

August 10, 2009

LAPEER TOWNSHIP REGULAR BOARD MEETING

Lapeer Township Offices and Community Building
1500 Morris Road, Lapeer Township, Lapeer County, Michigan

BOARD PRESENT: Clerk Dawn Walker, Supervisor Scott Jarvis, Treasurer Lori Ann Taylor, Trustees John Rutzen and Bill Blaine.

OTHERS PRESENT: Police Chief William Marshall, resident
Casey Carpenter, resident
Sean Dagenhart, resident
Pearl DeGutis, resident
Richard DeGutis, resident
Gabriel Gates, Oregon Township
Wendy Gates, Oregon Township
Leonard Lumley, resident
Lenny Schneider, resident and County Commissioner, district 4
Nancy Bradford, resident and Deputy Clerk

Supervisor Jarvis called the meeting to order at 6:58 p.m.
Everyone stood for the Pledge of Allegiance.

AGENDA: General correspondence for review:
Police Statistics for July 2009
Fire Report for July 2009
Reports from GLTA

By unanimous consent the agenda was accepted with the addition of number fourteen, deer removal from public roadways.

M-082-09: The minutes of the July 13, 2009 regular board meeting were presented for approval.

MOVED by Rutzen, support by Blaine to approve the July 13, 2009 regular board minutes with corrections. A vote was taken. Yes: All (5). **MOTION CARRIED.**

Discussion followed regarding fire run reports.

PUBLIC TIME: No one wished to address the board during public time.

AGENDA:

TREASURERS
REPORT

M-083-09:

JULY 2009

FUND	CLOSING BALANCE
UNRESTRICTED FUNDS	
Lapeer County Bank & Trust - General Fund Checking	\$820.78
Lapeer County Bank & Trust - General Fund Saving	\$47,416.74
Chase Bank – Investment	\$155,315.74
MBIA Class Investment Pool - Investment	\$163,014.76
MBIA State Share	\$217,295.83
Lapeer County Bank & Trust – CD, 2% Matures April 2010	\$100,498.63
Lapeer County Bank & Trust – CD, 2% Matures June 2010	\$150,000.00
COMERICA - Revolving Improvement	\$241,591.97
COMERICA - Capital Improvement	\$178,231.56
General Fund J-Account	\$86,067.33
General Township Working Totals:	\$1,340,253.34
RESTRICTED FUNDS	
Lapeer County Bank & Trust - Disaster Contingency	\$300.00
Lapeer County Bank & Trust - Liquor Law Enforcement	\$942.60
Lapeer County Bank & Trust - Cemetery Trust	\$34,378.32
Lapeer County Bank & Trust - Trust Agency	\$147.86
Lapeer County Bank & Trust - Lapeer Township Police Community Service	\$1,004.68
Chase - Tax Collection	\$91,373.72

MOVED by Walker, support by Blaine to accept the July Treasurers report. A vote was taken. Yes: All (5). **MOTION CARRIED.**

TAX BONDING: Treasurer Taylor informed the board that she is required to carry an Oath of Office and a Tax Collecting bond. The Township carries oath of office bonds on all elected officials and previously the tax collection bond was covered by Lapeer County. County Treasurer Dana Miller is getting bids for a countywide price from Burnham & Flower Insurance Agency. The amount of the tax collection bond will use a formula to calculate each Township's portion of the required insurance and each Township will be invoiced respectively.

CLERKS REPORTS: Clerk Walker presented the following:

- Vouchers presented from July 16th thru August 15th, including payroll from August 3rd for total voucher payments in the amount of \$62,050.87.

Maintenance contracts on the Township election equipment were discussed.

PAYMENT OF VOUCHERS: M-084-09: ***MOVED*** by Taylor, support by Jarvis to approve payment of the vouchers. A vote was taken. Yes': All (5). ***MOTION CARRIED.***

REC PLAN WORK: Sean Dagenhart of Innovative Land Care introduced himself to the board and thanked them for the work. Discussion ensued on follow up brush axing per his quotation.

Commissioner Schneider arrived at 7:35 p.m.

PROTEST FIRERUN M-085-09: Richard DeGutis entered into discussion with the board regarding his fire run invoice. His culvert was damaged by fire equipment entering his flooded driveway when putting out a structure fire. Discussion followed.

MOVED by Jarvis, support by Blaine to deny Mr. DeGutis' request to waive his fire run fee of \$2,500.00 and to give him sixty (60) days to pay in full or make payment plan arrangements or his invoice would be added to the 2009 tax roll. A vote was taken. Yes': All (5). ***MOTION CARRIED.***

Richard & Pearl DeGutis departed at 7:49 p.m.

PROTEST FIRERUN M-086-09: Casey Carpenter representing Evergreen Campground entered into discussion with the board regarding his fire run. Treasurer Taylor noted that there is a difference between a campfire and burning. Trustee Rutzen asked for clarification on if the fire was contained in the burn pit. Discussion followed. It was suggested that Mr. Carpenter follow up with the City of Lapeer Fire Chief to make arrangements as a campground for campfires.

MOVED by Blaine, support by Jarvis to adjust the invoice to \$500.00 the amount for a resident duty officer response to be paid or payment plan arrangements to be made within sixty days. A roll call vote was taken. Blaine, yes; Jarvis, yes; Rutzen, no (felt that under the circumstances no fee should be charged); Taylor, yes; Walker, yes. Yea': Four (4). Nay': One (1). ***MOTION CARRIED.***

Casey Carpenter departed at 8:07 p.m.

PROTEST FIRERUN M-087-09: Gabriel Gates of Oregon Township entered into discussion with the board regarding his fire run of May 10th invoice number 2009-10 In the amount of \$3000, non-resident fire response. Treasurer Taylor questioned the petitioner if the car was just smoking or were there full flames. The car was on fire. Discussion followed.

MOVED by Jarvis, to accept a reduced payment of \$1,000.00 for a non-resident wash down with the stipulation that payment in full or payment arrangements be made within 45 days or the amount would return to a full alarm resident fee of \$2,500.00. ***Motion failed.***

Trustee Rutzen questioned Mr. Gates regarding his willingness to work off some of his debt as he currently has no job or vehicle. Mr. Gates stated that he would be leaving the state soon.

MOVED by Blaine, support by Jarvis to accept a reduced payment of \$750.00 for a resident wash down with the stipulation that payment in full or payment arrangements be made within 45 days or the amount would revert to a full alarm resident fee of \$2,500.00. A roll call vote was taken. Blaine, yes; Jarvis, yes; Walker, no; Rutzen, no; Taylor, abstained. Yea': Two (2). Nay': Two (2). Abstain': One (1). ***Vote is a tie. Motion dies for lack of support.***

Mr. Gates questioned the board regarding effect from non-payment of the invoice.

Gabriel & Wendy Gates departed at 8:25 p.m.

STREETLIGHTS: Supervisor Jarvis supplied the board with information provided by DTE regarding the installation of four (4) streetlights to be placed at various locations along the newly constructed M-24 corridor at no cost to the Township for installation. This would cost the board annual usage charges in the amount of \$1,130.04. Discussion followed. The board questioned how many of the lights previously existed before the M-24 roadway improvements. Also, our streetlight bills have not gone down from lights now located in the City of Lapeer and from lights taken out during roadway construction along M-24. Tabled for further investigation.

TEXT AMENDMENT
ZONING ORDINANCE
W.E.C.S.

M-088-09: The board reviewed documents regarding an amendment to Zoning Ordinance 1, Article 1 Section 1.38, Wind Energy Conversion Systems, draft number 6 from Chris McLeod of Community Planning and Management. The Lapeer Township Planning Commission held the required public hearing and comments have been received from Lapeer County Collaborative Planning.

MOVED by Walker, support by Rutzen to approve Draft #6 as presented: Wind Energy Conversion Systems, Article 1 Section 1.38 of the Lapeer Township Zoning Ordinance. A roll call vote was taken. Walker, yes; Rutzen, yes; Jarvis, yes; Taylor, yes; Blaine, yes. Yes': All (5). Nay': none. **MOTION CARRIED.**

TEXT AMENDMENT
ZONING ORDINANCE
TEMPORARY HOUSING
M-089-09:

The board reviewed documents regarding an amendment to the Lapeer Township Zoning Ordinance 1, Article 1 General Provisions, by adding a new section being Section 1.39 Temporary Housing. Drafted by Chris McLeod of Community Planning and Management, as follows:

Section 1.39 Temporary Housing

The Township Supervisor may grant approval for a single temporary dwelling on a site in the instance that new construction or reconstruction is necessary as a result of fire or other force of nature. The issuing of approval of a temporary dwelling shall only be permitted if a building permit has been issued for the construction of the principal residence, adequate assurance has been obtained that the temporary dwelling will be removed upon the completion of the main residence, the method of servicing the temporary dwelling with water and sanitary services has been secured, all applicable setbacks have been met, all necessary permits have been obtained, and all other applicable codes and Ordinances have been met.

To assure the removal of the temporary dwelling, a cash bond or other acceptable financial surety shall be provided to the Township. The amount of the bond shall be a minimum of \$5,000 and may be increased by the Township Supervisor based upon a determination that additional monies are necessary based on the size and configuration of the building.

The length of occupancy shall be valid up to six months and may be extended one time by the Township Board for a period up to six months upon written request by the homeowner. Any additional requests for extensions beyond the initial twelve months shall require an application to the Zoning Board of Appeals.

MOVED by Walker, support by Jarvis to approve the amendment to Zoning Ordinance 1, Article 1, General Provisions, by adding a new section being, Section 1.39 Temporary Housing. A roll call vote was taken. Walker, yes; Jarvis, yes; Blaine, yes; Taylor, yes; Rutzen, yes. Yes': All (5). Nay': none. **MOTION CARRIED.**

COMMITTEE
PAY POLICY
P02-09:

The board was presented with the current Committee Appointees pay policy. Discussion followed.

MOVED by Walker, support by Taylor to update the policy to pay board members and/or appointed representatives for attendance at meetings not specific to their respective office for the following: the Prison Liaison Committee, Ambulance Service, Construction Code Authority, Utilities Authority, Greater Lapeer Transportation Authority and MTA meeting. The payments will be for up to one meeting per month plus one annual meeting per year, per committee, upon attendance, paid in accordance to the current pay schedule for Lapeer Township. If receiving meeting pay, no mileage shall be paid by the Township.

A roll call was taken. Walker, yes; Taylor, yes; Rutzen, yes; Blaine, yes; Jarvis, yes. Yea': All (5). Nay': none. **MOTION CARRIED.**

WATER
WITHDRAWAL
PERMIT:

Supervisor Jarvis removed this item off the agenda. No action required.

COMPETITIVE
BID POLICY:

The board reviewed the Competitive bid policy draft compiled by Trustee Rutzen. Discussion followed with recommendations being made. Clerk Walker will compile the policy with suggestions and forward to all board members for review. It will be presented at next month's board meeting. **TABLED.**

PLANNING
CONFERENCE
M-090-09:

Planning Chairman Tim Roodvoets requested approval to attend a one day Planning Conference in Mt. Pleasant on Friday October 2nd. Discussion followed.

MOVED by Rutzen, support by Walker to grant attendance by Planning Chairman Roodvoets to the Planning Conference to be held on Friday, October 2, 2009 located in Mt. Pleasant at a cost of \$275.00 this shall include committee pay for the day plus mileage. A vote was taken. Yes': All (3). **MOTION CARRIED.**

DEER REMOVAL
M-091-09:

Police Chief Marshall discussed with the board deer removal from Lapeer Township roadways. Resident support for the service is good. Because of liability Chief Marshall suggested that the Supervisor perform the service at a cost of twenty five dollars per deer. The board will need to draft a letter to the DNR to advise them of the service. No special permit is needed. Supervisor Jarvis has the means for disposal of the carcasses.

MOVED by Taylor, support by Blaine to have Supervisor Jarvis remove and dispose of dead deer from the Lapeer Township roadways at the police department's request on an as needed basis at a cost of \$25.00 per deer, to be paid on payroll. A vote was taken. Yes': four (4); abstain: one (1). **MOTION CARRIED.**

PUBLIC TIME:

Chief Marshall spoke briefly regarding the possibility of a per parcel fee for fire coverage. That could possibly alleviate the surge of fire run protests.

Trustee Rutzen expressed his frustration and dissatisfaction regarding the current recycle program. The Township has had many complaints this year on the service.

Commissioner Lenny Schneider spoke on behalf of the County Commission. Items of discussion included; resolution of support for an upgrade of Bowers and Wilder roads to class A status. Further discussion on lack of funding for county parks.

REPORTS:

Reports given on Construction Code Authority, Emergency Medical Service and Planning Commission.

ADJOURNMENT:

MOVED by Walker, support by Blaine to adjourn the meeting. The meeting was unanimously adjourned (at 9:50 p.m.).

Dawn M. Walker, Clerk

Nancy L. Bradford, Deputy Clerk