**Green Lake Township Regular Board Meeting**

**Minutes**

**January 9, 2024**

**CALL TO ORDER**: Called to order at 5:30 p.m. by Supervisor Radtke.

**ROLL CALL**: Radtke, West, Kramer, Marek, McDonald, Bieganowski, Biondo. Also present, Recording Secretary Mary Jo Barck.

Radtke reminded the audience to turn cellphones to vibrate or mute.

**PLEDGE**: Was recited.

**APPROVAL OF AGENDA**:

Marek wished to add under New Business, adding Mary Jo Barck as signatory to Huntington Bank checking. **Motion by Marek, supported by West to approve the agenda as amended to include additional signatory at Huntington Bank. Motion carried unanimously, voice vote, 7-0.**

**APPROVAL OF CONSENT AGENDA**: Radtke polled the members, audience and staff if there were items to be pulled from the Consent Agenda**. Motion by West, supported by Marek to approve the consent agenda as presented. Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**CONFLICT OF INTEREST:** None on this date.

**REPORTS**:

GRAND TRAVERSE COUNTY SHERIFF, Mike Shea:

Not available on this date. Radtke was asked to send several meeting dates to the Sheriff’s office for opportunity to attend.

DEPUTY MARK NOFFKE, GREEN LAKE TOWNSHIP COMMUNITY POLICE OFFICER:

Deputy Noffke annual statistics released. A felony drug arrest case removed $50,000 of drugs from township. One candidate has gone through the academy, sponsored by department. West asked how long they have to stay, Noffke said he believes two years. The job is guaranteed after successful completion of program.

CHIEF DARYL CASE, GREEN LAKE TOWNSHIP EMERGENCY SERVICES:

Written reports provided in the agenda.

COUNTY COMMISSION:

Not available on this date.

ROAD COMMISSION:

Not available on this date.

Radtke did say construction on S. South Long Lake and West Long Lake Road intersection will happen this spring. The grade of the hill will be knocked down for better vision. They will also replace the Sucker Creek culvert during the construction. This will begin after the July 4 holiday and continue through Labor Day. Rogers Road and Fischer Road will also have improvements for safer access to S. South Long Lake.

**INTERLOCHEN STATE PARK UPDATE:**

Radtke updated the members and those present on the current status of the closing of Interlochen State Park for the 2024 season. The park will be closed all year. The State was awarded $4m to upgrade infrastructure, get it done in one season with closure. It has not gone out to bid yet. The boat launches will also be closed, Radtke did ask that one remain open for use by Emergency Services personnel. The rustic campgrounds will be open the entire season. Both Representative Roth, and County Commissioner McAllister have brought the item up their memberships to see how they may be able to help.

**MDOT**:

Radtke reported the US31 portion between Materne NA and Reynolds Roads will be under construction during the 2025 season. The safety improvements include a left turn lane the length of the construction. They will work to minimize impact to the community and try to keep traffic flowing through Interlochen corners.

**NUISANCE ORDINANCE:**

Marek provided fact-based information on the newly proposed Nuisance Ordinance. Social media is portraying the ordinance to a HOA rules. He posted the actual draft which was included in tonight’s Board packet. The draft was being brought forward by staff, no one knows if there will be a vote. Board members represent the community and votes take place in the best interest of all residents. The ordinance this would replace was last reviewed in 2005, and the township looks at all ordinances from time-to-time.

**PUBLIC COMMENT:**

Ryan Matuzak 11541 US31 South

He came in to get a copy of the ordinance and ask questions. Not impressed, being rammed through. An overhaul with no committee, staff only. Need to get community involved with zoning.

Scot Richards 11802 Fredmar Drive

He is against ordinance. Who is to say it is junk or not junk. Community input going forward.

Dennis Lea 10763 White Pine

Against the whole thing, pushed down our throats. Sounds like an HOA. Trash and grass liens.

Greg Caskie, Sr. 11717 US31 South

Opposed, who will write citations? Already covered under state or federal ordinances. Looks like they are trying to take your property for other purposes.

Greg Caskie Jr. 11711 US31 South

Laws are on the books, the township is not an HOA. Should get a phone call, not a fine from ZA. In violation of 4 or 5 amendment rights violations. Nothing but a property grab.

**POSTPONED BUSINESS:**

**Young, Graham & Wendling, P.C., Police Power Ordinances Discussion.**

Three existing ordinances are being reviewed for changes, Short Term Rental, Nuisance and Dangerous Structure.

Radtke called Township attorney, Bryan Graham – he participated via telephone.

Nuisance Police Power Ordinance. Received written comments from Board members. This is to enact a new cost-effective ordinance, rather than a rewrite. Mr. Graham shared with the members that some language his office drafted for their review, has been removed. After discussion it was noted that following along via phone and not having the same document as drafted by counsel, that a Special Meeting be scheduled for complete review. Counsel agreed as some language is legally necessary and some changes should not be made. A clean copy of the drafted ordinance will be provided by counsel for the meeting.

The Short-Term Rental existing PPO can be streamlined. Mr. Graham said parking needs to be changed, it is a licensing not zoning issue. No public parking on public or private road, not on land. Zoning Administrator can designate parking area, designated being the key. Zoning Administrator would like to remove the annual septic system inspection for licensing. Marek agreed, should only be required once. Kramer said it is a stress on the Grand Traverse County Health Department as well, a lot of paperwork. Kramer agreed the first year, required only. Members discussed if this should be reviewed every three years, or longer. Staff would like in perpetuity, or if a failure. Biondo commented simpler paperwork is wise. **Motion by Bieganowski, supported by Kramer to amend 01-09-2024.3, Short Term Rental Police Power Ordinance, changing septic inspection to “one and done” unless current system fails or changes to occupancy of structure. Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

Dangerous Structure Ordinance. Bieganowski said need to remove morals. Mr. Graham does not recommend this ordinance, should have a resident hearing by court – not hearing officer. Dangerous bypass of Michigan Housing Law, lots of steps, could have a court hearing and move on. Radtke said streamline due process through the court. Mr. Graham added delete or tighten up language is up to the Board. Notification to resident was discussed as certified mail could be rejected by homeowner. Mr. Graham suggests a Certificate of Mailing as documentation of notification. If using court process, they will provide notice. **Motion by Kramer, supported by Marek to adopt 01.09.2024.4, Dangerous Structure Ordinance – eliminating “morals” and removing 2) Dangerous Structure Defined, item h. in its entirety…(A building or structure or portion of a building or structure, above or below grade which is not and cannot be used or occupied…) Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

Mr. Graham asked that he be notified of special meeting date for his schedule.

**NEW BUSINESS:**

**ZOA 23-04 Zoning Text Amendment.**

Radtke stated this is a text amendment to remove “wetlands” from the definition to Water Bodies, Article 3 Definitions, 3.1 Defined Words and Terms. Wetlands is not regulated by EGLE. This will also remove setback requirements for building. Zoning Administrator presented change to Planning Commission and sent to Board for affirmation. Radtke polled members. McDonald was concerned about runoff of detergents and pesticides. **Motion by Marek, supported by Biondo to adopt the removal of “wetlands” from definition of water bodies and change to setbacks. Roll call vote: West – yes, McDonald – no, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 6-1.**

**Poverty Exemption Resolution 01092024.1.**

**Motion by Marek, supported by Biondo to adopt Poverty Exemption Resolution 01092024.1 as presented, per review and federal guidelines.** Radtke explained the process and federal guidelines establish. West asked about special assessments, Isaac Entz, Planning and Zoning Assistant answered special assessments are not exempt from property exemptions. **Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**Fire Engine Approval, presented by Chief Case.**

Chief Case has been working with Marek on lending rates and he has been speaking with dealers on their own financing options. Chief Case has asked this evening for the members to support entering into a purchase agreement with West Shore Fire. West Shore has two demo engines, E-ONE, standard pumpers, but one matches existing door configuration on current engine. It is a time crunch, as anyone can pick-up at any time. Could take up to two years to have a model built. The demo purchase saves about $120,000 from a new model. Chief explained lenders aren’t needed at this time, just entering into purchase agreement. **Motion by Bieganowski, supported by Marek to approve Supervisor to enter into a $695,000 purchase agreement with West Shore Fire.** McDonald would like agreement reviewed by attorney. **Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**Emergency Services New Hire:**

Chief Case asked that Aidan Waddell and Lukas Deschler be hired as paid on-call for Green Lake Township Emergency Services. Mr. Waddell is completing the last requirements of his EMT training and is currently certified Fire Fighter 2 – and lives in Inland Township. Mr. Deschler is completing the last requirements of his EMT training and is currently in fire school. **Motion by Kramer, supported by Marek to hire Aidan Waddell and Lukas Deschler to the Emergency Services Department as paid on call. Motion Carried Unanimously, voice vote.**

Chief Case added he has located a demo set of extrication equipment needed by the department. The equipment will be held for us. If we don’t get a grant, will save 24% with the demo equipment.

**Resort Economic Development License**:

Radtke reminded the members of written material in their packet. He asked Interlochen Center for the Arts, President Trey Devey to introduce himself and those accompanying him this evening. Mr. Devey appreciates the collaboration with the township. They are the only public/private partnership that he knows of. To highlight, ICA has had challenges to providing amenities, primarily during the summer months. Other non-profits offering products through their liquor license. They have been operating under temporary licensing – doesn’t meet the world class level of service they aspire to. He and his team have spoken with other businesses in the community offering a like service, and they are supportive. During the temporary license periods there have been no dis-orderlies attributed to the events. Deputy Noffke said there have been no interdictions from law enforcement. Radtke polled the Board.

Bieganowski said support from the three restaurants, comments. Pat Kessel, ICA, responded they are supportive and feel the events drive customers to their business.

Marek said he has not observed any alcohol related issues.

Biondo said he is quite impressed with the way it’s run and the early cutoff is wise.

**Motion by Marek, supported by Kramer to authorize supervisor to sign application, Resort Economic Development License for Interlochen Center for the Arts. Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**Budget Amendment: Resolution #01092024.3**

Kramer explained the money for the roof replacement is there and has been approved, but a resolution to amend the budget to take from cost center, $74,000, must be approved. **Motion by Biondo, support by West, to authorize transfer of funds $74,000 to appropriate cost center – roof project. Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**Signatory Change: Huntington Bank**

Marek explained his deputy, Christina Lentz has resigned her position. Mary Jo Barck has agreed to temporarily assist in the deputy position and needs to be added to the Huntington Bank account as a signatory. **Motion by Marek, supported by West to remove Christina Lentz and add Mary Jo Barck to the Huntington Bank account. Roll call vote: West – yes, McDonald – yes, Marek – yes, Kramer – yes, Biondo – yes, Bieganowski – yes, Radtke – yes. Motion carried 7-0.**

**DISCUSSION:**

Marek said the Nuisance Ordinance review needs to be coordinated with the township counsel. Also, the public needs to be able to hear the discussion. McDonald wants to bring back to regular meeting after draft is developed – not approve at a special meeting. Radtke reminded the members that they received a packet containing amended PPO Ordinances. He asked they review prior to the next scheduled meeting, January 9, 2024 for action, approval.

**CORRESPONDENCE**:

None on this date.

**PUBLIC COMMENT:**

Michelle Emaus 5133 Bush Road

Stumbled on Nuisance ordinance in a Facebook post, only communication she has seen. (Kramer said it has been discussed at meetings before). Ms. Emaus would like better clarification of definitions and how it will be enforced. A lot is open to discussion.

Scot Richards 11802 Fredmar

Glad meeting day changed. He is looking for good qualified people to run for School Board.

Ryan Matuszak 11541 US31 South

Productive meeting. More details needed for Nuisance Ordinance, this is not in the spirit of Northern Michigan. Questionable how we got here. Better notification of community, lackluster at best.

Greg Caskie, Jr. 11711 US31 South

October asked for a public hearing on this issue. Wasting our time on this.

**ADJOURNMENT:**

Motion by Biondo supported by McDonald to adjourn the meeting at 7:37 p.m. **Roll Call Vote: Bieganowski – yes, Biondo – yes, West – yes, Marek – no, McDonald – yes, Kramer – yes, Radtke – yes. Motion Carried 6-1.**

Respectfully submitted,

Judith L. Kramer

Green Lake Township Clerk