**TORCH LAKE TOWNSHIP**

**TORCH LAKE TOWNSHIP REGULAR BOARD MEETING MINUTES APPROVED AT AUGUST 17, 2021 REGULAR BOARD MEETING**

**ANTRIM COUNTY, MICHIGAN**

**COMMUNITY SERVICES BUILDING**

**JULY 20, 2021**

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

**Absent:** none

**Audience:** 19

**A. REPEATING AGENDA**

**1.** **Call to order** at 7:00 pm followed by the Pledge of Allegiance and review of meeting procedure and conduct.

**2. Approval of Minutes** from the Regular Board meeting on June 15, 2021 and June 30, 2021. Minutes from June 15, 2021 approved as presented. Bob Cook makes clarifying comment on page 2, item #6 that relates to the Beckitt & Raeder contract. In checking the MTA book; items over the maximum fund of $5,000 can be approved IF NOT BUDGETED. This was not put out for bid as project is being conducted by the same firm that is already contracted with TLT. (M/S) B. Cook/S. Schultz. No discussion. Passed 5-0. Minutes from June 30, 2021 Special Board meeting minutes approved as presented. (M/S) B. Cook/J. Merchant. No discussion Passed 5-0.

**3. Correspondence and announcements:** S. Schultz announced that Grant of $2500 from Par Plan has been verbally approved towards the purchase of a new generator for the South Station. In addition they awarded half the price of the generator for a total of $4,058. Second, successful submission of Federal American Rescue Plan Act completed by S. Schultz. Details of grant disbursement and usage were presented. $123,404.00 awarded.

**4. Approval of Agenda Content:** Move item 12 from New Business to Board discussion. (M/S) B. Cook/K. Windiate move to accept agenda with changes. No discussion. Passed 5-0.

**5. Citizen Comment:** J. Rubingh, District 1 County Commission reports that he made a motion at last County Commission meeting to approve a bond to replace the Central Lake Garage. This building houses all equipment necessary for surrounding townships winter road work/cleaning purposes and has passed bond review. 5-million-dollar bond stretched over 20 years. Detailed process for voting purposes. New road packer purchased.

D. Graber, Beechnut Ln. thanks the Board for their service. Addresses Section 2.19 regarding Camping Trailers (Motion #6) and asks that in 2nd paragraph the wording be changed to “30 consecutive days.” Clarification of pyrotechnics fees requested.

**B. Consent Agenda**

Reports pulled include: Clerk, Fire Department and Day Park Committee. Remaining Reports accepted by consent. S. Schultz clarifies in Clerk report that Ck #36962 is void. Fire Department Report, S. Schultz notes that Fire Chief Kevin Lane announces Bob Hawkins has passed his Firefighter 1 and 2 Certification class. Congratulations to Mr. Hawkins. Day Park report by B. Cook notes that there is an increase in traffic at the park. Kathy asks if Veronica Beitner has noticed any increase in trash in park dumpster. Yes, with details provided. S. Schultz comments SHERIFF DEPARTMENT on hiring of 3 new deputies.

**C. Special Reports Agenda**

1. Planning Commission – J. Merchant reports on last meeting involving the Torchport Airpark with over 100 attendees as well as numerous public comments and correspondence speaking to zoning request. Applicant Tim Baise was also present and opened with his presentation. A. Martel speaks to M-88 zoning change request and reviewed historical changes while also referencing minutes from 2012 and 2013.

2. FOIA update – K. Windiate reports that we have received 3 requests. One has been completed. One that is asking for information regarding the 2016, 2018 and 2020 elections is still be reviewed. Other FOIA request’s history of Torchport Airpark history and still being reviewed.

3. Financial Overview – B. Cook speaks to at a high level running favorably. Year to Date, we are ahead of budget. Full details provided in report and on the website. Any questions can go to B. Cook.

**D. AGENDA FOR BOARD ACTION**

**Old Business** – None

**New Business**

1. B. Cook presents motion and adds that legal has reviewed motion. (M/S) B. Cook/S. Schultz make the Motion to Approve the Creation of the Steering Committee per the Attached Document Titled “Steering Committee-Torch Lake Township Zoning Ordinance Review. Discussion: A. Martel asks for definition of the review. B. Cook responds with additional details and refers back to project schedule provided at previous Board meeting. K. Windiate asks to whom the recording secretary will be and if the pay will be at the same amount currently paid for that position. Supervisor Cook said position to be filled and will be paid at current rate of similar position. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0

2. (M/S) B. Cook/J. Merchant makes the Motion to appoint the following Individuals to the Steering Committee-Torch Lake Township Zoning Ordinance Review. Jason Merchant (Planning Commission), Lora Carleton (Planning Commission), Laura Andersen (Zoning Board of Appeals), Lee Scott (Prior Chairman of the Planning Commission, Todd Millar (Township Attorney), Ex-Officio member Bob Cook (Supervisor). Discussion: K. Windiate asks for clarification of J. Merchant and any possible conflicts. B. Cook responds as a Steering Committee, this should pose no conflict. A. Martel speaks to Township Attorney Todd Millar. With an expert on the committee, he cautions that other members may not speak and refer to the expert. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0

3. B. Cook refers Board to red line version of Fee Schedule and asks for any questions to S. Kopriva, Zoning Administrator. (M/S) B. Cook/S. Schultz move we accept the changes to the Torch Lake Township Fee Schedule as Presented. Passes 5-0.

4. B. Cook presents New Business #4 with K. Windiate clarifying Ordinance number should be changed to #4. (M/S) B. Cook/K. Windiate Motion to Adopt Police Power Ordinance No 4 of 2021, the Torch Lake Township Garage Sale Repeal Ordinance and have the Clerk publish Notice of Adoption in the paper within 15 days. Discussion: K. Windiate comments that item #3 of S. Kopriva should include specific details that are not currently included. S. Kopriva tasked with reviewing suggestions and compiling new ordinance. Discussion ensued. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0

5. B. Cook refers Board to review of Land Division Ordinance. A. Martel speaks to discussion held earlier with S. Kopriva. Is cautioning that we may be creating additional complications for property owners. Discussion ensued with input from S. Kopriva, Zoning Administrator and referencing State law. B. Cook states that based on fact that we do not currently have a Land Division Ordinance and that the concept of safety has been addressed, he has no problem presenting the Ordinance with the knowledge that it can be revisited for consideration. Land Division Ordinance #5 of 2021, Section VI Application for Land Division or Boundary Adjustment Approval D should read: “Approval from the Road Commission or Department of Transportation for all new parcels and/or private for road access to a public road.” (M/S) B. Cook/J. Merchant make the Motion to Adopt Ordinance #5 of 2021, the Torch Lake Land Division Ordinance and have the Clerk Publish Notice of Adoption with the change in the paper within 15 days. A. Martel speaks again to concern with a term of “safe” without knowing the Road Commission or Dept. of Transportation definition of safe. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (no), J. Merchant (yes), S. Schultz (yes). Passed 4-1.

6. B. Cooks requests any questions for S. Kopriva regarding the adoption of the Zoning Ordinance No. 6, 2021, regarding Zoning Ordinance Amendment 2.19 with changes and have the Clerk Publish Notice of Adoption in the paper within 15 days. S. Schultz asks for clarification of the limit of 30 days. Discussion ensued. Should read “30 Consecutive days”. Changes agreed. (M/S) B. Cook/S. Schultz. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (no), S. Schultz (yes). Passed 4-1.

7. B. Cooks asks for any questions for S. Kopriva regarding the adoption of Ordinance No 7, 2021, regarding Zoning Ordinance Amendment to Chapter 4 and have the Clerk Publish Notice of Adoption in the paper within 15 days. No discussion. B. Cooks reported that the Planning Commission passed Ordinance. Antrim County passed with suggestions but the Planning Commission felt it was sufficient as presented. A. Martel addresses S. Kopriva for clarification of specific language regarding nonconforming lots. (M/S) B. Cook/S. Schultz. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0.

8. S. Schultz details purpose behind the Resolution in regards to AMAR requirements. (M/S) S. Schultz/B. Cook Motion to Adopt Resolution #2021-24, to waive penalties for non-filing of Property Transfer Affidavits under MCL211.27b. No Discussion. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0.

9. S. Schultz reviewed background to resolution and need to meet requirements of AMAR. (M/S) S. Schultz/J. Merchant Motion to Approve Resolution #2021-23, for Poverty Exemption Income Guidelines and Asset Test. No Discussion. Roll Call Vote: K. Windiate (yes), B. Cook (yes), A. Martel (yes), J. Merchant (yes), S. Schultz (yes). Passed 5-0.

10. B. Cook reviews background of Motion and details of cost. (M/S) B. Cook/K. Windiate Motion to approve the Addition of Eye Care and Dental Medical Insurance for all Full time employees effective August 1, 2021, with an estimated first year cost of $3,800 to be paid by TLT and $670 to be paid by the Employees. Discussion ensued. Passed 5-0.

11. (M/S) S. Schultz/B. Cook Motion to move Mary Merchant from Alternate to Board of Review Member replacing Don Leys who will move to alternate of the Board of Review effective July, 21, 2021. Discussion. Passed 5-0.

**E. Agenda for Board Discussion**

1. B. Cook reports on a possible sharing of resource with Central Lake Enforcement Officer to serve as our Enforcement Officer. Details regarding what the roll will be and our purpose for need of someone for the summer season of the Day Park primarily. B. Cook would like to continue the discussion. K. Windiate supports position to enforce the Ordinances. Further details and discussion ensued.

2. Third Party Accounting Service – B. Cook has been looking at cost for an Accounts Payable specialist. The Purchase Order Process reviewed. Mr. Cook has posted part time position on the website.

**F. Agenda Item for Informational Purpose Only**

1. Township forms for American Rescue Plan Act – previously addressed in meeting.

2. Constant Contact Update - B. Cook reports that information has been provided to S. Schultz. Watch website for further updates.

**G. Citizen Comment** – B. Stridiron, N. M88 speaks to concern of fee schedule for pyrotechnics. If someone comes to us that wants to offer a commercial display, there are costs the township incurs. Asks the Board to reconsider adding such costs. Second, speaks to past meeting of rezoning of M-88. Due to complications with online video and recording, he is left with little information to understand decision. Feels that the 8 point criteria given to Planning Committee as a guideline were incorrectly addressed. If this same criterion is used for the Torchport Airpark, he has many concerns.

B. Spencer, NW Torch Lake Dr. – Update on discussions with Policy and Revisions. David Revore, Attorney and B. Spencer available to review with Board and will have a policy proposal in the next month.

D. Graber asks for update on the LaserFiche project.

**H. Board Comment** – A. Martel mentions Special Planning meeting regarding property on M88 and the items that were used in review. Referencing guidance and explanation from Consultant Steve Langworthy, he feels the Planning Commission did not apply correctly. No consideration of the public noted nor apparently used.

J. Merchant mentions that the sound system and streaming is up and running. Thanks B. Cook for completing.

S. Schultz states things are moving along and the grants all lined up.

B. Cook speaks to all representatives working in the Township. Encourages public to reach out to these individuals for accurate updates. Refer to the website. B. Cook spoke to fireworks costs questioned by B. Stridiron. All costs are included in the Special Permit process.

**I. Adjournment** Motion at 8:51 pm (M/S) B. Cook/S. Schultz. Passed 5-0.

**J. Future Meeting and Hearings**

1. Planning Commission Tuesday, August 10, 2021 at 7:00 pm

2. Zoning Board of Appeals Meeting Wednesday, August 11, 2021 at 7 pm

3. Regular Board Meeting Tuesday, August 17, 2021 at 7 pm

Minutes Respectfully submitted by Veronica Beitner