

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

Regular Board Meeting  
Monday April 13, 2009

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

**Pledge of Allegiance:** was recited by all in attendance.

**Roll Call:** Board Members Present: Glen Lile, Bryan Marrow, Tracey Bartlett, Butch Strait, Sue Courtade and Matthew Courtade

**Absent and Excused:** Dale McAllister

**Others Present:** Anne Wendling, Recording Secretary; Jim Young, Township Attorney;  
Thirteen (13) members of the public were in attendance.

**Review for Conflict of Interest:** None

**Correspondence:** Provided in the Board Packets.

**Public Comment:** None

**Consent Calendar:**

- A. Board Minutes: March 9, 2009 Regular Board Meeting Minutes and March 30, 2009 Special Board Meeting Minutes were recommended for approval.
- B. General Fund: Checks numbered 6582-6693 were paid in the amount of \$66,068.86 with check number 6608 voided.
- C. Ambulance Fund: Checks numbered 1973-1985 were paid in the amount of \$240,569.38

- D. Receiving Fund: Check numbers 1777-1781 in the amount of \$51,446.85 were paid.
- E. Payroll Fund: For the payroll dated 2/15/09 through 2/28/09 checks numbered 11181-11201 and automatic check deposits numbered 1000004178, 4182-4185, 4187, and 4190-4192 totaling \$13,852.08.

For the payroll dated 3/1/09 through 3/14/09 checks numbered 11202-11215 (check # 11215 original was voided and reissued as same number corrected amount) and automatic check deposits numbered 1000004110, 4163, 4200-4201, 4206-4214, 4219, 4221-4222, 4225, 4228-4231, 4241 and voided check #4230 totaling \$15,539.50

For the payroll dated 3/15/09 through 3/28/09 checks numbered 11216-11225 and automatic check deposits 1000004245-4246, 4250-4253, 4255, 4257, and 4260-4262 totaling \$11,303.65.

Payroll for the three periods totaled \$40,695.23.

**Payroll Taxes EFT Funds**

For the payroll of 2/15/09 through 2/28/09 the transfer was \$4,393.07; for the payroll dated 3/01/09 through 3/14/09 the transfer was \$4,206.37 and for the payroll of 3/15/09 through 3/28/09 the transfer was \$3,076.18.

The total payroll amount for the two time periods combined was \$52,370.85.

Total amount paid: \$410,455.94.

- F. Motion to accept the proposed Budget Adjustments.  
*Marrow moved and Strait seconded to approve the consent calendar removing the March 9, 2009 minutes, general fund bills, and the budget amendments to new business items 12-14 respectively. Upon a roll call vote, the motion passed.*

**Reports:**

Supervisor: Lile reported that recycling and clean file week was April 20-26<sup>th</sup> and there was no cost. Household hazardous waste drop off will be held on April 30 from 1-7pm at no charge. He stated that the brush drop off site located off

of Keystone Road opened last Saturday. Lile also said the Grand Traverse Board of Public Works is making up RFQ's for its contracted services and resumes were being reviewed for the township planner position.

- Clerk: S. Courtade reported on the changes to air time for the town board meeting on the governmental access channel for the month of April.
- Treasurer: Bartlett stated that the newsletter went out last week and the audit is currently going on.
- Trustees: M. Courtade may not be able to make the regular meeting in May.
- Sheriff Department: Deputy Rick Davidson reported that in March 2009, there were a total of 523 calls for service in East Bay Township.
- State Police: No Report
- Ambulance Department: No report
- Fire Department: Jeremy Metcalf reported that there were a total of 44 calls for service in East Bay Township for the month of March 2009. Spring is here and no open burning is allowed. He also wanted to correct the minutes last month which stated that the township had 266 calls for service. That figure should have been 21.
- Engineer: Township Engineer Brian Sousa reported that Acme/East Bay is being monitored since the flow has been redirected. He added that the water tower may need repainting soon, but was not an emergency.
- County Commissioner: Beth Friend reported that an agreement was approved for the county fire plan review and inspection services. She also said that a COPS grant has been approved at the county level and will be applied for. A meeting took place about the dams and it was decided to eliminate all dams in Grand Traverse County as a cost saving measure. Friend also mentioned that she holds office hours at the township on every third Tuesday from 8:30-10:30am.
- Township Attorney: Township Attorney Young reported that last week's joint meeting between the township board and planning commission was productive. He added that coordination between boards is important and wanted to publicly thank them.
- Road Commission: No report

**New Business:**

**1. Grand Traverse County-Wide ORV Ordinance**

Beth Friend spoke regarding this matter stating that the county is looking at proceeding with this ordinance. The Road Commission and the township can each withdraw 30% of roads out of the ordinance enforcement. The county is asking for this list of roads prior to adoption of the ordinance and would like this information within 90 days. Friend gave some background on the proposed ORV ordinance from the county perspective and Deputy Davidson was asked to give

his opinion of the proposed ordinance from a law enforcement perspective. It was suggested contacting other municipalities that already have the ordinance for feedback and maps.

**2. Community Police Officers Grant**

Strait stated that he wanted more information on the COPS grant after discussing the situation with the Sherriff from Mackinaw City. After a short discussion, board members generally agreed that the township did not need another officer.

**3. Children's Health Insurance Program Reauthorization Act of 2009**

S. Courtade reported that this is a mandated program that is required to be adopted, allowing for changes on the State insurance programs. This act states that children can get on a health care plan with no waiting period.

*S. Courtade moved and Marrow supported to adopt Resolution 2009-07. Upon a roll call vote, the motion carried without opposition.*

**4. Traverse City Senior Center – 2008-09 Participation Request**

S. Courtade reported that this is the written request for Senior Center funds for 2008-09. This has already been budgeted and is awaiting board approval.

*Bartlett moved to approve a contract with allocating \$9,690 to the Traverse City Senior Center. M. Courtade seconded. The motion carried upon a roll call vote.*

**5. Grand Traverse Area Veterans Coalition – Fireworks Agreement**

S. Courtade explained that this is another annual request from the Grand Traverse Area Veterans Coalition which is already in the 2009 budget.

*Bartlett made a motion to enter into a contract with the Grand Traverse Area Veterans Coalition for fireworks at a cost of \$235.03. Marrow seconded the motion and upon a roll call vote, the motion carried.*

**6. Township Assessing Contract – Discussion**

Lile stated that the contract for property assessment with the county expires in June. Board members discussed the cost and discussed the possibility that costs may go up next year. Board members agreed that contracting with the county is cheaper than hiring a separate person for the township at this time. S. Courtade would like to see the assessor's office hold more available hours for the residents.

**7. Noise Ordinance Discussion**

Dan Kipley and Rick Van Togren from Holiday Hills Ski Area were present to address complaints directed at their operations. Kipley stated that all snow sports have to comply with regulations regarding safe operation of equipment at a ski area and that includes equipment that must have a beeper for back up functions. After hours, Holiday Hills installed a noise suppression device. They have also requested the grooming crew not to put equipment into reverse in areas. Kipley and Van Togren stressed that they are willing to help in any way possible to be a good neighbor. Township Attorney Jim Young gave the board three choices in this matter; leave the ordinance as is, amend the present noise ordinance or, repeal the noise ordinance altogether. Marrow, S. Courtade and Officer Mike Shea will discuss the options and report back to the board.

**8. *Ready to Serve Fire Line – Discussion***

Bartlett stated that the subcommittee would meet soon and give a report at the next meeting.

**9. *Land Purchase Compactor – Discussion***

Lile said that the township should hear something soon regarding the proposed land purchase.

**10. *Septage Treatment Plant – Resolution 2009-06***

Lile stated that this resolution is being presented to township boards in the area asking the county to take over the septage treatment plant. On April 29<sup>th</sup> there will be a joint meeting of all township boards to discuss the septage plant. Strait stated that this resolution was a good option given the fact that all townships were given wrong information in the first place. Commissioner Friend discussed the resolution from a county perspective. Attorney Young stated that this resolution did not preclude any legal option to protect taxpayers and that there was a statute of limitations if any professional malpractice existed. Young went on to say that the longer the townships wait to take any action, the greater the chance that the statute of limitations may become an issue or could expire and bar a claim. Lile stated that legally the collective townships have not taken over the plant yet.

*Bartlett made a motion to adopt Resolution 2009-06 and Marrow seconded the motion. With M. Courtade dissenting, the motion carried.*

**11. *Trust and Agency Escrow Policy***

Bartlett said that she is working on a policy on how escrow funds are collected but does not have it completed yet. The township has run into problems with not having enough funds in escrow for development project obligations.

**12. March 9, 2009 regular meeting minutes**

Lile asked to strike from the record the sentence in item 8 which reads “He will keep track of personal minutes and township minutes.”

*Lile moved to approve the March 9, 2009 with the amendment. Bartlett supported the motion and the motion carried.*

**13. General Fund Bills**

Strait questioned items having to do with a tax tribunal, and snowplowing contract. Strait also questioned why an entry would show up under multiple locations

*Strait moved to approve the General Fund bills in the amount of \$66,068.86 M. Courtade supported the motion and the motion carried.*

**14. Budget Amendment –**

Bartlett stated that Fundbalance is working on a reporting issue, and the auditors are still completing the 2008 audit. Two new funds have been created to manage the Ambulance and Fire budgets. Fund 205 will be for emergency services revenue and will fund 206 Ambulance and 207 Metro Services. A line item has also been created to handle property tax refunds.

*Bartlett made the motion and Strait seconded to approve the budget amendment. The motion carried.*

**Public Comment:** None

**Adjournment:** Chairman Lile adjourned the meeting at 8:21pm.  
Submitted by:

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Anne E. Wendling, Recording Secretary Date

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Susanne M. Courtade, Clerk Date

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Glen Lile, Supervisor Date