minutes, passed upon unanimous affirmative voice vote of the Board Members present.

MOTION by Monk, seconded by Simmons, to approve the March 28, 2019 Board of Trustees special meeting (6:30PM) #2 minutes, as presented, passed upon affirmative voice vote of the Board Members present.

TREASURER REPORT

March 2019 Treasurer's report as follows:

<u>Huntington Banks Accounts</u>	
General Fund Savings	\$ 171,429.16
General Fund Checking	\$ 9,863.03
Road Fund	\$ 224,131.70
Tax Collection Fund Checking	\$ 6,383.57
CD (Matures June 2019)	\$ 33,234.62
<u>4Front Federal Credit Union Account</u>	
General Fund Savings	\$ 228,250.31

Ritter will look into putting \$100,000 additional funds into a CD. 4Front is offering a 2.54%, 13-month CD rate. Ritter will also speak to Charlevoix State Bank; now opening an office in Boyne City for their best CD rate.

Property tax collection has been completed and will reflect in May's balance.

BAY TOWNSHIP BOARD OF TRUSTEES

April 11, 2019 REGULAR MEETING MINUTES

APPROVED

CLERKS WARRANTS

Simmons presented the warrants for payment.

MOTION by Ritter, seconded by Simmons, to approve the April warrants, totaling \$11,405.26 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.

Dave Skornia presented a letter from the Charlevoix County Zoning Department requesting Zoning amendment processes pass legal review prior to going to public hearing and prior to going before the Charlevoix County Commission. Skornia further explained the importance of the Planning Commission process of going through legal prior to submitting to the Board.

Wehrenberg indicated he wants to see this information prior to the last-minute and that as a member of the Board of Trustees, he and the Board is responsible and has the final say and approval. Further, Wehrenberg wants to be able to address his concerns prior to the last-minute. Simmons and Skornia both explained with regards to the items being discussed at the public hearing; this is why they are being handed out to the Board to be reviewed in advance. They are not being handed out to discuss at this meeting, therefore, giving an opportunity for all Board of Trustee members an opportunity to review. Any comment can be noted and discussed prior to finalization. Time line for the completion will not be until August or September at the earliest.

There will be a public meeting held on May 12, 2019 at 7:00 PM to cover:

- Correcting an illustration error on the Bay Township District Zoning Map dated August 2, 2000 affecting 13 parcels all located in the Bear Cove area.
- Adding 13.1 (e) to Article 13.1 Special Use Permit that will state: It is filed with the Register of Deeds within 45 days of the Special Use Permit being issued and to correct a spelling error in 13.1 (b).
- Seeking public comment on the proposed flow charts to better illustrate:
 - Article 19 Zoning Ordinance Amendment Adoption Process
 - Article 13 Special Uses Process
 - Article 11.6 Planned Unit Development Process
 - Zoning Application Permit Process

Skornia also gave a cost breakdown of monies spent with regards to the Township Planner which included working with the Planning Commission on:

- Section 5.4 update
- Updated the Recreation Plan which expired in 2017
- Updated the Master Plan
- Compiled, printed, mailed and completed 2019 Survey so the Master Plan could be updated. ~~(this now adds an additional 5 years onto the Master Plan)~~

Simmons presented a Memorandum of Understanding between Walloon Lake Trust and Conservancy with regards to the Grant monies received from the Health Department of Northern Michigan's Building Healthy Communities Program to develop access on Maplecrest Preserve in Bay Township (the "Preserve") and implement MParks Walk Michigan Program. This is an understanding of working together between both parties to see this project to fruition. It is neither a binding agreement nor an offer to execute a binding agreement by either party. A copy of this Memorandum of Understanding will be forwarded to each member of the Board with

BAY TOWNSHIP BOARD OF TRUSTEES

April 11, 2019 REGULAR MEETING MINUTES

APPROVED

the unapproved minutes of this meeting and will be added to the May agenda. The Board will need to approve prior to the Clerk signing.

ZONING ADMINISTRATORS REPORT

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

- Working with contractor on reconstruction of fire damaged home on Reycraft Road
- Issued permits for garage/storage building, enclosed/covered decks
- Waiting for Health Dept. and Villa Association for new single-family residence permit to be issued
- Working with Camp Michigania on their Master Plan including a proposed development
- Inspected and wrote violation letters
- Worked with County Planning Department and Equalization on listing of property owners affected by correcting an illustration of the Bay Township Zoning Map

Moeschke asked if we have a mechanism for fines with regards to zoning violators. Per VanZee, not within our Zoning, however the next step would be to bring in the attorney. VanZee indicated he works closely with each of these individual and weighs out how serious the problem is, and the intent and attitude of the homeowner.

ZONING BOARD OF APPEALS REPORT

No meeting scheduled at this time.

ASSESSOR REPORT 2019

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

- Currently 1,410 parcels in Bay Township
- Assessed Value went up from \$215,190,600 in 2019 to \$249,148,800 in 2019
- Taxable Value went up from \$162,345,355 in 2018 to \$172,722,083 in 2019
- March Board of Review dealt with valuation issues on 6 cases including one Disabled Veteran Exemption
- There have been no Michigan Tax Tribunal cases for the past 3 years
- 80% of all properties have been seen since 2015 – remaining 270 parcels will be included in this year's inspections

CEMETERY COMMITTEE REPORT

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

- The Sexton will be working more hours as Spring approaches, as outlined in the job description
- The initial Cemetery Ordinance was adopted in 1998, has 14 Sections, and has had only one amendment. The newly recommended MTA Ordinance has 28 Sections that the Committee is currently working through.
- Bay Township is still using an illegal Deed form which is currently being updated and will be called a Right of Burial Certificate, as was requested by Kris Skornia in 2000.
- Cemetery Committee recommends the following fee schedule to the Board for adoption:
(The fee increase will be for the open section in Dyer Cemetery only)
 - Increase the purchase price of one Cemetery Lot (which consists of 2 Burial Spaces) to \$400.00 (from \$150.00 established in 1998).

BAY TOWNSHIP BOARD OF TRUSTEES

April 11, 2019 REGULAR MEETING MINUTES

APPROVED

- To no longer sell Cemetery Lots to nonresidents. {The original fee schedule allowed Cemetery Lots to be sold to nonresidents for \$250.00. The BT Cemetery Ordinance #13 of 1998 (Section III A.) currently allows that a Lot may be sold to residents, former residents, or taxpayers of the Township for the purpose of the burial of such purchaser or his or her heirs at law or next of kin.}
- Increase the Cemetery Lot Transfer Fee to \$25.00 from \$10.00.
- Increase Opening & Closing Fees:
For full burial to \$450.00 from current \$400.00.
For one cremains to \$100.00 from \$75.00.

(The current payment of \$400.00 and \$75.00 paid to designated persons for full body and cremains opening and closing of the burial space respectively, will remain the same, with the overage to be deposited back into the general fund referencing the cemetery budget.)

MOTION by Simmons, seconded by Ritter, to approve Resolution 2019-04-02, Cemetery Fee Increases effective April 11, 2019, passed upon unanimous affirmative roll-call vote of the Board Members present.

Ritter requested permission to add removal of the dead standing maple tree at Dyer Cemetery onto Steve Crandall's current bid for tree removal within the township. Next Cemetery meeting will be held April 24th.

FLOODPLAIN / FEMA REQUIREMENTS

MOTION by Moeschke, seconded by Monk, to approve Resolution 2019-04-01, Joint Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program pass upon unanimous affirmative roll-call vote of the Board Members present.

This Resolution will now be forwarded to the Charlevoix County Commissioners for their approval.

FLOODPLAIN MANAGEMENT PROVISIONS Ordinance No. 33 of 2019

MOTION by Moeschke, seconded by Simmons, to approve and adopt Ordinance No. 33 of 2019, an ordinance to designate an enforcing agency to discharge the responsibility of Bay Township, Charlevoix County, Michigan and to designate regulated flood hazard areas under the provisions of the State Construction Code Act. Act No. 230 of the Public Acts of 1972, as amended, and to take effect upon day of publication.

ROADS

Wehrenberg met with Jim Vanek with the Charlevoix County Road Commission to work on a plan to hold off on spending monies in 2019 and 2020 and spend \$550,000 for Road improvements for Villa de Charlevoix in 2021. If short, we can possibly work out an arrangement to hold balance over to January in 2022. Wehrenberg will bring additional information to the May meeting.

EMAIL UPDATE

Ritter requested and was approved to work with Common Angle to switch email away from Spectrum Charter. Estimate at \$90.00 per hour for work to set up. Upfront fee will be less than \$500. Ritter will check to see if we can set up private folders on email.

BAY TOWNSHIP BOARD OF TRUSTEES

April 11, 2019 REGULAR MEETING MINUTES

APPROVED

Simmons will register the Township Hall with TrueStream for internet service.

BC FIRE DEPARTMENT & EMS

Moeschke and Wehrenberg to meet with Mike Cain of Boyne City to discuss concerns and frustrations with lack of communication between the City and Township.

TRASH PICKUP

Wehrenberg requested and was approved to schedule a one-day Spring Clean-up Starting at 7:00 AM on one of three Saturday's available in June. Simmons will work to get a post card out to all residents once the date is set.

MARIJUANA – OPTING IN OR OPTING OUT

Bay Township is being asked by a local resident whether or not the Township is planning on opting in or out of allowing marijuana to be grown in the township. Simmons requested each member look into information available on line including Monk's suggestion about reviewing "Township Talks" information. Attorney Jim Murray has been requested to attend the May meeting to review.

OTHER

- Received and accepted the resignation of Jim Vanek, Deputy Clerk effective June 1, 2019.
- Charlevoix County MTA Leadership Summit will be held on April 29, 2019 at 5:30 PM at Boyne City Hall.

PUBLIC COMMENT

Public Comment open at 8:07 PM.

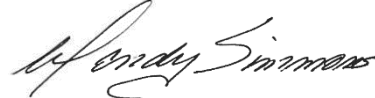
John Cool suggested maybe Township Clean Up be held every two years instead of every year. Tami Whitley reminded the Board that the first Saturday in June is Graduation and there will be open houses held that weekend.

Public Comment closed at 8:09 PM

ADJOURNMENT

MOTION by Ritter, seconded by Monk to adjourn the meeting at 8:09 PM, passed upon affirmative voice vote of the Board Members present.

Respectfully submitted,



Wendy Simmons
Bay Township Clerk