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**ONEKAMA TOWNSHIP BOARD REGULAR MEETING
MONDAY, MAY 6, 2013, 9 A.M., TOWNSHIP HALL**

The meeting was called to order at 9 a.m. by Trustee Robert Blackmore in the absence of Supervisor David Meister.

The Pledge of Allegiance was said.

Members present: Trustee James Wisniski, Trustee Robert Blackmore, Treasurer LaVonne Beebe, and Deputy Clerk Lynn Mathieu. Absent: Meister and Clerk Helen Mathieu.

MINUTES: **Motion** by Wisniski, second by Beebe to accept the minutes of the April 2, 2013 Regular Meeting with the following corrections: Page 9, second paragraph, change “May 7” to “August 7”; Page 10 under Roads, remove “ 3,100 feet from M-22 to the township line”. Motion carried. **Motion** by Wisniski, second by Beebe to approve the minutes of the April 29, 2013 Special Meeting as presented. Motion carried.

TREASURER’S REPORT: Report was received and placed on file.

PUBLIC COMMENT: None.

PLANNING COMMISSION: Chairman Jim Trout reported the commission officially revoked the Portage Point Inn/ Northwoods Development LLC Special Use Permit at its April meeting. He said there has been an inquiry about marina use; no application or decision as yet. Trout discussed the proposed zoning ordinances and comments from the county planning director . Blackmore asked what is the definition of fences? **Motion** by Wisniski, second by Beebe to approve changes in the zoning ordinance as presented. Motion carried. **Motion** by Wisniski, second by Beebe to rescind this motion. Motion carried. **Motion** Wisniski, second by Beebe to revise the motion to read: “Motion by Wisniski, second by Beebe to approve changes in the proposed zoning ordinance contingent on further approval and review by the township’s attorney. Motion carried.

FIRE/RESCUE: The wording for the fire /rescue millage is at the attorney’s. Pontoon Boat has been sold.

BOARD OF REVIEW: Assessor Ginny Martz reported Form L-4025 was generated, checked and signed April 24 and delivered to Equalization April 26. The 2014 database was rolled over on April 26. Every figure balanced , new warrants were delivered to Equalization and the county Treasurer May 1. New Principle Residence Exemption forms are due by June 1. Anything received at that time will go to the July Board of Review.

Inspection of properties has begun. Equalization has notified her that it will no longer print the final assessment roll; it may be printed for an additional fee.

ZONING BOARD OF APPEALS: Chairman Tom Gerhardt reported he, Joann Hilliard, Dennis Beebe and Zoning Administer Kris Philpot attended a ZBA Training Workshop in Manistee. All reported it was an informative meeting. Gerhardt pointed out that the ZBA needs an actual member of the Planning Commission as a member of the Zoning Board of Appeals. The board will address this.

ZONING ADMINISTRATOR: Zoning Administrator Kris Philpot reported three land use permits were issued in April. She has passed the Zoning Administrators' Certification Class sponsored by MSU Extension and is awaiting her certificate. Consensus of the board to approve her request to attend the Right to Farm Act seminar June 11 in Traverse City. The board also approved her request to submit her recommendations to the proposed zoning ordinance to the township attorney, along with the zoning ordinance amendment being sent by the planning commissioner to the township attorney for review.

PARKS & RECREATION: Co-Chairman Jon Phillips reported there are trees down at Glen Park. It was decided not to remove them but to let them disintegrate on their own. The historical plaque at Glen Park is done and is impressive. Phillips announced that at the Arbor Day tree planting at North Point Park, 25-30 people helped plant 600-700 trees, flowering shrubs, etc. Member Don Oswell made a watering tank which can easily be used at the park. The committee is working on a project to build a wood shelter over a picnic table at North Point Park and received donations of \$1,805 in memory of Steve Applegate for this project. A bid was received for \$4,586 for a 12 by 12 shelter cover on 6 by 6 foot posts for the shelter in memory of Applegate. Phillips requested approval for \$2,785 from the Park Fund to use with the donations to accept the bid. **Motion** by Beebe, second by Blackmore to use \$2,785 from the Park Fund and \$1,805 from donations for the park shelter. Motion carried.

MTA (Local Chapter): The annual MTA dinner will be Monday, May 22 at 6:30 p.m. at the Bear Lake United Methodist Church. Those attending are: Wisniski and a guest, Mathieu and a guest, Blackmore and Meister.

PORTAGE LAKE HARBOR COMMISSION: No report

DREDGING: Meister reported he sent \$50 from the township to the DEQ to do the channel dredging on its own. The permit has been received. Consensus of the board to proceed on its own to do the dredging project this year. He will put the project out for bids this week.

INVASIVE SPECIES: Chairman Mary Reed reported the committee met with the new lake manager and discussed different sites to monitor this year. Specific streams and storm drains were pinpointed on a map and will be considered for monitoring. The group is working with the ciBioBase equipment unit that the Portage Lake Watershed Forever purchased and is evaluating its capabilities. Chuck Reed has been working with the

equipment to be sure its features can be utilized. The equipment has the ability to scan and record underwater weed infestations and through GPS mapping, identify their exact location and relative size. A Spring newsletter is planned, which will have a tentative schedule of treatment and monitoring. She attended the Michigan Lakes and Streams Annual Meeting in Bay City. The group discussed dam removal, landscaping on the shoreline, aeration and muck removal, road ends, hydraulic fracking and new invasives.

WATERSHED COMMITTEE : Reed reported the group is planning a fund-raiser for Saturday, July 20 from 5-7 p.m. at Feldhak Park. Suggested names for the new wetlands property next to Feldhak Park are “Eagle View Wetlands, A Community Preserve” or Sunset View Wetlands, A Community Preserve”. Meister asked the committee to bring its choice to the June board meeting.

DEQ: Meister explained a property dispute; no action taken or needed by township.

FARR ROAD: Road project discussed; no action taken.

PAR PLAN: A \$5,000 grant was received from the Par Plan for a township generator. The generator is installed and working.

SEC CONTRACT: Motion by Blackmore, second by Wisniski to sign Superior Energy Co. Ordinance No. 2013-01. Roll call vote: James Wisniski, yes; Robert Blackmore, yes; LaVonne Beebe, yes; David Meister. Voting no: None. Motion carried.

REVENUE SHARING: No projects currently.

TREE TRIMMING: Meister said a public meeting is planned for a Consumer’s Energy tree-trimming project. The meeting, which will also be attend by Consumer’s Energy, is Wednesday, June 12 at 7 p.m. at Farr Center. He said if a tree has an “X” on it, it will be removed; if it has an “O” on it, it will be trimmed. A map showing the tree-trimming street route will be posted in the township office.

BUILDING EXPANSION: A public meeting will be held Monday, June 24 from 7 to 9 p.m. at the township hall, to discuss preliminary conceptual drawings of a proposed building expansion will be on display at the township hall. The public is urged and invited to view the plans during regular office hours and offer input and suggestions.

PLA: Chairman Al Taylor reported that Wednesday, May 22 is petunia planting day. Rain date is Thursday, May 23. A fund-raiser will be Saturday, June 22 at the Three Rivers Conference Center. The PLA is working with the Lions Club on Onekama Days. Activities include a car show, pig roast, trinkets and treasures, park appreciation day. There will also be a community garage sale on Saturday, Aug. 3. Anyone interested in being listed on a map to be prepared is asked to contact Mary Lou Millard at the township hall, 889-3308.

STREET LIGHTS: Motion by Wisniski, second by Beebe to split the cost of installation of a street light at South Shore Drive and Milarch Road. Motion carried.

BROWN TOWNSHIP AAGREEMENT: Motion by Wisniski, second by Blackmore to authorize the Brown Township Agreement effective May 6, 2013. Motion carried.

AGREEMENT

This Agreement entered into on the dates shown below and effective as of April 1, 2004, by and between the **Township of Onekama, Manistee County, Michigan**, a Municipal Corporation, of 5435 Main Street, Onekama, MI 49675, and the **Township of Brown, Manistee County, Michigan**, a Municipal Corporation, of c/o Brown Township Clerk, 8319 Kerry Road, Manistee, MI, 49660;

WITNESSETH:

WHEREAS, Onekama Township operates and maintains a fire department and rescue squad; and

WHEREAS, Brown Township does not maintain or operate a fire department or rescue squad; and

WHEREAS, the parties desire to enter into an agreement pursuant to Act 33 PA 1951, being MCL 41.801, *et se*., MSA 5.2640 (1) , *et seq*, whereby Onekama Township agrees to provide fire and rescue services within a portion of Brown Township.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Onekama Township shall provide primary fire and rescue services for those portions of Brown Township located North of Coates Highway and West of Chief Road.
2. Brown Township shall pay to Onekama Township the sum of \$750 (seven hundred fifty dollars) per month, commencing on the effective date of this Agreement and continuing until this Agreement is terminated as hereafter set forth. Payment shall be due to Onekama Township on or before the 15th day of each month. Onekama township shall send copies of the fire and rescue run sheets for the month to Brown Township by the 15th of the following month.
3. Onekama Township, as one of Brown Township's Designees under that Brown Township Ordinance dated May 14, 2003, entitled "An Ordinance to Establish Liability For Emergency Services responses to Incidents Involving Hazardous Materials, etc." (the "HazMat Ordinance"), shall be entitled to recover its costs for Emergency Action as defined in the HazMat Ordinance and the parties shall cooperate in the recovery of such costs in accordance with the HazMat Ordinance. Any costs recovered by Onekama Township under the HazMat Ordinance shall be in addition to its compensation under this Agreement and shall not affect Brown Township's liability hereunder. Brown Township agrees that it will not repeal or amend the HazMat Ordinance during the course of this Agreement, in any fashion that would restrict or limit Onekama Township's ability to recover its costs under

the HazMat Ordinance, except to the extent that such repeal or amendment is required to comply with any state or federal laws, rules, regulations, or final court decisions.

4. This Agreement establishes only the area of Brown Township wherein Onekama Township will provide primary fire and rescue services and the fees and charges therefore. Nothing in this Agreement shall be construed as preventing the Onekama Township Fire Department from responding to fires in other areas of Brown Township upon the request for assistance of other fire departments or preventing Onekama Township from requesting the assistance of other fire departments in those areas of Brown Township, for which Onekama township has primary responsibility.
5. This Agreement shall commence on May 6, 2013, and shall continue until terminated as follows: Onekama township may terminate this Agreement on not less than ninety (90) days written notice of its intention to terminate this Agreement on a date to be specified in such notice; Brown Township may terminate this Agreement on not less than thirty (30) days written notice to Onekama Township of its intention to terminate this Agreement on a date to be specified in the such notice. In no event shall this Agreement last more than thirty (30) years from the effective date hereof.
6. Each party represents and warrants to the other that this Agreement has been approved by the parties' respective Township Boards prior to its execution by the respective parties' Supervisors.
7. This Agreement shall be construed in accordance with the laws of the State of Michigan.
8. This Agreement sets forth the entire agreement between the parties relating to the subject matter contained herein and there are no prior or contemporaneous, oral or written, agreements, understandings, or negotiations which have not been incorporated therein. This Agreement may not be amended, except by another instrument, in writing, and signed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates indicated.

Dated: _____

**TOWNSHIP OF ONEKAMA
MANISTEE COUNTY, MICHIGAN**

**BY: _____
Its Supervisor**

Dated: _____

**TOWNSHIP OF BROWN
MANISTEE COUNTY, MICHIGAN**

**BY: _____
Its Supervisor**

ACTION TERMITE & PEST CONTROL: Motion by Wisniski, second by Blackmore to continue with the Action Termite service for one year. Motion carried.

CEMETERY CONTRACT APPROVAL: Motion by Wisniski, second by Blackmore to approve John Sievert's contract to do Spring and Fall cleanup for \$950, six cuttings at \$225, new back section, \$100. Motion carried.

BEACH GROOMER: Wisniski to contact someone to groom the Lake Michigan beach at the Turn-Around.

LASERFICHE: More information requested.

PUBLIC COMMENT: Comments received from Mary Reed and Al Taylor.

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

CORRESPONDENCE:

---Farmer's Market	---MISS DIG	---MI TWP. Par Plan
---Lakes to Land Initiative	---MTA	---Lakeshore Mechanical
---Cty. Planning Dept.	---MI Committee for Employer Support	

ADJOURN: 11:40 a.m.

David Meister, Supervisor

Absent
Helen Mathieu, Clerk

LaVonne Beebe, Treasurer

Robert Blackmore, Trustee

James Wisniski, Trustee

