TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

APPROVED MINUTES OF TOWNSHIP BOARD MEETING WITH TYPO 5-0

SEPTEMBER 15, 2020

COMMUNITY SERVICES BUILDING

TORCH LAKE TOWNSHIP

Present: Martel, Schultz, Cook, Petersen and Windiate

Absent: None

Audience: 12

1. **REPEATING AGENDA:**
2. Meeting was called to order at 7:04 followed by the pledge to the flag.
3. Minutes: **Motion** by Cook to approve the Minutes of August 18, 2020 with corrections was seconded and passed 5-0. Under B. Consent Agenda, line 6, change the word “treasurer” to “Board”. In item D 9, second sentence, change to read…at least “2” times… **Motion** by Petersen to approve Minutes of August 19, 2020 Special Board Meeting as prepared was seconded and passed 5-0. **Motion** by Petersen to approve Minutes of August 19, 2020 Closed Session as prepared was seconded and passed 5-0.  **Motion** by Cook to approve Minutes of September 10, 2020 Special Board Meeting with corrections was seconded and passed 5-0. In item 2, remove the sentence that begins, “The goal is to have this ready for adoption at the September 15th Board Meeting.”
4. Correspondence, etc.: Decision not to read email from Rita Service, as everything in the email had already been addressed, was authorized by Bob Cook. Email is on file as a correspondence.
5. Agenda Content: **Motion** by Cook to approve Agenda with the addition of August 19th Minutes was seconded

 and passed 5-0.

1. Citizen Comment: **1.** Bill Stridiron commented that he would like to see election results posted on the website and also to have a report given at the next Board meeting. He distributed copies of a webpage from Williamstown Township showing how they presented results. **2.** Deb Graber commented that if they had voted in person, spoiled ballots would not be an issue. Does the tabulator count how many ballots are overridden?

**3.** Sheriff Bean shared details of a meeting of 8 out of 15 townships in Antrim County regarding a fireworks ordinance. Of the 8 townships present, it was the consensus to follow the State law which allows fireworks the day before, the day of and the day after the holiday. He would like to see all 15 townships work to come up with an ordinance. There are many questions that need to be worked out, but he promises support for this issue.

1. **CONSENT AGENDA:** Reports from the Clerk, Zoning Admin, Ambulance and Fire Department were pulled for discussion. All other reports were accepted. Questions were answered about fire hose testing; Day Park violations, tickets;check register, check correction; possible mutual aid agreement. **Motion** by Petersen to approve remaining reports was seconded and passed 5-0.
2. **SPECIAL REPORTS AGENDA:** Mr. Petersen was absent from Planning Commission meeting, so MS Graber gave report. Chapter 2 and 6 definitions presented tonight; discussion of signs tabled until October; shoreline protection tabled until October; A-GA-MING Public Hearing regarding Pro Shop and Cart Barn, passed.
3. **BOARD DISCUSSION/ACTION:**
4. Fire Department Air Pack O2 compressor: After presentation by fire Chief Lane regarding fill station and breathing air compressor and the need for these items to bring department up to date and compliant, the **Motion** by Petersen to make the purchase from West Shore Fire according to quotation of $32,318.52, as recommended by the fire chief, as well as the purchase of 300 ‘ of additional fire hose. Motion was seconded and passed 5-0.
5. Re-align Clerk payroll position: Mr. Cook presented his proposal to remove the duties of payroll and medical insurance from the clerk’s position and re-assign those duties to the treasurer. He points out that this is not a change in the clerk’s statutory duties and that by doing so, the clerk would have more time to work on other responsibilities. He recommends compensating the Treasurer $625 per month for those additional duties effective November1st. The salary of the Clerk would not change. Mr. Cook supports his recommendation with many excerpts from the Michigan Townships Association (MTA) manual. His **Motion** that the Torch Lake Township Board assign the Treasurer, Sharon Schultz, the additional Township duties of performing all responsibilities associated with the payroll function as well as the responsibilities for managing the employee medical insurance programs effective December 1, 2020 at a rate of $625 per month, with the payrate effective Nov 1, 2020 to compensate for time spent cross training and attending any appropriate course work. His **Motion** was seconded by Martel and opened for discussion. During discussion, **Mr. Petersen** voiced his opposition to this change, siting that we would be paying twice for the same thing. In addition, we are paying 3 assistants for the Clerk and a tremendous number of things have been outsourced from that Clerk’s office. He does not believe the Clerk should have run for re-election in August and she should remove herself from the November ballot. **Dave Barr** wants to reiterate that the Board has a responsibility to the pocketbook of the community. **Randy Bishop** believes the Clerk ran fraudulently in the August election, knowing what the job entails, knowing she was not capable of performing her duties and yet she ran for re-election. She should remove herself from the November ballot. **Marsha Petersen** commented that she does not wish to come back to work for the Clerk. The Clerk is not capable of performing her job duties. For the good of the Board, people, etc. she too believes the clerk should remove herself from the November ballot. **Deb Graber** would strongly recommend the Board table this issue, think it through, have an entire plan laid out. Document the job responsibilities, etc. Include information such as who is the back up for the treasurer if she is unable to do the job. Would it be her deputy? Will these duties need to be realigned again in four years? Think it through. Have a plan. **Bob Spencer** suggested we need to ask what are we trying to fix and what is the evidence that it’s been done. The Board did not freeze the Clerk salary. It was the electors at the annual meeting that froze the clerk salary. Regarding recall, a public official cannot be recalled in the first year or last year of public service. Thank you, Mr. Cook, for your research and your presentation. Mr. Petersen, your comments are appreciated as well. **Mr. Martel** now feels he would like more time to consider the issue. He rescinds his second of the **Motion.** Having done that, Mr. Cook **moves** to withdraw his original Motion and the question regarding payroll assignment be reviewed and researched and brought forth at the October meeting. Motion seconded by Martel. During discussion, the Clerk made her comments. She does not appreciate Mr. Bishop inferring she ran fraudulently in the August election. She did not. She is capable of doing this job and resents the fact that it has been implied that she can’t. She and her deputy have been doing the payroll all along. A report is generated for the treasurer to review to catch any errors. The treasurer is not doing the payroll. The Clerk is. Moving on, Mr. Martel calls for a vote. **Motion** passes 4-1 roll call vote, with Mr. Petersen voting against. He wants this issue tabled for good.
6. Township Attorney Retainer Agreement: In the effort to reduce legal costs, Mr. Millar has been contacted to come up with a proposal that would include attending meetings, phone calls from department Chairs, mileage etc. Mr. Millar has not yet gotten back to the Board, so this is an FYI for the moment.
7. Cemetery: Mr. Martel is suggesting Mr. Loy and Mr. Absalom file with the ZBA to seek a variance to split their property and make it less non-conforming. Mr. Barr isn’t sure if the ZBA rules on anything having to do with just land. A timeline for next month’s meeting is suggested.
8. AA, Al-Anon Meetings: Mr. Martel is suggesting we allow these two groups to begin meeting here again in the Conference Room. They met today and have been informed of all the building rules regarding Covid, such as masks, social distancing, etc. The rooms would be fog after their meetings as well as the bathrooms.
9. Zoning Revision-Agricultural Zone-Farm Worker Housing: After brief discussion, the **Motion** by Petersen to accept Version 3, 8/12/2020 Chapter II General Provisions as prepared with additions to 2.01; 2.04 A and D; 6.01; 6.02 J (new) and Section 23.01 DEFINITIONS Tenant House (new) was seconded and passed 5-0. Revisions will become effective 30 days after publication.
10. Torch Lake Village Speed Limit Resolution: Because of an increase in both pedestrian and vehicle traffic and no posted speed limit signs, the **Motion** by Petersen to approve Resolution 2020-07, which sets the speed limit at 25 MPH and has the County post speed limit signs, was seconded and passed 5-0 roll call vote.
11. Addendum to Zoning Administrator’s Job Description: This addendum has already been passed but has been re-written to clarify the text. The **Motion** by Cook to approve this version is seconded and passed 5-0 with one typo correction.
12. Health Benefits: Martel would like to re-do the benefits ordinance, and after consulting with Mr. Millar, he will have an updated version at next month’s meeting. In the meantime, we have added the spouse of one employee.
13. Police Department: For discussion, Martel STILL has the idea of having a police department in the township. As an example, in the park we can have all kinds of signs about the rules, but without enforcement its useless. Would the community be willing to pay a millage to fund this? Is a consortium a possibility with any of the surrounding townships? Would we want a Constable again? This is an elected position. Martel will provide more information.
14. FUTURE MEETING AND HEARINGS:

Board Meeting October 20, 2020

Planning Commission October 13, 2020

Zoning Board of Appeals October 14, 2020

1. CITIZEN COMMENTARY: **Jim King** commented that we should not consider giving a gun to anyone that does not have complete training, etc. **Deb Graber** asked about an invoice from the Fireman’s Association that has not yet been paid by the Township.
2. BOARD COMMENTARY: Schultz commented that tax collection has been busy; Revenue Sharing was stable--it did not decrease. Windiate mentioned that if you do not want to mail your ballot back to the township you can always use the drop box in our foyer. The first door is unlocked 24 hours a day. Ballots have not yet been delivered but will be processed as soon as they arrive. With no further comments the meeting was adjourned at 10:10 PM.

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

Kathy S. Windiate

Township Clerk