

<p style="text-align: center;"><b>PENTWATER TOWNSHIP BOARD PENTWATER COMMUNITY HALL 327 S. HANCOCK STREET, PENTWATER, MI 49449</b></p> <p style="text-align: center;">Special Meeting of Wednesday, September 26, 2018</p>	
<p>Supervisor Smith called the meeting to order at 7:10 p.m.</p> <p><b>Members Present:</b> Johnson, Siska, Ruggles, Flynn and Smith.</p> <p><b>Board Members Absent –</b> None.</p> <p><b>Others Present:</b> Keith Edwards, Zoning Administrator; Chris Brown, Pentwater Village Manager; Jeff Hodges, Pentwater Village President; Chris Bailey, Township Cemetery Sextant; Alan Kranzo, Duna Vista resident; and, Dean Gustafson, Oceana County Commissioner.</p>	<p><b>APPROVED MINUTES</b></p> <p><b>CALL TO ORDER</b></p> <p><b>ROLL CALL</b></p>
<p>Mr. Smith stated that he and the Clerk will be meeting with Republic Services on October 4, 2018 to discuss trash pickup that was ceased to township residents north of the village. Also, there will be a DEQ meeting on October 18, 2018 in the Community Hall to discuss the water issue at Fincher’s Retreat. He asked that all board members to attend.</p> <p>Zoning issues will be added to New Business and Clerk Johnson would like to briefly discuss absentee ballot postage.</p>	<p><b>SUPERVISOR COMMENTS</b></p>
<p>Mr. Hodges commented that those living in Pentwater Village are also Township residents. He thanked the Township Board for its time in considering how to contribute to the community collectively as an opportunity to improve services for all.</p> <p>Mr. Kranzo asked that the Township Board’s role be clearly defined with respect to the proposed temporary moratorium on applications for building permits, land divisions and certain zoning review with respect to certain uses in the Pentwater Beach Addition No. 4 area within the township</p> <p>Mr. Brown thanked the Township Board for its consideration and generosity with respect to its contribution to the park as expressed in their letter of support. He explained the Village is working on an update to the 5-year Community Recreation</p>	<p><b>PUBLIC COMMENT ON AGENDA ITEMS</b></p>

<p>Plan. With the Township collaboration, the Village will get points for the DNR Trust Fund Grant. The collaboration agreement is a large point item on the application. The Village is contributing \$221,900 of the \$521,900 project.</p>	
<p><i>Moved by Ms. Siska and seconded by Mr. Smith to contribute \$40,000 as local match funds for Grant TF18-0114.</i></p> <p><i>Roll call vote: Siska, yes; Smith, yes; Flynn, yes; Ruggles, yes; and, Johnson, yes. Motion carried.</i></p>	<p><b>MOTION TO APPROVE CONTRIBUTION FOR MDNR TRUST FUND GRANT TF18-0014</b> (Renovate Community Tennis Court)</p>
<p><i>Moved by Mr. Smith and seconded by Mr. Ruggles to delete the second sentence in Section III C of the Cemetery Ordinance</i></p> <p>Roll call vote: Smith, yes; Ruggles, yes; Flynn, yes; Siska, yes and Johnson, yes. Motion carried.</p>	<p><b>MOTION TO APPROVE CEMETERY ORDINANCE</b></p>
<p>The Cemetery Fee Schedule will be reviewed at a later time.</p>	<p><b>CEMETERY FEE SCHEDULE</b></p>
<p>Mr. Edwards reviewed concerns with respect to development of Duna Vista including parts of Pentwater Beach No.4, <del>Whispering</del> <b>Singing</b> Sands and unplatted property in the association.</p> <p>As there is a great deal of difficulty determining what is public; what is private; and, where the roads and rights-of-way are located, he requested that a temporary moratorium with specific dates be adopted. Paragraph G allows some activity during the moratorium if certain requirements are met.</p> <p><i>Moved by Mr. Smith and seconded by Ms. Siska to Adopt Resolution No. 18-15.</i></p> <p><i>Roll call vote: Smith, yes; Siska, yes; Johnson, yes; Ruggles, yes; and Flynn, yes. Motion carried.</i></p> <p>(Resolution No 18-15 is printed in its entirety as an attachment to these minutes)</p>	<p><b>NEW BUSINES</b></p> <p><b>RESOLUTION NO. 18 - 15 APPROVING A TEMPORARY MORATORIUM ON APPLICATIONS FOR BUILDING PERMITS, LAND DIVISION AND CERTAIN ZONING REVIEW WITH RESPECT TO CERTAIN USES IN THE PENTWATER BEACH ADDITION NO. 4 AREA WITHIN THE TOWNSHIP</b></p>
<p>Ms. Johnson requested that return postage for absentee ballots be included. If approved, it would cost less than \$350 but would require an amendment to her budget.</p> <p><i>Moved by Ms. Johnson and seconded by Mr. Smith to amend</i></p>	<p><b>POSTAGE ON AV BALLOT ENVELOPES</b></p>

<p><i>the Clerk's budget in order to include return postage on the absentee ballot envelopes.</i></p> <p>Discussion ensued. Ms. Johnson said that our return rate of AV Ballots is nearly 100%.</p> <p><i>Roll call vote: Johnson, yes; Smith, no; Siska, no; Ruggles, no; and Flynn, no. Motion failed.</i></p>	
<p>Mr. Ruggles expressed his concern about the recent work on Lakeview Road. Mr. Smith will contact the Road Commission about the matter.</p>	<p><b>BOARD COMMENTS</b></p>
<p>The meeting was adjourned at 9:02 PM.</p>	<p><b>ADJOURNMENT</b></p>
<p>_____</p> <p>Sue Ann Johnson, Township Clerk</p>	<p><b>MINUTES PREPARED BY BARBARA SIOK, RECORDING SECRETARY</b></p> <p>_____</p> <p>Date</p>

**TOWNSHIP OF PENTWATER  
COUNTY OF OCEANA, MICHIGAN**

At a special meeting of the Township Board of the Township of Pentwater, held at the Pentwater Township Hall, 327 Hancock Street, within the Township, on the 26th day of September 2018 at 7:10 p.m.

PRESENT: Members: Smith, Johnson, Ruggles, Siska and Flynn

ABSENT: Members: None

The following resolution was offered by Member Smith and supported by Member Siska:

**RESOLUTION NO. 18-15**

**RESOLUTION APPROVING A TEMPORARY MORATORIUM  
ON APPLICATIONS FOR BUILDING PERMITS, LAND DIVISIONS AND  
CERTAIN ZONING REVIEW WITH RESPECT TO CERTAIN USES IN THE  
PENTWATER BEACH ADDITION NO. 4 AREA WITHIN THE TOWNSHIP**

WHEREAS, the Township has been reviewing the roadways, assessments, land descriptions and platting and ownership history pertaining to lands within the Pentwater Beach Addition No. 4 Plat (the “Plat”) within the Township;

WHEREAS, as part of that review, the Township Board has received requests to evaluate past court orders, assessor’s plat activity and title history so as to correctly evaluate land and tax regulatory issues, based on controlling legal authority for these lands and to consider completion of a prior platting process, or other actions, as to the lands within the Plat;

WHEREAS, the Township Board desires to evaluate Plat provisions, assessments and land rulings so as to establish a correct basis for future Township actions, including assessments, building and zoning permits, regulations with respect to public and private roadways and other aspects of Township governance, including possible actions under the Land Division Act;

WHEREAS, the Township Board believes that this review should be undertaken;

WHEREAS, the Township Board believes that it would be in the public’s best interest to evaluate the Plat and associated ownership and occupancy issues based on the current factual circumstances, without being required to make decisions during this temporary review period based on incomplete or uncertain legal or factual background data establishing respective rights and obligations in the Plat area; and

WHEREAS, the Township finds that it is in the public interest to enact a temporary moratorium lasting until March 31, 2019, unless sooner terminated by the Township Board, with respect to the Township’s review of applications for zoning permits (also effectively suspending county-issued building permits), land divisions, street abandonments or vacations, rezoning and other approvals, as specified below, so as to preserve the status quo in the interim, to prevent the development of land or land uses which may not be in the best interest of the Township or the

community, to prevent the development of what might eventually become non-conforming lots or uses, and to prevent the development of land in a manner that might be detrimental to the health, safety and welfare of the Township residents.

IT IS, THEREFORE, RESOLVED AS FOLLOWS:

1. ***Temporary Moratorium.*** A temporary moratorium on Township consideration of certain residential development applications is hereby adopted under the following terms, conditions and limitations:

During the temporary moratorium, the Township shall not review the following types of applications:

Applications seeking rezoning (including PUD developments) or open space preservation districts with respect to property within the Plat.

Applications for zoning permits (and consequently, county-issued building permits) on property within the Plat.

Applications for residential site condominium developments as to lands lying within the Plat.

Applications for vacations, abandonment, relocation or reconfiguration of platted streets, public or private, lots or other lands within the Plat.

The temporary moratorium is effective as to all of the above-mentioned types of applications received in the Township after September 26, 2018.

The temporary moratorium shall remain in effect until March 31, 2019, unless previously terminated or otherwise extended by the Township Board.

Completed applications that were received in the Township office on or before September 26, 2018, shall not be subject to the moratorium and shall be processed in accordance with existing Township rules, regulations and ordinances and applicable federal and state law.

Notwithstanding the terms of this temporary moratorium, platting or replatting applications received on or before March 31, 2019, shall be reviewed and processed in accordance with those required time limitations which are imposed upon the Township by the provisions of the Land Division Act.

The moratorium applies only to the types of applications stated in this resolution.

The Township Board may authorize consideration of zoning permits despite the moratorium if the applicant demonstrates to the satisfaction of the Township Board that the lands and actions which are the subject of the zoning permit application would not be altered or affected by any decisions contemplated by the Township Board to be within the scope of this Township review.

AYES: Smith, Siska, Johnson, Ruggles and Flynn

NAYS: None