

Blue Lake Township

Kalkaska County, Michigan

Minutes

Board Meeting (with corrections)

Wednesday, February 1, 2023

1 Present

- I. Meeting Call to Order at 7:00 pm
- II. Pledge of Allegiance – Shearer
- III. Roll Call of Board Members – Almose, Shaw, Shearer, Shoemaker, and Nichol all present.
- IV. Adoption of Agenda – **Motion** to adopt agenda by Shoemaker with additions (#8 old business add updates on ARPA both county and fed, Audio Visual, Tower, Server), supported by Almose. Motion carried.
- V. Call for Conflict – Shearer – Roll call, Almose, Nichol, Shaw, Shoemaker, and Shearer all stated no conflict of interest.
- VI. Minutes of last meeting – **Motion** by Shearer to accept November 2, 2022 minutes as amended, support by Nichol, motion carried. **Motion** by Minutes by Almose to accept December 7, 2022, supported by Nichol, motion carried. **Motion** by Nichol to accept the January 4, 2023 by Nichol, supported by Shaw, motion carried.
- VII. The Treasurer’s report was accepted.
- VIII. Clerks Report – Nichol
 1. **Motion** by Almose to pay the January 2023 expenditures in the amount of \$41,921.62 supported by Shoemaker. Roll Call: Almose, Shoemaker, Shearer, and Nichol all yeas. Motion carried.
- IX. Correspondence and Guests
 1. Jennifer Lister – Community Officer – there were 9 incidents in the township in January.
 2. KMHC – Connie Farrier – unable to attend
 3. Kohn Fisher – County Commissioner – Thanked Shearer for attending the County’s 5-Year Hazard Mitigation meeting. Several changes are in the process and once finished the document will be pushed out to everyone. The adoption is planned for this year. Having townships adopt the plan will allow its citizens to apply for grant funds through FEMA following loss due to natural disasters. Finished the 5-Year Parks and Rec Plan for the county. It was successfully and timely submitted. County purchased property from the village to offset the tower property (by the Kaliseum). Once the plan is complete, we should become grant eligible. Wanting to make improvements around the Kaliseum. Using the KMHC Architect, plans are underway to remove pool and bathrooms. Pool area will be remodeled as an open space and about half the bathrooms will be built. Demolished part of the civic center (formally known as the gymnasium). We hope to construct a new building 30 X 50, moving some of Sheriff’s equipment in and adding water back in.
 4. KCSAS- Chuck Pope – Started site planning and found by clearing 5 acres there is some residual value for timber needing to be removed. How would the board like to proceed 1) residual value sent directly to township 2) KCSAS reimburses once credit received 3) Blue Lake could apply these dollars to the project as community recreational improvements. The board will run it by our attorney. The board will also send the attorney a memo regarding the SPARK grant and what options the board has including future considerations. The grant appears to require the township to own/maintain the building and be considered a park with no lease options. Liability to township? KCSAS keeps a million-dollar policy with Blue Lake Township as a named insured. Attorney Graham: grant agreements are very detailed; call them and ask the grantors if we can lease, can we hire management, hours of operation?

You need this in writing. Treasurer and Pope are willing to take on the grant writing and the township can request input from citizens. Attorney Graham suggests 1) put a slight (like ¼ mil) millage on a ballot for 10 years for parks and rec. If the public says yes, they support it, if they say no, they do not support or 2) advertise in the newspaper that we are holding a public hearing to gather the public's comments concerning a recreational facility.

5. Twp Attorney – Bryan Graham – Minutes to be posted eight days after meeting. Synopsis in newspaper. Conflict of interest: the treasurer and trustee (Shoemaker) filed affidavits with the clerk. Ask the attorney before a meeting regarding conflict of interest questions as it is a legal matter and request an opinion. Fire Department matters: Attorney Graham recommends rescinding the motion made on November 2, 2022 and authorizing the attorney to research statute(s) stating what the Chief's duties/responsibilities are that may not be infringed upon. The attorney will provide a written response and the board can then decide what action, if any, they want to take. The board can put the township in legal jeopardy. The fire department is in essence a paramilitary organization. There is a chain of command, an incident chain of command; when you are out in the field in an emergency circumstance, you've got to know who is in charge. If you don't, you're talking about potential liability. You must know what your legal restraints are before you tie the hands of the Fire Chief or any other officers in that chain of command. **Motion** by Shearer to rescind the motion made on November 2, 2022 and authorize the attorney to research the law on Fire Chief's statutory duties. Original motion as follows: *Motion by Shaw as a matter of policy that all station 4 administrative decision, policies, procedures, guidelines will be made by the Chief and the officers through teamwork and consensus. If consensus cannot be reached then by majority rule. Effective until May 31, 2023 to be relooked at in June 2023. Supported by Almose: Roll call vote: Shaw, Almose, Shoemaker all yeas. Shearer and Nichol No. Motion carried.* Rescind the motion and authorize the attorney to do legal research supported by Nichol. Roll call: Shearer, Nichol, and Shoemaker all yea. Shaw and Almose No. Motion carried. **Shoemaker gave our Attorney reports on Board Responsibility of the Fire Department (what FD can do without board approval) which was taken from MTA's On Call Fire Departments: The Township Board's Responsibilities. Shoemaker will provide a copy for all board members). Shaw sent our Attorney a redraft of her original motion rescinded at this meeting (2/1/2023). Shaw did not forward a copy of her redraft to board members.**

X. Public Input – Cindy Anderson will change name (Blue Lake Township News) and font for her mailer as it caused confusion with recipients who believed it came from the Township.

XI. Township Reports – written reports are available in the Clerk's office.

1. Assessor's Report – Sheneman –

- a. Sheneman notified the Board ANR personal property tax on \$10 million will be applied for. They are entitled to the exemption and Attorney Graham agrees. Almose states State of Michigan Revenue Sharing is supposed to make up for losses in personal property tax. This is something to be looked into.
- b. Board of Review Organizational Meeting will be held March 7th at 4:00pm
- c. Board of Review meeting dates are as follows: March 14th from 9 am until 12 pm and 1 pm until 4 pm and March 16th from 1 pm until 4 pm and 6 pm until 9 pm
- d. **Motion** by Shearer to reappoint Buttermore to BOR for 2 year term (expires 1-2025), supported by Nichol. Motion carried.

2. Fire Department Report – Brierley

- a. 3 runs for the month of January; 1 fire related, and 2 medical runs. We had 1 mutual aid call for Coldsprings: roll over accident.
- b. Old Business: Top Notch replaced the blower motor on the furnace that was vibrating; it now runs as it should. JM Door of Grayling ordered the part for the garage door and it was fixed within a week. Kuhn Electric installed LED lights in

- upper barn and office.
- c. New Business: Captain Barr is officially retired as of today. We will honor him at our next FD barbeque this summer. The coffee hour for Barr was well attended. FF Nagy will take over on Twin Lake side of the township responding to calls direct. Nagy has a lot of FF/Medical experience and is currently a police officer in the city of Gaylord. FEMA Regional Grant-Chief Bourgeois and Chief Pratt are writing the grant. BL FD requested 6 SCBA air packs and extra bottles at a cost of \$53,112. BL FD portion is 5% or \$2,656. 7 Departments are involved in the grant. Individual information has been sent to the grant writers. Chief will update the board as new information is received. Looking into Fire Programs that will assist in centralized reporting and tracking of runs, payroll and training. As we apply for certain grants, this information is required. We currently using 3 spreadsheets plus state (medical) reports as well as FEMA grants. Fletemeier will get with the Chief to see if he can help design a spreadsheet that will combine needed information. Fire Programs quote is attached to Chief's report. Chief will update the board on what Fletemeier thinks and if he is able to streamline the process.
 - d. Training: Training for the month consisted of truck checks/Ice rescue classroom discussions/SCBA/medical scenarios/drivers training.
 - e. Truck/Equipment maintenance: None for January.
 - f. Chief requests to move Boyer to Captain position. The board unanimously agreed.
3. Planning Board Report - Shaw
- a. **Motion** by Almoose to approve Home based business and building height definitions, supported by Shaw, motion carried. **Motion** by Nichol to approve Section 3.18 Swimming Pools; clarification of definitions and eliminated sections with barriers and building codes to follow state and national regulations dealing with the same, supported by Shaw, motion carried. **Motion** by Nichol to approve building height and schedule of regulation, supported by Shearer, motion carried. **Motion** by Shaw to approve Section 3.13 Temporary Dwelling clarifying the use of temporary dwellings during construction, supported by Almoose. Motion carried. **Motion** by Shaw to rescind current Fireworks ordinance and adopt a new fireworks ordinance using the State of Michigan minimum requirements, supported by Almoose. Motion carried.
 - b. **Motion** by Shearer to reappoint Southwell and Buttermore as planning members for 3 year term (expires 1-2026), supported by Almoose. Motion carried. Shoemaker requested Shearer send board members an updated matrix.
4. Zoning Board of Appeals – Buttermore - no meeting
5. Zoning Administrator – Shearer
- a. One tree removal permit for January. Greenzone on Big Twin was taken out. No permits were pulled. Owners paid the \$375 (fine and permit fee). Owners will replace the green zone.
6. Hospital Report – Nichol
- a. KMHC approved the .1 mil (same as previous years and the least it can levy). Committee appointments and election of officers were done. Physician contracts were approved. Acute Care Pavilion update – on time and under budget. Talking points will be made available once received.
7. Road Committee Report – Shoemaker
- a. Mike Clark joined the committee as Peterson stepped down.
 - b. Survey on the new facility is being worked on. 2022 bridge inspections are complete with no major issues. Went over goals for the current year. Rogers on vacation.
 - c. Nichol to write a letter to Rogers requesting the invoice received for snowmobile

crossing repair be sent to the State of Michigan. It was not on BLT requests for bid.

XII. Board Member Comments and Input

1. FEMA Hazard Mitigation Plan – See correspondence and guests Fisher.
2. **Motion** by Shearer to hire Jonna Schuhart as Zoning Administrator, supported by Almose. Motion carried.

XIII. Old Business –

1. Update from Nichol on County ARPA funds. The County Board will be voting on ARPA grant dollars put forward by the ARPA committee in their 2/15/2023 meeting.
2. Shearer update on kitchen remodel. Contractor called in to do bid specs (Nichol met with contractor). Have not received a completed bid spec. or invoice.
3. Blue Lake ARPA dollars – next report due in April
4. Audio Visual – Zoom meetings may not have public comment (they can listen only). Will explore non-regular board meetings. Shearer will clarify non-participation of those participating on zoom. Speakers/microphone with TV? Tabled.
5. Shearer sent them cell tower coordinates. Waiting for answers.
6. Server update: Nichol, each time I call I get new, updated information. Monitoring with backup \$85/month. Do we want to spend up to \$5,000 to get tech here to get server. Check MTA they are having a meeting on digital/cloud.

XIV. New Business –

1. **Motion** by Nichol to approve the 2023 Law Enforcement Agreement, supported by Shearer. Roll call: Nichol, Shearer, Almose, Shaw, and Shoemaker all yea, motion carried.

XV. Adjournment – Next meeting March 1, 2023 at 7:00 pm

1. **Motion** to adjourn at 10:50 pm by Nichol, supported by Shoemaker, motion carried.