

ONEKAMA TOWNSHIP REGULAR BOARD MEETING
WEDNESDAY, MAY 6, 2009

The meeting was called to order at 8:52 a.m. by Supervisor David Meister.

The Pledge of Allegiance was said.

Members present: Trustee James Wisniski, Trustee Roland Clement, Treasurer LaVonne Schafer-Beebe, Clerk Helen Mathieu.

MINUTES; Motion by Wisniski, second by Clement to approve the minutes of the April 7, 2009 Regular Meeting with the following correction: change “to” Contingency to “from” Contingency. Motion carried.

Motion by Clement, second by Beebe to accept the minutes of the April 22, 2009 Special Meeting. Motion carried.

TREASURER’S REPORT: Beebe reported that the township received payment from the oil company for a fire department standby at Fisk Road. She reported the township received a check for \$1,000 for unclaimed property from the state. She is also going to upgrade the BSA Support System and will purchase a hand scanner to input tax data into the computer. The report was received and placed on file.

BUDGET REPORT: Mathieu reported the budget is up and running for the new fiscal year.

AMEND AGENDA: Insert MTA between Cemetery and Appeals Board, discuss trailers and storage, and planners’ terms under New Business; fire report after Public Comment; phragmites resolution with Mary Reed report.

PUBLIC COMMENT: None.

FIRE RESCUE: Chief Lawrence Hrachovina said the department is working with Bear Lake and Arcadia for a FEMA grant; pontoon boat is going into the water this year; reported on phragmites burning on the lake and will try to do the entire lake this winter when the lake is snow-covered. For April there were 3 fire runs, 2 meetings, 2 trainings and 1 controlled burn. There were 3 rescues and 1 meeting and training session. Tom Kleinsorge reported three persons participated in the fire-fighting class and their test is upcoming; two of them wish to begin EMT training. Consensus of the board to advance the payment for the EMT training and literature.

MARY REED: She introduced Jennifer Jones, Water Quality Manager for Lakeshore Environmental, who outlined the phragmites project for the board. Reed reviewed the key points from the committee’s recent meeting : a survey is to be done the last week in May; education was discussed, a Community Forum is May 19, the committee will have an informational display at the Manistee County Summit meeting May 14. Comments were also received from Dan Behring, Onekama Community Planning commission Chairman.

RESOLUTION TO TENTATIVELY DECLARE INTENTION TO ESTABLISH SPECIAL ASSESSMENT DISTRICT:

Resolution No. 2009-04

WHEREAS, the Onekama township Board is aware of an increased growth of invasive species within and around Portage Lake and possible degradation in the water quality of Portage Lake; and

WHEREAS, the Onekama Township Board has invested in partially paying for a Lake Management Plan Study by Lakeshore Environmental, Inc. to determine the extent of the problem; and

WHEREAS, the Township Board established the Invasive Species Subcommittee of the Portage Lake Watershed Forever as an official committee whose first task was to research long term solutions for these issues within Portage Lake; and

WHEREAS, financing of control agents will be necessary as defined by the attached Cost Estimates for 5 Year Plan; and

WHEREAS, a special assessment district has been suggested as a means of financing this lake improvement through the levying of an assessment against real properties in the district based upon the property's assessed value; and

WHEREAS, Michigan Public Act 188 of 1954 authorizes townships to make certain improvements, including the eradication or control of aquatic weeds and plants; and

WHEREAS, the Invasive Species Committee has recommended chemical treatment and removal of aquatic weeds and plants below the ordinary high water mark;

THEREFORE

NOW, BE IT RESOLVED THAT the Onekama Township board tentatively declares its intention to establish a special assessment district to include the entire area of Onekama township, against which the cost of the proposed removal of aquatic weeds and plants from the Lake would be assessed based upon each property's taxable value. The assessments would be allocated according to the approximate proportional benefit that would be realized by each property in the SAD as a result of the removal activities, as defined by the attached map (zone 1A defined as riparian properties and those deeded access to the Lake; zone 1B defined as everything south of Maidens Road and as extended along section lines west of M-22 to Lake Michigan excluding 1A; and zone 2 defined as everything north of 1A and 1B that is within the township).

FURTHERMORE, plans of the proposed activities to eradicate or control aquatic weeds and plants in Portage Lake, as well as an estimate of the cost of eradication or control activities on either a fixed or periodic basis, shall be filed with the Township Clerk. subsequent to the filing of the plans and the cost estimate, the

Township Board shall fix a time and place to meet and hear any objections to the proposed activities and to the special assessment district, and shall cause notice of the hearing to be given as provided in PA 188. The notice shall state that the plans and the estimate are on file with the Township Clerk for public examination and shall contain a description of the proposed special assessment district.

Motion made by: Roland Clement.

Seconded by: Mathieu.

UPON ROLL CALL VOTE OF THE FOLLOWING:

AYES: Helen Mathieu, Roland Clement, David Meister.

NAYS: LaVonne Schafer-Beebe, James Wisniski.

The Supervisor declared the resolution adopted by a roll call vote at the regular meeting of the Onekama Township Board held on May 6, 2009, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect.

_____, Clerk

GERALD PETERSON-Road Project: No report.

COMMISSIONER ED HAIK: Reported the county commissioners defeated the ATV ordinance, it is now up to the townships; discussed uses around Manistee Lake for switch station.

COMMISSIONER ED HILLIARD: No report.

ONEKAMA COMMUNITY PLANNING COMMISSION: Chairman Dan Behring reported that the Leadership Team would meet Thursday, May 28 at 4 p.m. and that the Planning Commission would meet at 7 p.m. in the township hall. The members will receive the second draft of the Community Master Plan. Mathieu asked Chairman Behring to add terms of members to the commission's agenda.

BOARD OF REVIEW: Meister reported the township is equalized at this time.

CEMETERY: Wisniski reported the water is now turned on. Mathieu reported Abonmarche is continuing to marking the grave sites.

MTA Local Chapter: The MTA dinner will be Wednesday, May 27 at Bear Lake United Methodist Church. Eight township officials will attend.

ZONING BOARD OF APPEALS: Chairman Tom Gerhardt reported that the appeals board approved a variance from Doug Callaway, representing Portage Lake Association and acting on behalf of MBD Northern Developers, requesting permission to reduce the road right-of-way setback for a "Welcome to Onekama" sign on M-22, east of Ellen St. on Crescent Beach Road; approved an interpretation requested by Supervisor Meister on definitions of an easement or deeded easement, road or private road, when does an easement become a road, how do definitions impact meaning of road frontage, definition of road frontage. The Zoning Board of Appeals will have a public hearing on Wednesday, June 3 at 6 p.m. for a variance request.

ZONING ADMINISTRATOR: Report received and placed on file. Consensus of the board is to extend the zoning administrator's contract until June.

PORTAGE LAKE HARBOR COMMISSION: Report received and placed on file.

PARKS & RECREATION COMMITTEE: Gerhardt reported 35 adults and children in 12 teams planted 1,000 red pine seedlings in North Point Park on Arbor Day. The project which may become an annual event, is headed by Howard Hughes and Jon Phillips. Phillips and Hughes also placed signs and birdhouses in the park. It was announced that Alice Hendricks was appointed to the Manistee County Parks and Recreation Committee.

Meister read a letter from the Brooks family offering to purchase fire rings for the Portage Point Turn-Around. The request will be on the June agenda.

PORTAGE LAKE WATERSHED: No report.

COMMUNITY FOUNDATION: No report.

MAIDENS, CHRISTENSEN ROADS: Meister to clarify prices and estimates from other contractors.

PORTAGE LAKE AVE., SUNNYSIDE, LAKEVIEW: Will be re-platted.

ROAD COMMISSION: Wisniski reported the contract is being negotiated.

LAKESIDE, OUTLOT 1: No report.

BURNHAM AVENUE: Mathieu reported attorney fees were \$9,955.

LAND DIVISION AMENDED ORDINANCE: **Motion** by Clement, second by Mathieu to approved the Land Division Ordinance Amendment 2009-01.

ORDINANCE NO. 2007-1

MANISTEE COUNTY, MICHIGAN

AMENDMENT 2009-01

AN ORDINANCE TO REGULATE PARTITIONING OR DIVISION OF PARCELS OR TRACTS OF LAND, ENACTED PURSUANT TO PUBLIC ACT 288 OF 1967, AS AMENDED, AND ACT 246 OF 1945, AS AMENDED, BEING THE TOWNSHIP GENERAL ORDINANCE STATUTE TO PROVIDE A PROCEDURE THEREFOR, TO REPEAL A CONFLICTING ORDINANCE OR PROVISION, AND TO PRESCRIBE PENALTIES AND ENFORCEMENT REMEDIES FOR THE VIOLATION OF THIS ORDINANCE.

THE TOWNSHIP OF ONEKAMA ORDAINS:

SECTION I. TITLE

This ordinance shall be known and cited as the Onekama Township Land Division Ordinance.

SECTION VII. STANDARDS FOR APPROVAL OF LAND DIVISIONS

- A. A proposed land division shall be approved if the following criteria are met:
1. All the parcels to be created by the proposed land division(s) fully comply with the applicable lot (parcel), yard and requirements of the applicable zoning ordinance, including, but not limited to, minimum lot (parcel), frontage width, minimum road frontage, minimum lot (parcel) area, minimum lot width to depth ration, and maximum lot (parcel) coverage and minimum set-backs for existing building structures.
 2. The proposed land division(s) comply with all requirements of the State Land Division Act and this Ordinance.
 3. All parcels created and remaining have existing adequate accessibility, or an area available therefor, to a public road for public utilities and emergency and other vehicles not less than the requirements of the applicable zoning ordinance, major thoroughfare plan, road ordinance of this Ordinance.
 4. The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or nonbuildable parcels created under Section VIII of this Ordinance and parcels added to contiguous parcels that result in all involved parcels complying with said ratio with the following exceptions:

a. A greater depth to width ratio may be allowed, but shall at no time exceed 8:1 at the discretion of the Township Assessor and Land Division Officer after documented inspection of the parcel and shall include, but need not be limited to, exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands.

b. The depth to width ratio requirement does not apply to a parcel larger than 10 acres and does not apply to the remainder of the parent parcel or parent tract retained by the proprietor of greater than 10 acres.

5. The permissible depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from the point of commencement of the measurement.
6. The permissible minimum width shall be as defined in the Onekama Township Permanent Zoning Ordinance.

SECTION XIII. EFFECTIVE DATE

This Amendment to the Onekama Township Land Division Ordinance shall take effect thirty (30) days following its publication as required by law, following adoption by the Township Board.

THOSE VOTING IN FAVOR: James Wisniski, LaVonne Schafer-Beebe, Helen Mathieu, Roland Clement, David Meister

THOSE VOTING AGAINST: None.

ABSENT: None.

ABSTAIN: None

ORDINANCE DECLARED PASSED

Helen Mathieu, Clerk

CERTIFICATION

I, Helen Mathieu, Clerk of Onekama Township, Manistee County, Michigan, do hereby CERTIFY that the foregoing is a true and correct copy of the Ordinance adopted by the Onekama Township Board at a regular meeting held on the 22nd day of April, 2009.

Helen Mathieu, Clerk

BEACH CLEANUP: Meister to inquire as to what information is needed.

SUMMIT MEETING MAY 14: Beebe, Clement, Mathieu and Meister to attend the meeting in Kaleva.

STREET LIGHTS: No report. Mathieu to request lights be pointed downward to the turn-around at Pierport and possibly at the point turn-around.

PARKING LOT SEALANT: Contractors will be contacted for estimates.

ENERGY FAIR RESOLUTION: Consensus to send a letter of support for the Energy Fair in Onekama.

COUNTY EMERGENCY MANAGEMENT PLAN: Wisniski will try to book speakers on the subject for an MTA meeting.

ATV: Place on the June agenda.

TRAILERS AND STORAGE: Wisniski asked that the Zoning Ordinance Committee address this issue.

PUBLIC COMMENT: None.

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

CORRESPONDENCE:

---PLA

---Manistee Clerks Assn.

---Abonmarche

---MTA

---FEMA

---Rep. Dan Scripps

ADJOURN: 12:28 p.m.

David Meister, Supervisor

Helen Mathieu, Clerk

LaVonne Schafer-Beebe, Treasurer

Roland Clement, Trustee

James Wisniski, Trustee

