**TORCH LAKE TOWNSHIP**

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

**April 19, 2022**

**COMMUNITY SERVICES BUILDING**

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

**Absent:** None

**Others:**

**Recording Secretary:** Veronica Beitner

**Audience:** 7

**A. REPEATING AGENDA**

**1.** Call to order by Supervisor Cook at 7:00 pm followed by the Pledge of Allegiance Flag of the United State of America and review of housekeeping items.

**2.** Approval of minutes of Regular Board Meeting on March 15, 2022 – (M/S) B. Cook/J. Merchant to approve the regular Board minutes of 3.15.22 with corrections. A3 should read “Central Lake Public School District and CharEm Intermediate District will have”. Section B, line 4 sentence should “He had”. Passed 5-0.

Approval of Special Board Meeting of March 22, 2022- (M/S) B. Cook/K. Windiate motion to approve the Special Board meeting of 3.22.22with changes. Section 3, last sentence should read “of taxable value”. Section 4, last sentence to read “would cost roughly $50,000.” Passed 5-0.

Approval of Special Board Meeting on March 30, 2022 – (M/S) B. Cook/S. Schultz motion to approve the Special Board meeting on 3.30.22 with changes. Spelling correction to first paragraph to word “Discuss”. Passed 5-0.

**3.** Correspondence and Announcements – Email from Elk Rapids Schools in regards to groundbreaking ceremony for the Performance Gymnasium on Wednesday, April 27, 2022. See website at: <erschoolsbond.com> for further information. Three (3) correspondences against Dollar General and one (1) correspondence against the Police Officer Enforcement.

**4.** Approval of Agenda Content – Supervisor Cook reviews procedure of adding Agenda Content items. Asks the Board to consider adding content to tonight’s meeting or he can call a Special Meeting for Friday. No objection by Board to add tonight. Add Julie Brown from Elk Rapids Public School to F1. In consideration of guests, move F1 and F2 to section C; reflected as Special Reports Agenda numbers 4 and 5 respectively. Upon clarification from Todd Millar, Township Attorney, recommendation to have Board approve language regarding Road millage to New Business #6. Due to resignation within EMS department, adding New Business #7 a new hire. (M/S) B. Cook/S. Schultz motion to approve with changes. No Discussion. Passed 5-0.

**5.** Citizen Comment – J. Rubingh, Commissioner reviewed a study the Antrim County Commissioners’ commissioned regarding lake levels on St. Clair Lake and Six Mile Lake. Army Corp of Engineers reported potential changes which may show impact of how storm levels rising could theoretically impact other lakes. Asks for feedback from residents that may be interested in further information. Road Commission meeting resulted in a miscommunication regarding Torch Lake Township 5-year road work plan. Bert Townsend, J. Rubingh and B. Cook aware of need to address and working to present a solution.

**B. CONSENT AGENDA (Department Reports)** B. Cook moves to accept all reports by consent.

**C. SPECIAL REPORTS AGENDA**

**1.** Planning Commission – J. Merchant: Meeting cancelled.

**2.** FOIA Update – K. Windiate: Received a FOIA request today. Due to complexity, it will take time to complete as in discovery phase currently.

**3.** Financial Overview – Supervisor Cook: Finished year with a surplus and a strong cash position. Additional details can be found in entirety on the website or call Supervisor Cook.

**4.** Julie Brown, Elk Rapids Public Schools Superintendent: Thanks Board for all their work serving the community and J. Merchant for participation with ER Softball program. Reviewed approved Bond with details regarding Performance Gymnasium. Upgrades to facilities have potential to be open to the Community with an indoor track. Two office construction projects. One at the High School which will allow secure access to the building. The second is in the Middle school will demolish the East wing which will allow space for new offices. Addressed question from A. Martel regarding student attendance numbers which have gone down, in part due to students moving to online platforms.

**5.** Torch Lake Water Quality – D. Nussdorfer applied for assistance from the Township to address the gold/brown Algae in Torch Lake. Due to restrictions in the Township, Antrim County has agreed to serve as fiduciary office for the study.

**D. AGENDA FOR BOARD ACTION**

***Old Business***

None

***New Business***

**1. (**M/S) S. Schultz/J. Merchant make the Motion to Nominate Don Leys as Alternate and Vern Lalone as a Member of the Torch Lake Township Board of Review Retroactively to 12/18/2020 with a Term Expiration date of 12/18/2022. Due to COVID concerns, review of term completions may have been missed. Roll Call Vote: B. Cook – yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Passed 5-0.

**2. (**M/S) S. Schultz/A. Martel make the Motion to Approve the Hiring of David Verstrati as a Torch Lake Day Park Attendant effective May 1, 2022 at a rate of $16.00 per hour. Discussion ensued. Passed 5-0.

**3. (**M/S) B. Cook/S. Schultz make the Motion to Approve the Letter, as presented, to the Antrim County Board of Commissioners requesting their support for the efforts of the Torch Lake Protection Alliance to Conduct a study on the Brown Algae of Torch Lake with the US Geological Survey Organization. Note: This fulfills the request for the Township to draft letter asking for support of the study. Roll Call Vote: B. Cook- yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Passed 5-0.

**4.** (M/S) B. Cook/K. Windiate make the Motion to Approve the Adoption of MTA’s “Principals of Governance” as a Best Practice for the Board of Torch Lake Township to pursue. This motion is an annual request by the MTA. B. Cook spoke to language that reads more as a general statement rather than a firm notice of practice. For this reason, there will be a motion but not a Resolution due to language. Roll Call Vote: B. Cook – yes, A. Martel – yes, J. Merchant- yes S. Schultz – yes, K. Windiate – yes. Passed 5-0. Clerk to amend language and obtain signatures from the Board.

**5.** (M/S) B. Cook/J. Merchant make the Motion to Approve the Day Park Committee Pursuit of a Formal Contract Agreement with ENIKO STONE for performing Rest Room Cleaning Services and Garbage Removal at the Torch Lake Township Day Park as proposed in the presented “Letter of Understanding”, effective May 13, 2022, through September 11, 2022 for a cost Not to Exceed $20,000. A. Martel asks for clarification of contract regarding supplies and equipment. Notes that old IRS rule states if individual does not supply equipment and supplies; then the individual becomes an employee and not a contractor. B. Cook will pursue answer. This motion is serving to provide an understanding of the cost as well as potential schedule while also putting a budget limit for the Day Park Committee. Question asked regarding information and interest in work contract. V. Hawkins called other organizations and parks for likened information to our needs. B. Petersen, member of the Day Park Committee also pursued discussions which brought this individual to initial consideration. S. Schultz asks for additional clarifications. A. Martel reiterates concerns and informed these will be addressed prior to any formalization of a contract. Additional discussion ensued. Next Day Park meeting is scheduled for May 9, 2022. Roll Call Vote: B. Cook – yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Passed 5-0.

**6.** Clerk was asked to provide copies of language regarding the M-88 Referendum and Road Millage and that they be submitted promptly to the Antrim County Clerk Office. The Attorney came back with advisement the road millage language should be approved by the Board. **1 Mill Road Millage Proposal: This proposal provides funds for construction and maintenance of Torch Lake Township public roads for a period of five years. This proposal will replace a previously levied millage passed by the electorate in 2016 which expired in 2021. Shall the limitation of the ad valorem tax which may be levied by the Township of Torch Lake, in Antrim County, Michigan be increased by up to 1 mil (1 dollar per $1,000 of taxable value) for a period of five (5) years, 2022 through 2026 inclusive, for the purpose of continuing to provide funds for road construction and maintenance and shall the Township levy such millage for these purposes? If approved and levied in its entirety, this millage would raise an estimated $288, 500.00 for the township annually.**  (M/S) B. Cook/J. Merchant make the Motion to Approve the Ballot language for the August 2, 2022 Road Millage of 1 Mill and directing the Clerk to deliver the Ballot language along with the Referendum Ballot language to the Antrim County Clerk Office no later than 4:00 pm, Wednesday, April 20, 2022. A. Martel asks for last time the County provided maintenance on the roads. Roll Call Vote: B. Cook- yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Motion passed 5-0.

**7.** (M/S) S. Schultz/B. Cook make the Motion to Approve the Hire of Donovan Stone on a part time basis as an EMT Basic, at the rate of $14.00 per hour with a start date of April 20, 2022. He is a current volunteer fireman. Will begin as a part time employee due to prior commitment to the National Guard. Will begin fulltime in October, 2022. Roll Call Vote: B. Cook- yes, A. Martel – yes, J. Merchant – yes, S. Schultz – yes, K. Windiate – yes. Motion passed 5-0.

**E. AGENDA FOR BOARD DISCUSSION**

None

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

**1.** Julie Brown

**2.** Torch Lake Water Quality

**3.** Update on Day Park Funding – B. Cook has been working with Tom Stillings and reached out to our Representative in Lansing but to date has had no response. Whatever offer may come from Lansing, it will be discussed by the Board before any acceptance. B. Cook will also be contacting the DNR for any funding options.

**4.** Update on Police Enforcement Officer – B. Cook called Brian from the Elk Rapids Village and has not received any updates.

**G. CITIZEN COMMENT:** R. Service, Dragonfly Ln spoke to A. Martel’s question regarding the IRS definition of an employee. She provided current IRS rulings as clarification. She secondly spoke to fact that the attendants will no longer be picking up the trash this year. A fence is being installed to aid in boat ramp safety which will also allow the attendants to focus on the boat ramp. J. Rubingh asks the Board for clarification regarding why the Township will not be able to serve as fiduciary office for the Torch Lake Water Quality. This will aid him if questioned at Commissioner meeting. The Board responds that we only have one individual responsible for the Township treasurer duties and is not able to add the significant increase to workload this would impose. Question to J. Rubingh regarding Torch Lake Township having the highest new taxable value and any information he’d like to provide. He stated that all reports are available online.

**H. BOARD COMMENT**

A. Martel spoke to two Planning Commission meetings which are incorrectly posted on the Notice board. He did review with Assistant Zoning Administrator J. Petersen.

K. Windiate spoke to New Policy Handbook, Chapter 4 which speaks to Purchase Orders. Question regarding option to utilize a digital format. Details to be finalized. Discussion ensued.

S. Schultz provided information regarding the Petoskey Stone Festival which is on May 28, 2022. The Committee is in need of Volunteers.

**I. ADJOURNMENT** – (M/S) B. Cook/S. Schultz make the Motion to adjourn at 8:20 pm. Passed 5-0.

**J. FUTURE MEETINGS AND HEARINGS**

**1.** Planning Commission Meeting Tuesday, May 10, 2022 at 7:00 pm

**2.** Planning Commission Special Meeting Wednesday, May 11, 2022 at 7:00 pm

**3.** Regular Board Meeting – Tuesday, May 17, 2022 at 7:00 pm

**4.** Zoning Board of Appeals Meeting Wednesday, May 18, 2022 at 7:00 pm

Minutes Respectfully Submitted by Veronica Beitner and Subject to Approval at the next scheduled meeting. Entire Meeting can be viewed on the Torch Lake Township website or on YouTube.