

Regular Meeting
July 15, 2015

Approved 8/19/2015

The regular meeting of the Clearwater Township Board was called to order at 7:16 p.m. at the Clearwater Township Hall by Supervisor Niederstadt with the Pledge of Allegiance.

Roll call of board members: Crambell-present; Niederstadt-present; Seaman-present; Beland-present; Eldridge-present. Also present were recording secretary, Pat Gray and approximately 100 guests.

Moved by Crambell, seconded by Beland to approve the meeting minutes of June 17, 2015. All in favor – motion passed.

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

Niederstadt addressed issues in regard to the Torch Lake sandbar 4th of July party. He informed the guests that the DNR has control over what happens on the water. He has spoken with a DNR representative, Glenn Guteriz who indicated the DNR will have a larger presence on the sandbar next year, and he will plan to attend the organizational meeting in June next year. Niederstadt also stated that a joint meeting with Milton Township will be scheduled very soon since they have many of the same concerns as Clearwater Township.

Public Comment: Michelle Bell spoke as one of the facilitators of the Torch Lake Preservation facebook page. She is very disturbed by the littering and vulgar behavior. Literature with concerns and possible solutions is being distributed; Linda Bicum suggested that the party be staged as an event and used as a fund raiser. Brad Burnham suggested that homeowners along Crystal Beach might just want to take a vacation during that time. Becky Norris from the Torch Lake Protection Alliance spoke about the water quality and sampling that was done by TLPA. She stated that the water quality was horrible, and some high numbers for E-Coli were found. Bruce Tamulis suggested that people in the community mingle with the crowd of young people and talk to them kindly about their behavior.

Michelle Fortuna Schellie thanked the sherriff patrol for all their efforts, and wished the community could support more deputies. The facebook page, **Torch Lake Preservation, Save our Sandbar**, now has about 600 members. She read the concerns and possible solutions that have been gathered. She suggested that the people who are promoting this party be liable for the expense it causes the community for porta-potties, trash receptacles, trash cleanup, and enforcement. She would like to see all agencies involved with enforcement, etc. come together and research answers.

Mike Buchanan, County Commission spoke about the Kalkaska County Tire clean up being held on August 5th from 8 am to noon. He encouraged everyone to use the opportunity to get rid of old tires.

Meeting break at 9:00 p.m. Meeting resumed at 9:10 p.m.

Approval of Agenda: Moved by Seaman, seconded by Niederstadt to accept the agenda as presented.

Six letters received from residents in reference to sandbar and firework will be read at a future joint meeting. All in favor-motion passed.

Treasurer's Report: General Fund, all accounts, \$225,382.71; Public Improvement Fund, \$13,142.53; Road Improvement Fund \$107,851.32; Fire Fund, all accounts, \$129,458.81; Fire Equipment Fund, \$39,442.45; Tax Fund, \$531.17.

Clerk's Report: Moved by Eldridge, seconded by Crambell to pay bills from General Fund as presented, voucher #21437 through 21492. Roll call vote: Crambell-yes; Beland-yes; Niederstadt-yes; Seaman-yes; Eldridge-yes. Motion carried. Moved by Eldridge, seconded by Crambell to pay bills from Fire Fund as presented, voucher #7487 through voucher #7496. Roll call vote: Seaman-yes; Beland-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 Forester submitted his report for 6/17/2015-7/14/2015. Sheriff Devol gave a report on activities over the July 4th weekend. He noted that his staff was working 15-18 hour days through that period. He answered questions from several members of the audience, and gave the following numbers from the 4th weekend: 24 DUI; 20 disorderly; 53 MIP; 42 parking tickets; 14 narcotics. Devol thanked the Clearwater Township EMS for their help. They handled 62 medical calls. Further questions, answers and details will be handled at the special meeting.

Fire Department Report: Discussion on implementing an Advanced Life Support (ALS) ambulance at Station #5 to be staffed by Kalkaska Memorial EMS. There would be no expense to Clearwater Township residents. Moved by Seaman, seconded by Beland to accept the contract from Kalkaska Memorial EMS to staff an ALS ambulance at Clearwater Township Station #5. Roll Call vote: Crambell-yes; Niederstadt-yes; Beland-yes; Seaman-yes. Motion carried.

Discussion on how to recognize members of the fire department who have passed away. West suggested a resolution be put in place after consulting with the attorneys on what could be allowed. Beland questioned the status of the insurance claim on James Fellows who passed away. The claim was denied by our insurance. Beland moved to take our insurance policy to the township attorney to review regarding payment on the Fellows claim, and the attorney's opinion on it.. Motion seconded by Seaman. Discussion followed and Niederstadt stated that we could get an opinion from our attorney, however we would be using taxpayers money. Roll call vote: Crambell-yes; Niederstadt-yes; Beland-yes; Seaman-yes; Eldridge-yes. Motion carried.

Parks & Recreation: Gray reported the Heritage Festival committee has officially been dissolved. The balance of funds were used to purchase a new piece of playground equipment for Freedom Park East. The new cemetery sign at the entrance is now in place. Abe Devol reported there were six teams in the Chain O'Lakes league this year that used our fields. He requested the township look at making some maintenance improvements to the ball fields before the next season. The Minor B girls won their division this year, and proceeds received at the Businessmen's Pig Roast were donated to the team. A softball pitching machine will be purchased with the money.

Zoning Administrator's Report: Niederstadt read the report. Board members would like to see more information on Molby's reports in the future as well as copies of complaints and their status. They are concerned about stricter enforcement in the township, and also feel the board needs to look at the compensation for the position and the job description.

Old Business: Rapid River Fire Contract. There was a misunderstanding regarding the Accumed billing, and Rapid River did not approve the contract at their last meeting. There was also an error on our part on a payment of \$8,000.00 made by them in 2013. The payment was applied to 2012 services, but should have been considered as payment for the 2013 contract. They acknowledge they owe us for 2012, 2014, and 2015. The contract will be corrected to read that way. Niederstadt moved to allow the payment for 2012 be the same as the payment for 2013 at \$8,000.00, and for 2014 and 2015 the amount to be billed would be \$10,500.00.

Comments by Crambell: With respect to our Clearwater Township residents, Rapid River Township is at our mercy and asks for our service. They should pay the same as our Clearwater residents or more. We are the ones that do the work to maintain a fire department. Feels the services should be put on their tax roll, and they should be at this meeting if they want our services.

Motion was seconded by Beland. Roll call vote: Crambell-yes; Niederstadt-yes; Beland-yes; Seaman-yes; Eldridge-yes. Motion carried.

Update on Article XXVI. Board members have a copy of changes which have been approved by the county planning and our planning commission. This will be on the next meeting's agenda for approval.

Rental Agreement - Gym and Community Center. It is a day permit, which is why the time ended at 12:00 a.m. A letter from the attorney will confirm this and it could be approved at the next meeting.

Morrison Rd Update: Work is complete. Shoulder work has been done also.

Electric Sign: On hold until we receive numbers from Adam Parzyck.

Spending Resolutions: Board has information on a spending policy and will consider it at the next meeting.

New Business: Seeds-Expense: Niederstadt suggested the students be used this year to put wood chips on trails in Freedom Park and possibly install steps at the canoe launch area as well as install a split rail fence. Needs to know how much we are willing to spend. Last year it was under \$3,000.00. Moved by Crambell, and seconded by Eldridge to approve up to \$3,000.00 for the Seeds Program. Roll call vote: Beland-no; Seaman-yes; Niederstadt-yes; Crambell-yes; Eldridge-yes. Motion carried. For the record, Beland stated she voted "no" because it was not stated directly where the money was going.

Permission for consultation: Niederstadt requested the board's approval to use a special attorney on a labor matter. The attorney has agreed to work for the same amount per hour as our current attorneys. Moved by Niederstadt and seconded by Crambell to give permission for Niederstadt to contact Attorney Steve Schwartz for a legal opinion on a labor matter. Roll call

vote: Beland-yes; Seaman-yes; Crambell-yes; Eldridge-yes; Niederstadt-yes. Motion carried. When the opinion is received, Niederstadt may call a special meeting to handle the problem.

Molby will be checking with our attorney on the legality of a land use permit which was issued to an individual who was granted a variance for an addition to his home.

Public Comment: Pat Hubble spoke about the Rapid River contract and the length of time that it has been unresolved.

Meeting adjourned at 10:35 p.m.

Respectfully submitted

Pat Gray, Recording Secretary