

WATERSMEET TOWNSHIP BOARD OF TRUSTEES
REGULAR MONTHLY MEETING
DECEMBER 16, 2020
6:30PM
Community Center
www.watersmeet.us

The virtual December 2020 regular meeting of the Watersmeet Township Board was called to order by Supervisor Rogers at 6:30 pm.

Attendance roll call: Mike Rogers, yes- Julie Mathiesen, yes- Alan Piel, yes – Paul Kemppainen, yes – Peter Lievense, yes.

Absent: None

A motion was made by Alan Piel with support from Paul Kemppainen to approve the minutes of the November 18, 2020 Regular Meeting. Roll call vote: Peter Lievense, abstain (hadn't assumed office), Mike Rogers, yes – Paul Kemppainen, yes- Alan Piel, yes – Julie Mathiesen, yes. Motion carried.

A motion was made by Alan Piel with support from Paul Kemppainen to approve the minutes of the December 4, 2020 Special Meeting. . Roll call vote: Peter Lievense - yes, Mike Rogers, ye/*-s – Paul Kemppainen, yes- Alan Piel, yes – Julie Mathiesen, yes. Motion carried.

Appearances:

1. Jim Whittinghill from Eagle Waste presented a summary of the solid waste and single stream recycling weights and haul dates. He suggested the cost to the Township per load of solid waste could be reduced by further compacting of each load. Currently, Eagle Waste is allowed to transport 10 tons per load, up to 13 tons. In reviewing the haul dates and weights, the tonnage of the hauls from the Township are significantly less than the allowable weight limits. If the Township were to wait longer between container changeouts and increase in the tonnage of each load, there would be a significant savings to the township. Mr. Whittinghill also noted they were increasing their fees for single stream recycling by \$20.00 per ton. The increase is necessary due to the lack of markets for recyclable items. Previously, Eagle Waste was not charging the Township for single stream recycling. The increase to \$20/ton is far less than what they are charging other customers (up to \$65/ton) and is due to their long-standing relationship with the Township.

2. Kathy Jo Koval – discussed the requirements for a Designated Assessor, as required by Public act 660 218. AMAR (Audit of Minimum Assessing Requirements) for assessors every 5 years. The Act requires a designated Assessor be assigned to correct ongoing insufficiencies identified by the audits. There were two individuals that applied for the Designated Assessor position for the governmental units in Gogebic County. Ms. Koval was selected by the County Board of Commissioners as supposedly being the most qualified. The selection must be approved by a majority of the local governmental units in the County, including Watersmeet Township, which was not represented during the selection at the County meeting. The purpose of Ms. Koval's appearance was to explain the program and request support from Watersmeet Township. The Board members asked a number of questions about the fees associated with her proposal, which seem a little high. Ms. Koval responded that the fees were developed after researching those charged downstate, then halving them, given the more rural nature of Gogebic County.

Public Comments:

David and Carol Sherrill – expressed concern about the planned reappointments to the Planning Commission, which had been previously broadcast by the Township Supervisor. They would like to see all applicants considered and feel the current structure of the Planning Commission does not represent the demographics of the community. They would like to see more representation from women, the LVD tribe, and other segments of the community.

Dan Hance said he was one of the persons applying for a PC appointment. When he didn't receive a response to his request, he contacted the Township and Mike confirmed he did receive Dan's application, but intended to re-nominate the same PC members. Dan said he's spoken to 3 of the other people submitting letters of interest and they all told Dan they had not heard anything back from the Township. Dan said he would like to know today if any of the PC candidates were contacted or interviewed and, if not, why?

Bob McGuffin asked for the number of applications that the township had received for the Planning Commission and how many were interviewed by the Township Supervisor, prior to making his decision to renew the terms of existing members.

Greg Clark commented that there were more applications for the planning commission than there were positions available with many that would be an asset to the community and asked why they weren't being considered.

Agenda Approval/Changes:

Paul Kemppainen motioned to amend the agenda with the following additions, seconded by Alan Piel:

Item 7. Mandatory training for Planning Commission and Zoning Board of Appeals members

Item 8. Term Limits for Planning Commission members

Item 9. Eagle Waste Increase in solid stream recycling charges

Roll Call vote: Mike Rogers, yes – Julie Mathiesen, yes – Paul Kemppainen, yes - Alan Piel, yes – Peter Lievense, yes. Motion carried.

Old Business: None

New Business:

1. Re-Appoint Members to the Board of Review: Supervisor Rogers requested a motion to re-appoint Arnold Domanus, Dave Lamoreaux, and Linda Busch to the Board of Review with Dave Sherrill and Eric Zorr as alternates. Julie Mathiesen moved to re-nominate the stated members to the BOR, seconded by Alan Piel. Roll Call Vote: Paul Kemppainen, yes – Peter Lievense, yes – Julie Mathiesen, yes – Alan Piel, yes – Mike Rogers, yes. Motion carried.

2. Board Liaison to the Zoning Board of Appeals: Supervisor Rogers nominated Paul Kemppainen to serve as liaison to the ZBA, with a term ending on 12/31/2024. Alan Piel moved to support the nomination, seconded by Peter Lievense. Roll Call Vote: Peter, yes – Mike, yes – Alan, yes – Julie, yes. Motion carried.

3. Board Liaison to the Planning Commission: Supervisor Rogers nominated Alan Piel to serve as Board liaison to the PC, for a term ending 12/31/2024. Paul Kemppainen made a motion, with a second by Peter

Lievensen, to support the nomination. Roll Call Vote: Mike, yes – Julie, yes - Paul, yes - Peter, yes. Motion carried.

4. Re-Appoint 3 Members to the Planning Commission for a term ending 12/31/2023: Supervisor Rogers requested a motion to re-appoint Roy D’Antonio, Jeff Wasson, and Jeff Zelinski to the Planning Commission for the stated term. He indicated he would explain his decision to address the public comments and concerns that were raised.

Per Supervisor Rogers, the members proposed for re-appointment had been on the PC for multiple terms and came aboard at a time when he was having difficulty finding people willing to serve. They and their families have lived here most or all of their lives, graduating from the Watersmeet High School. Mike thought the Township owed it to them to let them remain on the PC as long as they continue to have interest.

Mike then noted that the residents recently expressing interest in serving on the PC were from lake districts and he had to question what was behind the sudden interest. Mike explained he did not want people on the PC who had ulterior motives or were out for their own self-interests. Many treat their property as investments and will only stay 8-10 years, on average, before moving away from Watersmeet to be closer to medical care or their families, or simply because it gets quite cold here in the winter. Mike further commented that many residents living in lake districts outwardly express an interest in preserving the lakes, referring to their pristine nature. But then those same residents will build large lake-front homes, clear-cut lots to obtain a lake view, and plant green lawns requiring fertilization to the water’s edge, all of which affects the quality of the lakes. And while those people might have fancy college degrees in liberal arts or "underwater basket weaving," he considered the locals members of the PC to have Phd’s in common sense, which is necessary for addressing Township planning. During the course of this statement, Supervisor Rogers provide an example where one of the proposed re-appointments, Roy D’Antonio, had proposed changes to the Zoning Ordinance’s requirements for dock lengths, which benefitted lake front property owners.

Clerk Mathiesen asked to address some the above comments, but Mr. Rogers indicated a motion and a second were needed prior to additional discussion.

Peter Lievensen motioned, with a second by Alan Piel, to support Supervisor Rogers’ request. Lengthy discussion then ensued. Clerk Mathiesen began by noting that Supervisor Rogers’ rationale for re-appointing the members might be a “nice” sentiment, but it did not meet the requirements of the Michigan Planning Enabling Act. She proceeded to read the requirements of MCL 125.3815, which states that members of the Planning Commission shall represent important economic and social aspects of the community.

To address one of the questions raised during public comment, Clerk Mathiesen listed the names of the persons expressing interest in serving on the Planning Commission, or at least those who had copied her on their letters of interest:

DeeDee McGeschick	Gregory Wenzel	Daniel Hance	Carol Mason Sherrill
Martha (Marti) Wegner	Larry Zimmerman		

Julie summarized the qualifications of each individual as presented in their letter of interest and noted adding any combination of the 6 to the Planning Commission would serve to make its composition more compliant with the Planning Enabling Act, based on their experience and life skills. She further noted several of these individuals provided support to Supervisor Rogers when he was pursuing issues related to

county ambulance service and retrieval of PILT funds. That support included making trips to the County seat to attend meetings. Not considering them for inclusion on the Planning Commission was dismissive, at a minimum. The three re-appointments to the Planning Commission did not offer or provide that same level of support.

Paul Kemppainen expressed support for new people being appointed to the PC. Paul said that the new applicants appear to be well qualified and that it might give fresh energy to the PC. Having served as liaison to the PC for the last 4 years, he felt having some new faces on the PC would not be a bad idea.

In response to public comments, Clerk Mathiesen asked Supervisor Rogers if he had interviewed any of the PC candidates. The response was “no”. It was then asked if he had received applications from the 3 re-appointments. The response was again “no”. However, Mike said he had spoken with them and they all wanted to be re-appointed to the PC.

Weighing-in to the discussion, Peter Lievense and Alan Piel both noted it was inappropriate for new residents to be appointed to Township committees. When pressed for what would be a sufficient length of residency time to be eligible for inclusion on committees, Alan responded “5 years”. Clerk Mathiesen noted that all of the 6 individuals named above more than met that time frame and their residency and/or participation in the Township ranged from 7 to 30 years.

Peter Lievense commented the Township does not want people on the PC who don't have a history in the Township or are out for their own self-interest. Clerk Mathiesen noted that one of the persons being re-appointed was not a Township resident, nor even a resident of Michigan. Julie also stated the ordinance revisions regarding dock lengths were proposed by Mr. D'Antonio after the Michigan Department of Environmental Quality denied his application for dredging permits and suggested he instead revise the local zoning ordinance. She further noted copies of the communications between DEQ and Mr. D'Antonio are still available, his actions amount to malfeasance and were presented to the Township Board a number of years ago. Yet no action was taken and he continues to be re-appointed to the Planning Commission.

Peter said he thought it would be a good policy for the Township to interview all applicants for appointed positions such as the PC. Julie asked Peter if he would be willing to rescind his original motion to re-appoint and make this as a motion applicable to the current applicants. Peter said no, but that it might be a good idea going forward.

After discussion concluded, a roll call vote was taken based on the original motion: Mike, yes – Julie, no – Paul, no – Peter, yes – Alan, yes. Motion carried. Upon the passage of the vote, Peter suggested with agreement from the board that going forward criteria should be put in place for applicants, which would include an interview process. Julie provided him with a copy of the Planning Enabling Act to use as a point of reference.

5. Police Truck: Supervisor Rogers informed the board the Township has the opportunity to purchase a 4x4 fully equipped pick-up truck for the police department. This would be an asset to the department particularly during winter driving conditions. Total cost would be \$57,625.00, with \$10,000 of that due to equipment necessary to work with County upgrades to communication systems. Paul Kemppainen indicated the Township has the money available to fund the purchase, considering carryover from previous years. After discussion, Paul Kemppainen motioned with support from Alan Piel, to purchase this truck. Roll Call Vote: Mike, yes – Julie, yes – Peter, yes – Alan, yes – Paul, yes. Motion carried.

6. Dedicated Assessor Contract: After some discussion, motion was made by Paul Kemppainen, with support from Alan Piel to proceed with the contract for a Dedicated Assessor. Roll Call Vote: Alan, yes – Mike, yes – Paul, yes – Julie, yes – Peter, yes. Motion carried.

7. Mandatory Training for Planning Commission and Zoning Board of Appeals members: Clerk Mathiesen introduced Resolution 2020-12-16-001, explaining there had been recent actions by members of the Planning Commission and the Zoning Board of Appeals that did not comply with applicable laws. The issue had been discussed with Township Attorney Tim Dean, after which it was concluded regular and refresher training would be the best means for reducing Township liability resulting from said actions. The resolution stipulates newly appointed and re-appointed committee members must take training within 6 months of their appointment and along with sitting committee members at least 1 refresher training during the course of their term. The township has purchased the Premium online training pass from the Michigan Townships Association, and other organizations such as MSU-Extension have expanded to remote training sessions, so the training requirement can be met without substantial travel. Members who don't complete this training will not be re-appointed to committees or commissions. Peter Lievense expressed concern about the length of time required for some of the training. The general response was individuals should not apply to be on either the PC or ZBA if they were not willing to invest some time in training.

A motion to adopt this resolution was made by Paul Kemppainen with support by Alan Piel. Roll call Vote: Paul, yes – Alan, yes – Mike, yes, Peter, yes – Julie, yes. Motion carried.

8. Term Limits for Planning Commission Members: Paul Kemppainen introduced Resolution 2020-12-16-002, reiterating some of the comments he made during the discussion of PC re-appointments. He feels introducing term limits would encourage greater participation and diversity for boards and committees. Supervisor Rogers felt imposing term limits would discourage locals from participating on committees. Paul explained the term limits would be subject to the availability of new applicants for the PC.

Following additional discussion, Julie Mathiesen motioned to adopt the proposal for term limits with a second by Paul Kemppainen. Roll Call Vote: Alan, abstain – Paul, yes – Peter, abstain – Julie, yes – Mike, no. Motion carried. The abstentions of Alan and Peter reduced the vote to a quorum of 3, the majority of which approved the resolution.

9. Eagle Waste Increase: Paul Kemppainen made the motion to approve the \$20.00 increase proposed by Eagle Waste to offset costs, with a second by Alan Piel. Roll Call Vote: Mike, yes – Paul, yes – Alan, yes – Peter, yes – Julie, yes. Motion Carried.

Approval of Bills: Paul Kemppainen motioned to approve the bills as presented, with a second by Peter Lievense. Roll Call Vote: Julie, yes – Mike, yes – Peter, yes – Paul, yes – Alan, yes. Motion carried. General Fund check nos. 40256 – 40277, Wastewater Fund check nos. 4277 – 4280, and Water Fund check nos. 3460 – 3463.

Reports:

Supervisor Rogers stated to the board that the LVD tribe contributed from the Cares Grant, a gift of \$20,000. 00 that was used to purchase equipment and supplies for First Responders, as well as an ATV and trailer for the Police Department. He expressed appreciation to the tribe for their generosity.

Treasurer: All accounts are in good standing. Winter taxes are being paid earlier than usual, with a significant percentage already submitted for payment.

Clerk: Clerk Mathiesen reported that she will be returning unspent monies from the First Responders Hazard Pay Premium Program (FRHPPP) to the State Department of Treasury. The final expenditure report has been submitted to the State and the reimbursement check is due to them by the end of January 2021.

Trustees: Alan Piel noted he has access to a free repair station for bicycles, similar to those available along the Wilderness Lakes Trail. He suggested it could be installed at the Township Pavilion Park, across from the LVD Tribal offices. Installation would be the responsibility of the Township.

Other:

Officer Leuzzo gave his monthly report for the Police Department (summary attached) and provided specifications for the truck that is on order.

Fire Chief Jim Pittsley indicated calls are still down, likely due to people staying closer to home because of the ongoing Covid situation. He updated the board on his search for used engines, indicating he hasn't much luck finding anything available. Used fire trucks in good condition don't stay on the market for very long

At 8:20 pm. Paul Kemppainen motioned with a second by Alan Piel to adjourn. Motion carried.

Respectfully Submitted,

Julie Mathiesen, Clerk