

East Bay Charter Township
1965 Three Mile Road North
Traverse City, MI 49686

Regular Board Meeting
Monday September 14, 2009

Call Meeting to Order: Chairman Lile called the meeting to order at 6:30 pm.

Pledge of Allegiance: was recited by all in attendance.

Roll Call: Board Members Present: Glen Lile, Sue Courtade, Matt Courtade, Bryan Marrow, Tracey Bartlett, and Butch Strait
Absent and Excused: Dale McAllister

Others Present: Anne Wendling, Recording Secretary; Jim Young, Township Attorney; Steve Kirinovic, representative from Abraham & Gaffney, P.C.

Eleven (11) members of the public were in attendance.

Public Comment: None at this time

Review for Conflict of Interest: No conflicts presented.

Correspondence: Provided in the Board Packets.

Additions to Agenda: Lile pulled item #10 from the agenda.

Consent Calendar:

- A. Board Minutes: August 10, 2009 Regular Board Meeting Minutes were recommended for approval and August 21, 2009 Special Meeting Minutes were recommended for approval.
- B. General Fund: checks numbered 7001 - 7089 were paid in the amount of \$89,892.11. Check numbers 6215, 6259, 6676, 6729, 6968 and 7066 were voided.
- C. Emergency Services Fund: checks numbered 2032-2049 were paid in the amount of \$9,839.13. Check number 1891 was voided.
- D. Receiving Fund: Checks numbered 1808-1811 in the amount of

\$143,580.41 were paid.

- E. Escrow Fund: Checks numbered 1005-1010 were paid in the amount of \$4,650.91.
- F. Payroll Fund: For the payroll dated 8/2/09 through 8/15/09 checks numbered 11418 - 11433, and automatic check deposits numbered 1000004691-4692, 4695-4700, 4702-4703, 4705, 4710, 4712-4714, 4716, 4719-4721, and 4725 totaling \$14,423.81. For the payroll dated 8/16/09 through 8/29/09 checks numbered 11434-11441 and automatic check deposits numbered 1000004732-4733, 4736-4741, 4743-4744, 4746, 4748, and 4751-4753 totaling \$11,936.55.

Payroll for the three periods totaled \$26,360.36.

Payroll Taxes EFT Funds

For the payroll of 8/2/09 through 8/15/09 the transfer was \$5,497.40; for the payroll dated 8/16/09 through 8/29/09 the transfer was \$3,518.97.

The total payroll amount for the two time periods combined was \$35,376.73.

Total amount paid: \$283,339.29

- G. Accept proposed budget adjustments as needed.

Strait asked about the numerous voided checks and S. Courtade said that Kym Judge had been carrying outstanding checks on the bank recs. for some time and made the decision to void the state dated ones.

Strait moved to accept the consent calendar as presented. Marrow seconded the motion and the motion carried unanimously.

- Reports:** Supervisor: Lile introduced the proposed auditor, Steve Kirinovic from Abraham & Gaffney, P.C. Board members were able to ask any questions they had about Abraham & Gaffney. Lile also reported that interviews have been completed for the DPW engineer position. He stated that the cost of the hazardous waste drop off was \$12,309. He also stated that he was to meet with the DNR person regarding the Rascho Road property on September 15th.

Clerk: S. Courtade reported that if anyone needed absentee ballots the Clerk's office should be contacted.

Treasurer: Bartlett reported that it was tax day and it has been busy but has gone well. She reported that the Planning Commission is looking at ordinances regarding special use and temporary uses.

Trustees: Marrow stated that he and S. Courtade wrote a letter to the Grand Traverse County prosecutor regarding the enforcement of a possible noise ordinance. He said the letter was not very clear and that he would discuss the matter personally with the prosecutor to avoid any misunderstanding.

Sheriff Department: Bryan Marrow reported that in August, 2009, there were 590 complaints in East Bay Township.

Fire Department: Chief Pat Parker reported that there were no numbers available for the meeting. He stated that Metro is still awaiting a grant for a new fire station and that Metro will take delivery of a new fire truck in December.

Engineer: Brian Sousa submitted a written report.

County Commissioner: Beth Friend reported that the county wide ORV ordinance has passed and that the public should check the county website for any board openings. She also stated that 2010 budgeting is ongoing at this time for the county.

Township Attorney: No report at this time.

New Business:

1. Auditor Recommendation

Lile stated that the committee decided upon this firm, Abraham & Gaffney P.C. after interviewing several different firms.

Bartlett moved to accept the engagement letter from Abraham & Gaffney, P.C. and authorized Lile to sign the letter of engagement. S. Courtade seconded the motion and the motion carried.

2. Public Hearing – Adoption of Special Assessment Roll for Fire and

Adopted with approved changes to item #14 October 12, 2009

Ambulance Protection

Lile stated that this was simply a renewal of the existing millage. Lile opened the public hearing at 6:57pm and seeing none, closed the public hearing. The Board discussed the budgeting process for the Fire and Ambulance. Parker spoke regarding the possible grant and how it would affect the budget.

Strait moved to adopt the special assessment roll. Marrow seconded the motion and upon a roll call vote, the motion carried.

3. Public Hearing – Right of Way Ordinance 2009-12

S. Courtade said that many townships went together on this to make a standardized ordinance and Township Attorney Young also gave a short history of this issue. Agenda Item #3 enacts the new ordinance and Agenda Item #4 repeals the old ordinance. Lile opened the public hearing at 7:04pm and seeing none, closed the public hearing.

Bartlett moved to adopt Ordinance 2009-12. M. Courtade seconded the motion and upon a roll call vote, the motion carried.

4. Public Hearing – Repeal Cable TV Ordinance 2005-2; Ordinance 2009-14

Lile opened the public hearing on this issue at 7:06pm and seeing none, closed the public hearing.

S. Courtade moved to adopt Ordinance 2009-14 and Marrow seconded the motion. The motion carried unanimously upon a roll call vote.

5. Introduction – Special Assessment District – Poplar Lane, Private Road 2009-15R

S. Courtade explained that this issue was brought to the township by the residents of Poplar Lane who want a special assessment to pave Poplar Lane. Poplar Lane is a narrow one way gravel road. S. Courtade has no prices at this time but bids are coming in for the project. Strait said that the fire department should be asked to look at the road and give any suggestions. Mr. Haughn, a Poplar Lane resident, said all residents would appreciate any input and that the assessment would be split equally per parcel.

6. Introduction – Special Assessment District – Glendale Drive Street, Sewer Line 2008 2009-16S

S. Courtade explained that the Tallieu family on Glendale Street is asking for a

special assessment district for a sewer hook up and manhole. Strait stated that the line may need to be run across the entire front of the property. Lile explained that there was not a main in place there. S. Courtade stated that a firm dollar amount would be set to include total costs.

7. **Introduction – Zoning Amendment – Adjusting Maximum Floor Area for Minor Accessory Buildings**

Bartlett said that this proposed zoning amendment clears up the measurements for accessory buildings. With this ordinance in place, floor area measurements for accessory buildings would be measured from the outside and not the interior allowing for the 8' x 12' standard building. M. Courtade said that this amendment does not address the square footage problem and suggested that it be remanded back to the Planning Commission for some rewording. Township Attorney Young suggested that the board members discuss the proposed amendment with Leslie Couturier for clarity.

8. **Introduction – Zoning Amendment – Establishing Standards to Limit Structures such as Stairs and Decks within 50 feet of Ordinary High Water Mark**

Bartlett stated that there has been concern over stairs to the water and decks placed alongside the water and there were not any specifics in the Forest Lakes Overlay. Strait thought that a 10 foot side setback was going to be difficult for some lots. One member of the public spoke regarding the deck setback. The Board recommended remanding this proposed ordinance back to the Planning Commission to discuss side yard setbacks for stairs and decks.

9. **Introduction – Confirmation Special Assessment Rolls**

- a. **92-1L – Swigarts**
- b. **93-1L - Phase I, Peninsula Business Park I**
- c. **95-1L- Phase II, Peninsula Business Park II**
- d. **01-1L - Phase III, Peninsula Business Park III**

Bartlett stated that this was informational and would need a public hearing in October. This is simply a confirmation of Special Assessment rolls for the above streetlights and the rates will remain the same for the 2009 year. Bartlett stated that there is a correction on 95-1L – the 2008 assessment was \$197.00 and not the \$180.00 which is printed.

10. **Request for Property Tax Abatement – Auto Owners Insurance Company**

Lile requested that this be pulled from the agenda

11. **Township Office Hours – Election Day**

S. Courtade explained that she and Lile had discussed staff that work on elections taking a day off from the township to work the election. It was determined that the board should address whether the office should be open or closed to allow staff the ability to work the elections without their office being left unavailable. There was much discussion among board members.

S. Courtade moved to amend the employee handbook to allow employees to take election days as paid days off with the office closed for regular business those days. Having no support, the motion died. M. Courtade made the motion which states that employees will not be paid for election days unless they work the election. The office will be closed. Strait seconded the motion. With Bartlett dissenting, the motion carried.

12. **Septage Treatment Plant – Discussion**

Lile stated that the County Board voted to loan money to the septage treatment plant. He also thought that something needed to be done township-wide before next year and will put together a resolution to place money into a separate septage account in case the township needs to repay the loan.

13. **Compactor Land Purchase**

Lile said he is meeting with the DNR tomorrow afternoon and a survey will be done and a price for the Rasho Road property will be forthcoming.

14. **Discussion – Proposed Adjustments – Ordinance 109**

Lile said that the last two large developments have put in wells *for irrigation* and have not hooked into the ~~sewer water~~, but now the township can mandate ~~sewer water~~ hookup. *Originally*, Ordinance 109 was based on residences hooking up to *the water*, which was supposed to benefit the developer. Strait said that he would like to see it stay beneficial, not mandatory. Lile stated a concern with increased *cross-contamination* due to wells and the fact that the township has debt relating to the ~~sewage-water~~ system and only people hooked into the system will be paying that debt.

Lile made a motion to go forward with the suggested changes in Ordinance 109. Bartlett seconds. With S. Courtade, Strait, Marrow and M. Courtade dissenting, the motion died.

Public Comment: One member commented on item #7 and also asked about a possible conflict of interest.

APPROVED

Adjournment: Chairman Lile adjourned the meeting at 8:22pm.

Submitted by:

Anne E. Wendling, Recording Secretary

Date

Susanne M. Courtade, Clerk

Date

Glen Lile, Supervisor

Date