

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

1651 Frankfort Highway, Frankfort MI 49635

December 21, 2021

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

**Pledge of Allegiance** was recited.

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

## **Agenda:**

Ferris moved to accept the agenda as amended to remove Debit/credit card discussion from Unfinished Business. Northway supported. Roll was called: All ayes. Agenda accepted as amended.

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

## **Minutes:**

- November 21, 2021, Regular Board Meeting
  - Sullivan shared a typo on page 2 - Pt. Bestie should be Pt. Betsie.

Ferris moved to accept the minutes of the November 21, 2021 meeting as presented. Popp seconded. Roll was called; all ayes. Minutes accepted as presented.

## **Correspondence:**

- Ferris shared with the Board the following correspondence:
  - Benzie Conservation District and Paul Olson regarding the sale of township property on Robinson Road.
  - Correspondence regarding Open Meetings Act explaining that effective January 1, 2022 public meetings must be conducted in person.
  - Correspondence from Northwest Education Services regarding collection of taxes
  - Correspondence from Thelma Novak-Rider regarding Crystal Lake Township, Board of Review.

- An e-mail was shared regarding trash on the Kullenberg property. Kucera said he and Sowa looked into this. The rubbish company was contacted and the trash was removed.
- There was additional correspondence regarding Ferris and Trentham-Popp that will be discussed during Board Relations.

### **Commissioner Miller Report:**

- Commissioner Miller thanked everyone for filling out the broadband survey. Crystal Lake Township and the City of Frankfort were very well represented.
- He also shared that he is still waiting on a response from the County Electrical Inspector regarding having the township hall electric system checked out.
- There was nothing new to report from the County administration level.
- Sullivan asked about continuing Zoom meetings. He explained that at this time the county is not extending the State of Emergency and as of January 1, 2022, meetings will be held in person.

**Public Comment:** There were no Public Comments.

### **Clerk's report:**

- Sullivan presented the warrant report.

Sullivan moved to accept the warrant report as presented. Ferris seconded. Roll was called; all ayes. Warrant report was accepted.

### **Treasurer's Report:**

- Popp presented the financial reports and asked the Board if anyone had any questions. There were no questions.
- Popp explained that the collection of taxes for Northwest Education Services was the usual standard contract.

Popp moved that Crystal Lake Township sign the contract as presented. Sullivan supported. Roll was called; all ayes. Motion carried.

\*\*There was a slight interruption due to loss of internet connection with Supervisor Ferris. She reconnected via telephone and directed Sullivan to tape the rest of the meeting since she was unable to. There was no township business conducted during this time.\*\*

### **Committee Reports**

## **Assessment and Board of Review:**

- Ferris shared with the Township Board the proposed Policy and Guidelines for Poverty Exemptions. She shared that the Board of Review spent a considerable amount of time on this policy. She asked the Board if they had any questions or concerns about the documents.
- Nielsen wanted clarification that if someone wanted to apply, they could do so online. Application materials will be available on line to download. He also believes we do not need to set a specific dollar amount and that people need to prepare a list of their assets ahead of time. Jill Brown said the state does require a dollar amount.
- Ferris explained that the State does ask for detail about money on hand, motor vehicles, life insurance, etc.
- Nielsen said there should be a spot for people to list their assets. Jill Brown agrees and that this was an oversight on the state side and suggests we can add a supplemental page.
- Nielsen feels our dollar amount for assets is too low. Ferris shared that she researched other municipalities and many were even lower. Northway feels the number is fair, if not even too high, but feels we can discuss this at a later time.
- Sullivan asked what the timeline was in having this done for the State audit. Jill Brown shared that if we do not have this done in time for the 2022 Audit the township would fail the audit, so it would be best to have it done before the March Board of Review.
- Ferris said they proposed accepting that someone at the poverty level (\$12,800) could still own their home, 2 cars, up to 2 weeks of income in bank, and up to \$4,000 in household assets and still be eligible for the exemption.
- Popp feels we should allow for people to have 6 months of income or 9 months of expenses including car and home insurance, etc. in their accounts in case of a catastrophic event. Most of our residents work in the tourism industry and are often unemployed and we should not be looking at how many cars they have, but rather allow one car for each driver in the residence to maintain their livelihood. Over 170 parcels have their taxes in escrow.
- Popp feels CLT should use the same hardship application that is used for MDHHS, Medicaid, etc. She believes it would be a lot of work for the Board of Review to have to value each asset that is owned. Ferris said the BOR members did consider these issues.
- Ferris asked the Board if they had any opinions on the Income Test portion of the Poverty Exemption Policy. Popp would like to see the lowest income be what is listed on the chart at the 150th percentile. She also wanted to know if these guidelines were legal; Ferris said they had not been tested in court.
- Jill Brown shared that the State did not set the audit details until this fall and Benzie County is one of the first municipalities being audited by the State under the new guidelines.
- Popp shared her concerns over the extensiveness and legality of the confidentiality waiver. Jill said people need to do this and know that the Board of Review meetings

are open to the public and the information is available to the public. Ferris shared that there is a handout that is distributed to the applicants with this information.

- Ferris feels we should have a special meeting to discuss this further. Northway moved that we hold a Special Board meeting to discuss this further and come up with suggestions for the Board; Popp supported and said the 1<sup>st</sup> or 2<sup>nd</sup> week of January would work the best. Roll was called; all ayes. Motion was passed.

**Budget Fiscal Year 2022-2023:** Ferris asked if this could be postponed at this time. There were no objections.

### **Information Technology:**

Popp moved to accept the resolution to hire Brian Halliday as I.T. liaison for Crystal Lake Township. Sullivan supported. Roll was called; all ayes. Resolution was accepted.

Ferris moved to accept the new contract with Eclipse Communication for the township's Information Technology. Sullivan supported. Roll was called; all ayes. Contract was accepted.

Ferris asked for clarification on whether the pricing could change during the 3-year contract. Halliday said yes, it could, with a 30 day notice by either party.

- Sullivan shared a conversation she had with Eclipse Communication and the knowledge that Consumer's Power will be installing fiber optic cables. Sullivan asked if Popp and Northway would like to discuss this further with Eclipse and how it relates to us and our federal grant money. Popp and Northway said they were supportive.

### **Planning and Zoning:**

- Special Public Hearing: Kucera shared that there will be two special meetings of the Planning Commission to discuss the RV Park expansion and a proposed Solar Energy ordinance. These will both be held during the regular Planning Commission meeting on January 26, 2022, at 7 p.m. He urges residents to attend and comment on these issues. There are also two variances required in the new RV Park plan which will require the Zoning Board of Appeals to meet on this.
- Kucera also shared that the Kullenberg case won their appeal. Our attorney is trying to contact her attorney to try to work through mediation.
- Kucera will have an annual report to present to the Board at the next regular meeting in January.

### **Unfinished Business:**

- Parcel Sale: Ferris shared information from an attorney and our insurance agent who believe it would be okay to sell the parcel. She will be attending a webinar on the issue of selling township properties. Sullivan is against selling the property and would like to have a forestry group look at it. She feels in the long run, selling the property would be a disservice to our residents. Popp agrees with Sullivan.

- Zoom/Open Meetings: Ferris shared that after January 1, 2022, meetings must be conducted with members physically present. Sullivan said that MTA suggests that communities contact their legislative representatives to let them know our concerns. Sullivan moved that Nielsen draft and send a letter to our state legislators on behalf of Crystal Lake Township sharing our belief that the option to continue Zoom meetings should be extended. Ferris supported. Roll was called; all ayes. Motion passed.
- Clean Up Date: Ferris stated that the trash collection businesses she contacted were not ready to handle a voucher system at this point. Sullivan said if we are going to continue to do local trash drop-off, the Board should be willing to pay people to work at the collection point rather than depend on volunteers. Ferris shared that Brian and Sondra Halliday agreed to coordinate next year's Clean Up days. Brian will get information together to share with the Board at the next meeting, including firm dates.
- Board Relations: Ferris shared with the Board email communications between her and Treasurer Popp. Sullivan and Northway agreed that there are issues that need to be resolved between the two.

### **New Business:**

- Enforcement Authority: Sullivan shared with the Board a proposed new policy that would prohibit Board members from taking personal actions to enforce ordinances, because she believes enforcement belongs to our Enforcement Officer and local police departments. Kucera shared that there are different types of violations, civil and zoning, and that an Ad Hoc committee could be put together to come up with guidelines. Ferris feels we should wait to vote on this until the Ad Hoc committee meets and agrees our enforcement policy should be looked at.
- Popp feels that no individual member of the Board should initiate enforcement. This could result in physical safety.
- Northway feels that we are in very unusual times and people need laws to be enforced. Why would we have rules if they are not enforced? He also pointed out that police officials urged local authorities to initiate the first steps with potential firework violations by documenting them.

Sullivan moved to accept the enforcement resolution as amended:

- Fourth "Whereas" will be rewritten as: "there are ongoing disagreements between Board members as to who and how perceived violations of township ordinances should be addressed;"
- Section B shall read: "no individual members of the Board shall initiate any enforcement actions without the prior involvement of the CLT Zoning Administrator and/or Enforcement Officer, who are the trained professionals in this area, until," and
- Section C to read as follows: "the Zoning Administrator and Enforcement Officer review CLT's existing policing ordinances and then meet with two board members and a law

enforcement officer to discuss a variety of scenarios and propose a protocol for ordinance enforcement that shall be codified in the Ordinances.”

Popp supported. Roll was called: Ferris, no; Nielsen, yes; Northway, no; Popp, yes; Sullivan, yes. Resolution was passed.

**FY 2022-2023 Budget:** It was agreed that a Special Meeting will be held on Tuesday, January 4, 2022, at 7 p.m. to discuss the 2022-2023 budget. Popp said we also need to vote on millages at that time.

**Public Comments:** There were no Public Comments.

**Board Comments:** Popp informed the Board that she will be in the office on Monday, December 27, 2021, all day for tax collection. She also wished Board members safe and healthy holidays.

**Meeting adjourned at 9:25 p.m.**

Sue Sullivan, Clerk, and Sondra Halliday, Clerical Assistant, reporting.