**TORCH LAKE TOWNSHIP**

**APPROVED REGULAR BOARD MEETING MINUTES AS PREPARED 5-0**

**COMMUNITY SERVICES BUILDING**

**August 17, 2021**

Present: B. Cook, A. Martel, J. Merchant, K. Windiate, S. Schultz

Absent: None

Audience: 14

**A. REPEATING AGENDA**

**1. Meeting called to order** at 7:01 pm followed by the Pledge of Allegiance

**2. Approval of minutes** of Regular Board meeting on July 20, 2021. Two changes noted: B. Consent Agenda, final line remove “CENTRAL DISPATCH 911” and replace with “SHERIFF DEPARTMENT.” A.2. Approval of Minutes third line add “IF NOT BUDGETED.” (M/S) B. Cook/K. Windiate move to accept with changes. Passed 5-0.

**3. Correspondence and Announcements:** K. Windiate reports 3 emails received regarding M-88 requesting to carefully consider decisions made tonight regarding Rezoning and being against the approval of the Rezoning. Resident requests Township add steps to lake at the end of Barnes Road.

**4. Approval of Agenda.**  (M/S) B. Cook/J. Merchant move to accept Agenda. Passed 5-0.

**5. Citizen Comment –** B. Budros spoke to three items. First item rezoning of M-88 with overall review as a Planning Commission member. Beckett & Raeder hired to review and rewrite Ordinance. Requests note that changes are being made without hearing and input from the Planning Commission. Speaks to Planning and Enabling act of 2008 with specific sections quoted. Third item addressed personal issue related to June, 2021 Board meeting regarding an illegal payment to Ms. Budros. Does not accept apology from Supervisor and provided written statement to be included in the minutes. Brian & Lynn Agar provided written statement for Mr. Bill Stridiron to speak on their behalf regarding the M-88 rezoning. Bill Stridiron reviewed MI State Zoning Act and application to the M-88 Rezoning. Mr. Stridiron provided copies of quoted materials to Clerk Windiate.

**B. CONSENT AGENDA –** Supervisor Cook pulling Deputy Supervisor Report and Zoning Administrator Report. Remaining Reports accepted by Consent. Zoning Administrator S. Kopriva reviewed Zoning Administration Activity Report provided tonight. Details YTD, 2020, and work finished by Beckett & Raeder since working with the Township. A. Martel asks for details regarding to complaints or comments to Short Term Rentals. Per S. Kopriva, there have been none received. Deputy Supervisor Report from B. Petersen. All current contracts regarding road work have been completed. Prior to storm last week, there were in process of giving quotes to additional work. Road end at Kruger Road has been completed with a path being cut back to the lake. Heating upgrades quotes to be reviewed tonight. Quotes for adding parking spots at the Nature Preserve being obtained. (M/S) B. Cook/K. Windiate motion to accept Deputy Supervisor and Zoning Administrator reports as presented. Passed 5-0.

**C. SPECIAL REPORTS**

**1. Planning Commission** August, 2021 meeting cancelled. No report.

**2. FOIA Update –** K. Windiate reports that one has been completed. One from True North Law that is representing a large group requesting information from elections going back to 2016 ongoing with end of month deadline. Third is still open and completed but not picked up by requestor.

**3. Financial Overview –** Details can be located online. Supervisor Cook spoke to Treasurer’s Report. Currently favorable to budget. Anticipates expenses and revenues both to come in slightly higher and will provide another detailed report in December. A. Martel requests instruction on how to obtain financial report for review.

**D. AGENDA FOR BOARD ACTION**

**Old Business –** None

**New Business**

**Item 1** – (M/S) B. Cook/J. Merchant Motion to Adopt Ordinance No 2021-8 related to the Rezoning of Parcel 05-14-106-014-20 at 5884 N. M-88 Hwy from Village Residential to Village Business and have the Clerk Publish Notice of Adoption in the Paper within 15 days. S. Kopriva opened discussion with overview of process and noted memo of comments in packet. Antrim County comments and Torch Lake Township Planning Commission motions and discussion also included in packets. A. Martel requests how criteria were given. Ms. Kopriva reviewed general Best Practices and work with Attorney’s. Additionally, she worked with acting chair Jerry Kulka and Consultant Steve Langworthy to establish criteria for the Planning Commission to follow. She encourages the Planning Commission to use the same criteria for rezoning for any future applications. Mr. Martel speaks to had these criteria been used, the Rezoning process should have stopped. Mr. Martel further goes on to question the validity of the township map used in determining decision, reviewed minutes from 2012/2013 discussions to rezoning and the Township Master Plan. Speaks strongly to the fact that the Planning Commission should have the opportunity to review the criteria again before coming to a decision. K. Windiate asks if any future owner would be able to make a rezoning request as well as if the current property owner has changed their application. B. Cook stated the applicant has not changed his mind on the zoning but rather on one of the conditions of the zoning. K. Windiate directly asks the applicant for clarification. Applicant stated he is not changing his request to rezone. He stated if it were to be rezoned, he would not combine the two lots. S. Schultz takes issues with the comment of “two is enough” in speaking to the current business status on M-88. She spoke to historical business use and current needs. Does not understand how one small parcel was left out of map and feels this is an error that has caused the current discussion issues. J. Merchant, as a member of the Planning Commission and a part of the discussion; feels that everything was clearly reviewed and discussed. B. Cook attended both meetings where all commissioners were active in discussion. The format suggested by S. Kopriva was utilized. B. Cook provided details including voting results with the Board overwhelmingly approving the rezoning. In addition, the Antrim County Planning Commission approved the rezoning. With no new information being provided, discussion closed. Roll Call Vote: B. Cook – yes, Martel – no, Merchant – yes, Schultz – yes, Windiate – no. Motion passed 3-2.

**Item 2 –** (M/S) B. Cook/S. Schultz Motion to remove the word interim from the Zoning Administrator and Assistant Administrator roles. Board comments: A. Martel – none, J. Merchant – none, B. Cook – none, K. Windiate – none, S. Schultz – yes and feels they are doing a good job. Mr. Martel replied that he feels that the Township needs a full time administrator. S. Schultz followed up with historical review of the Zoning Administrator position. Discussion ensued regarding the position being a learning position and B. Cook speaking to review of current work performed. Roll Call vote: B. Cook – yes, A. Martel – no, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Passed 4-1.

**Item 3** – (M/S) B. Cook/J. Merchant Motion to adopt Heating and Cooling Contracts for the Community Services Building and South Station with MD Heat as follows: Community Services Building ($58,000), Glycol Solution Replacement ($8,500), South Station Heating ($7,575) with a Total Cost of $74,075 and an Annual Service Contract of $2,300. B. Petersen reviewed process of obtaining quotes and details, historical review of needs and challenges and the subsequent recommendation of MD Heat. Further discussion ensued. B. Cook amends original Motion to reflect the accurate Service Contract cost of $2300 as stated above. Roll call vote: B. Cook – yes, K. Windiate – yes, J. Merchant – yes, S. Schultz – yes, A. Martel – yes. Passes 5-0.

**Item 4** – (M/S) B. Cook/S. Schultz Motion to increase the Hourly Rate for Virginia Hawkins Scanning to $15.00 effective immediately. No discussion. Passed 5-0.

**Item 5** – (M/S) B. Cook/S. Schultz Motion to abandon graves 1-4 in Lot 654 and Grave 1 in Lot 655 allowing expansion for construction of necessary connecting Access Drive by Veterans Memorial. S. Schultz provided a detailed explanation for change. No further discussion. Roll Call Vote: B. Cook – yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Passes 5-0.

**Item 6** – (M/S) B. Cook/K. Windiate Motion to approve Special Payment of Approximately $300 to Ambulance workers for August 7/8, 2021 under Emergency Authority of policy 4.7a per attached emergency report. B. Cook read statement to outline need for this motion. K. Windiate asks for clarification of significance of these dates. S. Schultz provided details. Passed 5-0.

**E. AGENDA FOR BOARD DISCUSSION**

None

**F. AGENDA ITEM FOR INFORMATIONAL PURPOSE ONLY**

1. Constant Contact: Account established and being handled by Deputy Clerk Virginia Hawkins. S. Schultz shared If you Text 22828, you will receive pop up asking if you would like to subscribe to Torch Lake Township list. Instructions to complete will be given.

2. Central Lake Enforcement Officer update given by B. Cook. Awaiting results from millage.

3. Central Lake transfer station closure – B. Cook provided update of closing process as well as options for Torch Lake Township regarding bulk disposal. B. Stridiron comments that Central Lake will have a meeting tomorrow evening to discuss and states they will be addressing Bulk items disposal. Discussion ensued.

**G. CITIZEN COMMENT**

Jarris Rubingh, District 1 County Commissioner presented copies of photos from recent storm. Census Data reflects a loss which will be reflected in funding. Antrim County Sheriff Department is down 11 people and Charlevoix has no openings.

**H. BOARD COMMENT**

B. Cook provided update to Scanning Project. B. Cook read a statement that will be posted on Website speaking to false public comments between the Township and Mr. Baise.

**I. ADJOURNMENT**

(M/S) B. Cook/S. Schultz motion to adjourn at 8:56 pm

**J. FUTURE MEETING AND HEARINGS**

1. Planning Commission Tuesday, September 14, 2021 at 7 pm

2. Zoning Board of Appeals Meeting Wednesday, September 8, 2021 at 7 pm

3. Regular Board Meeting – Tuesday, September 21, 2021 at 7 pm

Minutes Respectfully Submitted by Veronica Beitner