

**ONEKAMA TOWNSHIP  
BOARD REGULAR MEETING  
WEDNESDAY, NOVEMBER 10, 2021  
4:00 P M**

Meeting called to order by Supervisor David Meister at 4:03 p.m.

Pledge of Allegiance

Attendance: Bob Blackmore, Allen Taylor, Ed Bradford, Shelli Johnson, and Meister.

**MINUTES:** **Motion** by Blackmore, Second by Bradford to Approve the minutes of the October 13, 2021 Regular Board Meeting. M/C

The meeting for today is being Live Streamed on Facebook Live, by Al Taylor, as a private citizen.

**AMEND AGENDA:** Move Parks & Rec to after the Public Hearing, and Move ZBA and Planning Commission up to after Public Comment.

**PUBLIC COMMENT ON AGENDA ITEMS:** None

**OPEN PUBLIC HEARING AT 4:09 PM**

The purpose of the Public Hearing is to hear comment on the County Recreation Plan and the local recreation plan. Katie Mehl stated that the review of the Goals submitted are for review and looking for comments on. Are there any changes? Changes get made during the Public Hearing The changes get recorded into the Minutes.

Dan Behring: I would like the Board to pass it tonight. I support the additions made as they clarify the recreation plan nicely and clarify the intent. I believe the Parks and Rec Committee will adopt it.

Karen Eckert: If you adopt it as presented you can change it in the future, it's not set in stone.

Michelle Ervin: The changes made in red and blue were intended to speak as a private citizen. Lara added a few things as her expertise.

Bradford asked Parks and Rec Chairperson Rich Lapinski, who exactly was on the Parks and Rec Committee? Lapinski stated that it was himself, Michelle Ervin, Al Taylor, Paul Mueller, 1 representative from the Village (Andrea Arthur), and 1 representative from the School (Gary Madden).

Bradford asked Lapinski if he was aware of any of these changes prior to the meeting? Lapinski answered, "No".

Lapinski: The Goals that the Parks and Rec Committee approved were sent to Zach Vega.

**CLOSE THE PUBLIC HEARING** at 4:56 PM, Special Meeting of the Township Board to discuss the Goals will be Friday, November 12 at 8:00 AM.

**OPEN THE REGULAR BOARD MEETING AT 4:45 PM**

**PARKS & REC:** Report given by Chairperson Rich Lapinski. Michelle Ervin has done a lot of work on a WAM (Wildflower Association of Michigan) Grant for Northpoint Park and would like the Township to support. **Motion** by Bradford, Second by Blackmore to support the WAM Grant. M/C The Committee is working on the updated Master Plan for the park. Quotes are being obtained for graveling and installation for the Cedar Loop Trail. Brian Boals will be submitting 3 project proposals to the Parks & Rec Committee for Langland Beach improvements. Trees will continue to be cut at Glen Park so hiking paths remain clear. The Committee reviewed the 5-year NWNW plan and submitted a copy to Zach Vega and will seek public input for review. The Kayak Launch is in and the remainder of the work will finish in the Spring of 2022.

**CLERK'S REPORT:** Revenue and expense report was distributed by Johnson.

**TREASURER'S REPORT** Cash Fund balances, Revenue and Fund Balances received from Bradford.

**ZBA:** Report by Chairperson Jim Trout. The Township Board has been served court orders by the Cooks as they Appeal the ZBA decision. The Court Orders will be distributed to the Township Board accordingly. Members are needed as alternates on the ZBA. Kevin Kane has expressed an interest as a member. Mr. Kane was present in the audience and introduced himself to the Board. He is a 5-year resident and has had experience with our ZBA's process. **Motion** by Blackmore, Second by Taylor to accept Kevin Kane as an alternate to the ZBA as an Alternate. M/C

**PLANNING COMMISSION:** Report by Chairperson Jim Trout. HB4722 is going to vote on Short-Term Rentals. Trout encouraged everyone on the Board to talk to our Representatives to discourage this from passing. Regarding Ordinance 8202 Proposed Amendment change on Escrow Deposits for Variable Costs and Expenses, the Board agrees with the changes, with striking out the language of "the funds will not be deposited in an interest-bearing account".

8202. Escrow Deposits for Variable Costs and Expenses. Where the Township is reviewing an application that requires a discretionary decision or review, including, but not limited to, an application for site plan review, special use permit, planned unit development, conditional rezoning, site specific rezoning, variance, or other such land use application, the applicant may be required to deposit funds to defray anticipated variable costs and expenses incurred by the Township where professional input, study or review is desired before a final decision is made. Such escrow deposits may be used to pay professional expenses of community planners, engineers, attorneys, and other professionals whose expertise the township administrator shall determine the need for,

and the amount of, the escrow deposits based upon consultation with the foregoing professionals ***and make recommendations to the Township Board, which after review shall approve or disapprove the escrow recommendation.***

1. The funds shall be managed by the Township Treasurer, and shall be deposited before the cost or expense is incurred.

~~The funds will not be deposited in an interest-bearing account.~~

The applicant shall be regularly invoiced. The invoice shall show the date, sums credited and debited, and the manner in which the debit was computed, where appropriate.

Costs incurred to manage the account may be debited to the account.

Upon request by the applicant, the Township shall provide copies of any written reports and statements of expenses for the professional services rendered.

The Township Zoning Administrator shall provide written notice and a request for an additional escrow deposit to the applicant if at any time the sums on deposit appear insufficient to cover anticipated costs and expenses.

- a. The applicant shall promptly deposit additional funds in accordance with the written request from the Township.
- b. If additional funds are not promptly deposited, the Township may issue a stop work order, cease review or table action on the application, deny land use permits, zoning permits, or certificates of zoning compliance associated with the application, or take no further action to process the application.

Where the Township determines that sums deposited appear likely to exceed anticipated costs and expenses, those excess funds shall be promptly returned to the applicant. Sums remaining in the account when the project is completed shall be promptly returned to the applicant.

An applicant may appeal the Zoning Administrator's determinations under this Section to the Township Board within 21 days of such determination, and the Township Board may affirm, reverse or modify the Zoning Administrator's determination.

**Motion** by Bradford, Second by Blackmore to accept the verbiage recommended by the Planning Commission on 8202 Escrow Deposits for Variable Costs and Expenses, with striking out "the funds will not be deposited in an interest-bearing account". M/C

A Public Hearing was held on 10/21/2021 to amend language on 9604 Voiding of and Reapplication for Variance. Items 2 and 3 were amended per recommendations of planning commission and attorney.

1. Each variance granted under the provisions of this Ordinance may become null and void unless:
  - a. The construction authorized by such variance or permit has begun within three hundred sixty-five (365) days after the granting of such variance and pursued diligently to completion; or
  - b. The occupancy of land or buildings authorized by such variance has taken place within three hundred sixty-five (365) days after the granting of such variance.

- ~~2. No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of three hundred and sixty-five (365) days from such denial, except on grounds of new evidence or proof of changed conditions found by the Board of Appeals to be valid.~~
2. No application for a variance which has been withdrawn by the applicant at a ZBA hearing or denied wholly or in part by the Board of Appeals shall be resubmitted for a period of three hundred and sixty-five (365) days from such denial, unless:
  - a. A new application shows, by new evidence, a change in the physical conditions of the site at issue, or;
  - b. where the new application shows the scope of the variance request has been substantially reduced or lessened as compared to the prior application, and
  - c. The applicant has paid the full costs of a new variance application.
3. The Zoning Administrator shall determine whether the application for a variance meets the requirements of subsection 9604 2. Above.
4. The decision of the Zoning Administrator may be appealed to the Board of Appeals and such appeal shall be subject to the public hearing notice and other requirements applicable to a variance request.
5. After a public hearing to review the resubmitted application, the Board of Appeals may decide not to consider the application because it does not satisfy the standards in subsection 9604.2 or, if the Board of Appeals determines that the resubmission meets the standards in subsection 9604.2, the Board of Appeals shall continue the hearing under the general variance standards of this Ordinance to make a determination on the request.

**Motion** by Blackmore, Second by Johnson to approve the changes as presented by the Planning Commission. M/C

The Site Plan for the Taminga PUD was tentatively approved. A subcommittee was appointed for the Master Plan. The meetings are open to the public per the OMA. Concerns with this group have been presented to the Township Board.

#### **UNFINISHED BUSINESS:**

**Township Properties:** Township Properties work continues and values will be assigned by the Assessor. This project has slowed down temporarily until we can get thru the website redesign and chart of accounts project.

**Website:** The project remains on track.

**IT Support Updates:** Discussion continues.

**Video Capability Update:** Taylor gave statistics on the live feed video of last meeting

#### **REPORTS:**

**RECYCLE:** Meister to get a formal purchase agreement written up.

**FIRE:** Report received from Fire Chief Lawrence Hrachovina. 1 EMS Mtg, 1 Maintenance Mtg, 2 Fire Mtg, 2 Fire Training, 19 EMS Runs, 6 Fire Runs, 3 Fire/EMS, 4 Fire/EMS Brown Twp, 1 Fire/EMS-M.A. MTFD, 3 Games Coverage at the School. The EMS Group is putting a list together for outfitting a new Rescue Apparatus 105 for replacement, to stay on track with the 10 year plan. Rescue 105 had the battery replaced as it had failed on a few occasions. Two Water Reels have been installed on the sidewalls in the fire building. Filer Twp is purchasing the tires from 107 since we put different ones on the new rig.

**ROADS:** Report given by Blackmore. An updated bid was received from Spicer for all of the Road Ends as requested.

**HARBOR COMMISSION:** Report given by Jim Simons. The Commission would like to put up "NO WAKE" signs. The Army Corp says it is NOT their responsibility. The Coast Guard says it is NOT their responsibility, it's the Army Corp's. Suggestion by Meister to have the Township look into purchasing the signs.

**INVASIVE SPECIES:** Update given by Jim Simons.

**ASSESSOR:** Report received from Ginny Martz. The December Board of Review is scheduled for December 14<sup>th</sup> at 9:00 am. There are currently 10 Affidavits to act on. The backup of the database with the latest PRE's was submitted to Equalization on November 2<sup>nd</sup>. Form 600/L-4016 "Supplemental Special Assessment Report" was submitted to the State Tax Commission on November 2<sup>nd</sup>. Field inspection will begin soon.

**PLA:** Report given by Taylor. There will be no Chili Cook-Off at Christmas in Onekama this year. The Onekama Sports Boosters will provide the food. Roz Jaffe is now the President of the PLA. Kyle Miller has also joined the PLA as a director.

**CUT 150:** Discussion took place. Clerk Johnson stated that she will not be in favor of participating in an agreement like this again in the future.

**CORRESPONDENCE:** Thank you letter received regarding the potted flowers

**PUBLIC COMMENT:** Question received regarding the sewer system and the process.

Comment received regarding the Manistee County Fair being held during Onekama Days in 2022.

**BILLS TO BE PAID:** Motion by Taylor, Second by Blackmore to pay all regular and incoming bills for October. M/C.

Meeting adjourned 7:12 p.m.

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Shelli Johnson, Clerk