TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

DRAFT MINUTES OF TOWNSHIP BOARD MEETING

MAY 16, 2017

COMMUNITY SERVICES BUILDING

TORCH LAKE TOWNSHIP

Present: Martel, Schultz, Petersen, Schoenherr and Windiate

Absent: None

Audience: +/- 24

**REPEATING AGENDA**

1. Meeting convened at 7:00 PM followed by the pledge to the flag.
2. Minutes: **Motion** by Martel to approve Minutes of April 20, 2017 with changes was seconded and passed 5-0. In item E 2, remove the first sentence “Martel believes the math process used to determine the Director salary was inaccurate and so the salary was reviewed by the Board”. At the end of that paragraph, change “effective” to “retroactive”. **Motion** by Schultz to approve Minutes of Special Meeting May 9, 2017 with changes was seconded and passed 5-0. In item A, first sentence, remove “pave and/or”; remove “main entry into the EMS and Fire section of” and replace with “parking lots”.
3. Correspondence, etc. The clerk had several items for Board discussion. 1. We’ve been asked to receive a bid for property and casualty insurance from a competitor. How would the Board like to proceed? 2. Our Census coordinator has resigned and the Clerk is asking for help with the paperwork for the 2020 Census. 3. The State of Michigan has provided contact information for any resident wishing to file a video/cable television complaint with the State. MPSC webpage is: <http://www.michigan.gov/mpsc/4639.7-159-49641---00.html>. Telephone number is 800-292-9555, fax 517-284-8200.
4. Agenda Content: Add item E. 10 Day Park Cleaning Bid; change 6 to 6A. Zoning Revision and 6B. Fences.  **Motion** by Martel to approve with additions was seconded and passed 5-0.
5. Citizen Commentary: Marcia Graham addressed the Board regarding the pending work on the driveways. It is not recommended to seal coat asphalt because of the toxic ingredients found in the sealer. There is an environmentally safe product that can be used. Ms. Graham will forward information to the Board for their review.

**B. CONSENT AGENDA: Motion** by Schultz to approve Consent Agenda was seconded and passed 5-0.

**C. PUBLIC HEARING:** Hearing was opened at 7:25 pm. Mr. Laidlaw addressed the Board and audience stating that he felt his request for the hearing was fulfilled at the April 20th meeting. He has worked with the Supervisor to create an approvable form and hopes this can be completed this evening.

Public Comments were received from 1. Marcia Graham, asking the Board to consider meeting with Heather Smith from the Watershed Center regarding the proposed amendments. Ms. Smith would be happy to come to the Township regarding the Zoning Ordinance and to answer any questions. Ms. Graham would be happy to facilitate a meeting. We have the time to protect the Bay and lakes. Also, there is a meeting June 22nd in Traverse City with the Army Corps the Board and residents should consider attending. 2. Bob Spencer reminded the Board of our Master Plan, “to preserve and protect clean air and water in Torch Lake Township”. Any zoning ordinances should fit within the framework of the Master Plan. He also appreciates Mr. Martel sending out his comments and he supports his efforts to create something that works. 3. Barbara Budros asked if the Board was considering Version 12 tonight or the recommendations from Mr. Martel? The answer was that the Board already had Version 12 and they are looking at Martel’s comments tonight as well as 19.01 and definitions. She also commented there would be no way to build a deck on a slope or dune that would be 18” on all sides.

Three emails were read into the record; from 1. Mickey and Martha McGuire who state they are not in favor of changing the 50’ setback in the zoning ordinance. The Ordinance is there for a reason and unless the reason has changed, the ordinance should not be changed. 2. Lee Scott stated the current 2.16 B definitely needs to be changed. Setbacks exist with a definite purpose; allowing decks to be built to the water’s edge is destructive to natural habitat; Laidlaw’s proposal is better than the existing ordinance; restricting decks to 324 square feet is a good idea; he feels nothing should be in the setback other than a walkway, but feels Martel’s recommendation is the best way to go. 3. Sue Kelly, President of Torch Lake Protection Alliance, states the TLPA strongly supports designated set back regulations documented within zoning ordinances. The purpose is to provide maximum filtering of run-off water prior to it entering the lake. When considering modifications to the regulations within the lake setbacks, please keep any intrusion of structures in the setback area to a reasonable minimum, and completely outside of the first 25 feet from the lake.

With no more comments, the **Motion** by Schultz to close the Public Hearing at 7:45 PM was seconded and passed 5-0.

**D. SPECIAL REPORTS AGENDA:** Petersen reported after the May 9th combined meeting, the PC discussed medical marijuana laws and what actions to take next. The business meeting was conducted at the end of the session.

E. **BOARD DISCUSSION/ACTION:**

**1.** Fire Department Mutual Aid Agreement and Fire Training Center in Elk Rapids: Bigelow discussed the proposed Mutual Aid agreement between Elk Rapids, Milton and Torch Lake townships, explaining that this is already how it’s been operating, but now we have a formal document. After brief discussion, the **Motion** by Petersen to approve the Automatic Aid Agreement between Elk Rapids, Milton and Torch Lake Townships, signed 4-6-2017, 3-13-17 and 5-16-17 was seconded and passed 5-0. Regarding the proposed Training Facility, Bigelow is asking the Board to approve participation and the $5,000 contribution. The **Motion** by Schultz to approve the document dated Feb 2017 was seconded and passed, pending an invoice be submitted for auditing purposes.

**2.** Letter of Agreement-Antrim County Equalization Services: Two different options were presented from the county, with Option 3 being selected by the Torch Lake Township Board, which outlines the services to be provided and the cost for those services at $.45 per parcel.

**3.** Resolution for new Voting System: A Grant Application is needed for the county, authorized by the township, to purchase a new voting system from Dominion Election System. The **Motion** by Petersen to approve Resolution 2017-07 which authorizes the Grant Application was seconded and passed 5-0 roll call vote.

**4.** EMS New Hire Agreement Form: The New EMT Hire Training Agreement was reviewed. It is understood this agreement is a pledge made by the new employee to work for the township for a specified amount of time. The **Motion** by Schultz to approve was seconded and passed 5-0.

**5.** EMS Director Job Description: The Job Description was reviewed. The **Motion** by Martel to approve the Job Description, pending typos being corrected and “Environmental Requirements” be rewritten, was seconded and approved 5-0.

**6.** A. Zoning Revision, Version 12 Section 2.15 B (3), Section 19.02 B: Draft created by Martel was reviewed with his recommendations outlined in red. There are a few more issues under Section B.3 and decks that need to be cleaned up and then it should be ready for approval.

B. Fences: Martel would like to send a note to Planning Commission to take a look at fences and come up with some reasonable restrictions. **Motion** by Petersen to send the memo was seconded and passed 5-0.

**7.** Zoning Administrator Job Description: Martel and Schoenherr worked on this updated Job Description. Martel would like to see the Job Description approved first, and then we can look at the employment contract, which would include wages, working hours, etc. No formal action was taken at this time.

**8.** Meeting Room Rental Policy: After brief discussion the Motion by Petersen to approve Meeting Room Policy dated May 12, 2017 with corrections was seconded and passed 5-0. In Rule #2, change to read a half day rental will be “4” hours. Under Kinds of Rentals, item 4, add “Wilkinson Historical Society” to the list of no rental fees charged. We need to get the new policy on the website.

**9.** Marijuana Law: Discussion of the procedure needed to address this change in the law. To “do nothing” will not allow expansion into the township, which is what the Board chooses to do. The question is how.

**10.** Day Park Cleaning Bid: One bid was received for the cleaning contract for the Day Park and Nature Preserve Area. The **Motion** by Petersen to accept the bid received from Sugar & Spice as submitted, based on current job description was seconded and passed 4-1, with Schultz casting the nay vote. Sugar & Spice will need to sign a contract asap.

**F. CITIZEN COMMENT:** There was none.

**G. BOARD COMMENT:** 1. Martel referred to the Master Plan Version 1 Draft regarding COMMUNITY DEMOGRAPHICS and where it came from. 2. Schoenherr mentioned involving environmental people with work on the township Master Plan. 3. Schultz reminded the Board and Department Heads to submit newsletter articles soon. Also, the township audit was completed today. Would the Board like the auditor to come to a Board meeting to report? With no further business, the meeting was adjourned at 11:10 PM.

These Minutes are respectfully submitted and are subject to approval at the next regularly scheduled meeting.

Kathy S. Windiate

Township Clerk