

<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, September 9, 2020 Via Zoom</p>	<p style="text-align: center;"><b>APPROVED MINUTES</b></p>
<p>Supervisor Spitler called the meeting to order at 6:00 PM</p> <p><b>Members Present via Zoom:</b> Flynn, Holub, Johnson, Siska, Spitler.</p> <p><b>Members Absent:</b> None.</p> <p><b>Staff Present via Zoom:</b> McKinney, Deputy Supervisor, Keith Edwards, Zoning Administrator.</p> <p><b>Others Present Via Zoom:</b> Jean Russel, ZBA Chair; several residents and Siok, Recording Secretary.</p>	<p><b>CALL TO ORDER</b></p> <p><b>ROLL CALL</b></p>
<p><b>Moved by Siska seconded by Holub</b> to accept the Consent Agenda as follows:</p> <ol style="list-style-type: none"> <li>a. Meeting Minutes of August 12, 2020</li> <li>b. Correspondence <ul style="list-style-type: none"> <li>o County of Oceana - Equalization Dept. Staff and Office Hours</li> <li>o Mason County Master Plan Update</li> </ul> </li> <li>c. Budget Reports (04/01/2020 thru 08/31/2020)</li> <li>d. Payment of Bills for the period August 13 – September 9, 2020 as follows: <ul style="list-style-type: none"> <li>o Township - \$33,671.06</li> <li>o Cemetery - \$4,180.43</li> <li>o Fire - \$5,741.84</li> </ul> </li> </ol> <p><b>Roll call vote:</b> Siska, yes; Holub, yes; Flynn, yes; Johnson, yes; Spitler, yes. Motion carried.</p>	<p><b>CONSENT AGENDA</b></p> <p><b>Review &amp; Action</b></p>
<p><b>Moved by Johnson and seconded by Flynn</b> to approve the Meeting Agenda as amended. Items added: resident question about leaves at Transfer Station after October 31, 2020; notice about ORV hearing in Hart Township; and email from County Treasurer regarding summer taxes on the two tax delinquent parcels recently approved for purchase. <b>Voice Vote:</b> All Ayes. Opposed: None. Motion carried.</p>	<p><b>MEETING AGENDA</b></p> <p><b>Review &amp; Action</b></p>
<p>None.</p>	<p><b>PUBLIC COMMENT ON AGENDA ITEMS</b></p>
<p>Discussion ensued regarding the extension of Transfer Station hours in November for the disposal of yard waste.</p> <p><b>Moved by Spitler and seconded by Johnson to have the Transfer Station open from 9:00 a.m. – 4:00 p.m. open on Saturdays in November (7, 14, 21 and 28</b></p>	<p><b>BOARD DISCUSSION</b></p> <p><b>BOARD DISCUSSION</b></p>

<p><b>if possible) for leaves and brush only.</b></p> <p><b>Roll call vote:</b> Spitler, yes; Johnson, yes; Holub, yes; Flynn, yes; Siska, yes. Motion carried.</p> <p><b>Note:</b> Pentwater Township residents will not be able to utilize Summit Township for recycling during the winter. Recycles may be taken to Oceana County Transfer Station on M-20.</p>	<p><b>continue</b></p>
<p>Spitler reported on the following:</p> <ul style="list-style-type: none"> <li>• Electrical work is complete; HVAC is in process; and drywall will be installed soon on the 500 N. Hancock Street Building. Quotes will be obtained for the resurfacing of the parking lot.</li> <li>• Ron Chrisman, Great Lakes Furniture Supply will provide pricing for conference room furniture and moving furniture from the current office location to the new location.</li> <li>• Ken Adams will remove debris and ash pile from the Transfer Station</li> <li>• Chipper was returned to the Oceana County Road Commission</li> <li>• October 10, 2020 will be a Free Day at the Transfer Station</li> </ul>	<p><b>SUPERVISOR'S REPORT</b></p>
<p>Clerk's Report was received and placed on file. Johnson said the annual audit process is progressing. She asked if the Village would need access to the Transfer Station for leaf pickup. Spitler replied that the Village disposes of their leaves and brush on the west side of the DPW building.</p>	<p><b>CLERK'S REPORT</b></p>
<p>The Treasurer's Report was received and placed on file. Siska said that Monday is the last day to pay taxes without interest and penalty.</p>	<p><b>TREASURER'S REPORT</b></p>
<p>Library monthly packet was received and placed on file.</p>	<p><b>LIBRARY BOARD PACKET</b></p>
<p>Fire Department report was received and placed on file.</p>	<p><b>FIRE DEPARTMENT AGENDA/MINUTES</b></p>
<p>Recreation Report was received and placed on file.</p>	<p><b>RECREATION REPORT</b></p>
<p>Pentwater Lake Improvement Board report was received and placed on file.</p>	<p><b>PLIB</b></p>
<p>The Zoning Administrator's Report, Assessor's Report, Cemetery Sexton's Report and Transfer Station Report were received and placed on file.</p>	<p><b>STAFF REPORTS – Zoning: Assessor, Cemetery Sexton, Transfer Station</b></p>
<p>Johnson said that when the Township signed up from Gov Pro, the \$30.00 per bank account/per month fee was waived. However, because we have a separate bank account for the Cemetery Fund, the additional monthly fee of</p>	<p><b>UNFINISHED BUSINESS <u>Review &amp; Action</u> a. GOV PRO Debit/Credit Card Program</b></p>



<p><u>Frank Arvai</u> commented that it was a driveway to the farmhouse of the 80-acre property purchased by his great-grandfather about 115 years ago. He said that his mother learned it was a road in 1995. In the past year, his in-laws moved to the cottage on the property. It has been quite disturbing to them as the traffic on the road is near the cottage and there has been an increase of trucks and tractors from his neighbor, the Fekkens.</p>	<p><b>Request from Nancy and Frank Arvai for Abandonment of Road 62<sup>nd</sup>. continued</b></p>
<p><b>Moved by Holub and seconded by Johnson</b> to have a Public Hearing regarding the issue of abandonment of a portion of 62<sup>nd</sup> Avenue on October 14<sup>th</sup> at 6:00 p.m. in conjunction with the Regular Township Board Meeting. <b>Voice vote:</b> All Ayes. Opposed: None. Motion carried.</p>	
<p><u>Spitler</u> referred to the written request from Mary Jo Todd to purchase a parcel of land (“the Swamp House property”). There are several things to consider before making any decisions: what convenances are there regarding the property; how did the Township acquire the property; and what is a fair price.</p> <p><u>Flynn</u> said this should be further investigated as there is an easement. It is good to return property back to the tax roll.</p> <p><u>Holub</u> asked if the old Bass Lake survey that was done a few years ago has been reviewed. If there is an easement, it might show up in that survey.</p> <p><u>Edwards</u> said that it appears this parcel is landlocked. More research needs to be done as to how the township acquired the property as there may be a reversion clause.</p> <p><u>Spitler</u> said that our action is that we will do more research and get back to this in October.</p>	<p><b>b. Review &amp; Action</b> <b>Request from Mary Jo Todd to Purchase Parcel #64-044-560-082-00 (Swamp House Property)</b></p>
<p><u>Keith Edwards</u> said that the purpose of this amendment was to clarify the language as to what is “attached” and “detached” in terms of accessory buildings. The Planning Commission conducted a Public Hearing on the amendment on August 11, 2020. It is recommended that the Township Board approve the proposed amendments as part of our zoning ordinance. The changes are highlighted in the document that was supplied in the board packet.</p> <p><b>Moved by Flynn and seconded by Spitler</b> to adopt Ordinance No. 2020-01 to Amend Township Ordinance No 7-14-99, as amended, the Pentwater Township Zoning Ordinance. <b>Roll call vote:</b> Flynn, yes; Spitler, yes; Holub, yes; Johnson, yes; Siska, yes. Motion carried.</p>	<p><b>c. Review &amp; Action</b> <b>Zoning Ordinance 2020-01 Amendment for Accessory Buildings</b></p>
<p><u>Spitler</u> explained the bids being considered are for basic network set-up of</p>	<p><b>d. Review &amp; Action</b></p>

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<p>equipment and labor. The bids do not include office set-up. Shotwell Solutions' bid is \$6,710. STS Computers' bid is \$7,033. Shotwell Solutions also provided a bid of \$1,480 for office equipment set-up. However, that is not being considered at this time.</p> <p><b>Moved by Spitler and seconded by Siska</b> to accept the low bid of \$6,710 from Shotwell Solutions for the network set up to include product and labor.  <b>Roll call vote:</b> Spitler, yes; Siska, yes; Flynn, yes; Holub, yes; Johnson, yes.  Motion carried.</p>	<p><b>Bids for Network Set-up of 500 N. Hancock Street</b></p>
<p><u>Spitler</u> said that Anavon Technology demonstrated a telecommunications system to staff.</p> <p><u>Johnson</u> said that she thought it was a great system. It seems to be user friendly. Also, the Village purchased a similar system several months ago and speak highly of it. If we do accept the quote, she recommended that it be purchased outright rather than utilize the 36-month installment plan.</p> <p><u>Spitler</u> agreed that it should be purchased. <u>Holub</u> noted that sales tax was included in the quote and needs to be removed.</p> <p><b>Moved by Holub and seconded by Spitler</b> to approve Anavon Technology Group proposal of 6,315.85 (less tax) for a telecommunications system at 500 N. Hancock Street.  <b>Roll call vote:</b> Holub, Flynn, yes; Spitler, yes; Holub, yes; Johnson, yes; Siska, yes. Motion carried.</p>	<p><b>e. Review &amp; Action Sales Agreement from Anavon Technology Group for Telecommunications System at 500 N. Hancock Street</b></p>
<p><u>Claudia Ressel-Hodan</u> commented on three things:  Garbage -- congratulated the board for speaking about it and being concerned about the winter months. She thanked Dean Holub for suggesting a reversion clause be included in the documents for the sale of the building.  With respect to the "swamp" property, she was pleased that the process has slowed down. At one time, former Supervisor Smith thought the property would be useful to have a simple trail extend to the curve to the Wishing Well.</p> <p><u>Glenn Beavis</u> commented on the road abandonment issue and recommended getting legal advice. During the discussion, he did a Google search and found a publication from the County Road Association of Michigan dated June 2017.  <a href="https://micountyroads.org/Portals/0/Documents/New-PDF/CRA_RightofWay_GuideDoc_Updated.pdf">https://micountyroads.org/Portals/0/Documents/New-PDF/CRA_RightofWay_GuideDoc_Updated.pdf</a></p> <p>The legal definition of right-of-way (MCL 221.20, PA 283 of 1909) reads:  "All highways regularly established in pursuance of existing laws, all roads that shall have been used as such for 10 years or more, whether any record or other proof exists that they were ever established as highways or not, and all roads which have been or which may hereafter be laid out and not recorded, and which shall have been used 8 years or more, shall be deemed public highways, subject to be altered or discontinued</p>	<p><b>PUBLIC COMMENTS</b></p>

<p>according to the provisions of this act. All highways that are or that may become such by time and use, shall be four rods (66 feet) in width, and where they are situated on section or quarter section lines, such lines shall be the center of such roads, and the land belonging to such roads shall be two rods (33 feet) in width on each side of such lines.”</p>	
<p>None.</p>	<p><b>OTHER ITEMS from BOARD MEMBERS</b></p>
<p><b>Moved by Johnson and seconded by Flynn</b> to adjourn meeting at 7:13 PM. Motion carried by unanimous consent.</p>	<p><b>ADJOURNMENT</b></p>
<p>_____ Sue Ann Johnson, Township Clerk</p> <p>_____ Date</p>	<p><b>Minutes Transcribed by Barbara Siok, Recording Secretary</b></p>