

<p style="text-align: center;">PENTWATER TOWNSHIP BOARD PENTWATER COMMUNITY HALL 327 S. HANCOCK STREET, PENTWATER, MI 49449</p> <p style="text-align: center;">Regular Meeting of Wednesday, May 13, 2020 Zoom ID: 880 3776 4586</p>	<p style="text-align: center;">APPROVED MINUTES</p>
<p>Supervisor Spitler called the meeting to order at 6:00 PM</p> <p>Members Present via Zoom: Johnson, Siska, Flynn, Holub, Spitler.</p> <p>Members Absent: None.</p> <p>Staff Present via Zoom: McKinney, Deputy Supervisor and Edwards, Zoning Administrator.</p> <p>Others Present Via Zoom: Jean Russell, ZBA Chair; Dean Gustafson, County Commissioner; several residents; and, Siok, Recording Secretary.</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p>
<p>Moved by Siska seconded by Holub to accept the consent agenda as follows:</p> <ol style="list-style-type: none"> a. Meeting Minutes of April 8, 2020 b. Correspondence - None c. Budget Reports (04/01/2020 thru 04/30/2020) d. Payment of Bills for the period April 9 – May 12, 2020 as follows: <ul style="list-style-type: none"> o Township - \$29,975.29 o Cemetery - \$3,223.00 o Fire - \$30,041.44 <p>Roll call vote: Siska, yes; Holub, yes; Flynn, yes; Johnson, yes; Spitler, yes. Motion carried.</p>	<p>CONSENT AGENDA</p> <p>Review & Action</p>
<p>Moved by Flynn and seconded by Spitler to approve the Meeting Agenda as presented. Voice vote. Motion carried.</p>	<p>MEETING AGENDA</p> <p>Review & Action</p>
<p>None.</p>	<p>PUBLIC COMMENT ON AGENDA ITEMS</p>
<p>Spitler reported on the following:</p> <ul style="list-style-type: none"> • North side of fish pier had some damage and was recently repaired by the Road Commission. The Township will be billed for this. • New Office Building - electrical plan to include low voltage wiring necessary for a phone system and internet. Bid specs will be done. Ms. Johnson added that there is outside work that needs to be 	<p>SUPERVISOR’S REPORT</p> <p>SUPERVISOR’S REPORT</p>

<p>done as well (i.e. tree removal/trimming and asphalt repair)</p> <ul style="list-style-type: none"> • No wake zone on Pentwater Lake – he has received several requests to make Pentwater Lake a “no wake” lake; however, it is not within the jurisdiction of the Township; rather, the State of Michigan is the authority. He has discussed this with Representative VanSingel, Sheriff Mast as well as Police Chief Hartrum. Chief Hartrum said he would set up three “no wake/low walk” buoys. However, they will not be enforceable. • MTA Meetings and Webinars are being used to keep officials informed. The most recent one was “Getting to Ready to Open”. It was stressed that there be some type of a barrier between the public and the staff. Minor rearrangement will be required in the current office space. • Transfer Site Free Day – Spitler suggested It be held on Saturday, October 10. Ms. Johnson commented that since the Site was closed from November – April of this year, constituents have not had an opportunity to dispose of items. In prior years, two free days were held each year. She has already received inquiries about a Free Day in June. <p>Moved by Holub and seconded by Siska to conduct at least one Pentwater Township Transfer Station Free Day on Saturday, October 10, 2020.</p> <p>Roll call vote: Holub, yes; Siska, yes; Johnson, yes; Flynn, yes and Spitler, yes. Motion carried.</p>	<p>continued</p>
<p>Ms. Johnson said that she prepared a written report that was included in the packet; however, she reiterated that there are certain ADA requirements for formatting public websites. Several changes were recently made to the Township’s site by our website host. Although Ms. Johnson intends to learn the new formatting to make additional corrections, there will be times that changed/corrections will be made by the website company for an additional fee. As there are several years’ worth of minutes/agendas online that need to be reformatted, she will be removing some items that are two years old or older. Those minutes will continue to be available electronically in the office.</p> <p>The Clerk’s Report was received and placed on file.</p>	<p>CLERK’S REPORT</p>
<p>The Treasurer’s report was received and placed on file.</p> <p>Ms. Siska said there will be note on individual summer tax bills urging</p>	<p>TREASURER’S REPORT</p>

payment to be made by mail or placed in the drop box outside of the building. A return envelope will be included with the tax bill.	
No report.	LIBRARY BOARD PACKET
No report.	FIRE DEPARTMENT AGENDA
Report was received and placed on file.	RECREATION REPORT
The Zoning Administrator's Report was received and placed on file. The Assessor's Report was received and placed on file. The Cemetery Sexton's Report was received and placed on file.	STAFF REPORTS – Zoning, Assessor, Cemetery Sexton
Mr. Holub explained that 3 bids were received, and it was concluded to accept Republic Services bid with various options for 36 months. 40-yard dumpsters will be utilized instead of 20-yard dumpsters. 8-yard dumpsters will be used for garbage. Plastic, metals, glass, and waxed milk cartons are accepted and being shipped to the Kent County Recycling facility. Paper and cardboard will be shipped to Padnos and will be recycled as well. Ms. Johnson asked if the prices quoted were for the duration of the 3-year contract period. Mr. Holub replied that the CPI will apply annually. Moved by Flynn and seconded by Holub to formally accept the 36-month Customer Service Agreement with Republic Services effective May 1, 2020 as follows: <ul style="list-style-type: none"> • FL 8 Yard Monthly Service Fee \$313.50 <ul style="list-style-type: none"> ○ Extra Lift Fee \$137.50 • FR 8 Yard monthly Service Fee \$129.50 <ul style="list-style-type: none"> ○ Extra Lift Fee \$137.50 • RO 40 Yard Lift Charge \$432.00 <ul style="list-style-type: none"> ○ \$28.00 over 2.0 tons • IR 30 Yard Lift Charge \$565.00 <ul style="list-style-type: none"> ○ \$70.00 per ton Roll call vote: Flynn, yes; Holub, yes; Johnson, yes; Siska, yes and Spitler, yes. Motion carried.	UNFINISHED BUSINESS Review & Action Formal Acceptance of Transfer Station Proposal from Republic Services
Mr. Spitler stated that he is researching the possibility of moving the gate at the Transfer Station from where it is now up to the first bend in the road in an effort to control the amount of leaves and brush that come into the Transfer Station when it is open. He said he will also get a price for chipping. In addition, he will contact the DNR to make certain it is permissible to move the existing gate and install signage.	UNFINISHED BUSINESS Consideration of Gate Relocation at Transfer Station

<p>Mr. Holub suggested that once a change is made, a notice be placed in the newspaper and on the website that the Transfer Station is not open 24-hours per day to dump leaves and brush.</p>	
<p>Ms. Johnson asked permission to explore credit/debit card payments for Cemetery and Zoning fees. More and more often, people have expressed that they do not use checks any longer. Mr. Edwards added that it would save time in the zoning permit process as well as he cannot issue a permit until the permit fee is received.</p> <p>Moved by Holub and seconded by Flynn that it is the Township Trustees' desire to allow its constituents and customers to easily conduct business within the Township. Thus, the Township Clerk is authorized to explore the costs of allowing credit card/debit card payments for various zoning and cemetery fees.</p> <p>Roll call vote: Holub, yes; Flynn, yes; Johnson, yes; Siska, yes and Spitler, yes. Motion carried.</p>	<p>NEW BUSINESS Review & Action Consideration of credit Card Payments for Zoning Permits and Cemetery Lot and Columbarium Purchases</p>
<p>Mr. Edwards explained that he received request for a permit from a landowner to go under a road right-of-way (portion of Pentwater Blvd) to hook up a septic system. He owns the property on both sides of the road. The road is a "paper" road only.</p> <p>He first began working on this issue in February when he received a telephone call from EGLE who had been contacted by the homeowner about filling a wetland area to build a house on the east side of Pentwater Blvd. and the septic on the west side of Pentwater Blvd. The question was asked "would you allow a septic field across the road on property owned by the same person?" EGLE is hesitant to issue the wetland permit unless the Township is willing to allow for the septic field.</p> <p>Apparently, the consultant working on behalf of the property owner was told by the Road Commission that this portion of Pentwater Blvd is not a certified road. "It is seasonal to a point and they [Road Commission] do not go down it."</p> <p>Mr. Edwards then contacted the Township Attorney who informed him that this request is not unusual along Michigan's west coast. The Township would do the licensing, but the applicant still needs a permit for access to the property from the Road Commission. The attorney suggested that the topic be introduced to the Board as issuing a license for use of a Right-a-Way is new to the Township. Board approval was not being requested at this time. The Township Board considers <u>use of the right-of-way</u>, but the</p>	<p>NEW BUSINESS Review & <u>Discussion</u> Resolution Approving License Agreement Pertaining to Pentwater Boulevard Right-of-Way</p>

Road Commission is responsible for maintenance of the roadway if and when it becomes a roadway.

Mr. Edwards asked the Board to review the proposed resolution for a particular use of Right-a-Way and he will deal with access issues and permits later with permission for further development of the license agreement and fees.

Mr. Holub asked if the road in question was indeed Pentwater Blvd or Bass Lake Blvd? Mr. Edwards responded that it is not Bass Lake Road even though the Road Commission put up a sign that reads Bass Lake Road. The sign is incorrect. It is continuation of Pentwater Blvd as a separation between two Pythian Park plats.

Mr. Holub asked if the property owner received a septic permit from District Health Department #10. Mr. Edwards responded in the affirmative. The property owner also has the wetland permit from EGLE.

Mr. Flynn indicated that there is a recent survey of the area that was done by Randy Hepworth. Mr. Edwards said that the Road Commission directed him to their website which shows the certified roads maintained by the Road Commission. The only portion of Pentwater Blvd maintained by the Road Commission is north of Business Route 31. There is nothing on the map called Bass Lake Road or Old Bass Lake Road. With respect to access, there are some things that need to be worked out. Keep in mind that this is something new for the Township and whatever is agreed to will be relevant to future applicants as well.

Mr. Holub said he was not concerned about the licensing aspect; rather, his concern is about legal costs incurred due to the research done thus far. Mr. Edwards said he has concerns about licensing something wherein one may not be able to receive emergency services. He suggested that he convey to legal counsel that the Board may consider such a resolution if one qualifies for a zoning permit and has access to emergency services.

Mr. Spitler commented that a licensing structure is a tool that the Township should have in certain circumstances. But, perhaps, this might not be one of those circumstances.

Ms. Johnson voiced her concern as to whether the Road Commission must be involved regardless of whether they want to be or not. Mr. Edwards agreed that the issue needs to be resolved and cited an example wherein electrical poles were installed in the middle of Barclay Avenue off from Pentwater Blvd which made that right-of-way unusable. To his knowledge, no license was issued by Pentwater Township.

<p><u>Everett Horton</u> commented on the use of a right-of-way and that a standard should established for going under a road. He too was concerned about access by emergency services. He asked about burning the brush at the Transfer Station. He asked if the Pentwater Lake Improvement Board should get involved in establishing a no wake zone on Pentwater Lake.</p> <p><u>Pat Hooyman</u> interjected that there is a disaster happening on Pentwater Lake right now. Property is being destroyed by high water and wakes on Pentwater Lake. He referred to HB 5401 which allows the Pentwater Township Board to request the establishment of a maximum speed on Pentwater Lake temporarily. He requested that the Township Board research and investigate this further.</p>	<p>PUBLIC COMMENTS</p>
<p>Mr. Flynn said that a no wake zone would be great. However, years ago, legal counsel indicated that the Township could not contribute funds for dredging because we had no ownership or control over Pentwater Lake. He was willing to help if the Township could legally do so.</p> <p>Mr. Spitler reiterated that the DNR has jurisdiction over Pentwater Lake.</p> <p>Mr. Holub commented that he will do some research to determine if there are other townships that have passed ordinances or resolutions regarding maximum speeds on lakes.</p> <p>Mr. Holub asked about reimbursement from the State for Presidential Primary costs. The deadline is June 8. Also, he recently read about potential eligible COVID-19 costs that may be reimbursed (i.e. Zoom, Closed Captioning) to local units.</p>	<p>OTHER ITEMS from BOARD MEMBERS</p>
<p>Moved by Johnson and seconded by Flynn to adjourn the meeting at 7:40 p.m. Voice vote. Motion carried.</p>	<p>ADJOURNMENT</p>
<p>_____</p> <p>Sue Ann Johnson, Township Clerk</p>	<p>_____</p> <p>Date</p> <p>Minutes Transcribed by Barbara Siok, Recording Secretary</p>