TORCH LAKE TOWNSHIP
ANTRIM COUNTY, MICHIGAN

APPROVED WITH 1 CHANGE MINUTES OF TOWNSHIP BOARD MEETING
SEPTEMBER 15, 2026
COMMUNITY SERVICES BUILDING
TORCH LAKE TOWNSHIP

Present: Cook, J. Merchant, M. Merchant, Schultz, Graves
Absent: none
Audience: 15

A. REPEATING AGENDA:

1. Meeting called to order by Cook at 7:01 pm. Pledge recited.
2. Meeting minutes from August 18, approved with 1 change.
3. Correspondence and Announcements: Lengthy Correspondence from Amy Drake regarding FLOCK cameras-see attached on website.
4. Approval of Agenda Content: Under E (Board Discussion): add "Payroll Discussion" as item 1. Move "Updating the TLT Board Policy Book" to item 2.
5. Citizen Comment: Amy Drake and Jarris Rubingh comment. Kristen Graves has questions regarding the cemetery veteran's memorial.

B. CONSENT AGENDA: Accepted with changes. Passes 5-0

C. SPECIAL REPORTS

1. Planning commission: Graves mentions the upcoming open house on 9/21/2026. Also, the PC meeting for this month has been canceled.
2. FOIA Update-none
3. Financial Overview- See specific details online.

D. BOARD ACTION

NO OLD BUSINESS-none
NEW BUSINESS

1. Motion by Cook/Graves to approve contract with Drought to widen the park entrance for 2-way traffic to the park parking lot for $9974.00. Passes 5-0.
2. Motion by Cook/M. Merchant to approve budget amendments which will be funded by available fund balances for the following accounts:

101-262-900.000 Printing/Publishing Elections	From: $200	To: $800
101-756-930.000 Repairs Maintenance (Day Park)	From: $3800	To: $6500
101-756-975.010 Day Park-Bldgs/Improvement	From: $7500	To: $11,000
101-901-975.040 CSB Improvement/Upgrades	From: $0	To: $11,000
206-336-860.000 Mileage/Parking-Fire	From: $500	To: $1,500
206-336-921.000 Electric-Fire	From: $11,500	To: $14,500
210-651-921.000 Electric-Ambulance	From: $4195	To: $11,400
Total Change from Budget is:	From: $27,695	To: $56,700

Motion Passes 5-0.

E. AGENDA FOR BOARD DISCUSSION

1. Moving payroll to outside source: Board discusses the need to have a meeting with payroll service to get a clearer picture of what it will take to move the payroll out. Cook mentions the possibility of bringing in an individual to fill the position as an alternative.

2. Updating the TLT Board Policy Book: Supervisor Cook asks the board to review the policy book in preparation for making updates. Meeting times to follow.

F. AGENDA FOR INFORMATIONAL PURPOSE ONLY

1. STR update: 8 letters have been mailed from Township Attorney to people who have their homes listed as STR. 4 have responded. In March, we will start monitoring

2. Cemetery update: The road has been fixed after the washout. A new sign is in the works.

G. CITIZEN COMMENT:

Amy Drake speaks out against FLOCK cameras. Rita Service comments that any system, not just FLOCK, can be abused. Mr. Loy asks for update on water runoff from the cemetery. Jamima Rubingh reads a poem.

H. BOARD COMMENT: Schultz comments on how great the resurfacing of the parking lot looks. She thanks the public for their patience on that. She asks for volunteers to help take care of the "Welcome to Eastport" sign, and thanks to Don Schultz for his help taking care of the township sign at the north end of the township.
Graves thanks Don and Sharon Schultz for helping take care of the sign
Cook encourages residents to attend the open house on Monday, 9/21/2026. He also makes comment stating his continued support for FLOCK cameras.

I. ADJOURNMENT: Cook/Schultz to adjourn 7:54 pm

J. FUTURE MEETING AND HEARINGS:

1. PC-Monday 10/19/2026-7pm
2. Board Meeting-Tuesday, 10/20/2026-7pm
3. ZBA-September and October meetings are canceled.

These minutes are respectfully submitted and subject to review at the next regular Board Meeting.

Mary Merchant, Township Clerk

Statement to the Torch Lake Township Board

Flock Safety Cameras, Warrantless Mass Surveillance, and Township Participation

Submitted by Amy Drake, Antrim County Resident

August 2026

Torch Lake Township Board Members, I am asking this Board to confront a constitutional and fiscal question that should not be dismissed simply because the technology is useful to law enforcement: Should government continuously collect and retain information about the movements of ordinary people who are not suspected of a crime, without first obtaining a warrant?

My answer is no. I regard the Antrim County Sheriff's Office's Flock Safety system as a form of mass surveillance. I am therefore asking the Torch Lake Township Board to use the authority available to it to stop township funding, authorization, participation, or support for Flock-related equipment, subscriptions, administration, expansion, or support, and to decline future actions that facilitate this system until the cameras deployed in Torch Lake Township are removed or their use is brought within a constitutionally protective, warrant-based framework.

What the Sheriff's Office's Own Records Establish

This position is not based on the mistaken idea that these devices merely photograph a license plate. The Flock agreements produced by the Sheriff's Office describe a law-enforcement camera using license-plate recognition together with Flock's "Vehicle Fingerprint" technology and proprietary machine-learning software. In other words, the system collects information about vehicles moving through our communities and makes that information searchable for law-enforcement purposes.

The Sheriff's Office's FOIA response also confirmed that it maintains a written Flock/ALPR policy, identified in the follow-up records as Policy 431. That policy governs access, searching, retention, sharing, auditing, and outside requests for ALPR data. My concern is the foundational

act that occurs before any later search: cameras capture information from the traveling public in the first place, including people for whom there is no individualized suspicion and no warrant. The Sheriff's Office's 51-page FOIA production specifically identifies Torch Lake Township in Flock billing records. Flock invoice INV-76884 identifies MI-Antrim County SO as the billed entity and identifies two Flock Safety LPR cameras associated with Torch Lake Township, at $3,000 each, for a total Year 1 charge of $6,000.

The ACSO production also contains Township governmental authorization connected with right-of-way permitting. The records therefore establish direct municipal cooperation with the deployment in addition to the two-camera billing record.

The Fourth Amendment

The Fourth Amendment declares that the people have a right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, and it places warrants behind probable cause, oath or affirmation, and particularity. A person's automobile is plainly an "effect." The difficult modern constitutional question is not whether police may observe a vehicle that is visible on a public road; they ordinarily may. The question is what happens when government converts countless individual observations into an automated, persistent, searchable record capable of reconstructing where vehicles have traveled.

The United States Supreme Court has recognized in the digital age that aggregation can matter. In Carpenter v. United States, the Court held that obtaining a historical record of a person's physical movements through cell-site location information was a Fourth Amendment search, emphasizing the revealing nature of a detailed chronicle of movement. Carpenter did not decide the constitutionality of Flock cameras or every automated license-plate-reader system. I therefore do not present the constitutional question as already settled by the Supreme Court. I present it as

a serious constitutional boundary that Torch Lake Township should not wait for a lawsuit to define.

My position is that government should investigate suspects; it should not first build a database of everybody's movements and decide later whose history it wants to examine. A warrant requirement reverses that order and restores the constitutional principle: identify the legitimate investigative need, establish the required legal justification, and then search.

Michigan's Constitution Goes Further on Electronic Data

Michigan voters spoke directly to the digital-age problem in 2020. Article I, § 11 of the Michigan Constitution was amended so that the protected interests expressly include "electronic data and electronic communications." The amendment states that these interests shall be secure from unreasonable searches and seizures and that a warrant may not issue without probable cause supported by oath or affirmation and particular description.

That amendment was approved overwhelmingly by Michigan voters. Whatever courts ultimately decide about a particular Flock deployment, our state constitution gives this Township Board an unmistakable reason to exercise caution when government collects, stores, searches, or shares electronic information capable of revealing a citizen's movements.

The First Principles Behind the Fourth Amendment

The founding generation's objection to general warrants and writs of assistance was not an objection to legitimate law enforcement. It was an objection to generalized governmental power to search first and look for wrongdoing afterward. The Fourth Amendment embodies the opposite principle: government power is bounded, searches must be reasonable, and warrants must be particular rather than general.

The technology is new; the principle is not. A network of cameras that automatically records vehicles day after day can accomplish at machine speed and enormous scale what would once

have required teams of government agents following citizens through the county. Efficiency does not erase constitutional principle. In fact, the greater the government's technological power becomes, the more important constitutional restraints become.

This Is Also a Question of Local Government Responsibility

The Sheriff is an independently elected constitutional county officer, but that does not make every technology choice immune from public scrutiny by the communities in which that technology is deployed. The ACSO records establish that two Flock cameras are associated with Torch Lake Township and that Flock billed MI-Antrim County SO $6,000 for their first year.

I am asking this Township Board to distinguish legitimate law-enforcement needs from discretionary local-government participation in a surveillance technology.

Accordingly, I ask the Board, within the limits of Michigan law and after advice from township counsel, to identify every Torch Lake Township action, authorization, expenditure, grant, personnel resource, right-of-way authorization, infrastructure contribution, or other township support connected with the Flock program and to discontinue discretionary township participation or support for those expenditures and activities.

My Requests to the Torch Lake Township Board

- Place the Sheriff's Office's Flock Safety program as it operates within Torch Lake Township on a public Township Board agenda for substantive discussion rather than leaving the issue solely within law-enforcement administration.
- Require a complete accounting of township money, grants, personnel time, authorizations, infrastructure, right-of-way cooperation, and other township resources used to support Flock cameras or Flock data access within Torch Lake Township.
- Decline new or renewed discretionary township funding, authorization, agreements, or support for the Flock program and examine whether existing Flock-related participation may lawfully be discontinued.

- Request that the Sheriff cease further solicitation, expansion, or deployment of Flock cameras within Torch Lake Township while the constitutional and policy issues are reviewed.
- Reconsider Torch Lake Township's participation and authorization and request removal of the cameras deployed within the Township.
- If any form of automated vehicle-reader technology remains, insist on strict limits centered on individualized investigative need, judicial process where constitutionally required, short retention, narrow sharing, meaningful audits, public reporting, and consequences for misuse.

A Final Point

I support effective law enforcement. I also believe that public safety and constitutional liberty are not opposing values. The government should have powerful tools when it has lawful cause to investigate a particular crime or suspect. What I reject is turning every resident, visitor, worker, parent, churchgoer, patient, customer, and traveler who drives past these cameras into a data point in a government-accessible system merely because the technology makes it possible.

The standard should not be, "If you have nothing to hide, you have nothing to fear." The American standard is that government must justify its intrusion. Our rights do not depend on whether we are innocent enough to tolerate being watched.

I am asking the Torch Lake Township Board to draw that line now: no township support for warrantless mass surveillance of the traveling public, no expansion of this system within Torch Lake Township, and no treating constitutional liberty as the price of technological convenience.

Respectfully submitted,

Amy Drake
Antrim County Resident

Legal and Record References

- U.S. Const. amend. IV.
- Mich. Const. 1963, art. I, § 11 (as amended in 2020 to expressly protect electronic data and electronic communications).
- Carpenter v. United States, 585 U.S. 296 (2018) (historical cell-site location information; digital-age aggregation of location information).
- Antrim County Sheriff's Office FOIA response dated August 11, 2026, confirming production of its Flock Safety policy and agreements.
- ACSO Policy 431, as identified in the Sheriff's Office's FOIA production and subsequent follow-up request.
- Flock Safety agreements/order forms produced by ACSO, describing Flock LPR cameras with Vehicle Fingerprint technology and machine-learning software.
- ACSO-produced Flock invoice INV-76884 identifying MI-Antrim County SO - Torch Lake Township, two Flock Safety LPR cameras, and a $6,000 Year 1 charge; and Township right-of-way/permit authorization contained in the production.
- Michigan Compiled Laws; any specific Township action should be reviewed by township counsel for the Township Board's lawful authority.