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**ONEKAMA TOWNSHIP REGULAR BOARD MEETING  
TUESDAY, JUNE 4, 2013, 9 A.M.**

The regular June board meeting was called to order at 9 a.m. by Supervisor David Meister with the Pledge of Allegiance.

Present were: Supervisor David Meister, Clerk Helen Mathieu, Treasurer LaVonne Beebe, Trustees Bob Blackmore, and James Wisniski.

**MINUTES: Motion** by Mathieu, second by Wisniski to approve May 6, 2013 minutes with the following corrections: change MTA meeting to Wednesday May 29 instead of Monday, \$3,965 for generator install, add "fire" to Brown Township agreement. Motion carried. **Motion** by Wisniski, second by Blackmore to accept the special township board minutes of May 29, 2013 following the reading by of the minutes by Meister. Motion carried.

**AMEND AGENDA:** Add Disincorporation report, received \$37,830.00 under new business and Crescent Beach Road under roads.

**TREASURER'S REPORT:** Beebe presented a written report to the board and to the general public. There were no deposits into the fire account. Brown Township did not understand the written revised agreement that they received, however, following a conversation between Beebe and Brown Township Treasurer Pam Tompke, they have worked out the details and the Township has sent out a bill for the balance due. The agreement also indicates that the Township will send a copy of the fire/rescue run sheet. Finally, the agreement starts April 1st, not January 1st.

**CLERKS REPORT:** Deputy Clerk Lynn Mathieu will attend an Election Accreditation in Lansing on June 12 and 13.

**PUBLIC COMMENT:** None

**COMMISSIONER KEN HILLIARD:** Absent

**COMMISSIONER KARL WAITNER:** Looking into the crime rates with the sheriff, at this time there are not specific details. The sheriff will generate a report. Commissioner Waitner is the chairman of the Bar Lake Improvement Board, which is working on forming an association and special assessment district. The board is beginning to make some real progress with the lake. We should be proud of the management of Portage Lake as it is used for an example of how a lake should be cared for. Waitner is also on the Fair board, which will meet Wednesday, June 5. The budget process begins with county to educate the new commissioners on the budget process.

Supervisor Meister left meeting at 9:28 am, Blackmore took over.

**FIRE/RESCUE REPORT:** May 2013 – Twenty-two (22) events, fourteen (14) rescue runs, and eight (8) fire runs including one (1) mock disaster. The Revenue Sharing meeting is set for June 10th at 5 p.m. New Fire Truck 109 will be on display at the meeting. The department has applied for equipment including turnout and extrication gear. Driveway checks will be conducted in the evenings, when possible. There is a fire department cleanup scheduled Monday, June 24, in preparation for the Onekama Days open house. During that cleaning, the department will select out of date equipment for disposal and will submit a list of these items to the board. Board also gave permission to sell the fire truck that is sitting at the county garage as well as one (1) four-inch pump.

Supervisor Meister returned to the meeting at 9:30 am.

**PLANNING COMMISSION:** Chairman Jim Trout presented a revised fence ordinance with the recommendation that the board adopt this revised ordinance. There is no new public hearing required. **Motion** by Blackmore, second by Wisniski to accept changes as submitted to the board. Motion carried. Section 1032 of the zoning ordinance regarding Parking/Storage of Recreational Vehicles and Trailers is being revised under plan B. This is due to the restrictions on property size. Trout is asking for input on this section, plan B. Discussion followed regarding when a property becomes a "junkyard" and what items would cause this to happen. And, per the Smith/Milasich Mediation Settlement Agreement attached to the original document of these minutes, the board has requested that the planning commission look specifically at ordinance 1007-B, Section 8003, and the definition of the term "lot." There was never an intention to protect back lot owners and unimproved lots of record need to be looked at when teardowns take place.

**RESOLUTION No. 2013-07 : REQUESTING REVIEW OF CERTAIN  
PROVISIONS OF THE ONEKAMA TOWNSHIP PERMANENT ZONING  
ORDINANCE OF 1991 BY THE ONEKAMA TOWNSHIP PLANNING  
COMMISSION**

WHEREAS, the Township was involved in certain litigation initiated by the Ann W. Smith Revocable Michigan Land Trust and Ann W. Smith as Trustee over a land use permit, no L-2011-29, issued to Rudolph L. Milasich, Jr. on or about October 12, 2011; and

WHEREAS, during the course of that litigation it became apparent that certain provisions of the Onekama Township Permanent Zoning Ordinance of 1991 ("Ordinance") may be ambiguous and lead to an interpretation that was not intended when the ordinance was adopted; and

WHEREAS, Section 9801 of the Ordinance provides that amendments to the Ordinance may be initiated by resolution of the Township Board; and

WHEREAS, the Township Board has determined that Ordinance Sections 1007B, 8003 and the definition of the term “Lot” may need to be reviewed and modified or amended to provide more clarity in their interpretation and application; and

WHEREAS, the Township Board has determined that such a review by the Planning Commission is in the best interest of the citizens of Onekama Township and is required by public necessity, convenience and the general welfare of Township citizens;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Onekama Township Board hereby requests that the Onekama Township Planning Commission undertake a review of certain sections of the Onekama Township Permanent Zoning Ordinance of 1991 in the manner provided by the Michigan Zoning Enabling Act of 2006.

2. That the Onekama Township Planning Commission specifically review Section 1007B and to consider proposing recommended language to help clarify the view rights contained in that Section.

3. That the Onekama Township Planning Commission specifically review Section 8003 and to consider proposing recommended language to help clarify what may be permitted and constructed on non-conforming lots of record, and under what circumstances a lot of record may be considered “unimproved”.

4. That the Onekama Township Planning Commission specifically review the definition of “Lot” in the Definitions Section of the Ordinance to determine if any amendment to that definition is required as a result of its application in conjunction with the additional Sections of the Ordinance being reviewed by the Planning Commission.

5. That the Onekama Township Planning Commission consider proposing any additional Ordinance amendment that may be necessitated as a result of its review of the Ordinance as specified in this Resolution.

**Motion** by Robert Blackmore, second by James Wisniski to approve Resolution No. 2013-07.

Roll call vote:

YEAS: James Wisniski, Robert Blackmore, LaVonne Beebee, Helen Mathieu, David Meister.

NAYS: None.

Absent: None.

Motion carried.

Resolution declared adopted this 4<sup>th</sup> day of June, 2013.

In other Planning Commission business the terms of Planning Commission members were discussed. The terms of Craig Peterson, Tom Koon, and Doug Mortenson expire in 2013. Peterson resigned from the commission as a representative from the village.

**MOTION** by Wisniski, second by Blackmore to remove Mortenson from the planning commission, due to a regular township board member required to be on the planning commission. Motion carried. **MOTION** by Wisniski, second by Blackmore to reappoint Jim Trout, Al Taylor, and Roger Cody to 3 year terms ending in 2015. Charlotte Straight is the other member from the township; her term does not expire yet. The Village portion of the planning commission consists of Koon, Susan Barnard, and Bonnie Miller.

There is a special meeting scheduled between the village and the township on June 19, 2013 at 1 pm.

**BOARD OF REVIEW:** Assessor Martz reported that the July BOR is scheduled for July 16, 2013. Tuesday June 4, 2013, all PRE's will be turned in to the county equalization. Land value maps are updated and the values for 2013 have seen an average increase of 2.5%, with the highest being 3.5%.

**ZONING BOARD OF APPEALS:** No report.

**ZONING ADMINISTRATOR:** Zoning Administrator's report is attached.

**PARKS AND REC:** Co-Chairman Howard Hughes reported that the committee is again working on the Five Year Plan-questionnaires have been set to residents seeking their input on what they would like to see in a five year plan for the parks. The tree committee would like to plant trees around the picnic table at Feldhak Park. **MOTION** by Blackmore, second by Wisniski to approve pickle ball court, not to exceed \$400. Motion carried. Secretary Tom Gerhardt reported that the committee would like to place some sort of gazebo at North Point Park in memory of Steve Applegate. He will get more information by next month.

**Motion** by Blackmore, second by Mathieu, to name the newly acquired wetlands property next to Feldhak Park "Eagle View Wetlands-A Community Preserve". Motion carried. The name was approved based on a recommendation from the Watershed Committee who reviewed names and made the recommendation.

**HARBOR COMMISSION:** Portage Lake Harbor Commission has requested that the board send letters to our Senators and Representatives: Subject: Tipping Point on Harbor Maintenance Funding. Future of Small Harbor Communities in your District and State are at Stake!! Clerk will follow through and send letter.

**BERTELSON CEMETERY:** Trash site and compost placement was discussed. Clerk will check on whether we have a policy for cremation sites.

**MTA LOCAL CHAPTER :** Wisniski reported the annual dinner was very good. The annual MTA meeting will be in Traverse City in January. Blackmore, Beebe, Wisniski, Mathieu will attend the MTA Regional Meeting June 11 at Crystal Mountain.

**WATERWAYS GRANT AGREEMENT: Motion** by Blackmore, second by Wisniski to approve Meister to sign Resolution No. 2013-08, Waterways Grant Agreement, Harbor and Docks-Emergency Dredging. Meister signed the agreement on Tuesday, June 4, 2013.

**RESOLUTION NO. 2013-08  
WATERWAYS GRANT AGREEMENT  
Harbors and Docks-Emergency Dredging**

Upon motion made by Robert Blackmore, seconded by James Wisniski, the following Resolution was adopted:

**REVOLVED**, that the Township of Onekama, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the township agrees, but not by way of limitation, as follows:

1. To accept the sum of money equal to one hundred (100) percent of the total cost of the emergency dredging of the facilities called for by the plans and specifications, including engineering costs, 25 percent advance and 75 percent reimbursement. The state's payments must be supported by documentation of actual costs, including an engineer's report on dredge volume, and actual payments to the contractor.
2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
4. To ensure all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
5. To establish and appoint the Portage Lake Harbor Commission to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.
6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State Of Michigan within the confines of the Township pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
7. To comply with all terms of the Agreement, including all terms but not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded: James Wisniski, yes; LaVonne Beebe, yes; Robert Blackmore, yes; Helen Mathieu, yes; David Meister, yes.

The following nay votes were recorded: None.

STATE OF MICHIGAN  
COUNTY OF MANISTEE

I, Helen Mathieu, Clerk of the Township of Onekama, Michigan, certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which was adopted by the Township Board at a meeting held Tuesday, June 4, 2013.

Dated: June 4, 2013

Helen Mathieu, Township Clerk

**INVASIVE SPECIES:** Chairman Mary Reed reported: first lake survey was done on June 4; others are scheduled throughout the summer, watch your shoreline for posting signs, ciBioBase Equipment and program is being checked out and evaluated. The lake manager and team have similar equipment which can compile data and placed in an area map of underwater invasive weed colonies. The committee approved release of beetles to treat purple loosestrife; treatment plan for 2013 will be reviewed after results of the June 4 survey are completed.

**WATERSHED COMMITTEE:** Reed reported that Jamie Meister is a new member on the Watershed Council. The group will sponsor a presentation “Wonder What’s Happening on Portage Lake?” Saturday, June 29 from 9:30 a.m. to 10:30 a.m. at Farr Center.

**PLA:** Chairman Al Taylor reported the group’s annual fund-raiser is Saturday, June 22 beginning at 5:30 p.m. at the Little River Conference Center. Concerts in the Park will start on July 1.

**ROAD COMMISSION :** Wisniski reported sheet piling is in at the Portage Point Angel Slide site and will be sandblasted and painted. He said the road commission crews will begin 10 hour work days through September.

**CRESCENT BEACH:** A resident asked what is happening with the non-finished section of Crescent Beach Road. Some residents are opposed to paving that section, prefer to keep it graveled. A special meeting with the concerned parties is scheduled Wednesday, June 5.

**SMITH/TWP:** Settlement agreement reached by all parties involved.

**DIRKSEN/BROWN:** No activity.

**REVENUE SHARING BOARD:** The board will meet Monday, June 10 at 5p.m.

**BUILDING EXPANSION:** There will be a public meeting on building expansion of the township hall, on Monday, 24, 2013 from 7 to 9 p.m. in the township hall.

**TRASH DAY:** Trash Day will be Saturday, June 22 from 9 a.m. to noon at the village garage site.

**KEN FRANKLIN:** Franklin addressed the board on blight, referring to a water well covering on -22.

**THERMAL-TEC:** No activity.

**DISINCORPORATION :** The Township Board received a check for \$37,830 as reimbursement which has been forwarded to the Village of Onekama.

**FIREWORKS PERMIT:** Permit was approved to Great Lakes Fireworks for the fireworks on Friday, August 2; rain date is Saturday, August 3.

**CEMETERY BIDS: Motion** by Blackmore, second by Wisniski to approve a bid from Rusty Van Brocklin for 25 hours work, and not to exceed \$1,700. Motion carried.

**PRINCIPLES OF GOVERNANCE: Motion** by Blackmore, second by Wisniski, to adopt the Principles of Governance, which includes diligence, openness and transparency to further townships' well-being.

**ATTORNEY TODD MILLAR:** Place Millar and Atty. Chris Cook on the July agenda, concerning a decision on a Planning Commission attorney.

**PUBLIC COMMENT:** Comments received from Alice Hendricks.

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

**ADJOURN:** 12:27 p.m.

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David Meister, Supervisor

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Helen Mathieu, Clerk

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LaVonne Beebe, Treasurer

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Robert Blackmore, Trustee

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James Wisniski, Trustee