Minutes- ~~Draft~~

Date: Wednesday December 11. 2019

Torch Lake Township - Day Park Advisory Committee Meeting

Minutes approved on January 29, 2020

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| **Time:** | 10:00 AM to adjournment 12:13 PM |
| **Attendees** | Leon Darga, Wendy Davidson, Robert (Bob) Hawkins, Virginia (Ginny) Hawkins, Jim Meinke, Sue Sarin, Christine Szejbach, and Rita Service. |
| **Absent** | None |
| **Secretary** | Alan Martel |
| **Minute Draft by** | Alan Martel |
| **Audience** | Kathy Windiate |
| **Agenda** | Included with minutes |
| **Agenda Material** | In file |

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| 1. **Approval of Agenda Content-** No changes **Members Present-** Above |

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| 1. **Members Present-** Listed above |

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| 1. **Approval of Agenda**   Motion to approve by Szejbach, seconded by Meinke  Approved 5-0 |

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| 1. **Approval of November 22, 2019 Minutes-**   Remove 2019 Budget Material from #3  Motion to approve with changes by Meinke, seconded by Sarin. Approved 8-0 |
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| 1. **Citizen Comment**   None |
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| 1. **Old Business**    1. **E-mail Setup Access**: mail.torchlaketownship.org   Martel asked if everyone had set up their township e-mail. He would be available to help if needed. He noted that ITRIGHT (in Bath, Michigan) was the township IT company.   * 1. **Website Link Update**:   Martel said the web site material was ready to be sent to the Web Master except for one set of minutes that he had not as yet found.   * 1. **Old Day Park Files Review-**   Rita Service, Bob and Virginia Hawkins partially organized ~~went through~~ the files related to the Day Park Property. Bob Hawkins reported that the purchase price of the park was $320,000. The township was going to finance $220,000 for the purchase but they received a State of Michigan Land Grant Trust for $176,100 and a donation of $50,000 from the M-16 Corporation owned by William and Virginia Good. The township financed $90,000 for the remaining balance of the purchase price.   * 1. **Road Jurisdiction**  1. **Insurance Liability**   Martel will check with liability insurance carrier [Adam Gandolfi, Municipal Underwriters of Michigan, Inc.] for liability considerations for the jurisdiction of Public Dock Road.   1. **Summary of Transfer- Leon Darga**   Leon presented a written recommendation to the township board to take over jurisdiction of Public Dock Road. He felt that the question of whether the township takes jurisdiction of Public Dock Road is a first step before proceeding with other considerations for the park area. Currently, there are limitations on continuing to having county authority over the road. Speed limits, parking and time restraints for road commission approval hinder the township ability to have order and a safe area for park and boat users. Leon did not find there were any risks for accepting jurisdiction. There would be costs; snow removal by the county at approximately $1000/year, yearly road maintenance issues estimated at $500/year, and a reserve of $5000 for one time legal and other costs associated with a jurisdictional transfer. Questions of whether the sheriff would enter the road if it was not county jurisdiction, and would the county do the snow removal? Motion by Sue Sarin to accept recommendation with changes, seconded by Jim Meinke. Motion passed 8-0   1. **Encumbrance of Right of Way (boulders)**   The county does not want the boulders in the road right of way. With township jurisdiction boulders could remain or would not be needed with township parking enforcement.   1. **Speed Limit**   Bob and Virginia Hawkins research State law with regard to speed limits. Their research indicated that is Public Dock Road in a residential neighborhood but it is also an access road to a park. Under these circumstances, the speed limit should ~~would~~ be 25 MPH or, if requested by the local municipality, 15 MPH. Recommended & approved by Committee for Virginia Hawkins, Bob Hawkins & Alan Martel request a meeting with Antrim County Road Commission (Burt Thompson) to discuss these new findings in hopes of the County posting the speed limit.   1. **Enforcement**   Martel spoke about checking to see if the township could contract with the sheriff or local municipalities with police departments, Central Lake Village, Elk Rapids, Bellaire, to have some contracted time with those departments for police coverage in the township. If possible, the committee will recommend the times such coverage would be needed.   1. **Attorney Documents for Review**   Martel handed out three documents to the committee from Todd Millar related to the legal responsibilities of the township if they assumed jurisdictional responsibility. One was from the Institute for Continuing Legal Education (ICLE) titled Government Immunity in Michigan, Chapter 6: Exceptions to Immunity by Roger E. Baylor of Miller Canfield PLC, the remaining two were from Michigan Combined Laws Search (MCLS) 41.181 Adoption of Ordinances by township board and 224.18 part of County Road Law. He noted that these documents had also been given to the township board for study.   * 1. **Ordinance Enforcement Officer** – Needs to be addressed by TLT Board & will probably be included in the Day Park Advisory Committee’s recommendations   2. **Watercraft Rental**   The zoning administrator, Deb Graber said there have been no requests for the use of the park/boat ramp for boat rental. |
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| 1. **New Business**   It was decided to hold off consideration of the New Business items until the jurisdictional question was finalized.   * 1. **Parking fees**   2. **Signage**   3. **Staffing for Summer 2020- mid May to Labor Day**  1. **Wage** 2. **Job Description** |
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| 1. **Summary of Action Items to be Taken Before the Next Meeting (1/8/20): [Note Secretary Martel left the meeting for another appointment.]**     **A. Martel will do the following:**   * 1. Contact TLT Insurance Carrier regarding any additional liability if TLT takes jurisdiction of Public Dock Road   2. Request approval from the TLT board at December 17, 2019 meeting to meet with Burt Thompson (Antrim County Road Commission) regarding reduction of Public Dock’s speed limit (see item 4)   3. Contact Todd Millar (TLT attorney) to ask 3 questions:      1. Review Deeds & Warranty Deed for restrictions      2. Review Bill Good’s 10/26/91 letter’s intent & MNRTF (Michigan Natural Resource Trust Fund) to review for any Day Park’s usage restrictions      3. Are there any restrictions in charging township and/or general public for park’s usage?   4. Get Day Park Committee link on Township’s website up & running & post the following:      1. Day Park Advisory Committee’s minutes      2. 10/26/91 Wm Good letter      3. MNRTF Grant      4. Committee members’ emails   **L. Darga:**   1. Revise letter to TLT Board re: recommendation for transferring jurisdiction of Public Dock Road from Antrim Contact to TLT.   **D. Graber:**   1. Volunteered to get Day Park’s Warranty Deed   **V. Hawkins/B. Hawkins/A. Martel:**   1. Request meeting with Burt Thompson (Antrim County Road Commission) regarding reduction of Public Dock’s speed limit (see item 4): 2. Given MI Legislature Section 257.627 Michigan Vehicle CodeMeet, will County reconsider post a speed limit sign. If “yes”, will Antrim County pay for & install the signange or if unwilling to pay, then will the County grant TLT permission to install? If “no” to changing speed limit, what is the protocol for the next steps? 3. Confirm if $1,000 is adequate for snow removal on entire length of Public Dock Road (including where the two residences exist.    1. Motion by Service to check with the county re: signage, payment for signs and snow plowing allowance of $1000, Seconded by Sue Sarin- Passed 8-0 |

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| 1. **Next Meeting**   Next meeting January 8, 2020 at 12:00 PM (noon |

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| 1. **Comments/ Concerns of the Public**   None | |
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| 1. **Committee Member Comments**   Sue Sarin will be out until February 2020 |