

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

Regular Board Meeting
Monday August 11, 2008

Call Meeting to Order: Chairman Lile called the meeting to order at 6:31pm.

Pledge of Allegiance: was recited by all in attendance.

Roll Call: Board Members Present: Glen Lile, Sue Courtade, Craig Goodrich, Tracey Bartlett, Dale McAllister and Butch Strait

Absent and Excused: Beth Friend

Others Present: Anne Wendling, Recording Secretary; James G. Young, Township Attorney;

Twenty-One (21) members of the public were in attendance.

Review for Conflict of Interest: None

Correspondence: Provided in the Board Packets.

Consent Calendar:

- A. Board Minutes: July 14, 2008 Regular Board Meeting Minutes were recommended for approval.
- B. General Fund: checks numbered 5975-6043 were paid in the amount of \$101,343.23.
- C. Ambulance Fund: checks numbered 1850 - 1858 were paid in the amount of \$4,356.16.

- D. Receiving Fund: Check number 1751 in the amount of \$35,429.53 was paid.
- E. Payroll Fund: For the payroll dated 6/22/08 through 7/5/08 checks numbered 10679-10708, and automatic check deposits numbered 1000003353-3355, 3359, 3361, 3363-3365, 3367, 3373 3375, and 3377 totaling \$16,362.46.

For the payroll dated 7/6/08 through 7/19/08 checks numbered ~~10666-10678~~ 10709-10731 and automatic check deposits numbered 1000003381-3382, 3390, 3394, 3397-3400, 3402, 3408, 3410, and 3414 totaling \$15,575.60.

Payroll for the two periods totaled \$31,938.06.

- F. Payroll Taxes EFT Funds
For the payroll of 6/22/08 through 7/5/08 the transfer was \$4,617.89; for the payroll dated 7/6/08 through 7/19/08 the transfer was \$5,896.55.

The total payroll amount for the two time periods combined was \$42,452.50.

Total amount paid: \$183,581.42.

- H. Motion to accept the proposed Board Appointments
- I. Motion to accept the proposed Road Names
- J. Motion to accept the proposed budget adjustments; Blanket P.O. Log

Lile moved to approve the consent calendar and approve the proposed minutes with submitted changes and move item I to New Business 2.5. Goodrich seconded the motion. With Courtade, McAllister, and Strait dissenting, a tie vote ensued and the motion died. Strait moved to place items I and A for discussion to numbers 2.5 and 10 respectively under new business. McAllister seconded and the motion carried unanimously.

Public Comment: None at this time

Reports: Supervisor: Report included in packets. Lile added that a card

regarding the Grand Opening of the Boardman River Nature Center was placed on member's desks this evening. Power lines will be upgraded from Keystone Road to Hammond and then east replacing the wood with galvanized metal to allow for more voltage. Dan Cornan, a homeowner on Cherry Ridge, wanted to thank Leslie, Tracey, Becky and Butch for their service. County Commissioners want to do away with a surcharge on the tipping fees for resource recovery and discuss curbside recycling.

Clerk: Courtade reported that there are 85 days until presidential election and urged voters to get absentee ballots if needed. She also added that newly elected officials will need to be sworn in with oaths to office after the November Election. Courtade is looking at a 12:00 noon swear in on Thursday November 20, 2008 for all elected offices.

Treasurer: In addition to the report in the packet, Bartlett added the list of approved projects for road commission monies. She noted that there is a new survey question out on the website.

Trustees: Goodrich stated that he is on the Personnel and Benefits committee and suggested that Strait take over as the lead. Courtade suggested tabling this matter for now.

Sheriff Department: Deputy Davidson reported that in July 2008 there were 94 citations and 616 complaints

Ambulance Department: Included in packets.

Fire Department: Jeremy Metcalf reported there were 49 calls for service. He also thanked the public and board for attending the open house and the Fire Department would like to make it an annual event.

Engineer: Damien Curry reported that he was filling in for Sousa. He handed out three sample ordinances regarding the private water well connections. He is also doing three preliminary reviews for the planning commission and is working on specifications for the sewer/water main.

County Commissioner: No report

Township Attorney: Township Attorney Young had no comments at this time.

Road Commission: No report at this time.

New Business:

1. Tax Abatement Request – Olmsted Products Co. Resolution 2008-16

Tino Breithaupt was here to discuss Olmsted Products. Olmsted has been located in Peninsula Business Park since 1994 and manufactures industrial valve systems used in off shore drilling. Olmsted's industry has tripled in recent years. Currently Olmsted employs 18 people and to accommodate growth, the company needs a larger facility and more staff. A tax abatement would allow for continued growth and the ability to meet their needs. Eight new jobs will be created. Township Attorney Young complemented the board on its criteria and standards for tax abatement. Young proposed adding a sentence or two to the proposed agreement which would add language regarding an expectation that jobs will be added within two years and there will be no loss of current jobs. Young stated by adding the language, it would be easier to monitor tax breaks. Breithaupt agreed.

Bartlett made a motion to approve Resolution 2008-16 granting tax abatement to Olmsted Products Co. subject to the applicant providing a revised contract containing the estimate that eight jobs will be added within two years and there will be no loss of jobs. McAllister supported and upon a roll call vote, the motion carried unanimously.

2. Seasonal Dock Request – Tamarack Development Associates

Tamarack Development Associates is requesting a bottomlands conveyance from the MDEQ to place a 300 foot seasonal dock and four small craft mooring balls in water outside of the Tamarack Lodge. The dock and balls are not intended for overnight use and will only be used for guests and owners of Tamarack Lodge. Goodrich has concerns regarding location of dock and its close location to Four Mile Road. RC Hermann explained that in a joint meeting with the DEQ, the DEQ told him where to place the dock. Goodrich expressed concerns that it may be difficult in the future for East Bay Township to put in a dock at that location. Strait wanted assurance that the mooring balls were just for tying boats. Hermann assured that tying a craft was the only intended use. Goodrich asked Township Attorney Young if the release of the bottomlands was

irrevocable. Young stated that without the written statute in front of him, he could not give an opinion on the matter.

Strait moved to approve the request by Tamarack Development Associates to place a seasonal dock and four mooring balls to be used by the guests and owners of Tamarack Lodge as presented by application to the MDEQ. Courtade seconded and with Goodrich dissenting, the motion carried.

- 2.5 Road Names** (from consent calendar item I) Goodrich inquired about Brookside Drive and thought the name was already taken. Terry Flynn from the Fire Department confirmed that the name was not in use in Grand Traverse County.

Goodrich moved to approve the names Brookside Drive and East Shore Highlands. Courtade seconded and the motion carried unanimously.

3. Public Hearing Special Assessment Fire and Ambulance Services

Lile opened the public hearing at 7:17pm and there being no public comment – Lile closed the hearing at 7:18pm. Robin Ehardt, the Accountant for Grand Traverse Metro updated the board on what the Special Assessment has been used for in the past. East Bay Charter Township’s contribution for the year would total \$932,000. The higher amount is attributed to fuel costs, increased costs in benefits and the plan to hire more personnel. Terry Flynn stated that calls for service were substantial and staffing was very important. Lile read Friend’s comments regarding the proposed budget.

Strait made a motion to approve 2.53 mills for the 2009 calendar year for a special assessment district in which East Bay Charter Township is provided with fire and ambulance service. McAllister seconded and the motion passed unanimously.

4. Fee Schedule Metro Proposal

Flynn presented a proposed Plan Review and Inspection Fees Program. It includes new prices for New Construction and Remodel Plans reviews and Fire Sprinkler Plan Reviews. Travel time is included as well as report time and the fees are very close to the actual cost. Board members wanted to know what was changed from last year, but Flynn did not have that information. He stated that there was a new ordinance into which this fee schedule would be incorporated.

Goodrich moved to approve the Plan Review and Inspection Fees Proposal for

New Construction/Remodel Plans and Fire Sprinkler Plan Review. McAllister supported and the motion carried unanimously.

5. Ordinance 2005-05 Revision International Fire Code

Flynn stated that the State of Michigan as a whole updated to 2006 Building and Fire Codes and that the International Fire Code should also be updated to avoid any problems. Township Attorney Young stated that with an ordinance change, a public hearing would need to be set. Lile asked if adding "2006" to the ordinance changes it or could a resolution be done. Township Attorney Young said that the wording was fine as long as it is contained in an ordinance that amends the existing fire code ordinance.

6. Holiday Hills Abandoned Water Well Update

Damien Curry has no information at this time.

7. Zoning Ordinance Amendment Section 415, 2, m

Township Attorney Young suggested that when considering a zoning ordinance text amendment, the board should also be shown materials pertaining to why the amendment is appropriate and would include the recommendation of the township planning commission, the recommendation of the county planning commission and a report from the township Zoning Department or planning consultant with a recommendation regarding whether the proposed amendment is consistent with the Township's master plan. Young stated that if there were ever to be a court challenge, this information would be needed to justify the board's decision. In light of Young's statement, this action was tabled until next month.

8. Dates for Budget 2009 Workshop Meetings

Three dates are being considered for budget work sessions: September 22, 2008, October 8, 2008m and October 21, 2008. It was agreed to begin at 5:30 on these three dates.

9. Transfer Station Property Purchase

The township must send an application with a \$300.00 check to the State of Michigan for the next step in the process.

Strait moved to approve check no. 6044 from the general fund for \$300.00. Courtade seconded the motion. Goodrich asked about the state releasing the

township from any responsibility for contaminants and Young stated that verbage could be added to the letter that Lile would sign on behalf of the township to the state.

10. July 14, 2008 Minutes

Courtade mentioned that she had spoken to Friend earlier that day regarding her proposed revisions under item #1. Friend stated to her that she wanted the minutes to explain the audit process more clearly for anyone to understand if they were reading them. Courtade said that she has a problem adding to record what was not intended and would like item #1 to remain as written in the original minutes. Strait added that minutes are supposed to be what happened at the meeting and not an opinion of what happened at the meeting. *Courtade moved to approve minutes as originally written. Strait supported and the motion carried unanimously.*

Public Comment: None at this time.

Adjournment: Chairman Lile adjourned the meeting at 7:55 pm.

Anne E. Wendling, Recording Secretary Date

Susanne M. Courtade, Clerk Date

Glen Lile, Supervisor Date