

# **Regular Meeting of the Crystal Lake Township Board**

Meeting held at 1651 Frankfort Highway, Frankfort MI 49635  
August 13, 2019

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

**Pledge of Allegiance** was recited.

**Roll Call:** Ferris, May, Nielsen, Popp and Sullivan were present, constituting a quorum.

**Agenda:** Ferris moved the agenda be approved; Sullivan seconded; all ayes. Motion passed.

**Conflicts of Interest:** There were no conflicts of interest.

## **Minutes:**

- Ferris moved the minutes of the July 9, 2019 Regular Board Meeting be approved as presented; May seconded; all ayes. Motion passed.
- Ferris moved that the minutes of the August 1, 2019 Special Board Meeting be approved as presented; May seconded; all ayes. Motion passed.

**For the Good of the Community:** Community Dialogue was held about short term rentals; FEMA will hold a Coastal Flood Analysis for local officials 2-4 pm and a Public Open House 5-7 pm on 8-14-2019 at the County Government Center.

**Correspondence:** Auditor correspondence will be discussed later in agenda; Peter Perigrine asked about opening Marquette Court to Lake Michigan as a seasonal road; the Soule cemetery related court case reached a judgment; DTE/Eco Green Energy offers discounts on Chargepoint and EVBox Chargers; Nextdoor Crystal Lake-Frankfort-Beulah offers a free private online network; there were some compliments and some concerns raised by different residents about recent road improvements; someone has removed the "Access" sign on Vine Street.

**County Commissioner's Report:** Commissioner Linda Farrell reported that since 2019 is the 150<sup>th</sup> anniversary of Benzie County, a banner will be placed in front of the Government Center and various public events will be held; Rebecca Hubers has begun as Frank Post's replacement as Emergency Manager for the County; Ron Burns is retiring as County 911/Dispatch Manager; the 911 \$3.00 surcharge renewal will be placed on the March 10, 2020 ballot; the County signed an

agreement with Eclipse to offer broadband services throughout the County; a Benzie County Summit is planned for Oct. 25, 2019 at Grow Benzie.

**Public Comment:** Ruthann Sena said her portion of the property at 1427 Frankfort Highway was officially separated from that of her relatives and she wanted assurance that she is free to legally sell her portion; she was advised to confirm with the Assessor that all the paperwork was in order.

**Clerk's report:**

- Sullivan raised the issue of the Supervisor's request for reimbursement of her numerous work related cell phone costs; Ferris moved that the Board agree to reimburse her a total of \$179.99 for her recent purchases of minutes expected to meet her needs through December 2019 and that a policy be developed regarding future reimbursements to take effect in January 2020; there was no support, so the motion failed; it was agreed that a policy is needed to define reimbursement procedures for work related cell phone costs and that the question of what constitutes adequate documentation will be submitted to the attorney; Sullivan will work with Ferris to document past reimbursements.
- Sullivan presented the Warrant Report; Sullivan moved that the Warrant Report be amended to add an additional \$436.70 to the Pioneer Group bill for a revised total of \$16,269.60 for General Fund bills and that all bills for the General, Cemetery and Fire Funds be approved for payment as otherwise presented; May seconded; roll was called; all ayes. Motion passed.
- The results of the August election were 145 to prohibit marijuana businesses in the Township and only 107 not to prohibit them; almost half the voters were absentee voters; it will be necessary to purchase a new election laptop, because the existing one "froze up" during the election, it does not have Windows 10 installed as required by the State, and it is not technically or economically reasonable to upgrade the current model when new ones can be purchased for around \$500.00.
- Based on information she received at and subsequent to her recent MTA Clerk Training, Sullivan moved that the Board agree to request the Department of Treasury's Fiscally Ready Communities (FRC) program to provide on-site training with Crystal Lake Township Board members, the Zoning Administrator, and Policy Committee member Jill Marble regarding best practices for internal financial controls; Popp seconded; roll was called; all ayes. Motion passed.

**Financial Reports:**

- Popp presented the monthly financial reports for the General, Cemetery, Fire and Road Funds.
- Popp reported that the audit report was completed; Nielsen thought the report was good, but Ferris was concerned about lack of adequate controls and

segregation of duties; Sullivan pointed out that these issues will hopefully be addressed by the Dept of Treasury training.

- Popp presented her proposed timeline for preparing the FY 2020-2021 Budget.

## **Reports**

**Airport:** Popp presented copies of the agenda and reports from the Airport Authority's July 25, 2019 meeting; Ferris asked about personnel details.

**Assessment:** Board of Review was held Tuesday, July 16, 2019 to handle correction of any possible omissions and errors.

## **Building & Grounds:**

- The Building & Grounds Committee will meet to review the results of recent inspections and estimates and make recommendations regarding the heating and cooling system, repairs to stop leaks in the foundation, possible changes to the well head/water tank, and how to resolve the problem of rain water draining from the parking lot into the road and road culvert; Ferris asked that people not make independent changes to the building without notifying the Building and Grounds Committee.

## **Cemeteries:**

- Ferris reported that there have been 25-30 burials this year and all but 2 have been burials of cremains; the increase in burials has led to an increase in the discovery of mistakes made by previous administrations, such as improper location of gravesites, improper placement of foundations and headstones, etc.; the cost of correcting these mistakes should not be passed on to current customers, but the costs will be tracked.
- There have been several occasions when trespassers have left party trash on cemetery grounds.

**Enforcement:** There have been complaints of partying and drug use at the end of Ness Road, inappropriate use of fireworks, and new instances of blight; several complainants have signed complaint forms; Ferris asked if the Board was prepared to support the use of an Enforcement Officer and to enforce our Ordinances; Ferris said an updated report on recent Enforcement activity will be provided.

**Fireworks:** Ferris said the new lawyer said CLT's proposed Fireworks Ordinance, which is based on an MTA template, was too broad and included too many restrictions.

**Newsletter:** Ferris requested that those interested in putting information in the winter newsletter should let her know by September.

**Policy:** Ferris has completed re-typing almost all of the Policy revisions and the completed portions have been sent to the lawyer for review; she also noted that there may need to be changes made to the Policy depending on what is learned from the possible upcoming training.

### **Planning & Zoning:**

- Zoning Administrator Tom Kucera reported that there have been numerous inquiries about potential changes to properties, but few completed permits have been submitted; much time has been spent preparing documents for the Casey Road appeal case; the complaints regarding dock issues on Broadway, Vine and Linden streets may lead to citations being issued.
- The lawyer has completed review of the proposed amendments to Zoning Ordinance, sections 3.13, 3.14 and 14.8; the principal changes are increased limitations on the use of RVs/campers on residential properties, especially on smaller properties, due to concerns about liquid and solid waste disposal and access to water supplies, and some clarifications about garage sales; Popp expressed concern that the changes were too restrictive; Ferris moved that the Board approve the Ordinance to amend the Zoning Ordinance as presented and to enact said Ordinance following review and comment by the Benzie County Planning Commission or 30 days from this date, whichever comes first, and to thereafter publish it in a newspaper of general circulation within the Township within 15 days of its enactment; May seconded; roll was called; Ferris, May, Nielsen and Sullivan voted yes; Popp voted no. Motion passed.
- At its August 28, 2019 meeting the Planning Commission will work on a potential Ordinance dealing with the use of solar energy.
- Sullivan reported that the recently passed and enacted Ordinance to prohibit marijuana businesses in the Township has been forwarded to the appropriate State authorities; a Benzonia resident claim that the vote on the CLT Ordinance should have been held at a "general" election in 2020 rather than a "special" election in 2019 is believed to be incorrect, but will be investigated.

### **Roads:**

- Nielsen reported that the ballot language for the November 2019 election on a proposed road millage renewal was submitted to the County.
- Repairs to Figg and Thomas Roads were just completed; Cherry Street and other private roads off Birchwood Terrace will first have to be accepted as county roads by the County Road Commission before repairs can be considered; residents concerned about excessive rain damage on Thomas Road near South Shore need to petition the Road Commission for resolution; problems due to heavy equipment damage at the intersection of Figg, Thomas and Bridge Street will also have to be handled by the Road Commission.

**Unfinished Business:** Ferris moved that the Board approve a yearly appropriation of \$100.00 to the Benzie Area Historical Society to offset the cost of temperature

controls for the preservation and storage of Township archival documents; Sullivan seconded; roll was called; all ayes. Motion passed. The documents will be itemized before they are transferred and accompanied with a contract specifying that they remain the property of the Township and identifying the terms of the storage arrangements.

**New Business:**

- Corinna Hervey will be asked to provide more information about her new auditing firm and quotes will be solicited from her, our current auditing firm and other possible auditors; Ferris agreed to gather this information.
- The process for considering a mid-year salary increase for Zoning Administrator Kucera was discussed; Sullivan will work with Kucera to do the necessary research and present a Resolution at next month's Board meeting.

**Public Comment:**

- Jill Marble stated her objections to some facts and the tone of Popp's recent email response to her Public Comments at the July Board meeting.
- Commissioner Farrell suggested the Building & Grounds Committee might want to consider the use of "rain gardens", which use plants with deep roots to suck up rain water; she also said it was her understanding that State fireworks law superseded local municipalities' fireworks laws, i.e., local fireworks regulations may not be more restrictive than those authorized by the State.
- Zoning Administrator Kucera asked if the audit was available online and was told that it is; he also said he agreed that a policy was needed regarding the use of personal phones for township business or the possible purchase of township phones to be assigned to personnel for work purposes during their employment.

**Board Comment:** None.

**Meeting adjourned at 8:40 p.m.**

Sue Sullivan, Clerk, reporting.