

# Claybanks Township

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April 9, 2018

## MEETING MINUTES

The regular meeting of Claybanks Township was called to order at 7:30 p.m. by Supervisor Smith with the Pledge of Allegiance. Members present: Smith, Eilers, Lombard, Rabe and Freye.

**Agenda Additions** – Reports - Add Zoning Board of Appeals; Old Business (E) Trees for Park

### Minutes

**(A) Approval of March 12, 2018 Budget Hearing minutes** - David Rabe made a motion to approve the March 12, 2018 Budget Hearing minutes. Second by Dan Lombard. All in favor. Motion carried.

**(B) Approval of March 12, 2018 regular minutes** - Daniel Lombard made a motion to approve the March 12, 2018 regular meeting minutes. Second by David Rabe. All in favor. Motion carried.

### Accounts Payable

**(A) Approve April Payables** – David Rabe made a motion to pay the general fund payables in the amount of \$16,952.27 and the park fund payables in the amount of \$3,504.96. Second by Dan Lombard. Rabe, yes; Freye, yes; Eilers, yes; Lombard, yes; Smith, yes. Motion carried.

**Correspondence** – Miscellaneous correspondence was reviewed. A letter from Atty. Rodger Sweeting on behalf of Grant Township was received. Grant Township provides fire protection for Claybanks Township and, as such, will be expected to respond to any emergency at the Marsh Swine Farm. Grant Township is objecting to the approval of the CAFO because of inadequate roads. The letter states because Flower Road is substandard, they will not send their trucks down it as when it is muddy and rutty it is impassible. They understand that the DEQ permit does not consider road conditions or access. They are inferring that any requirement for improvement from the applicant must be imposed by the Township or Road Commission. They are asking us to do so before any final approval. The township, however, does not have any say in whether the DEQ approves the CAFO or not. A note will be sent to Atty. Sweeting advising him of that.

**Public Comment** – Atlas, Inc. requested to be placed on the agenda and were originally placed under New Business. To save them for having to sit through all the reports and Old Business, they were allowed to speak during Public Comment. They requested to be on the agenda to make a presentation to the board and audience about their proposed medical marijuana facility. They were advised that the township has opted out of adopting any ordinance allowing such a facility. They still wanted to make their presentation and get feedback. Their presentation took about 35 minutes. After that, they took questions from the board.

There was no other public comment.

### Reports

**(A) Financial** – General Fund \$284,009.65; Fire Fund \$81,935.38; Road Improvement Fund \$18,820.20, Park Fund \$68,880.81.

**(B) Zoning Administrator** – Report given by John Muchna. This is John's final report to the board, as he is retiring after tonight's meeting. He issued four permits. He also received a phone call from David Marsh requesting a zoning permit for his CAFO. John wanted board input before issuing this and will leave it to the new zoning administrator, Sara Bizon, to handle.

**(C) Planning Commission** – Report given by Art Grumm. The Planning Commission will meet on April 17 at 7:00 p.m. They will discuss the solar ordinance draft.

**(D) Cemetery Committee** – Report given by Carol Royalty. Cemetery Clean-up Day is scheduled for April 28 at 9:00 a.m. with a rain date of May 5 at 9:00 a.m. Carol asked if the 4H kids would be helping again this year. Brenda Eilers advised that Sherry Lemmen was working on this.

- (E) **Zoning Board of Appeals** - Report given by David Rabe. David read the minutes from the March 20, 2018 public hearing. Joe and Sally Twist were requesting a setback variance. They revised their request at the hearing as their association would not allow their original request. Their request was modified to meet association requirements. The Zoning Board of Appeals approved their request.

### Unfinished Business

- (A) **Park Administration Fee** - Due to improvements made at the park, more was spent than we received in the last fiscal year. Improvements were partially paid for from previous years revenue. David Rabe made a motion to table taking an administration fee until the June regular board meeting, when we will review revenue to date for this fiscal year. Second by Brenda Eilers. All in favor. Motion carried
- (B) **Campground Notice from DEQ** - The DEQ request for documentation was provided and the campground license has been renewed. It appears the DEQ may want to make another inspection. Dan and Cindy Lombard were thanked for their work in gathering the needed documentation and getting it to the DEQ.
- (C) **Insurance** - Multiple documents requesting information and values were reviewed. It was agreed to deny terrorism coverage. The values presented by the insurance company were deemed appropriate.
- (D) **Municipal Civil Infraction Ordinance** - The proposed meeting with Dick Smith, Mary Freye, and an Oceana County judge did not take place during Spring Break. Dick Smith and Zoning Administrator, Sara Bizon, will set up a time to talk to a judge to get their input on what is needed in a civil infraction ordinance.
- (E) **Trees for the Park** - Dan Lombard got prices from Montague Tree Farm for trees for the park. To get six to seven foot, one and one half inch diameter sugar maples would be \$110 per tree. Nine trees were taken out last year. It was agreed that replacing six of them this year would be a good start. Dan Lombard made a motion to purchase six sugar maples from Montague Tree Farm for \$110 each. Second by David Rabe. Eilers, yes; Lombard, yes; Smith, yes; Rabe, yes; Freye, yes. Motion carried.

### New Business

- (A) **Atlas, Inc. Presentation** - Given during Public Comment.
- (B) **Planning Commission Appointments** - Terms for Eric McFadden and Mark Kutches expire on May 15, 2018. Dick Smith attempted to call both of them, but was not able to contact Eric McFadden. He will get his email from Art Grumm and report at the May regular meeting on their willingness to continue to serve, or not.
- (C) **Assessor Contract** - The assessor contract expires on April 30, 2018. Jim Pease advised Dick Smith we could look for a new assessor if we want because he does not know what he is going to do. He has applied for a new job. He said if he gets it, he will be willing to continue on as our assessor. If he does not get the job, he will not stay on as our assessor. He is willing to work on a month to month basis in the interim. David Rabe suggested we advertise for a new assessor. An ad will be placed in the paper.
- (D) **Park Manager/Assistant Manager Contracts** - Park Manager Jesse Cisneros was present at tonight's meeting. He stated he and his wife, Carol, are willing to continue on as managers at the same salary as last year. Contracts had been prepared prior to the meeting and were given to Jesse for his and Carol's signatures. Once they sign the contracts, they will return them to Dick Smith.
- (E) **Scenic Drive and Webster Road Improvements** - A proposal by the Oceana County Road Commission was reviewed and discussed. If Claybanks Township participates at a cost of \$73,766.00, the Road Commission could pave close to one mile of road. To do this, we would need to roll money into the Road Improvement Fund from the General Fund. David Rabe made a motion to roll \$65,000.00 from last year's remaining general fund balance into the Road Improvement Fund. Second by Dan Lombard. Smith, yes; Rabe, yes; Eilers, yes; Lombard, yes; Freye, yes. Motion carried. The Road Improvement Fund will be \$83,820.20.

Their proposal also stated that if we did this, they would participate with us in 2019 on 48th Avenue from Webster to Skeels for \$73,766.00 It was noted that we would not have funds to do this. Dick Smith and Dan Lombard will meet with the Road Commission to see if a lower price can be agreed upon.

Discussion then ensued about the possibility of asking for 2 mils for road improvement on the August ballot. This would allow us to repair a mile or so of road each year. Mary Freye was not sure when the deadline was to get wording on the August ballot, but will check into it. She will also get the wording ready for approval at the May meeting. If the deadline is before the May meeting, a special meeting will be called to review wording and make a resolution to place this on the ballot.

**Supervisor Comments** - Dick Smith recognized John Muchna for his 40 years of service to our township as Zoning Administrator. He then introduced our new Zoning Administrator, Sara Bizon.

**Adjournment** - 9:12 p.m

Respectfully submitted,

Mary Freye