

**BAY TOWNSHIP BOARD OF TRUSTEES**  
**February 11, 2021**  
**REGULAR MEETING MINUTES**  
**APPROVED**

**2CALL TO ORDER** Supervisor Moeschke called the virtual meeting to order at 6:33 PM and led with the Pledge of Allegiance. Other Board members in attendance were Clerk W. Simmons, Treasurer S.L. Ritter, Trustee X. Gaudard and Trustee W.B. Wehrenberg

**PUBLIC COMMENT** Public Comment opened and closed at 6:33 PM. There was no public comment.

**CONSENT AGENDA/  
MINUTES** **MOTION by Gaudard, seconded by Moeschke to approve the consent agenda and approve the January 14, 2021 Board of Trustees regular meeting minutes, as amended, upon affirmative roll-call vote of the Board Members present.**

**TREASURER REPORT** December 31, 2020 Treasurer's report as follows:  
Huntington Banks Accounts

General Fund Savings	\$ 108,417.63
General Fund Checking	\$ 23,583.48
Road Fund	\$ 97,963.47
Tax Collection Fund Checking	\$ 601,359.87
4Front Federal Credit Union Account General Fund Savings	\$ 226,565.66
4Front Federal Credit Union Account CD	\$ 35,212.39

**WARRANTS** Simmons presented the warrants for payment.  
**MOTION by Ritter, seconded by Gaudard to approve the February 2021 warrants, totaling ~~\$15,988.16~~ \$16,626.22 to be paid from the General Fund, passed upon affirmative roll-call vote of the Board Members present with Moeschke voting no.**

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

- .A public hearing was held on the Greenbelt language the Planning Commission is starting to work on at this time.
- The Planning Commission is recommending back to the Board that the total number of members remains at (7) seven which includes a member from the ZBA and a member from the Board of Trustees. The Board is in agreement with this continuing with seven members.

**ZONING ADMINISTRATORS  
REPORT** *Note: A copy of this report is on file with the Township Clerk which has further detail.*  
 Van Zee continues issuing zoning permits and reviewing applications.

**ZONING BOARD OF  
APPEALS** There was no meeting of the Zoning Board of Appeals in January.

**CEMETERY COMMITTEE  
AND SEXTON /  
MAINTENANCE REPORT** *Note: A copy of this report is on file with the Township Clerk which has further detail.*  
 Monk presented a bid for a new sign at the Lake Street boat launch area.  
**MOTION by Simmons, seconded by Moeschke to approve ordering the new sign in the amount of \$365.00, passed upon affirmative roll-call vote of the Board members present.**

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Monk further presented a listing of all locations to be snow plowed including the Dry Hydrants and direct water sources serving Bay Township

**POVERTY EXEMPTION  
RESOLUTION 2012-02-01**

**MOTION by Ritter, seconded by Wehrenberg approving the Annual Guideline Resolution 2021-02-01 for Poverty Exemption passed upon affirmative roll-call vote of the Board Members present.**

**BAY TOWNSHIP, CHARLEVOIX, COUNTY  
BOARD OF TRUSTEES RESOLUTION  
Resolution No. 2021-02-01**

**ANNUAL GUIDELINE RESOLUTION FOR POVERTY EXEMPTION**

**WHEREAS**, the adoption of guidelines for poverty exemptions is required of the Bay Township Board of Trustees; and

**WHEREAS**, the principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

**WHEREAS**, pursuant to PA 390 of 1994, the Bay Township Board of Trustees, Charlevoix County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but are not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the Township Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the **2021** federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

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**Federal Poverty Guidelines Used in the Determination of Poverty**

<b>Size of Family Unit</b>	<b>Poverty Guidelines</b>
1	\$12,760
2	\$17,240
3	\$21,720
4	\$26,200
5	\$30,680
6	\$35,160
7	\$39,640
8	\$44,120
<b>For each additional person</b>	<b>\$4,480</b>

**WHEREAS**, pursuant to PA 253 of 2020, if a person claiming an exemption qualified under the eligibility requirements, the board of review shall grant the exemption in whole or in part, as follows:

- (a) A full exemption equal to a 100% reduction in taxable value for the tax year in which the exemption is granted.
- (b) A partial exemption equal to 1 of the following:
  - (i) A 50% or 25% reduction in taxable value for the tax year in which the exemption is granted.
  - (ii) As approved by the state tax commission, any other percentage reduction in taxable value for the tax year in which the exemption is granted, applied in a form and manner prescribed by the state tax commission.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Board of Review shall follow the above stated policy and federal guidelines in granting, extending or denying an exemption. The foregoing resolution offered by Township Board Member Ritter

Supported by Bay Township Board of Trustees member Wehrenberg

Upon roll call vote, the following voted "Aye": Moeschke, Ritter, Gaudard, Wehrenberg, Simmons

"Nay": none

The Township Clerk declared the resolution adopted.



Wendy Simmons, Bay Township Clerk  
 Date: February 11, 2021

**SNOWPLOWING**

It is recommended for the 2021-2022 snow plowing season Bay Township go out for bids making sure vendors have current Liability, W-4 forms and workman's comp on file with the clerk. Supervisor Moeschke will request a hold harmless agreement from the current vendor for this season of 2020 -2021.

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**MELROSE TOWNSHIP  
LETTER OF SUPPORT  
FOR PARKS GRANT**

A requested letter of grant support from Melrose Township was received. The Board has requested for more detailed information on the specifics of this grant prior to supporting.

**MiSAIL AGREEMENT  
RESOLUTION 2021-02-06**

**MOTION by Simmons, seconded by Ritter to approve the MiSail Resolution 2021-02-06 for 3" aerial imagery passed upon affirmative roll-call vote of the Board members present.**

**BAY TOWNSHIP, CHARLEVOIX COUNTY  
BOARD OF TRUSTEES RESOLUTION  
Resolution No. 2021-02-06**

**Bay Township Resolution to contribute financially to MiSAIL Partner Agreement**

**WHEREAS**, Charlevoix County has agreed to enter into an agreement with the State of Michigan to assist in the acquisition of 3" and 6" aerial imagery across parts of the county. The Michigan Statewide Authoritative Imagery and Lidar Program (MiSAIL) State of Michigan and Partner Agreement (Partner Agreement) establishes the cost, ownership, licensing, and restrictions on the purchase and use of digital orthoimagery data and lidar data collected by the State of Michigan (State) for Charlevoix County,

**WHEREAS**, the township/city agrees to contribute financially to make this acquisition of 3" and 6" imagery possible; and,

**WHEREAS**, 25% of the township's/city's contribution will be paid to Charlevoix County upon their entering into the Partner Agreement and the remaining balance will be paid to Charlevoix County upon receipt by Charlevoix County of the imagery; and,

**WHEREAS**, the Partner Agreement assigns ownership of the imagery to Charlevoix County. Charlevoix County will adopt a resolution agreeing to distribute 90% of funds received from the sale of the imagery acquired under the Partner Agreement to the townships and/or cities that contributed to the purchase of the imagery. Financial contributions to the original acquisition will be used to calculate the distribution of any funds received.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Bay Township agrees to contribute an amount not to exceed \_\_\$3,500.00\_\_ to make this acquisition of 3" and 6" imagery possible.

The foregoing resolution was offered by Board Member Simmons and supported by Board Member Ritter.

Upon roll call vote, the following voted:

Yeas: Moeschke, Gaudard, Ritter, Wehrenberg, Simmons


Nays: none

Abstain: none

**BAY TOWNSHIP BOARD OF TRUSTEES**  
**February 11, 2021**  
**REGULAR MEETING MINUTES**  
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Absent and Excused: none

The Chairman declared the motion carried, and Resolution 2021-02-06 duly adopted this February 11, 2021

 , Township Clerk

**SIGNATORIES-TWP  
DEPOSIT ACCOUNTS**

**MOTION by Wehrenberg, seconded by Simmons to add Judy Ritter, Deputy Treasurer as additional signature, as required by State Law, to the Bay Township Tax Account; General Fund Checking Account located at Huntington Bank, Boyne City and the 4 Front Federal Credit Union General Fund Savings Account located in Boyne City passed upon affirmative roll-call vote of the Board members present.**

**MOTION by Wehrenberg, seconded by Gaudard to add Wendy Simmons, clerk as additional signature as required by State Law to the Bay Township 4 Front Federal Credit Union General Fund Savings Account located in Boyne City passed upon affirmative roll-call vote of the Board members present.**

**MOTION by Simmons, seconded by Ritter to add Kristin Baranski, Deputy Clerk as an additional signer on the General Fund Checking Account located at Huntington Bank, Boyne City passed upon affirmative roll-call vote of the Board members present with Moeschke voting NO.**

**ESTABLISHING A PARKS  
AND REC COMMITTEE**

*Note: A copy of this report is on file with the Township Clerk which has further detail.*  
Gaudard presented a report from the Planning Commission stating the Bay Township Recreational goal which says; "Provide and maintain recreational lands and facilities for safe access and enjoyment by residents and visitors." Gaudard further recommended an advisory committee to the Bay Township Board should be appointed with meeting the goal and objectives of the adopted Parks and Rec plan. The Board requested Gaudard to have the planning commission put together guidelines emphasizing the importance of getting new community members involved in the process.

**BOARD OF REVIEW**

Moeschke indicated Ben Priebe, chairman of the Board of Review is interested in stepping down. He will speak with Priebe about staying on through the March meetings. The Township will need to find a replacement hopefully after March.

**2021-2022 BUDGET  
REVIEW**

*Note: A copy of this report is on file with the Township Clerk which has further detail.*  
Simmons will update the budget figures for 2021-2022 to present at the March Board of Trustees meeting.

**SUPERVISOR SALARY  
RESOLUTIONS 2021-02-02**

**MOTION Wehrenberg, seconded by Simmons to approve Resolution 2021-02-02 to establish no increase to the Supervisor's Salary for 2021-2022 passed upon affirmative roll-call vote of the board members present.**

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**February 11, 2021**  
**REGULAR MEETING MINUTES**  
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**BAY TOWNSHIP, CHARLEVOIX COUNTY**  
**BOARD OF TRUSTEES RESOLUTION**

**Resolution No. 2021-02-02**

**Bay Township Resolution to Establish Supervisors Salary**

**WHEREAS**, Michigan Compiled Law 41.95 authorizes the Bay Township Board to determine the salaries for the offices of supervisor, clerk, treasurer and trustee for fiscal year 2021-2022 by adopting a resolution for each office at least 30 days prior to the township annual meeting of electors, and

**WHEREAS**, the Bay Township Board deems the salary of Supervisor shall be \$10,000.00 annually, and

**WHEREAS**, the Bay Township Board deems that no adjustment in the salary of Supervisor is warranted,

**NOW, THEREFORE, BE IT RESOLVED**, that as of April 1, 2021, the salary of the Supervisor shall remain as follows:

\$ 10,000 per year (\$ 833.33 per month)

**BE IT ALSO RESOLVED**, that this resolution shall be submitted to the electors at the annual meeting to be held on March 25, 2021 @ 6:30 P.M. at the Bay Township Hall, or via a published ZOOM meeting if required by the State of Michigan, at which time the electors may modify this amount. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during the Supervisors term of office unless the responsibilities and requirements of that office are diminished, and the Supervisor agrees in writing to that reduction. In the event that the electors fail to act on this resolution, the Supervisor shall be entitled to the salary as established in this resolution, in accordance with state law.

**BE IT FURTHER RESOLVED**, that this resolution, adopted on February 11, 2021, is properly adopted by the Bay Township Board at least 30 days prior to the annual meeting, as required by law.

The foregoing resolution offered by Board Member Wehrenberg and supported by Board Member Simmons.

Upon roll call vote, the following voted: AYE                      NAY  
Moeschke  
Ritter  
Gaudard  
Wehrenberg  
Simmons

Chairperson declared the resolution adopted.



**BAY TOWNSHIP BOARD OF TRUSTEES**  
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Bay Township Clerk

CERTIFICATE

I, Wendy Simmons, the duly elected and acting Clerk of Bay Township, hereby certify that the aforementioned resolution was adopted by the Board of Trustees of Bay Township at a regular meeting of said Board held on February 11, 2021, at which meeting a quorum was present, by a roll call vote of said members as therein set forth; that said resolution was ordered to take immediate effect.



Bay Township Clerk

**TRUSTEE SALARY  
RESOLUTIONS 2021-02-03**

**MOTION Wehrenberg, seconded by Simmons to approve Resolution 2021-02-02 to establish no increase to the Supervisor's Salary for 2021-2022 passed upon affirmative roll-call vote of the board members present.**

**BAY TOWNSHIP, CHARLEVOIX COUNTY  
BOARD OF TRUSTEES RESOLUTION**

**Resolution No. 2021-02-03**

**Bay Township Resolution to Establish Trustee Salary**

**WHEREAS**, Michigan Compiled Law 41.95 authorizes the Bay Township Board to determine the salaries for the offices of supervisor, clerk, treasurer and trustee for fiscal year 2021-2022 by adopting a resolution for each office at least 30 days prior to the township annual meeting of electors, and

**WHEREAS**, the Bay Township Board deems the salary of Trustees shall be \$3,300.00 annually, and

**WHEREAS**, the Bay Township Board deems that no adjustment in the salary of Trustee is warranted,

**NOW, THEREFORE, BE IT RESOLVED, that as of April 1, 2021, the salary of the Trustees shall remain as follows:**

**\$3,300 per year (\$275.00 per month)**

**BE IT ALSO RESOLVED**, that this resolution shall be submitted to the electors at the annual meeting to be held on March 25, 2021 @ 6:30 P.M. at the Bay Township Hall, or via a published ZOOM meeting if required by the State of Michigan, at which time the electors may modify this amount. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during the Trustees term of office unless the responsibilities and requirements of that office are diminished, and the Trustee agrees in writing to that reduction. In the event that the electors fail to act on this resolution, the Trustee shall be entitled to the salary as established in this resolution, in accordance with state law.

**BE IT FURTHER RESOLVED**, that this resolution, adopted on February 06, 2021, is properly adopted by the Bay Township Board at least 30 days prior to the annual meeting, as required by law.





**BAY TOWNSHIP BOARD OF TRUSTEES**  
**February 11, 2021**  
**REGULAR MEETING MINUTES**  
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Clerk shall remain as follows:

\$ 17,508 per year (\$ 1459.00 per month)

**BE IT ALSO RESOLVED**, that this resolution shall be submitted to the electors at the annual meeting to be held on March 25, 2021 @ 6:30 P.M. at the Bay Township Hall, or via a published ZOOM meeting if required by the State of Michigan, at which time the electors may modify this amount. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during the clerk's term of office unless the responsibilities and requirements of that office are diminished, and the Clerk agrees in writing to that reduction. In the event that the electors fail to act on this resolution, the Clerk shall be entitled to the salary as established in this resolution, in accordance with state law.

**BE IT FURTHER RESOLVED**, that this resolution, adopted on February 11, 2021, is properly adopted by the Bay Township Board at least 30 days prior to the annual meeting, as required by law.

The foregoing resolution offered by Board Member Ritter and supported by Board Member Gaudard.

Upon roll call vote, the following voted:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Moeschke		Simmons
Ritter		
Wehrenberg		
Gaudard		

Chairperson declared the resolution adopted.

  
Bay Township Clerk

**CERTIFICATE**

I, Wendy Simmons, the duly elected and acting Clerk of Bay Township, hereby certify that the aforementioned resolution was adopted by the Board of Trustees of Bay Township at a regular meeting of said Board held on February 11, 2021, at which meeting a quorum was present, by a roll call vote of said members as therein set forth; that said resolution was ordered to take immediate effect.

  
Bay Township Clerk

**TREASURER SALARY  
RESOLUTION 2021-02-05**

**MOTION Simmons, seconded by Wehrenberg to increase the Treasurer's 2021-2022 salary to \$17,508 per year for 2021-2022 passed upon affirmative roll-call vote of the Board Members present with Ritter abstaining.**

**BAY TOWNSHIP, CHARLEVOIX COUNTY  
BOARD OF TRUSTEES RESOLUTION**



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**February 11, 2021**  
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Bay Township Clerk

**RESIGNATION OF  
TRUSTEE WEHRENBURG**

Bill Wehrenberg verbally resigned from the Bay Township Board effective February 28, 2021 and will forward a letter of resignation to Moeschke prior to this date. The Board will advertise in the Petoskey News Review as well as on the township web site for candidates to apply for this position. Candidates must be 18 years, and a registered voter in the Township of Bay.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

Public Comment was opened at 8:37 PM.

Bob Jess, Charlevoix County Commissioner, representing Bay Township introduced himself and suggested it would be helpful if an Agenda could be put on the web site for the township meetings along with the virtual meeting access information.

Dave Skornia, in response to Moeschke indicating it is important to get new community members involved in all of our boards, indicated the number of new members that have been involved in the past five years on the Planning Commission and the Zoning Board of Appeals.

Public comment closed at 8:37 PM

**ADJOURNMENT**

**MOTION by Wehrenberg, seconded by Moeschke, to adjourn the meeting at 8:39 PM, passed upon affirmative roll-call vote of the Board Members present.**

Respectfully submitted,



Wendy Simmons  
Bay Township Clerk