

Claybanks Township

December 11, 2017
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, Freye, Eilers, Lombard and Rabe.

Agenda Additions - New Business C) Yard Light

Minutes

(A) Approval of November 13, 2017 regular meeting minutes - Dan Lombard made a motion to approve the November 13, 2017 regular meeting minutes. Second by David Rabe. All in favor. Motion carried.

Accounts Payable

(A) Amend Budget - Road Improvement expense is over budget by \$12,285.00 due to bringing. David Rabe made a motion to transfer \$12,285.00 from the Road Improvement Fund to Road Improvement expense. Second by Dan Lombard. Lombard, yes; Rabe, yes; Freye, yes; Smith, yes; Eilers, yes. Motion carried. New Road Improvement expense balance - \$0.00. New Road Improvement Fund balance - \$18,820.20.

(B) Approve November Payables - David Rabe asked why there were two checks to the State of Michigan for the same amount. Mary Freye explained that it was for the Non-Community Water Fee for two different water pumps at the park. Each pump is assigned a WSSN number and is billed separately. Two checks were issued to be sure payment was applied correctly. David Rabe made a motion to approve the general fund payables in the amount of \$19,074.55, the Fire Fund payable in the amount of \$18,000.00, and the park fund payables in the amount of \$890.01. Second by Dan Lombard. Rabe, yes; Freye, yes; Eilers, yes; Lombard, yes; Smith, yes. Motion carried.

Correspondence – Miscellaneous correspondence was reviewed.

Public Comment – Dave Frederick, resident of White River Township, is a member of a group opposing the Marsh CAFO project. He wants us to be aware of issues, one of which he stated affects us. Mr. Frederick wants us to consider and understand that paving about 1,000 feet of Flower Road should be at the expense of the applicant, not the township. He pointed out the wear and tear that would occur on roads with construction vehicles and then the 1.5 million gallons of manure being transported out of the project. He also expressed concerns about property values and had documents showing typical property value losses. He summarized resistance to the CAFO with an online petition. He stated White River Township passed a resolution opposing the project and would like this board to do the same. He stated legal help has been obtained by one Claybanks property owner. Peter Bayne, also part of this group, expressed his concern over the condition of Flower Road and wear and tear on 56th Avenue.

Dave Marsh, CAFO applicant, was present. He stated manure would be taken out of storage as it was needed for fertilizing, not all at once. He also wondered where these gentlemen heard about paving Flower Road, as this was news to him. Township resident Jeff Davey stated that these gentlemen were misinformed about traffic and hauling manure.

A township seasonal resident wondered if the township needed to approve this project. He also expressed concerns about the watershed and environment. He was told the township has no say in this matter.

Wes Hunter wanted to talk about medical marijuana, as he would like to apply to become a grower in the township. He presented the board with a copy of the application process he would need to go through. He stated he was at the Planning Commission's last meeting.

Oceana County Sheriff Craig Mast presented the board with a report of cases handled by the Sheriff Dept. Of the 4,664 county-wide cases, 64 were in Claybanks Township.

Reports

- (A) **Financial** – General Fund \$194,637.75; Fire Fund \$58,184.19; Road Improvement Fund \$31,105.20, Park Fund \$53,391.13.
- (B) **Zoning Administrator** – Report given by John Muchna. Issued three permits.
- (C) **Planning Commission** - Report given by Art Grumm. The Planning Commission had their last meeting for 2017 last week. The board was given proposed ordinances prior to the meeting for their review.
- (D) **Cemetery Committee** - No report given.

Unfinished Business

- (A) **Zoning Administrator Job Description** - The board will hold a workshop on December 27 at 10:00 a.m. to work on this.
- (B) **Pursue Civil Infraction Ordinance - Planning Commission Recommendations** - The board was given a copy of a draft ordinance to review. PC Chairman, Art Grumm, stated we need to formalize our procedure for notifying people when they are in violation. Art explained the different steps to take to resolve violation issues and hopefully avoid going to court. He stated if there is no resolution, we can go to mediation with a judge, or can go to court with attorneys. Art advised that some of the board members should meet with the magistrate to see what he would like to see in an enforceable ordinance. Art did call the magistrate's office to try to set something up, but had no luck. He would like the board to review the draft to see if we understand it and show it to our attorney. It was suggested we could also consult MTA for their advise. David Rabe made a motion to table acting on the draft ordinance until we can speak with a judge, show it to our attorney, and possibly MTA. Second by Brenda Eilers. All in favor. Motion carried.
- (C) **Threaded Hook-up at Park Pump-out Station** - David Rabe went to the park, but could not find the hoses. He contacted the Park Manager, who told him the hose has a screw-off end, but it is turned on tight so it can't be taken off. He will check with the DEQ or Health Department to see if we can add another line with a short hose for clean-out.
- (D) **Website Update** - Our web designer would like some pictures to put in a slideshow on the home page of the new website. Dick Smith will check with his wife to see if she has any pictures. It was also suggested that we check with Sherri Lemmen. It was agreed that the "Contact Us" should be a link to board member phone numbers. The treasurer would also like her email put on the tax page.

New Business

- (A) **Solar Energy Farm Draft Ordinance from Planning Commission** - Art Grumm stated he spoke with the County Inspection Department. They do require inspections of solar installations, even small ones. A building permit is required, and possibly an electrical permit. They stated if the township does not have an ordinance, so be it, but a permit is still required by the Inspection Dept. Art would like the board to review this draft. It was drawn up from a MTA sample, as well as a couple others in the state. Glare appears to be the biggest issue. They also hum. The Building Inspector felt we should require a zoning permit.

David Rabe noted that some go on top of buildings, not just on land, so that may need to be addressed. Art suggested sending this to the township's attorney, but felt that LSL Planners would have a better understanding. The board will review this and discuss it next month. David Rabe made a motion to table this and look at it next month. Second by Dan Lombard. Rabe, yes; Freye, yes; Eilers, yes; Lombard, yes; Smith, yes. Motion carried.

(B) Request for Wedding Reception at Park - The board reviewed the email request to reserve half, if not all, of the park for a wedding reception. They want to set up an event tent, a dance floor, bring in bartenders and caterers. The board was in agreement that we do not reserve the park for any group event. Mary Freye will respond to the email.

(C) Township Hall Yard Light - Dick Smith will call the electric company as the yard light keeps going off and on.

Supervisor Comments - None

Adjournment - 8:37 p.m.

Respectfully submitted,

Mary A. Freye, Clerk