

BATES TOWNSHIP BOARD

The regularly scheduled meeting of the Bates Township Board of Trustees was held on Wednesday, June 14, 2023, at 6:00 p.m. at the Township Hall.

Supervisor Oberlin called the meeting to order; Pledge of Allegiance was recited. Roll call was taken with Supervisor Oberlin, Clerk Benson-Stafford, Treasurer Nelson, Trustees Franzene & Adams present. Also, in attendance were PW Benson; County Comm Stafford; ZA Shankleton; Assessor Erhart; Margee Brennan, ZBA & BHPS; Krist Atanasoff, PC/ZBA; Jim Dennis, ZBA; Sue Passamani, BHPS; Bonnie Hager, Park Host; Jim Stolberg, WICFD; Mike Golas, P&R; Residents.

ATTENDEES

A motion was made by Trustee Adams to approve the minutes from the previous month's meetings. Supported by Trustee Franzene. All ayes. Motion carried.

MINUTES

Treasurer's report for the month of May 2023 was submitted. A motion was made by Clerk Benson-Stafford to accept the report. Supported by Trustee Adams. Roll call vote: Nelson, yes; Adams, yes; Franzene, yes; Oberlin, yes; Benson-Stafford, yes. Unanimous. Motion carried.

FINANCIAL REPORT

General Fund:	\$ 203,774.87
Sewer Fund:	\$ 151,195.84
Water Fund:	\$ 393,014.91
Road Fund:	\$ 167,182.14

COUNTY COMMISSIONERS REPORT – Comm Stafford stated the County hired a new Emergency Manager Chris Peterson, Powers, MI. He does the same work for Schoolcraft County. Recently Vernon Jones retired. / He stated that constituents may want to contact their Representatives because there is a bill going through the legislature that would allow the state to take away control of septic systems from the County level. / Oberlin added the state is trying to gain control of gravel pits too. Stafford said that many counties have made resolutions against that.

COUNTY COMM REPORT

SPECIAL PROJECTS

Road Projects- Oberlin stated that Helgemo Rd is done except for the shoulder work. / Dust control will be done June 22 & 23. / The board was given information regarding "emulsion" and chip sealing. He stated that he has the same opinion as Brad, ICRC, that emulsion is not the way to go. The Board will review the information to discuss at the next meeting.

ROAD PROJECTS

UNFINISHED BUSINESS

Assessor Report – Assessor Erhart gave her monthly report. /She is working on land value and economic condition factor analysis. / She has worked with the County on the 2023 residential sales study. / She and Treasurer Nelson have balanced the 2023 assessment roll to the tax roll. / Rogers Location, the southern part of E. Emily Lk Rd, Wildwood Lake and Perch Lake are destinations for annual review of properties this year. / A copy of the report is on file with the Clerk.

ASSESSOR REPORT

Zoning Update – ZBA Shankleton stated this was the busiest month per date. 75 zoning related calls, 14 new permits. He is waiting for several applications. / The siding ordinance has been in effect for one year so he will begin issuing letters of compliance. / A copy of the report is on file with the Clerk.

ZONING UPDATE

WIDL Report – Trustee Adams said the next meeting is June 19th.

WIDL

Bates Hall Preservation Society Update – Sue Passamani gave a report. They recently received an anonymous gift of \$28000. / She reviewed the various fundraisers that are coming soon. Rummage sale is June 30 & July 1 at the hall. There will be food available as well as many Bates logo items for sale. / They are always looking for volunteers. / They placed an order for 208 bricks, and they already have another 8 new orders.

BHPS UPDATE

Water/Sewer Shop Addition– Franzene stated that he already has cost estimates for trusses, slab, electric & waterline. He would like to request bids if the Board thinks it will go through with the project.

WTR/SWR SHOP ADDITION

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NEW BUSINESS

MIDNR Trust Sparks Grant Application – A motion was made by Adams to pass a resolution of authorization for Bates Township to apply for a Michigan DNR Sparks Grant. The BHPS will commit a match to the project of \$150,000. Supported by Benson-Stafford. Roll call vote: Oberlin, yes; Franzene, yes; Nelson, yes; Benson-Stafford, yes; Adams, yes. Unanimous. Motion carried.

**MIDNR
TRUST
SPARKS
GRANT**

ZBA Member Resignation – A motion was made by Nelson to accept the resignation of ZBA member Richard Spencer. Supported by Franzene. All ayes. Motion carried. / Spencer will be unavailable for the coming year and said he would not be available to serve.

**ZBA MEMBER
RESIGNA-
TION**

PC/ZBA Board Membership-Ordinance Review – Oberlin stated that at one time the ZBA was a three-member board. He asked the planning commission to review “board membership” and a way to keep it equitable. Jim Anderson said a 3-person board could create a quorum issue. Oberlin countered that the 3 person ZBA board was in effect for decades. Brennan said she didn’t think only 3 people should be making these decisions.

**PC/ZBA
MEMBER-
ORDINANCE
REVIEW**

IC Fair Board Ad – A motion was made by Oberlin to do the annual ad at\$79. Supported by Adams. Roll call vote: Benson-Stafford, yes; Nelson, yes; Franzene, yes; Adams, yes; Oberlin, yes. Unanimous. Motion carried.

IC FAIR AD

Westside Veterans Council – A motion was made by Oberlin to contribute \$250 in support of their programs. Supported by Adams. Roll call vote: Franzene, yes; Nelson, yes; Benson-Stafford, yes; Oberlin, yes; Adams, yes. Unanimous. Motion carried.

DEPARTMENT REPORTS

Hall-Nothing new to report. / **Shop**– Nothing new to report. / **Water** – A motion was made by Adams to transfer \$18166 from the water repair replacement fund to the general checking for the Wagner Lake project. Supported by Franzene. Roll call vote: Benson-Stafford, yes; Oberlin, yes; Nelson, yes; Adams, yes, Franzene, yes. Unanimous. Motion carried. / **Sewer** – Nothing new to report. / **Cemetery** – Nothing new to report. / **Park** –Nothing new to report. / **School** – Nothing new to report.

**WESTSIDE
VETERANS’
COUNCIL**

GUEST COMMENTS

- Rich Sloat said the shelter is complete. The project originally was funded by a \$6000 grant and about \$6000 in donations. He was seeking support for materials for the kayak-canoe ramp. A motion was made by Franzene to approve \$300 for supplies. Supported by Adams. Roll call vote: Oberlin, yes; Adams, yes; Nelson, yes; Franzene, yes; Benson-Stafford, yes. Unanimous. Motion carried.
- Jim Anderson wanted to know if the Board requested an extension to file documents in the Bates vs Atanasoff case.

Benson-Stafford stated that there was a variance request brought before the ZBA. As a result of the ZBA decision, the only recourse the Atanasoff’s had to the ZBA decision was to file a lawsuit in circuit court against Bates Township. For this reason, the Bates Township Board of Trustees has been brought into the case.

**CLOSED
SESSION**

CLOSED SESSION

At 6:49pm Benson-Stafford made the following motion. I move that the Board meet in a closed session under Section 8(1)(e) of the Open Meetings Act to discuss with the Township attorney trial or settlement strategy in connection with pending litigation involving the Township and Nick and Tara Atanasoff, as this discussion would have a detrimental effect on the pending litigation if held during the public meeting. Supported by Franzene. Roll call vote: Nelson, yes; Oberlin, yes; Franzene, yes; Adams, yes; Benson-Stafford, yes. Unanimous. Motion carried.

RECONVENE REGULAR MEETING

At 7:38pm a motion was made by Trustee Adams to reconvene the meeting with continued Guest Comments. Supported by Franzene. Roll call vote: Benson-Stafford, yes; Oberlin, yes; Nelson, yes; Adams, yes; Franzene, yes. Unanimous. Motion carried. The meeting continued.

GUEST COMMENTS (cont'd)

- Jim Anderson asked if the Board is going to consider a moratorium on the ordinances. Oberlin stated that is coming before the planning commission.
- Steve Blank stated that he is on the planning commission in his community and 2 years ago they went through their zoning ordinance and gave the people back their ownership rights. Benson-Stafford stated that there has to be some consideration because it wouldn't be right for someone to have to live next to another property owner that accumulates tons of garbage.
- Mike Golas asked about the culvert at Phillips & Noren Rd. Oberlin stated that is a county issue.
- Rick Lindbeck stated that he has lived on Sunset Lake for 72 years and this recent ZBA decision is a mess and it's a circus. How would Board members feel if they were not able to do what they wanted with their property.
- Trustee Adams stated that all of this information is new to the Board of Trustees. The case will be reviewed objectively, and Bates Townships is not about favoritism.
- Jeff Sitkoski asked if this Board will make the decision. Benson-Stafford stated that this case will not go before the ZBA again.
- Jim Anderson asked why the Board is hearing the case. ZA Shankleton said that the Board is following state statutes.
- Deb Sitkoski said that any decision could set a precedent.
- Margee Brennan stated that there has to be ordinance for a reason.
- Jim Anderson said that originally zoning was approved by the people of the township.

**RECONVENE
REGULAR
MEETING**

CORRESPONDENCE

- ICECA
- MI Par Plan Dividend Letter
- Multiple Residents/RE: ZBA Variance Decision
- Liberty Mutual Zero Loss Letter
- Westside Veterans Council

INVOICE APPROVAL

Trustee Franzene made a motion to pay the township invoices. Supported by Trustee Adams. Roll call vote: Oberlin, yes; Benson-Stafford, yes; Franzene, yes; Nelson, yes; Adams, yes. Unanimous. Motion carried.

ADJOURNMENT

Treasurer Nelson made a motion to adjourn. Supported by Trustee Adams. All ayes. Motion carried. The meeting adjourned at 8:00pm. Next regular meeting will be held at the Twp Hall on Wednesday, July 12, 2023.

Barbara Benson-Stafford, Clerk
Date Approved: _____