

ONEKAMA TOWNSHIP BOARD REGULAR MEETING

TUESDAY, JULY 1, 2014, 9 A.M.

The meeting was called to order at 9 a.m. by Supervisor David Meister.

The Pledge of Allegiance was said.

Members present: James Wisniski, Robert Blackmore, Treasurer LaVonne Beebe, Clerk Helen Mathieu.

MINUTES: Motion by Blackmore, second by Wisniski to approve the minutes of the June 3, 2014 Regular Meeting with the following corrections: Page 2, third paragraph, remove second reference to “Blackmore” in the motion; Page 2, second paragraph, correct “Mission Statement” to “By-Laws Mission Statement”. Motion carried. **Motion** by Wisniski, second by Blackmore to approve the minutes of the June 2, 2014 Special Meeting. Motion carried.

CLERK’S REPORT: Mathieu reported 17 election inspectors received certification at a training session on June 23; Deputy Clerk Lynn Mathieu and Mary Kuipers attended the Election Public Accuracy Testing meeting on July 1. Deadline for school board candidates to file an affidavit of identity is July 22 by 4 p.m. for the November General Election; Village candidates wishing to seek office at the November Election are to file an affidavit of identity and a non-partisan nominating petition by 4 p.m. on July 22. She also reported the Portage Lake Cottager’s Association will meet Friday, July 11 at the township hall from 9 a.m. to 1 p.m. Additional donations of \$225 have been received for the Pierhead Lighthouse, bringing the total as of today (July 1) to \$1,800. Tree stumps and the front fence have been removed at Bertelson Cemetery. The entrance will be improved at the cemetery and the headstones will be straightened.

TREASURER’S REPORT: Beebe reported the balance in the General Fund as of June, 2014 is \$358,270.06; balance in the Fire Fund as of June, 2014 is \$185,507.33.

AMEND AGENDA: Add Lake Michigan Fireworks and Dirksen Brown to Unfinished Business.

PUBLIC COMMENT: Comments received from Village Council President Rod Hudson regarding Mill Street. **Motion** by Blackmore, second by Wisniski to contribute \$18,000 to the Mill Street project. Motion carried.

Motion by Blackmore, second by Mathieu to participate in the Michigan Natural Resources Trust Fund Village Park Improvement Project with a donation of \$5,000. Roll call vote: James Wisniski, no; Robert Blackmore, yes; LaVonne Beebe, no; Helen Mathieu, yes; David Meister, yes. Motion carried.

COMMISSIONER KEN HILLIARD: Absent.

COMMISSIONER JEFF DONTZ: Absent.

Wisniski reported on the County Commissioners meeting. There are 30 foreclosures in the county, none are wanted by the county. The Manistee County Library received a loan from the county of \$200,000. The county is only out \$40,000, the library has to pay the remainder back. Phil Landis and Kimberly Ware are new members on the County Planning Commission .

Susan Spencer of the Manistee County Conservation District said the district is requesting one-tenth of one mill on the county election ballot for needed services for the district. **Motion** by Blackmore, second by Beebe to send a letter of support for the Conservation District's millage request. Motion carried.

FIREWORKS: Residents Tass Duemler and Dale Mayhew requested permission to place signs on access roads regarding state laws on shooting fireworks. They were instructed to develop language and return to the board with it for consideration.

ROADS: County Road Commission Manager Mark Sohlden discussed the estimates for road work in the township. **Motion** by Wisniski, second by Blackmore to pay for sealcoating on Maidens Road from M-22 to Erdman Road at a cost of \$53,000. Roll call vote: James Wisniski, yes; Robert Blackmore, yes; LaVonne Beebe, yes; Helen Mathieu, yes; David Meister, yes. Motion carried.

Meister asked about mowing grass alongside roads. Sohlden said the county has two mowers. They mow the state roads first, county primary systems, second, and local systems, third.

Al Taylor asked Sohlden about putting warning signs on M-22 and Smith road and M-22 and Nine Mile Road because there are safety concerns and these intersections are dangerous. Sohlden said he would check into the matter.

FIRE/RESCUE: Capt. Clinton Osborne reported for the month of June there were 10 fire runs, 6 Jaws and 16 rescue runs. He said the foam pump on Truck 107 is repaired. There is a pump issue with the Alexis Truck 100 which is being addressed. **Motion** by Blackmore, second by Wisniski to accept Roger Cody as a probationary member. Motion carried. **Motion** by Blackmore, second by Wisniski to remove Jon Curtin and Bryson Waller from cadet status and move to probationary member status. Motion carried. **Motion** by Beebe, second by Wisniski to approve the By-Laws/Mission Statement as presented. Motion carried. Capt. Osborne conducted fire inspections at the horse farm and Farr Center, assisted in the fire call and evacuation test at the school.

PLANNING COMMISSION: Taylor reported the commission is awaiting results of the survey sent out with the tax bills. Meister reported that the PPI Brownfield project, approved by the county in a resolution, will not be done this year. It will be done in 2015.

BOARD OF REVIEW: Assessor Ginny Martz reported: Form L4626, Assessing Officer's Report of Taxable Values as of State Equalization in May, was submitted electronically to the State Tax Commission on June 10. The legal date was June 15. The July Board of Review is scheduled for Tuesday, July 22 at 9 a.m. She is currently have 13 affidavits to act on. The Review is only for clerical, Pre, poverty and veterans (back to 2013); no appeals will be heard. The Treasurer's warrant was checked and signed on June 24. The Township is still in balance with the County. Properties are being field inspected. Equalization will be in Onekama town ship the week of July 7, doing their appraisal studies in Agricultural, Commercial and Industrial classes of real property. Martz will accompany the Equalization representatives when they visit the selected parcels.

ZONING BOARD OF APPEALS: Chairman Tom Gerhardt reported the ZBA denied a variance request from Dennis Krolczyk of 8529 Bayview Ave., Onkama, MI 49675, who asked to construct a second garage on property containing less than one acre.

FIREWORKS: Duemler and Mayhew returned to the board with the state's language on fireworks. Consensus of the board to permit them to put up temporary signs for the holiday weekend and remove them after the weekend concludes.

PARKS & RECREATION: Chairman Jon Phillips reported Parks Appreciation Day will be Saturday, Aug. 2 from 11:30 a.m. to 2:30 p.m. Refreshments will be at North Point Park and ice cream will be served at the Pierhead Light. There will be no children's activities this year. The fire rings are in place at Langland Park beach. The well for North Point Park is delayed until Consumer's Energy sends the name of a new contact. The committee would like to put the unused docks from Community Dock across the wetland area in Glen Springs Park where the upper trail goes beyond the north boundary of the park. The Explore the Shores group will meet Tuesday, July 8 at 10 a.m. in Farr Center to prepare a program for the Village Park Project. Consensus of the board to permit Darryl and Sandra Paldan to mow the edges of the Long Loop of the Blanche Miller Trail. The board wants the parks group to pick a committee of two to determine how to repair the Glen Park sign on the corner of Main and Fourth Streets. The committee was instructed to give the clerk a proposed plan for Feldhak. If it is accepted by the family, the plan will be attached to the Feldhak deed.

MTA: Wisniski reported a representative from the District 10 Health Department was a guest speaker at the meeting. Mark Sohlden also spoke. The next meeting will be Wednesday, July 23 in Springdale Township. A representative from the Manistee Council on Aging will be the speaker.

PORTAGE LAKE HARBOR COMMISSION: The group discussed signage, throw rings and lighting of the pier heads. Consensus of the board to have the commission look into this again.

INVASIVE SPECIES: Chairman Mary Reed reported the first aquatic invasive species survey of 2014 was completed June 16. It was estimated there was only 3 acres of Eurasian watermilfoil to treat. On June 26, 1.5 acres were treated with Renovate OTF in the area of the village boat launch. Even with the late survey, it is estimated that the weeds are about 2-3 weeks behind in growth. Chuck Reed will begin the ciBioBase survey this week. Lake Manager Bre Grabill will do another AVAS (rake throwing survey) in the middle of July. Less than \$5,000 has been spent to date, the committee expects to find more Eurasian watermilfoil during the summer lake monitoring season. Spring water quality monitoring has been done for the lake and streams. No data is available as yet. The garden yellow rocket reported on Erdman Road was cut; the area will need monitoring next Spring and treated before it goes to seed. Autumn Olive is growing in the Eagle Point Wetlands. Extreme care will be used in the wetland area, but it will need to be treated and monitored.

The meeting recessed at 11:55 a.m.

The meeting resumed at 12:07 p.m. Blackmore conducted the meeting in Meister's absence.

ALLIANCE FOR ECONOMIC SUCCESS: No report.

PLA: Taylor reported the fund-raiser was successful, Concerts in the Park have started. The group is working with the Lions Club on Onkama Days and is getting ready for the Fall Festival.

Meister returned at 12:10 p.m.

Meister left the meeting at 12:14. Blackmore resumed conducting the meeting.

WATERSHED COMMITTEE: Reed reported Bob Gezon, Tim Ervin and Meister gave a report on PPI. “Tuesdays with Water”, will begin for a series of six meetings from 5 to 7 p.m. Tuesdays at Farr Center. The series will address what you should know about living with, near or on Portage, and begins on July 15. She said the wetlands committee will be started again; the fund-raiser is Saturday, July 26 from 5 to 7 p.m. at Portage Point Inn.

TRASH DAYS: Wisniski reported there were 2 trucks nearly full with 42-45 residents each from Onekama Village and Onekama Township participating. Township workers were Caleb Wisniski and Ian Wisniski.

DIRKSEN-BROWN: The survey will be re-done in the area of Block 60 between Portage Avenue and Sunnyside. The location of Lake View Avenue just inside Block 60 will be shown on the amendment. Abonmarche indicated a minimum cost estimate of \$5,000. All attorneys involved will prepare a written order for Judge Batzer’s signature reflecting the foregoing requirements.

FEMA: Motion by Blackmore, second by Beebe to adopt Resolution No. 2014-15, **MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT FOR THE NATIONAL FLOOD INSURANCE PROGRAM.** Roll call vote: James Wisniski, yes; Robert Blackmore, yes; LaVonne Beebe, yes; Helen Mathieu, yes; David Meister, yes. Motion carried.

**MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL
AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

RESOLUTION 2014-15

Onekama Township State of Michigan

WHEREAS, Onekama Township currently participates in the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP) by complying with the program’s applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
 3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
 4. the preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
 5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
 6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, based upon previous historical practice, the **State of Michigan** agrees on behalf of Onekama Township to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within **Onekama Township’s** political boundaries, and

WHEREAS, the **State of Michigan** has been enforcing floodplain regulations of the construction code act, and **Onekama Township** wishes to ensure that the administration of that code complies with requirements of the NFIP, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. The **State of Michigan** and **Onekama Township** agree that the **State of Michigan** shall be the officially designated enforcing agency for the construction code act, and that the **State of Michigan**, be directed to administer, apply, and enforce on **Onekama Township's** behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the **State of Michigan** shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. The **State of Michigan** and **Onekama Township** assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure **Onekama Township's** compliant participation in the program.
3. **Onekama Township** further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference

within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation. **Onekama Township** further assures the **State of Michigan** that its zoning officials will endeavor to identify property within the FIRM when approving land use/zoning permits.

FURTHER BE IT RESOLVED, both communities declare their understanding that, until this resolution is rescinded or **Onekama Township** makes other provision to enforce the construction code act:

1. The **State of Michigan** must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and
2. For **Onekama Township** to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

State of Michigan: _____ Date Passed: _____
Officer Name: _____ Title: _____
Signature: _____ Date: _____
Witness Name: _____ Title: _____
Signature: _____ Date: _____

Onekama Township _____ Date Passed: 7-1-2014
Officer Name: David Meister Title: Supervisor
Signature: _____ Date: 7-1-2014
Witness Name: Helen Mathieu Title: Clerk
Signature: _____ Date: 7-1-2014

Motion by Wisniski, second by Beebe, to adopt Ordinance No. 2014-05, ORDINANCE TO DESIGNATE THE STATE OF MICHIGAN AS THE ENFORCING AGENCY TO ENFORCE THE FLOOD PROVISIONS OF THE STATE CONSTRUCTION CODE(S), TO DESIGNATE FLOOD HAZARD AREAS UNDER THE STATE CONSTRUCTION CODE AND TO REPEAL THE FLOOD DAMAGE PREVENTION ORDINANCE ADOPTED APRIL 4, 1978. Motion carried.

**THE TOWNSHIP OF ONEKAMA
ORDINANCE 2014 - 05
MANISTEE COUNTY, MICHIGAN**

AN ORDINANCE TO DESIGNATE THE STATE OF MICHIGAN AS THE ENFORCING AGENCY TO ENFORCE THE FLOOD PROVISIONS OF THE STATE CONSTRUCTION CODE(S), TO DESIGNATE FLOOD HAZARD AREAS UNDER THE STATE CONSTRUCTION CODE AND TO REPEAL THE FLOOD DAMAGE PREVENTION ORDINANCE ADOPTED APRIL 4, 1978.

THE TOWNSHIP OF ONEKAMA ORDAINS:

SECTION 1. TITLE

This Ordinance shall be known as the Onekama Township Flood Plain Management Ordinance.

SECTION 2. ENFORCING AGENCY DESIGNATED.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the State of Michigan is hereby designated as the Enforcing Agency to discharge the responsibility of the Township of Onekama under Act 230, of the Public Acts of 1972, as amended. The State of Michigan has previously assumed responsibility for the administration and enforcement of said Act throughout the corporate limits of the Township of Onekama.

SECTION 3. CODE APPENDIX ENFORCED.

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code, and any other code section addressing flood damage prevention, shall be enforced by the Enforcing Agency within the Township of Onekama.

SECTION 4. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS)

Entitled “Township of Onekama, Manistee County # 260276V000” and 11/1/1977 and the Flood Insurance Rate Map (FIRM) panel number of 2602760001B dated 5/1/1978 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the “Flood Hazards” section of Table R301.2(1) of the Michigan Residential Code.

SECTION 5. REPEALS.

The Township’s Flood Damage Prevention Ordinance, adopted April 4, 1978, is specifically repealed as are all ordinances inconsistent with the provisions of this ordinance.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days from the date of publication.

THOSE VOTING IN FAVOR: James Wisniski, LaVonne Beebe, Helen Mathieu, Robert Blackmore, David Meister

THOSE VOTING OPPOSED: None.

THOSE ABSENT OR ABSTAINING: None.

ORDINANCE 2014-05 DECLARED PASSED

Helen Mathieu, Township Clerk

CERTIFICATION

I, Helen Mathieu, Clerk of the Township of Onekama, do hereby certify that the above is a true and correct copy of Ordinance 2014-05 as adopted by the Township of Onekama Board at a meeting held on the 1st day of July, 2014.

Helen Mathieu, Township Clerk

DOCKS AND HOISTS: A memo received from the DEQ, under Part 301, Inland Lakes and Streams of the Natural Resources and Environmental Protection Act 1994, PA 452 states: "Permanent docks or boat hoists which are left in year around require a permit. Seasonal docks and hoists do not require a permit if they are for private, non-commercial use by a landowner, do not unreasonably interfere with the use of the water by others, do not interfere with water flow and will not be placed in wetlands".

SKATEBOARD ORDINANCE: Planning Commission will research this.

COPY MACHINE: Consensus of the board to have Mathieu and Mary Lou Millard look into the cost of a new one.

ACTING ZONING ADMINISTRATOR: The Planning Commission will be asked to make a recommendation.

BILLS: Motion by Beebe, second by Blackmore to pay all regular and incoming bills. Motion carried.

BUILDING/ROOF REPAIRS: Motion by Mathieu, second by Blackmore to hire Bob's Roofing to repair the township hall roof and the fire barn roof, at a total cost of \$39,368. Roll call vote: James Wisniski, yes; Robert Blackmore, yes; LaVonne Beebe, yes; Helen Mathieu, yes; David Meister, yes. Motion carried.

CORRESPONDENCE:

---George Saylor

----MTA

Adjourn: 12:48 P.M.

ELECTION COMMISSION:

The meeting was called to order by Supervisor David Meister at 12:48 p.m.

Present: LaVonne Beebe, Helen Mathieu.

Motion by Beebe, second by Meister to accept the following Qualified Election Workers for 2014/2015: Karla Brown, Debra A. French, Sue H. Kahl, Carla J. Sievert, Faye A. Volkema, Nancy J. Behring, Nancy B. Schultz, Mary Lynn Burchard, Michelle Plumridge, Mary Jean Kuipers, Robert Blackmore, Mary Lou Millard, Mary L. Pattison, Joann M. Hilliard, Bonnie M. Miller, Helen E. Mathieu, Lynn M. Mathieu. Motion carried.

ADJOURN: 12:50 p.m.

Helen Mathieu, Clerk

