

Regular Meeting of the Crystal Lake Township Board

Meeting held at 1651 Frankfort Highway, Frankfort MI 49635

August 15, 2017

Meeting was called to order by Supervisor Amy Ferris at 7:00 PM.

Pledge of Allegiance was recited.

Roll Call: Ferris, May, Nielsen, Sullivan, and Trentham were present, constituting a quorum

Agenda: May moved that the agenda be amended to change the item listed as “Medical Marijuana Hearing” to “Medical Marijuana Informational Presentation” and that the so amended agenda be approved; Nielsen seconded; all ayes. Motion passed.

Conflicts of Interest: Ferris asked if there were any conflicts of interest; there were none.

Minutes: Ferris moved that the minutes of the July 11, 2017, regular Board meeting be approved; Nielsen seconded; all ayes. Motion passed. Ferris moved that the minutes of the August 2, 2017, special Board meeting be approved; May seconded; all ayes. Motion passed.

Guests: None.

“For the Good of the Community”: Ferris noted that the MTA encouraged townships to explore the possibility of hiring interns; that the state legislature was considering limiting the authority of local governments to set limits on short-term rentals; and that Commissioner Griner was recently honored for his work in support of the Northwest Michigan Health Services (NMHS) facility in Benzonia.

Correspondence: NMHS invitation to Open House honoring Griner and Ingemar Johansson; Benzie County Solid Waste Dept. notice of \$3.00 increase in annual household recycling fee; Benzie County Road Commission notice that private telecommunication companies may be applying for permission to place towers/poles in the Road Right-of-Way; the Benzie Shores District Library Annual Newsletter; email from Glen Tracy requesting help to get Charter to provide internet service to his home; email complaints from the Waters family about a family member’s burial; a letter and a phone call from residents with concerns about the RV park; and a phone call about the Rommel property that was resolved.

County Commissioner’s Report: Commissioner Griner reported that the Commission voted to affirm Lisa Vogler as a new Building Authority member; that the Maples is now trying to reclaim revenues lost due to misdeeds by others; that the Veterans’ Memorial in Benzonia was dedicated August 13th; that there will be a public meeting with Merit representatives to discuss increasing internet access; and that there was good attendance at the Township Clean-Up Day and a lot of good quality merchandise thrown away; Trentham said Habitat Resale will hopefully be available in the future to claim such items.

Public Comment: J. Jaworski asked why the Board did not censure the Supervisor following allegations by the former Blight Officer and by himself and wanted the reply in writing; Sullivan responded that those allegations were previously determined to be unfounded, but a written reply would be issued ; R. Mix asked what the complaints were that were made about the RV park and Ferris said one was a legal question about storage and another was about public use of water from a spigot and she will get back to him with more details.

Clerk:

- Trentham presented the outstanding bills and moved that they be approved for payment as presented; Nielsen seconded; Ferris objected that the payment for Stoltman's report, relevant to the Jaworski litigation, should continue to be held for payment as requested by Attorney Figura; Trentham said the bill was outstanding since May and should be paid; members questioned the circumstances surrounding the decision to have Stoltman prepare the report and Ferris offered to provide Figura's email about the report; roll was called: Ferris and Sullivan voted No; Trentham, May, and Nielsen voted Yes. Motion carried.
- All three millage renewals on the ballot passed; turnout was low: only 264 votes, 123 of them by absentee ballots.
- Two persons have indicated an interest in the Deputy Clerk position; an ad has been run 3 times.

Financial Report by Treasurer:

- Trentham reported that the General Fund had \$13,576.30 in revenue and \$18,085.64 in expenses.
- Due to previous requests, Trentham reported \$8,489.00 spent on blight remediation costs between 8-10-2016 and 7-12-2017: \$6,405.00 attributed to the Jaworski property; \$1,458.00 attributed to the Rommel property; and \$626.00 attributed to "Other".
- Trentham moved that the 2017-2018 General Fund Budget be amended to increase the Township Board Education/Training line from \$0.00 to \$1,000.00, the Clerk Education/Training line from \$300.00 to \$1,000.00, the Treasurer Printing/Publishing line from \$4,250.00 to \$4,800.00, and the Zoning Printing/Publishing line from \$300.00 to \$1,000.00; May seconded; roll was called, all ayes. Motion was passed.
- Trentham also presented the income and expense reports for July 2017 for the Cemetery Fund, the Fire Fund, and the Road Fund.
- She presented a recommendation from a Michigan State University Extension professional that an organization's formal "approval" of a treasurer's report would make that organization liable for any errors in the report and that the organization should instead place the report "on file for audit" or "for review" or simply move to the next item of business.

Committee Reports:

- **Airport Authority:**
 - May and Trentham reported that the existing Airport Board members were reappointed; that the Board believes the DOT will approve the Airport's general license; both May and Trentham said they are willing to continue as the Township's representatives until other representatives could be found; Ferris said she knew a couple of interested people.
- **Blight:**
 - Ferris reported that Dave Schaffer of the County Recycling office obtained grant funds to recycle tires and facilitated the removal of about 2,000 tires from the Rommel property, not only by recruiting people to do the work, but by contributing a full day of his personal labor to get the work done; she also reported that several letters had been sent in response to complaints about yard sales and junk placed by the roadside.
- **Building & Grounds:**
 - May and Trentham reported that many people showed up for the Clean-Up Day, many of them by 7:30 a.m. and more than 75 before 8:00 a.m. Ferris reported that the man who put up the new outdoor bulletin board had not gotten back to her about replacing the back of the board

with something more weather resistant or about an estimate for replacing the stationary table where the Board sits, so she is looking into getting someone else.

- **Cemeteries:**

- The Township Cemetery Committee will meet soon; the North Cemetery Endowment Group is trying to decide how best to spend the \$70,000 donated by a Traverse City charitable organization and are seeking some younger members to join their Group.

- **Personnel:**

- Sullivan reported that Attorney Figura had reviewed the list of mediators certified by the Court and those from Conflict Resolution Services and recommended two in particular, in addition to Wanda Joseph, that he knew and believed would be helpful in resolving the current conflict between the Supervisor and Treasurer; Figura said that Ferris and Trentham should be the ones to decide which mediator they preferred and he estimated the cost could be as much as \$1,000 for the initial interviews and a few sessions; Sullivan asked for members' opinions about authorizing the expense .
- Nielsen said the conflict was between the Supervisor and the Treasurer and said he did not believe a mediator could resolve the problem; Ferris said she could not justify using taxpayer money to resolve the problem; May said she wanted both individuals to be able to get it worked out and supported spending Township money to do so; Sullivan said she and several members of the public had expressed the belief that professional expertise was needed and the expenditure should be seen as a form of professional training; Trentham said she would do whatever the Board asked.
- Sullivan moved that the Board approve up to \$1,000 for a mediator to be selected by Ferris and Trentham; May seconded; Trentham said the cost for the training could be split between the training budget for the Administrator and the training budget for the Treasurer; Ferris repeated her objection to using taxpayer money for this and said she believes the conflict involved the entire Board and not just the two members; roll was called: Nielsen and Ferris voted No and Trentham, Sullivan and May voted Yes. Motion passed.

- **Planning:**

- Trustee May and Planning Chairman G. Wright reported that there would be a Medical Marijuana Informational Presentation on Wednesday, August 16th; May and Zoning Administrator T. Kucera will report on their learning from trainings they attended and will host a Question and Answer session with the public; there will not be a regular Planning Commission meeting on August 23rd.

- **Roads:**

- Based on resident request, Ferris told the Road Commission that Marquette Court needed a second brining; Nielsen said the Board should send a letter confirming the need for the second brining; Resident D. Leete reported that brining had improved Marquette Court tremendously.
- Trustee Nielsen reported that repairs to Glory and Elm have been completed and look very good; improvements to Mollineaux Road should probably be completed by mid-September and Robinson about the same time; the Road Committee plans to meet in the fall and will probably host a public hearing to help them identify which roads to prioritize for improvement in 2018 using the millage approved by Township residents.

- **Zoning:** Ferris reported that problems related to rental issues are increasing and the state legislature is considering pre-empting local governments from regulating short term rentals.

Unfinished Business:

- Trentham reported that technical problems with the online Point/Pay system will hopefully be resolved soon and enable taxpayers to pay online by credit card.
- Due to the efficiency of Brianne Lindsay from the County Equalization office in making address changes, Trentham reported that she had only 3 tax notices were returned this year.
- She has identified someone who is a former Treasurer to fill the Deputy Treasurer position and she will start in the fall after school starts.

New Business:

- Sullivan asked Board members to consider the possibility of amending the Fireworks Ordinance - at a later date - to have someone, such as the Enforcement Officer, or someone else, notify offenders within 24 hours of a violation, since the offenders are often short-term renters and are no longer available by the time written notification happens; she also suggested the possibility of collaborating fireworks enforcement efforts with the City of Frankfort and Village of Elberta; the County Sheriff's office refused to respond to such complaints; it was agreed that it would be good to have a new enforcement system in place prior to next year's summer season.

Public Comment:

- Commissioner Griner said he considered Peter Doran to be the best mediator available and worth the money; he said only 2 of the 8 local contractors he contacted to work on his CLT property responded and those 2 said they were too busy to help.
- R. Mix asked for clarification about when fireworks were allowed and was told it was limited to the 72 hours surrounding July 4th and no later than 11:00 p.m.; there will be better publication of those rules in 2018 than there was in 2017.
- J. Jaworski said Stoltman was the only maritime expert proposed who was academically credentialed and that he disagreed with the reason given for the dismissal of the case; he then read from M. Ketz' resignation letter and restated his allegations about the Supervisor; Ferris said she believed the evidence supported her and Ketz' opinion about a problem did not make it fact.
- D. Leete said as a taxpayer, she supported the use of taxpayer money for mediation.
- L. Smith said he knew from personal experience that the Sherriff's Office would not help enforce fireworks violations.

Meeting was adjourned at 8:45 p.m.

Sue Sullivan, Clerk, reporting.