

BATES TOWNSHIP BOARD

The regularly scheduled meeting of the Bates Township Board was held on Wednesday, January 14, 2009 at 6:00 p.m. at the Township Hall.

Clerk Moncivais called the meeting to order; Pledge of Allegiance was recited.

Roll call was taken with Supervisor Helgemo (arrived later); Clerk Moncivais, Treasurer Franzene, Trustees Wodzinski and Bobnock were present. Also in attendance were Sewer & Water Dept's Konoske and Benson; Attorney Atanasoff; Zoning Administrator Stowell; Zoning Board of Appeals Pozniak; Assessor Nelson, Marian Volek, The Reporter; Residents. Constable Demboski and Commissioner Wills were absent.

ATTENDEES

Franzene moved to accept the minutes of the December 10, 2008 regular meeting. Supported by Wodzinski. All ayes. Unanimous. Motion carried.

MINUTES

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

FINANCIAL REPORT

General Fund:	\$	52,592.86
Sewer Fund:	\$	97,431.88
Water Fund:	\$	226,294.22
Road Fund:	\$	46,732.72
Liquor Law:	\$	

COUNTY COMMISSIONERS REPORT – Commissioner Wills was absent.

SPECIAL PROJECTS

SEWER GRANT

Sewer Grant – Nothing new to report.

Zoning Update – Zoning Administrator Stowell noted that he is working with a Resident on Section 3 Rd on an issue.

Zoning Permit Fees – Supervisor Helgemo gave an overview of previous discussions. He stated that some people that don't go through the permit process should get some form of penalty. Until now, they just get a permit after the fact. The current permit fee is \$35. A motion was made by Wodzinski that the person must pay the permit fee plus a penalty of 3 times (x) the permit fee, effective immediately. Supported by Bobnock. All ayes. Motion carried. ZBA Pozniak questioned as to if that would be enough. Clerk Moncivais stated that in previous discussion the Board agreed that people can be permitted to death. Helgemo stated that this is a small township just trying to get people to comply. Atanasoff stated that it's consistent with other townships. Moncivais will add the information to the website.

SECTION 14 RD

Section 14 Road – Supervisor Helgemo gave an overview of the situation. He stated that at the decision meeting on 1-7-09 the variance application was denied. That would leave Tarsi's with two options: 1) bring the garage into compliance or tear it down 2) purchase a parcel from Erickson's. Erickson's stated at the meeting that they would sell a piece for a reasonable price. Helgemo stated that we must enforce the ordinance. Tarsi can only dispute through circuit court at this time. Atanasoff stated that where permits have not been applied for or setbacks have not been met then the township needs to equitable, fair, and uniformly enforce the ordinance. Treasurer Franzene asked what if Tarsi appeals and loses again. What is a reasonable amount of time before the ordinance is enforced? Helgemo stated that the court would probably set the time limit. Helgemo stated that this has taken a toll on the ZBA members. Pozniak confirmed with Clerk Moncivais that the postal return receipt was received back by Moncivais. Atanasoff stated that he knows it's an unwritten rule "no fighting in Bates Township". It' up to the township to try and assist with a resolution. A motion was made by Helgemo to table the enforcement action until the next meeting to allow the neighbors an opportunity to resolve this between them. Supported by Wodzinski. All ayes. Motion carried.

ZB- ZBA SIGHT EVAL/SEM PAY

UNFINISHED BUSINESS (cont'd)

County Board Meeting – ORV Ordinance – Attorney Atanasoff gave an overview. He stated that the County encouraged comments from other municipalities. Although Bates asked them to address the noise statutes, the county stayed within their original draft. Whether the county enforces the ordinance remains to be seen. Atanasoff stated that we could make it clear to our County Commissioner that they should give the Sheriff's dept the direction to do enforcement activities. This could result in a visit from law enforcement to enforce the ordinance. Helgemo stated that the new ordinance will allow ORVs on all roads except US2.

ORV
ORDINANCE
– IC

Zoning Board Member Appointment – There was one letter of interest received from Jon Oberlin. A motion was made by Helgemo to appoint Jon Oberlin to the Zoning Board of Appeals. Supported by Moncivais. All ayes. Motion carried. Moncivais added a "thank you" to Oberlin for his interest.

ZBA APPT

NEW BUSINESS

Attorney Report – Atanasoff reviewed the Land Division ordinance and application that he did. Assessor Nelson stated that this will be much better. Helgemo stated that he has heard about different fee amounts that other townships charge for land division. Wodzinski questioned the fees versus the size of the parcel and # of splits. Helgemo stated that the same process has to be gone through. Franzene questioned if the Assessor should get the fees? Compensation for the work is important. The Board will review the information. No action taken. Discussion tabled until next month.

LAND
DIVISION
ORD & APP

Employee Health Insurance – Clerk Moncivais gave an overview that the research was being done and that Konoske was involved so that the best plan could be chosen for him and the township. There were currently bids being received from 3 companies. It definitely appeared as though the township could save money by going with a different plan. Helgemo reiterated this information. No action taken.

EMPLOYEE
HEALTH
INSURANCE

WIC Fire Board Rep – Clerk Moncivais stated that Ernie Schmidt and Jim Stolberg had indicated that they would like to remain on the Fire Board as Bates Township Representatives. The Board Members had no problem with this. This will remain the same.

WIC FIRE
BOARD TWP
REPS

Board of Review Training – Clerk Moncivais noted there was an upcoming BOR training in Marquette. A motion was made by Moncivais to pay for seminars, mileage and meals for the members to attend if they choose. Supported by Bobnock. All ayes. Motion carried.

BOR
TRAINING

911 – IC Central Dispatch – Supervisor Helgemo gave an overview of the county's proposal (copy on file.) A motion was made by Bobnock to stay in the program and not opt out as well as to include all jurisdictions. Supported by Wodzinski. All ayes. Motion carried.

911
CENTRAL
DISPATCH

Chlorination Pump/ Electric Circuit – Konoske stated that it would be a precaution to have this system. Helgemo stated that the estimate was approx. \$700 to set it up. Benson stated that the Bac T samples we're fortunate we have good water. Trustee Wodzinski stated that this would be cheap insurance. Atanasoff stated that Iron River Twp is having lots of problems with their water. A motion was made by Moncivais to have this done. Supported by Bobnock.

PUMP

GUEST COMMENTS...

Jon Oberlin suggested that the Board look into the Chamber of Commerce plan for employee health insurance.

HALL, WATER, SEWER REPORTS...

Hall – Addition to the storage room in the back office was completed. / Sewer - Nothing new to report. / Constable – Nothing new to report. / Park – Elmo called and is planning to come back. Wanted to talk to Helgemo to make sure that will be okay. / Water – Employees repaired a break on W. Sunset Lake Road. / Cemetery – Nothing new to report.

CORRESPONDENCE ...

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INVOICE APPROVAL

Moncivais did an invoice review to acquaint the new Board members with billing. A motion was made by Franzene to pay the township invoices. Supported by Wodzinski. Roll call vote: Helgemo, yes; Moncivais, yes; Bobnock, yes; Franzene, yes; Wodzinski, yes. Unanimous. Motion carried.

ADJOURNMENT

A motion was made by Franzene to adjourn. Supported by Bobnock. The meeting adjourned at 7:35 PM. All ayes. Unanimous. Motion carried. The next regular meeting to be held at the Township Hall on Wednesday – February 11, 2009 @ 6:00 PM.

Grant Helgemo, Supervisor

Barbara Moncivais, Clerk

Date approved: _____