

BATES TOWNSHIP BOARD

The regularly scheduled meeting of the Bates Township Board was held on Wednesday, November 12, 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, Trustee Wodzinski present. Also in attendance were Sewer & Water Dept's Konoske and Benson; Attorney Atanasoff; Zoning Administrator Rybicki; Zoning Board Helgemo & Stolberg; Zoning Board of Appeals Pozniak and Stowell; Assessor Nelson, Marian Volek-The Reporter; Residents. Zoning Administrator & Trustee Demboski, Commissioner Wills were absent.

ATTENDEES

Franzene moved to accept the minutes of the October 8, 2008 regular meeting with the following correction on page 3 from Wodzinski being absent to Demboski being absent. Supported by Wodzinski. All ayes. Unanimous. Motion carried.

MINUTES

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

FINANCIAL REPORT

General Fund:	\$	19,857.16
Sewer Fund:	\$	92,777.84
Water Fund:	\$	213,360.60
Road Fund:	\$	21,258.55
Liquor Law:	\$	

COUNTY COMMISSIONERS REPORT – Commissioner Wills was absent. Supervisor Schmidt stated that he talked with Wills about the letter regarding the PILT monies. The township wished to receive those monies direct as we have in the past and we do not want the monies to go to the County and then be distributed.

SPECIAL PROJECTS

Sewer Grant – Brett from STS Consultants was present. He stated that they have nothing new to report. We have applied for the grant that would allow a sewer system from the Rogers Location down to about the Woodz Inn. WE did receive a letter from Duane Reid USDA that our application was complete. Now we are waiting to see if we can get funding. If it goes through STS would start working right away on the engineering, at least the preliminary engineering. We would probably have to wait until spring for a survey. Brett stated that the township should hear something within a couple of months. Schmidt reminded everyone that Carl Levin's office did provide a letter of support for the project.

SEWER GRANT

Zoning Update - Rybicki was absent. Schmidt stated that Rybicki's resignation was received effective today. / Dirt Bike Track - Schmidt stated that Krist Atanasoff did receive the letter from the township. He contacted Schmidt over the past weekend and he sent a bulldozer out to level the dirt bike track. Schmidt stated that with the County Board getting ready to work on an ORV ordinance that should take care of the traffic on the road. The township received a letter that at the October 28th meeting of the ICC they elected to consider adopting the ordinance re: ORV's. There will be a public hearing on December 23rd at 1:00pm in the Crystal Falls Courthouse. Franzene questioned that by him leveling the track what does that mean. Schmidt stated that as far as he's concerned the case is closed. Krist stated that he has nothing against anyone on the Board. Schmidt and Helgemo both saw the track now and it looks okay. Wodzinski stated that this should solve the problem Atanasoff stated that the township shouldn't spend anymore money on it. Wodzinski said that if anything comes up it will be next spring./ Section 14 Road – Schmidt stated that the meeting that was scheduled for November 10th was cancelled because there were typo errors in The Reporter Ad. The first week Tarsi's name and address were wrong, the second week just the address was wrong, the third week the ad wasn't even in the paper. Moncivais read the new ad that will be published. A new ZBA meeting will be held December 18 at 7:00 p.m. to hear the variance request.

DIRT BIKE TRACK

SECTION 14 RD

UNFINISHED BUSINESS

Zoning Update (cont'd) - Pozniak said that he would like Atanasoff at the meeting. Schmidt asked Atanasoff if the ZBA could have a meeting to review the procedures info that they received at a recent seminar. Atanasoff said that it should be posted like a regular meeting due to the Open Meetings Act. Pozniak will pick a date when the crew can get together. It will be posted 18 business hours prior at the township hall. Pozniak stated that the ZBA has done a pretty good job with what they've had to work with. Moncivais stated that they can only discuss the procedures at the meeting. / Pozniak stated that they recently heard a petition for the Sensenbrenner property at Perch Lake. The procedures state that the ZBA members should not take minutes. There should be someone else present to do the minutes. Moncivais was present and Pozniak said that she did a great job. Pozniak stated that it's too hard to take the minutes and participate in the discussion at the same time. Moncivais was told that she would be compensated. Schmidt asked what she wanted. Moncivais stated that she would take the amount that the members get at the meeting and then an additional \$25 for the time spent after the meeting preparing the paperwork and minutes. Franzene stated that this was pretty cheap. A motion was made to Moncivais this money by Schmidt. Supported by Wodzinski. Roll call vote: Franzene, yes; Schmidt, yes; Wodzinski, yes; Moncivais, abstain; Demboski, absent. Motion carried.

Chicaugon Lake Boat Landing – Nothing new to report.

CHGN LAKE
BOAT
LANDING

Christmas Party – Moncivais reminded everyone that the Youth Christmas party will be Saturday December 13th from 1 – 2:30.

YOUTH
CHRISTMAS
PARTY

Zoning Ordinance Amendment – Atanasoff read the amendment. The township received a letter from the County Planning Commission approving the amendment. The Board must approve and then it will be published one more time. Atanasoff said that the result is that the amendment will dramatically restrict multi-family dwellings on any water or riverfront in Bates Township. Franzene asked if the public was okay with this and satisfied. Atanasoff stated that the public wanted it totally prohibited. He believed this was the biggest turnout the township has ever seen on an issue. A motion was made by Wodzinski to adopt the Zoning Ordinance Amendment replacing Section 5.01 of the Bates Township Zoning Ordinance. (Copy on file) Supported by Wodzinski. Roll call vote: Schmidt, yes; Moncivais, yes; Franzene, yes; Wodzinski, yes; Demboski, absent. Motion carried. Atanasoff will publish in paper and email a copy to Moncivais to upload to the website.

MULTI
FAMILY
WATERFRONT
ORDINANCE

NEW BUSINESS

Attorney Report – Nothing new to report.

Zoning Administrator Resignation – Moncivais stated that she received the resignation of Gene Rybicki effective November 12th. She will publish a want ad with a deadline for the December meeting. She did receive one letter of interest already from Gale Stowell. Moncivais read the letter and his qualifications. The letter will be kept for the December meeting. Helgemo stated that he would like to see more interested people submit letters. He also stated that it was nice to have Stowell's interest because of his previous qualifications.

ZA RESIGNA
TION

Zoning Board Member Resignation – Moncivais stated that she received a resignation effective November 1st from Grant Helgemo. She will publish a want ad with a deadline for the December meeting to replace Helgemo. In the meantime there was one letter received from Mark F. Gasperini to replace Jim Stolberg. Schmidt read the letter. He stated that if there had been more letters of interest he would have tabled the issue for the new board to handle. He said that it's a thank less job sometimes. He said that 12 years ago Bob Nelson asked him to be a Trustee. He said that he knew nothing about politics.

ZB RESIGNA
TION

Zoning Board Member Resignation (cont'd) -He stated that he's learned a lot and that he felt that it was his way of doing something for the township. He asked other people to think about getting involved. Since there was one letter to replace one person at this time he would move to accept Mark's letter to replace Jim Stolberg. Supported by Moncivais. All ayes. Motion carried.

Board of Review – Assessor Nelson stated that it's time for the BOR to call for applicants. This must be done every two years. She hopes that the current members submit letters and she hopes the Township Board would consider keeping them because they have been very good. They treat the residents with courtesy. They give a lot of consideration to each request. They've been doing a fine job.

CBOR
APPLICANTS

Randy Jump Lake – Randy Jump submitted a letter (copy on file) and a request to name the lake after his dog. Atanasoff stated that this should be a request that also goes before the Forest Service. Helgemo will contact Jump and tell him that.

JUMP – LAKE

Assessor Recertification – A motion was made by Moncivais to pay the \$75 fee to get Assessor Nelson's recertification with the State. Supported by Franzene. All ayes. Motion carried.

ASSR FEE

Administration Fees – After some discussion a motion was made by Franzene to go on record as collecting the 1% Administration Fee with taxes. Supported by Moncivais. All ayes. Motion carried. It was noted that all necessary steps are taken to ensure that the funds generated by the property tax administration fee are dedicated solely to the property tax function as specified by MCL 211.44.

ADMIN
FEES

ZB, ZBA & BOR Board Members Reimbursement – There was a discussion as to whether Board Members should be paid for their time to go to seminars and paid for their time to go and do sight evaluations. Wodzinski asked "how many need to go?" Pozniak stated that each member should see the sight for themselves in order to make a decision. Schmidt stated that the more knowledge they have the better. Assessor Nelson stated that sometimes the BOR members go out to see a property in order to make a decision. Jim Stolberg stated that the more people that see the property the better. He also said that he always understood through the years that the fee a Board member was paid was to include a visit to the property. He said that he was always satisfied. Atanasoff stated that maybe the Board should deal with this at budget time. Mileage is reimbursed at \$.40/mile. Moncivais will see what the other municipalities do. Schmidt tabled the issue until the next Board meeting.

REIMBURSE-
MENT

GUEST COMMENTS

Zoning Administrator – It was noted that Moncivais and Helgemo would collectively get the keys and files from Rybicki. Helgemo will temporarily oversee this position until December when a new Administrator is appointed.

Craig Tarsi – He identified himself as the Resident building the garage on Section 14 Road. He expressed his disappointment in the letter that Ed Bonk wrote to the Reporter about the situation. He stated that Bonk was wrong in his statement that this was a blatant defiance of the ordinance. Tarsi stated that he did everything that he needed to do to do this project. He wanted to set the record straight. He had a zoning permit. He wished that Bonk would have come to Tarsi or the Board before doing a letter to the Editor. He stated that the letter doesn't help anybody. Tarsi stated that he went to Rybicki. Rybicki gave him a permit. It's unfortunate that this had to happen this way. Schmidt agreed that if a person has a problem they should address the Board directly. It's not necessary to hang it out there for all to see. We're all doing the best we can.

SECTION 14
RD

HALL, WATER, SEWER REPORTS...

Hall – Nothing new to report other than John Ahlberg will be looking at the hall lights. / Sewer A motor was picked up today by a Vendor. They will do an estimate on the cost to repair. – Konoske stated that he's going to get an estimate on the ceiling flange on the pump gears. / Constable – Nothing new to report. / Park – Nothing new to report. / Water – Benson got estimates on metal locators, both for repairing the ones we have or getting new ones. Schmidt stated that the employees use these everyday. A motion was made by Wodzinski to get the "cd detector repaired at a cost of \$434. Supported by Moncivais. Roll call vote: Schmidt, yes; Franzene, yes; Wodzinski, yes; Moncivais, yes; Demboski, absent. Motion carried. / Cemetery – Nothing new to report.

CORRESPONDENCE ...

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 Wodzinski. The meeting adjourned at 7:30 PM. All ayes. Unanimous. Motion carried. The next regular meeting to be held at the Township Hall on Wednesday December 10, 2008 @ 6:00 PM.

Ernest Schmidt, Supervisor

Barbara Moncivais, Clerk

Date approved: _____