

BATES TOWNSHIP BOARD

The regularly scheduled meeting of the Bates Township Board was held on Wednesday, February 13, 2008 at 6:00 p.m. at the Township Hall.

Supervisor Schmidt called the meeting to order; Pledge of Allegiance was recited.

Roll call was taken with Supervisor Schmidt, Clerk Moncivais, Treasurer Franzene, Trustees Demboski and Wodzinski were present. Also in attendance were Water Superintendent Benson; Sewer Maintenance Konoske; Attorney Atanasoff; Zoning Administrator Rybicki; Constable Demboski; Zoning Board of Appeals Pozniak and Stowell; Zoning Board Helgemo and Stolberg; Marian Volek- The Reporter; and Residents. County Commissioner Wills was absent.

ATTENDEES

Franzene moved to accept the minutes of the January 9, 2008 regular meeting. Supported by Wodzinski. All ayes. Unanimous. Motion carried.

MINUTES

Treasurer's report for the month of January was submitted. A full report will be kept on file for audit.

FINANCIAL REPORT

GENERAL FUND:	\$	172,848.67
SEWER FUND:	\$	130,187.33
WATER FUND:	\$	209,863.86
Road Fund:	\$	141,130.27
Liquor Law:	\$	

COUNTY COMMISSIONERS REPORT – Commissioner Wills was absent.

SPECIAL PROJECTS

S 2 Grant – Jeff Bal updated the Board on the S-2 grant. He stated that they have worked on the grants for 5 other communities. There has been some success but a lot of frustration. At this time there are still no promises that the money is there. There seems to be a lot of strings involved. Per Jeff they haven't spent much of our townships grant \$. He stated that based on what STS is seeing he recommended that the Board send a letter to the state declining the grant. Schmidt questioned as to using the grant for other things. Bal stated that there would have to be proof of a pollution problem and/or proof of a potential health risk. The money could be used for upgrading the lift station. He stated that the interest rate is rising. Bal suggested again that the township not take the grant. Schmidt asked what if we had a plan to upgrade and then wait for the loan from the state. Franzene questioned do you mean get a loan for other sewer projects? So far the grant only helps pay for the study. Bal said that the township would be under the states magnifying glass on whatever is done, more so now than ever before. Bal said again they recommend we just walk away from the S-2. The interest rate was said to be 1.58% now it's up to 2.5% and no promise of the money when needed. It will cost \$30,000-\$35,000 just to do a study. Wodzinski commented that it appears that the S-2 isn't as good as it looked. Moncivais said that STS works with this everyday. Demboski said "they're the experts we should follow their advice." Franzene asked Bal if STS can write the letter declining the grant. Bal said yes and that there's not much to lose right now if we opt out. A motion was made by Schmidt to opt out of the S-2 grant and have STS write a letter to the state. Supported by Demboski. Roll call vote: Franzene, yes; Wodzinski, yes; Moncivais, yes; Schmidt, yes; Demboski, yes. Unanimous. Motion carried.

S2 GRANT SEWER

New Sewer Project Projection – Schmidt had asked STS to come up with a rough estimate for sewer line installation that would come from Passamani Road east on US2. It would incorporate the hall, bar and motel for now. The rough quote was for \$500,000. Wodzinski asked how close to Wildwood Lake would a pump station have to go because that is serious wet land. Bal said that you always want to build the station near or at the lowest area near the lake. The pump station will be powered. The DEQ would require stand by power. It could easily cost \$150,000 just for that. Bal stated that this is a significant project that needs the pumps station first with a minimum upfront cost of \$350,000

Bal would have liked to see a surcharge on the Wildwood Lake lots when they were sold because eventually a sewer system may be needed. Franzene commented that banks don't like to stretch loans much past 20 years. Schmidt asked about other grant money. Bal stated that Rural Development might have money available. That's probably the townships best choice at this time. Bal said that maybe the township should file an application with Duane Reid USDA. Franzene stated that we have about 6 years left of the current sewer loan at The Miner's Bank. Franzene, Bal and Schmidt will talk to Duane Reid and see what is available. Schmidt reminded that he wanted to run the sewer down Chicagon Mine Road before it was blacktopped if the township could afford it. Bal stated that if you don't ask about the grant money you'll never get it.

UNFINISHED BUSINESS

Zoning Update – Nothing new to report. Rybicki is waiting until spring to raise issues again regarding docks with that might not have been "permitted."

Chicagon Lake Boat Landing – Atanasoff stated that was nothing new to report. Schmidt stated that he talked to the school. There are aware of the project. The township will pay for the materials and the school will do the sign. The school will contact Andreski's for their input. Alex Atanasoff can then coordinate the installation of the sign.

CHICAGON
LAKE BOAT
LANDING

Ground water Permit – Schmidt stated that a letter was received requiring additional information. He and Konoske completed the information. Moncivais will resubmit the permit. Moncivais has a copy on file.

GROUND
WATER
PERMITT

Section 16 Road Residents / Problem with water – Resident Virginia Donati stated that the problem is not much better. They still can taste rust in the water. Schmidt reviewed the additional measures that the township is taking to correct the problem. Schmidt stated that he believes that after the blacktopping the vibrator shook loose a lot of debris in the lines. He thanked Donati for her patience and assured her that the township is continuing to try and correct the problem.

SECTION 16
ROAD /
WATER LINE
PROBLEMS

NEW BUSINESS

Attorney Report – Atanasoff stated that at the continued meeting for the Basto property condo application there was a lot of activity that caused the township Zoning Board and himself take a very good look at funnel developments. He stated that there has been a lot of research on keyhole development that was turned over to Don Autio and passed along to the Zoning Board members. The main points are that there was a substantial input from people regarding the applications. There appears to be a lot of resistance to allowing condos without some type of regulation. The Zoning ordinance doesn't cover condos. Multifamily units fall under special use permit. The information the he and the Zoning Board has is very extensive. He stated the Marian Novak provided info on how to do a lake study. MTA also provided another study. This is a study to determine a lakes capacity and a variety of other factors. He stated that he and Franzene tried to come up with an approximate number of water customers on the lake of 133. He stated that we are very close to capacity now as far as keeping the lake at status quo. He stated that the township has a duty to look at a density ordinance. The best course of action is to come up with an ordinance and make an amendment that would treat the property fairly. He stated that the Zoning Board still has to act on the Basto application. He heard that there is another application for the Gendzwill property that would be a much larger development. . Schmidt stated that the meeting should be heard on the same night. Two different meetings, same night. Schmidt stated that it's our responsibility that the infrastructure can handle it and that it doesn't over power the lake. Atanasoff stated that the Zoning Board needs to act, not put a moratorium on the issue.

CONDO APP.
– BASTO
PROPERTY

Unemployment Status – Moncivais stated that Mike Willis recently filed an unemployment claim. She stated that she was contacted by the State regarding the township’s status as a contributory or reimbursing employer. She stated that the minutes from early in 1980 indicated that at that time the township decided to be a reimbursing employer. The difference is that a reimbursing employer doesn’t pay into unemployment until such time as a prior employee becomes eligible to receive unemployment. A contributing employer pays in all the time and the state keeps the money even if no employee ever files an eligible claim. A motion was made by Franzene to remain a reimbursing employer. Supported by Wodzinski. Roll call vote: Schmidt, yes; Moncivais, yes; Demboski, yes; Franzene, yes; Wodzinski, yes. Unanimous. Motion carried.

EMPLOYER
UNEMPLOY-
MENT

List of Voters – Moncivais stated that especially during an election year there are a lot of requests from various people and/or organizations for a list of names/addresses of the township registered. She asked the Board what they would like to charge for these lists as it does take time and materials. She had checked with the county and they charge \$.25/page and they felt that it should be more. Moncivais stated that the report is about 50 pages long. A motion was made by Schmidt to charge \$50 for the list. Supported by Demboski. All ayes. Motion carried.

VOTER LIST

Board of Review Dates – Assessor Nelson gave the dates to Moncivais to publish. They are March 4th 10:00 a.m. Organizational meeting. Monday – March 10th 10-12 and 1-4. Thursday – March 13th 1-4 and 6-9.

BOARD OF
REVIEW
DATES

Township Website – Moncivais told the Board that she had been investigating the cost of a website. She stated that it would be great to move the township into the future. On the website the monthly meeting minutes could be uploaded along with agendas, special meetings, ordinances, fees, etc. She questioned the Board as to whether she should continue getting more information for the new fiscal year. The Board thought it was a good idea. Tabled until the new fiscal year.

TOWNSHIP
WEBSITE

Board Budget Workshop – The Board members set the date to work on the budget on Monday March 24th at 6:00 p.m.

BOARD
BUDGET
WORKSHOP

Board Salary Resolutions – Schmidt asked the Board members what they wanted to do about raises. Moncivais told those present that the Salary Resolutions have to be made public a month before they can be voted on. She said that she would go first and explained that she has been the township clerk for going on 8 years. She was born and raised in this community and is proud of the township. She stated that she is also proud of the Board that has continued to work within it’s budget regardless of rising costs all around. She stated that her job is to pay bills, do payroll, bookkeeping, keep all township records in order, she works the cemetery program and is a certified to run elections. She also stated that there is a lot of other duties besides these. She stated that based on a 30-40 hour work week her wage can be as low as \$6/hour. She stated that based on a 40 hour work week she is seeking a \$2/hour raise rounded up. She is asking for \$16,500 for the year. She stated the township telephone number and her home phone number and said that she would be happy to take any calls regarding her duties and whether or not the raise is deserved. Schmidt stated that he feels that his job and family need him and that at this time he does not intend to run for the Supervisor position in November. He asked Franzene about her salary. She stated that she does the water/sewer billing and collections. She is also responsible for tax mailings and collections. Moncivais stated that Franzene has held her office the longest and is acquainted with lots of the township’s history. Franzene stated that she understands that in some respects these jobs aren’t going to pay like the real business world and they are part customer service for our community. She requested a \$2000/year raise. Wodzinski stated that she should round up and be at \$16,500 also.

BOARD
SALARY
RESOLU
TIONS

Board Salary Resolution (cont'd) - Demboski stated that these girls are grossly underpaid for what they do. Schmidt and Wodzinski agreed that for what they do in their jobs these raises are well deserved. For the Trustees Moncivais stated that Iron River Township is comparable and that their Trustees get \$300 per month / Bates gets \$98.35/meeting. Wodzinski stated that he thought the Trustees should get some increase. Moncivais stated that the Wodzinski goes with Schmidt to some of the outside meetings and that has to be a lot in gas alone not to mention time. Demboski stated that due to her full time job she can't attend the outside meetings like Wodzinski does but she felt the Trustees position should get a raise. Moncivais stated that many of the Board positions have gone without raises on many occasions. Wodzinski stated that he felt \$150 per meeting would be fair. Schmidt asked the Board about extra money for each outside meeting that Wodzinski attends. Schmidt asked Wodzinski if \$20 per meeting was okay. Wodzinski said yes. Moncivais said that Trustees should be turning in their mileage also. Schmidt explained that the Board felt that all positions are due for a raise including the employees and the other Boards. He stated that the money is coming from the money that was saved from going from 2 full time employees with full paid insurance and retirement to 1 full time employee with benefits. The savings should be spread around to everyone. Resident Donati asked why the money couldn't be put somewhere else. Schmidt said that all of these people work hard for the township. Moncivais repeated that it's not "new" money being spread around its money that was already being designated to an employee.

Bates Amasa Road – Schmidt stated that he received a very disturbing phone call from an inconsolable mother that had nearly witnessed her kids being killed. He explained about the logging truck school bus incident on Bates Amasa Road. He stated that he once again talked to the Road Commission about cutting the timber back on that corner. He said that they went to the site and they agreed to take care of the corner. Wodzinski stated that there are two more bad corners one by Kopenski's and one before the bridge. He stated that our water line made a drastic improvement on clearing the Bates Amasa Road where the water line was put in. Stolberg stated that the road commission owns a 100' right of way and there a lot of drying timber that they should harvest.

BATES
AMASA
ROAD
SCHOOL BUS
INCIDENT

Road Commission Meeting Update - Schmidt stated that there was talk at the meeting about a county wide mileage for road maintenance. The municipalities would get the money. Schmidt stated that none of the municipalities agreed to it and the municipalities already have to pay for their own roads.

ICRC
MEETING
UPDATE

USDA Payments – A letter was received to see if the township wanted to go to electronic withdrawal of our payments to Rural D. The Board took no action and decided to continue on the way it currently was by sending a check when an invoice was received.

USDA
PAYMENTS

Cemetery/Park Spring Cleanup – Since the prison crew is no longer available for spring clean up a motion was made by Schmidt to use the school system class of students as discussed at last months meeting for a donation that was equivalent to what the prisoners were paid \$500. Supported by Wodzinski. All ayes. Motion carried. Stolberg questioned as to if there was any liability issues, Atanasoff stated that it was no different than having the prisoners. The clean up was being done in a public place.

CEMETERY/
PARK
CLEANUP

Guest Comments

Sunset Lake Condo Proposal – Resident Novak's distributed copies of letters to the Board and asked to read a few highlighted areas of the letter. (Letter on file with these minutes) It was pointed out to the Board that Sec 1.02 of the Zoning Ordinance stated that the fundamental purpose of the Ordinance is to protect the public health, safety, morals and general welfare of the inhabitants of the township as well as the land and resources. The Board was asked to remind the Zoning Board that their decision regarding the condo project should not be based on building a tax base.

SUNSET
LAKE CONDC
PROPOSAL

Sunset Lake Condo Proposal (cont'd) - The Board was asked to recognize that there is already a 150' frontage ordinance in place that was written to avoid over crowding. The letter stated that the lake is already at or very near carrying capacity. The letter requested that the Township board make a recommendation to the Zoning Board that no keyhole developments be allowed and no building allowed on less than 150' which is already established in the zoning ordinance. Schmidt pointed out that the Zoning Board has made no decision yet. He also stated that whenever there is an opening on the Zoning Board it is nearly impossible to get someone to fill the position. He stated that he is going to back whatever decision the Zoning Board makes. Schmidt stated that he didn't want this meeting to turn into another 5 hour long meeting like the Zoning Board meeting the other night. Resident Christensen countered that the meeting was not 5 hours and that she thought a lot of education came out of that meeting. Moncivais stated that she felt the residents should be able to express their opinions briefly at this meeting. Mrs. Novak stated that she felt if the anti-funneling information had not been presented that the Zoning Board would have gone forward with their decision. Zoning Board Member Helgemo stated that he was familiar with keyhole developments before the last meeting. He felt that there was no way that the decision was going to be railroaded through in his opinion. Schmidt stated thanked the residents for the information and reiterated that this was not the Board or the place to review the information again.

HALL, WATER, SEWER REPORTS...

Hall – Nothing new to report. / **Sewer**– Nothing new to report. Resident Christensen asked if there was a regular maintenance schedule on the pump houses. Schmidt stated that they are checked everyday. Christensen stated that there was sewer all over going into the lake near her home. Schmidt stated that the pumps don't really go down alot. The township is keeping it's on in the pump and that Christensen stated thank you Ernie we appreciate that the township is doing a good job. She also mentioned that there is a dead tree that is going to fall on the lines. Constable Demboski stated that Asplund can take care of that problem when they come through the township. / **Constable** – Nothing new to report. / **Park** – Nothing new to report. / **Water** – Schmidt stated that there was a break on the Sunset Lake Rd near Hwy US 2. The main would have to be repaired in the spring. Benson stated that T & T does a great job and Tarsi's excavator could be used or one day. Schmidt stated that this is maintenance and d it's too small to bid. This is a get in, get fixed, get out job. Benson will get a price per hour on the excavator and bring to the next meeting. Benson had some information on the new bag phone thru ALLTEL. Schmidt suggested that he get literature from Cellular One also. Moncivais can check on the expiration of the contract for the next meeting. Benson mentioned that a new dump trailer might run about \$3000-\$4000 dollars. Schmidt said that the township can't afford a new dump truck. We'll have to wait until we work on the budget.

CORRESPONDENCE ...

- MDOT letter – No action taken.
- Erickson letter regarding Sec 16 Rd Waterline – Put on file.
- Caspian Event Announcement – No action taken.

INVOICE APPROVAL

A motion was made by Franzene to pay the township invoices. Supported by Wodzinski. All ayes. Unanimous. Motion carried

ADJOURNMENT

A motion was made by Franzene to adjourn. Supported by Demboski. The meeting adjourned at 8:05 PM. Unanimous. Motion carried. The next regular meeting to be held at the Township Hall on Wednesday March 12, 2008 @ 6:00 PM.

Ernest Schmidt, Supervisor
Date approved: _____

Barbara Moncivais, Clerk