

Milton Township
Meeting Minutes
September 12, 2011

Members present: Cole, Bargy, S. Ball, Atkinson, and Pharo

Also present: Attorneys Derman and Turkelson, Weinzapfel, Jeremy Ball, Stilson, Glenn Paradis, and ten audience members.

Bargy called the meeting to order at 7 pm and the Pledge was recited

Approval of Agenda

Agenda approved by consent

Approval of meeting minutes dated August 8, 2011

Motion to approve the minutes as presented by Pharo. Seconded by S. Ball. Motion carried.

Public Comment

Dennis Fitzpatrick and several citizens of NW Torch Lake Drive discussed rental homes not owned by individuals, but listed under an LLC. They are clearly not in compliance with our zoning ordinance on weekly rentals. There were eleven cars in the driveway. People were there for three days, screaming curse words in the middle of the night. The letters we have sent to them have been disregarded. You can check with the sheriff's department to see how many complaints homeowners have called in. They are buzzing the shoreline in jet skis and boats. What is going to correct this problem? It appears that our ordinance has a big hole in it. Fitzpatrick presented a suggestion. Rentals are permitted, providing the owner actually occupies the rental. He urges the board to follow up on this. There is a potential for a lot of big homes around here that could be used as hotels.

Dennis Fitzpatrick said there has also been a big movement at the state level for transparency. He urges us to read the minutes as if we weren't here every month. He's been away and he hasn't been able to catch himself up by reading the minutes. He would like more description. He would also like more detail on the financials of the township. He believes we are in compliance legally, but he would like the township to provide more information.

Sheriff's Report

As presented by Bargy

182 complaints. Most were marine patrol and traffic stops.

Fire Department Report

As presented by Deputy Ball

13 calls for service for August. 82 calls for the year at August. Last year, 106. Update on Chief Brian Howard's health and has his address if you'd like to send him a card. Update on ISO test. It went very well. Results won't be ready until the first of next year. Recommendations were to improve water supply (dry hydrants or underground tanks). Update on equipment issues 9930, 9931, 9951, 9952, 9950). Emergency lighting installed at stations one and two. Pump tests

completed. Two donations received (\$100 and \$1000 for water rescue fund). \$1000 collected during dump days for MDA. Update on firefighter training. If it were possible to train in the field, the fire department would much prefer that as opposed to training at the stations. If citizens would like to allow this, they would like to gain experience training out in the community. Update on radio issues. Possible solution is installing a repeater. There are a couple possible locations and cost issues. Update on the rescue rig from Harrison. It was secured for \$36,500, although 38,000 had been allotted. There is a list of things that will be needed to get the truck operational. Bargy and Pharo said to get the list of equipment needed on paper so the board can review. The most important is the extrication equipment.

Motion by Pharo: to order the extrication equipment now. Seconded by S. Ball. Motion carried.

Jerry Mensing asked if the department also covers the tribal homes on Wiingash. Deputy Ball said yes. Mensing commended the fire department on their work during the ISO test, which he observed. Deputy Ball praised the firefighters for a job well done, they worked very hard.

Ambulance Report

As presented by Weinzapfel

63 runs for August. 17 to Milton Township. For 2011, 296 which is 37 more than last year at this time. Update on station staffing. Update on continuing education. The cost of some required training will be \$5500. They are hoping Elk Rapids will be able to fund this course since it wasn't placed in the budget for this year. Update on annual inspection of department. They have passed and are now on standby at the football games.

Zoning Report

As presented by Weinzapfel

8 land use permits for August. There have been issues with the DeFauw property split. Cottage Cove is on track. Regarding weekly rental issue, the first notice of violation of the weekly rental ordinance had been sent out last month. The owner said sometimes he rents them out to friends and sometimes he gives the lodgings for free. The ordinance leaves it open. When he sends notices out, he lets them know that the township board has the power to step in and pass a police ordinance and takes effect immediately. If the weekly rental cannot be controlled, action may be taken. These people here tonight aren't the only ones that have issues with the rentals. Other calls have been placed, but no complaints made. The other issue is there have been two letters written asking the planning commission to address the time that construction companies start working in the morning. Most times they are starting at 7 am. Sheriff Bean is investigating to see if we have authority over an issue like that. Weinzapfel will follow up.

Greg Wotzak discussed rentals that are turning over every weekend.

Joyce Grammar said she hopes our township does not consider an ordinance to regulate when a construction company can start in the morning. Her family has been the construction business and there are very good reasons for starting at this time. Cole stated that the construction is eventually completed. This is a temporary condition.

Attorney's Report

As presented by Derman

Derman clarified some issues on the Sheriff's report. Update on GT Band regarding construction being done there. Update on Cottage Cove sales that will go into escrow for the septic system. Six tax tribunal matters are pending. Wilderness Bay Lodge Public Hearing tomorrow night at the planning Commission meeting.

Planning Commission Report

As presented by Stilson

Update on Wilderness Bay Subcommittee Report. Wilderness Bay Condo association is requesting an amendment to their special use permit/master deed to allow rentals of their units for no less than six months. Ordinance Review Subcommittee Report, definitions are being worked on. There is one item tabled that is on the agenda for tomorrow's meeting. Septic Inspection document has been sent to attorneys and the planning commission will discuss the feedback.

Supervisor's Report

As presented by Bargy

Update on phragmites. Permit has been received to do Juniper Shores and White Sands. We are contracting with area townships to save money.

Public Comment

Dennis Fitzpatrick asked regarding what would be the next step for the township in regards to the rental issue.

The board agreed to refer to the planning commission for study over the next several months. S. Ball inquired if this issue is in violation of their association bylaws? It was stated that yes, the association has sent correspondence as mentioned, and that they were told that the house was being handled as a weekly rental and that sometimes the guests where there for no charge. Just as guests. They will continue to address the matter as an association. Weinzapfel discussed the whole process of changing the ordinance to a police ordinance. This could be a multi year process. The violation process was discussed.

Jerry Mensing asked if there was any money left for road repairs. Bargy stated that the road budget has been used this year, but we are looking for any extra to do crack sealing. The county would determine which roads needed it the most.

Approval of Bills

Motion to approve the bills by Atkinson. Seconded by S. Ball. Motion carried.

Meeting adjourned by order of the chair at 8:15 pm.

These minutes are subject to approval at the October 10, 2011 regular meeting.

Respectfully submitted,

Sandra Ball, Clerk

