

Regular Meeting  
September 16, 2015

Minutes Approved 10/21/2015

The regular meeting of the Clearwater Township Board was called to order at 7:02 p.m. at the Clearwater Township Community Center by Supervisor Niederstadt with the Pledge of Allegiance.

Roll call of board members: Seaman-present; Crambell-present; Niederstadt-present; Eldridge-present; Beland-absent. Also present, Pat Gray, recording secretary and 15 guests.

Moved by Crambell, seconded by Eldridge to approve the minutes from the meeting of August 19, 2015. All in favor, motion passed.

**Declaration of Conflict of Interest:** Crambell-none; Eldridge-none; Niederstadt-none; Seaman-none.

**Approval of Agenda:** Moved by Crambell, seconded by Seaman to approve the agenda as presented. All in favor, motion passed.

**Public Comment:** Linda Bicum questioned the format for the special meeting on September 26, 2015. Niederstadt replied that comments will be limited to three minutes. A committee will be developed to investigate the ideas submitted by various organizations.

**Treasurer's Report:** General Fund, all accounts, \$213,944.82; Public Improvement Fund, \$13,151.31; Road Improvement Fund, \$115,513.94; Fire Fund, \$126,838.63; Fire Equipment Fund, \$39,456.37; Tax Fund, \$254,048.81.

**Clerk's Report:** Moved by Eldridge, seconded by Crambell to approve paying bills from the General Fund as presented, voucher #21548 through 21595. Roll call vote: Crambell, yes; Seaman-yes; Niederstadt-yes; Eldridge-yes. Motion passed. Moved by Eldridge, seconded by Crambell to approve paying bills from the Fire Fund as presented, voucher #7515 through 7530. Roll call vote: Seaman-yes; Niederstadt-yes; Crambell-yes; Eldridge-yes. Motion passed.

**Accountability Statement:** The treasurer balanced with the bank and the clerk balanced with the treasurer.

**Sheriff's Report:** Deputy Pat Whiteford presented the monthly report in the absence of Regan Foerster. He stated they are still working on solutions to the radio transmission problems.

**Fire Department Report:** Chief West stated they have decided against purchasing an ATV at this time. He requested that the township determine if there is coverage on our insurance for vehicles that may be commandeered by a fire department employee during emergency situations.

He presented an application for a new hire, Sarah Rohde. Moved by Crambell, seconded by Eldridge to hire Sarah Rohde for the fire department providing a fire fighter physical is passed. All in favor, motion passed.

West also requested approval for James Haggard and Sarah Rohde to attend a MFR (Medical First Responder) class at the cost of \$690.00 each. Moved by Crambell, seconded by Eldridge to send Sarah Rohde and James Haggard to the MFR class for \$690.00 each, a total of \$1380.00. Roll call vote: Seaman-yes; Niederstadt-yes; Eldridge-yes; Crambell-yes. Motion passed.

Moved by Crambell, seconded by Seaman to approve \$400.00 for fire education materials for the elementary school children for Fire Prevention Week. Roll call vote: Crambell-yes; Niederstadt-yes; Eldridge-yes; Seaman-yes. Motion passed.

Fire Dept. Open House is scheduled for October 11<sup>th</sup> from 12-4pm.

**Hospital Report:** Daniel Conklin, part of the leadership team at the hospital gave an update on hospital programs and procedures.

**Parks & Recreation:** Gray presented Resolution #5 of 2015 for adoption of the Clearwater Township Five Year Parks & Recreation Plan 2015-2020. Moved by Niederstadt, seconded by Seaman to adopt the Clearwater Township Five Year Parks & Recreation Plan 2015-2020. All in favor, motion passed.

Gray also mentioned that the township is currently advertising for a Recording Secretary to take minutes at the Township Board meetings and Zoning Board of Appeals meetings. Only one application at this time, and we will continue to advertise.

**Planning Commission:** Tom Backers reported they have received two applications for Special Use Permits. One is from Bruce Hoopes with a request to have an accessory building approved for rentals. A public hearing is scheduled for November 2<sup>nd</sup>. The other is a rezoning request from Lefebre Distillery for a property on the N.E. corner of Zimmerman Rd. The public hearing is scheduled for October 5, 2015. Both applications have been reviewed for completeness.

**Zoning Administrator's Report:** Niederstadt read Molby's monthly report.

**Assessor's Report:** Dawn Kuhns presented the board with information regarding a case before the Tax Tribunal on a township residence. The defendant in the case has made an offer to adjust their assessed valuation however it is much less than the tribunal is recommending. Moved by Niederstadt, seconded by Eldridge that the offer not be accepted. Roll call vote: Seaman-yes; Niederstadt-yes; Crambell-yes; Eldridge-yes. Motion passed. She wanted to remind everyone that the Veteran's Exemption needs to be applied for each year.

#### **OLD BUSINESS:**

**Rental Agreement-Gym and Community Center** The rental agreement for the township hall and community center has been corrected and ready to be adopted. Moved by Crambell and seconded by Eldridge to accept the Rules and Rental Agreement and Addendum for the use of the Township Hall and Community Center (Little Red Schoolhouse). All in favor, passed

**Rapid River Fire Contract:** Rapid River has signed the agreement for Fire Protection and Emergency Medical Services, and their check is in the mail.

**Special Board Meeting:** A special meeting will be held on Saturday, September 26, 2015 at 9:00 am at the Clearwater Township Hall to discuss issues relating to the sandbar situation. Niederstadt and Seaman have volunteered to participate in a six-person committee.

**Review of Insurance Policy – Fire Dept.** Our attorney's opinion regarding the James Fellows claim states that the policy is very clear about the coverage provided in the policy and there is no way the township can use public funds to fight the decision.

**NEW BUSINES:**

**Seeds** – the group will be starting work here within the next few days. They are providing a wood chipper for an extra \$175.00 so they can begin chipping the brush at Heritage Park. They will transport the chips to Freedom Park to be spread on the trails.

**Umlor Property Problem:** The ZBA had granted a variance to Mr.Umlor to add two small additions to his house on Crystal Beach Rd. to square the structure up. After work was started, black mold was found in the structure. The zoning administrator issued Mr.Umlor a permit to demolish the house and rebuild in the same footprint which included the variance. He also issued him a Land Use Permit, and that was done in error since the demolition was more than 50% of the structure. Our attorney does not feel we should take action to stop Umlor from continuing the building because he had valid permits. Moved by Niederstadt, seconded by Crambell to not pursue a violation against Wes Umlor. Roll call vote: Seaman-yes; Niederstadt-yes; Crambell-yes; Eldridge-yes. Motion passed.

**Reimbursement of Damaged Equipment:** The opinion from the attorney stated it is legal to pay for equipment of private individuals that was damaged during the recent storm emergency since it was for the betterment of the township. We are waiting for receipts from Jason Morrison and Lars Schaub.

**Clean up bids for materials at Heritage Park:** Larry will get new bids for tree work that needs to be done and also the rest of the brush pile at Heritage Park

**Cedar St. Beach:** Larry will get an updated bid from Powell Excavation and also a second bid for work to clean up Cedar Street access.

**Letter from Insurance Company Regarding Physicals:** Discussion regarding the fact that there are only a few copies of physicals in the township's records for fire department members, and none for approximately three years. Physicals are not being done consistently. Moved by Seaman and seconded by Eldridge to pay for annual physicals and initial drug testing for fire department members to be completed by November 1, 2015, with annual physicals and random drug testing thereafter. Roll call vote: Crambell-yes; Eldridge-yes; Niederstadt-yes; Seaman-yes. Motion passed.

**Appointment of Board Members:** Moved by Niederstadt, seconded by Seaman to reappoint Lucy Gerlach to the Zoning Board of Appeals for a term of three years. Roll call vote: Seaman-yes; Niederstadt-yes; Crambell-yes; Eldridge-yes. Motion passed.

Moved by Eldridge, seconded by Seaman to appoint Carol Backers to the Board of Review for a term of two years. All in favor. Motion passed.

Moved by Crambell, seconded by Niederstadt to appoint Pat Hubble as an alternate to the Board of Review. All in favor. Motion passed.

**Public Comment:** Question from Greg Bradley regarding tax funds added to the fire fund. Crambell explained the auditor suggested tax funds be distributed to the various other funds on a regular basis.

Motion to adjourn at 9:27 p.m.

Pat Gray, Recording Secretary