

ONOTA TOWNSHIP BOARD
MINUTES OF REGULAR MEETING
DECEMBER 4, 2017

I. CALL TO ORDER

The meeting was called to order at 7:00 pm.

Members Present: Terry Pihlainen, Supervisor
Susan Kerst, Treasurer
Catherine Kimar, Clerk

Connie Lacko, Trustee
Brian Bresette, Trustee

Members Absent: *none*

II. AGENDA

A motion was made to accept the agenda as amended (*add "Appointment to Zoning Board of Appeals" under new business*).

Motion: Terry Pihlainen
Support: Brian Bresette
Motion carried.

III. MINUTES

A motion was made to accept the minutes from the November 6 meeting as presented / amended.

Motion: Brian Bresette
Support: Catherine Kimar
Motion carried.

IV. REPORTS

A. Financial Report

The treasurer presented the bills for payment.

A motion was made to pay the monthly bills as presented:

- » \$9,232.19 for the general fund, checks #3887 to #3911;
- » \$2,335.90 for the fire fund, checks #1765 to #1772; and
- » \$5,209.08 for the solid waste fund, check #1151.

Motion: Catherine Kimar
Support: Susan Kerst
Motion carried.

A motion was made to approve the monthly balance sheet and profit & loss statements for the general fund, fire fund, solid waste fund and tax fund as presented by the clerk.

Motion: Susan Kerst
Support: Brian Bresette
Motion carried.

Roll Call Vote:
Ayes: Susan Kerst
Terry Pihlainen
Connie Lacko
Brian Bresette
Catherine Kimar

B. Assessor Report

The clerk read the report from the assessor (*copy on file*).

C. Zoning Administrator Report

The clerk read the report from the zoning administrator (*copy on file*). The Zoning Administrator

arrived and gave a detailed verbal summary of his report later during the meeting.

D. Fire Department Report

Chief Kimar read the Fire Department Report. A copy is on file.

A motion was made to approve up to \$575 for the purchase of two replacement SCBA masks.

Motion: Susan Kerst
Support: Terry Pihlainen
Motion carried.

E. Planning Commission Report

No report due to lack of quorum for the November meeting.

F. Supervisor Report

The supervisor reported on the following:

- * **US Forest Service:** proposal on red pine/aspen harvest – the comment form & proposal language will be linked to on the township website.
- * **Par-plan Representative:** township insurance coverage is at proper levels. However, the grant they offer would not cover a township hall generator, due to required criteria of the item lessening liability.
- * **Potential generator** for township hall: 11 KW generator would run around \$3,200. As this amount is not in the current budget year, the issue will be revisited during budget meetings.

V. CORRESPONDENCE

No correspondence was received.

VI. PUBLIC COMMENT

Public comment was opened at 7:10 pm.

Comment was received from Mike McHaney on the generator preventing frozen pipes; and Delores Dolan on the propane needs of the generator.

Public comment was closed at 7:13 pm.

VII. UNFINISHED BUSINESS

A. Ordinance enforcement officer

The clerk reported that if the township created this position, the accountant recommended creation of a specific line item near zoning as there is no line item assigned to it, and had given her an unused line item account for this purpose. The sub-line item accounts would depend on the expenses of the position and needed to be determined by the township.

The clerk had also contacted MTA on what ordinances were required for enforcement. The MTA representative clarified that townships have three approaches to handling violations: (1) civil injunctive actions (circuit court) - an order by the court to do or stop doing something (only applicable to situations such as a public health hazard or nuisance), (2) misdemeanor violation (district court), and (3) municipal civil infractions (district court).

An "Ordinance Enforcement Officer (OEO) Ordinance" is extremely limited if passed alone. This officer would not have the power to assess a fine through citation upon anyone unless the township also passed a "Municipal Civil Infractions (MCI) Ordinance." There is a further option of passing the Municipal Civil Infractions Violations Bureau (MCIVB) Ordinance, which would allow collection of fees by the township itself, but potentially adds a fair amount of cost and complexity. All previous

ordinances would need to be reviewed and any that would be enforced in this way must be amended.

The board discussed this issue at length and tabled it until next month; copies of the applicable ordinances will be in next month's board packet.

B. Board Policy Review

The board discussed the last portion of section 4.0 and covered all of section 5.0. Changes and updates will be made as discussed and agreed on.

VIII. NEW BUSINESS

A. Quickbooks Renewal Cost Approval

The clerk presented the cost of renewing the annual subscription to Quickbooks at \$670.

A motion was made to approve \$670 for renewing the annual subscription to Quickbooks.

Motion: Terry Pihlainen
Support: Catherine Kimar
Motion carried.

B. Delinquent Personal Property Taxes

The treasurer reported on a developing issue of a business owner refusing to pay personal property taxes (PPT), which are due to the township. The clerk presented an informational handout she had obtained from MTA regarding delinquent PPT. Though the township board may be made aware of the issue, it was noted that this collection is solely the duty of the treasurer.

C. Lake Superior water level

Impact on Residents:

- * *Brownstone Creek* – an affected property owner is willing to take over the responsibility of the DEQ permit for clearing the creek when it begins to cause flooding.
- * *Laughing Whitefish Point Rd* – residents want to haul rock in to protect their property from wave erosion. The northernmost bridge has a weight limit of 19 tons would significantly slow this process. The National Guard has a temporary bridge available that would allow more weight than the current bridge, but requires a local unit of government to apply for its use. The township can apply, but the Alger County Road Commission would need to issue permits to all contractors that would be using the temporary bridge.

Role of Township in Damage Remediation:

The board discussed to what extent the township should be involved in this type of matter. It was noted that it depends on the willingness of local elected officials to spend time coordinating such efforts, whether or not the work would require any expenses to the township (not a legally permissible cost without a special assessment district), and the expectations of residents & taxpayers.

It was agreed that it would be beneficial to have a policy or guideline in place on how the township should handle damage remediation requests, including response methods and limitations. This will be looked into for next month.

D. Appointment to Zoning Board of Appeals (ZBA)

A letter of interest was received from Gregg Quinn regarding the open seat on the ZBA.

A motion was made to appoint Gregg Quinn to the ZBA.

Motion: Terry Pihlainen

Support: Brian Bresette
Motion carried.

IX. PUBLIC COMMENT

Public comment was opened at 8:18 pm.

Public comment was received from Terry Lane on the hazardous waste barrel pick-up; and Mary Ann McHaney on where the temporary bridge would be located.

Public comment was closed at 8:22 pm.

X. BOARD CONCERNS

Catherine – old records dating from 1884 to the 1950s found in attic. Planning to bring them to NMU archives. Will allow time for anyone who wants to review/see them. Cemetery vault key in safe does not work (was looking for records).

No other concerns were expressed.

XI. ADJOURNMENT

A motion was made to adjourn the meeting at 8:32 pm.

Motion: Brian Bresette
Support: Susan Kerst
Motion carried.

Respectfully submitted,

Catherine Kimar
Onota Township Clerk
Proposed: 12/04/17
Approved: 01/02/18