

Banks Township Board Meeting

Monday, January 18, 2021

This meeting was conducted via Zoom per emergency orders during the COVID-19 (Coronavirus) Pandemic.

1. The meeting was called to order at 6:00 P.M. by Supervisor Alex Busman. Present were Supervisor Busman, Clerk Donna Heeres, Treasurer Katy Postmus, Trustee David Rasmussen and Trustee Tom Cooper. Also present: Julie Waterman, Jay Peck, Dan Wallace, Don King, Candy Hoeksema, Marvin Rubingh, Jarris Rubingh, and Al Aown. Supervisor Busman led the Pledge of Allegiance and gave the Invocation.

2. **Public Comment:** There was none.

3. **Minutes:** The minutes of the December 21, 2020, regular Board Meeting were presented.

MOTION was made by Rasmussen, seconded by Cooper, to approve the minutes amending item 14, line 6-8 to read: "Supervisor appoints Julie Waterman to the Ambulance Authority Board for a three-year term, ending March 31, 2024. **MOTION** by Rasmussen, seconded by Cooper to approve this appointment. **MOTION CARRIED.**" And item 21 to read: "**Board Comment:** Trustee Cooper commented that he was contacted by a constituent about the railroad property north of Ellsworth is blocked off at Best Road and the person asked if it should be open for public use." **MOTION CARRIED.**

4. **Treasurer's Report:** The Treasurer presented Report of incomes and balances. General Fund Balance: \$390,524.94; Fire Fund Balance: \$130,877.95; Liquor Fund: \$2022.52; Roads Fund: \$79,853.60; Vehicle Fund: \$96,901.34. Grand Total: \$700,180.35. **Bills** represented by the attached list were reviewed for approval for payment. **MOTION** by Heeres, seconded by Postmus, to pay the bills as presented. **MOTION CARRIED.**

5. **Funds Transfers:** **MOTION** by Heeres, seconded by Rasmussen, to transfer \$500 (instead of \$750) from the Liquor Fund to the General Fund for administration fees. **MOTION CARRIED.**

MOTION by Heeres, seconded by Postmus, to transfer \$50,000 as budgeted from the General Fund to the Vehicle Fund for Fire Vehicle Purchases. **MOTION CARRIED.** **MOTION** by Heeres, seconded by Postmus, to transfer \$1090 from the Fire Fund Yard Maintenance to the General Fund Cemetery line item to reflect grounds keeping costs in 2020; and transfer \$4360 in expenses from the cemetery to the park line item to reflect those same costs. **MOTION CARRIED.**

6. **Zoning Administrator:** ZA issued 30 permits in 2020 versus 20 in 2019. Many were new homes. Phone inquiries are much higher than in prior years. First permit of 2021 has been issued for a new home on Slough Road.

7. **Fire Department:** Report from Chief Groenink that the rescue vehicle is back following deer damage repairs. The equipment truck is expected soon. The Atwood tanker is out for DOT inspection. Chief reported Pete Rupinski, fire fighter and EMT, has resigned and is moving to Bellaire. He has served for over 17 years and his dedication and service to the Fire Dept is appreciated. The Board concurs and thanks Pete for his many years of dedicated service to Banks Township.

8. **Correspondence:** The title for the 2021 Grass Rig has been received. Sheriff's report of 911 calls shows 46 calls in December (very low) and 829 for 2020.

9. **Township Hall:** Discussion on COVID 19 restrictions on our use of the Township Hall.

MOTION by Heeres, seconded by Busman, to begin taking reservations for small gatherings (less than 30 people) for after April 1, 2021, with no guarantee they will not have to be canceled.

Reservations for weddings and larger gatherings may be taken for after June 1 with no guarantee they will not have to be canceled. **MOTION CARRIED.**

10. **Township Hall Water Leak Damage Claim:** The desktop was replaced on Saturday. Bills for the new top and the installation were included in tonight's bills and will be submitted to the insurance adjuster tomorrow. Payment is expected soon.

11. **Internet Hotspot:** The cost estimate for two "hot spots" on the exterior of the township hall and new one inside that matches, was received for (not to exceed) \$4232. The Charlevoix Public Library grant funds would cover \$1200. The Village is willing to split the remaining cost to bring this technology to our community. It is noted that the license fee is included for three years and a fee will be incurred in three years to renew this license. **MOTION** by Busman, seconded by Heeres, to accept the proposal for internet hotspots at the township hall from North County IT for \$4232 and gratefully accept the grant funding from the Charlevoix Public Library. **MOTION CARRIED.**

12. **IT Contract:** The Township has been without IT support for many months and concern for backups, security, etc. is great. Three proposals for IT Support Contracts have been received. Tech Wise Guy proposal is estimated at \$200/mo.; Strange Security is \$240/mo.; North Country IT is \$246/mo. Proposals for installation of a lockable case for our network equipment, security cameras, etc. were also received: Wise Guy: \$430; Strange Security: \$500; North Country IT: \$500. Discussion was held on pros/cons of each proposal. **MOTION** by Rasmussen, seconded by Busman, to award the IT Service Contract and installation of the network storage unit to Strange Security. **MOTION CARRIED.**

13. **Planning Commission:** Trustee Cooper reported on the PC meeting held January 12. Steve Parafin gave a presentation on Solar Farms. The Greenbelt Amendment was drafted for Public Hearing on March 9. An amendment addressing second dwellings on a parcel is being addressed.

14. **Zoning Administrator Contract:** Treasurer Postmus reported on her survey of other zoned townships in Antrim County and the duties/wages for their administrators. **MOTION** by Busman, seconded by Postmus, to renew the contract for Zoning Administrator Services with David Muladore at \$21,000 per year, payable monthly, retroactive to January 1, 2021. **MOTION CARRIED.**

15. **Resolution 3 of 2020 (Reaffirming enforcement of setbacks):** Supervisor Busman had a call regarding this ordinance with questions about retrospective approach vs. prospective approach. He polled the Board to see what the Board's view of it is. He then affirmed that the resolution is prospective from the date of its adoption on September 20, 2020 and therefore structures, including generators and LP tanks, installed after September 20, 2020, must meet setback requirements of the zoning ordinance.

16. **Cemetery Ordinance:** Draft was again reviewed considering review questions from legal counsel. Policy questions were identified and addressed. Clerk will update areas of legal concerns based upon policy decisions and meet with legal counsel to finalize the draft.

17. **Nuisance Ordinance:** Public comments were allowed. Marv Rubingh stated re: Section 3.L: 15 days are not enough to allow an item to be displayed "for sale"; re: Section 3.J.: concerns regarding the public's right to assemble and why this is needed; re: Section 6: Why is this needed? Section 3.G.: Why does a vacant building need to be kept secure? The Blight Ordinance takes care of most of this. Encouraged the Board to turn down this proposed ordinance. Clerk informed the public that this proposed ordinance would replace the Blight Ordinance and that ordinance was in dire need of an update: the reason this process was started. Also, the deletion of Section G could be done and not affect the spirit of the ordinance. Treasurer stated Section 3.J. does not supersede constitutional rights to assemble but this is an effort to keep parties from taking over the streets. **MOTION** by Cooper, seconded by Busman, to table action on this ordinance until the February meeting. **MOTION CARRIED.**

18. **Ambulance Authority:** Jay Peck addressed the Board to inform of a group that is considering formation of another AA to include all EMS in Charlevoix County and the 3 existing Antrim County members of the JVEMSA. Currently, identified needs are a sustainable business model and more personnel. It is anticipated the 5 existing stations and 12 ambulances would operate on ¾ mil tax rate. Of great concern is how to create a functioning board with 22 municipalities to assure all entities has input in the process and outcomes. Supervisor Busman appoints Julie Waterman to this subcommittee to investigate the pros/cons of forming a new, larger, AA. **MOTION** by Busman, seconded by Heeres, to approve this appointment. **MOTION CARRIED.**

19. **Appointments: Planning Commission:** Supervisor Busman appoints **Anita Hoeksema** to fill a vacancy on the Planning Commission that will expire 7/12022. **MOTION** by Postmus, seconded by Cooper, to approve the appointment. **MOTION CARRIED.** **Fire Board:** Supervisor Busman appoints **David Heeres** to the Fire Board. **MOTION** by Postmus, seconded by Cooper, to approve the appointment. **MOTION CARRIED.** **Board of Review:** Supervisor Busman appoints **Travis Chellis** as an alternate member of the Board of Review, term to expire December 31, 2022.

MOTION by Heeres, seconded by Rasmussen, to approve the appointment. **MOTION CARRIED.**

20. **Cemetery/Park Contract:** Renewal of contract with BD Services beginning April 1, 2021, was presented. No changes from 2020. Total contract is \$22,300. **MOTION** by Rasmussen, seconded by Busman, to approve the contract. **MOTION CARRIED.**

21. **State Tax Commission Audit of Minimum Assessing Requirements (AMAR Review):** **MOTION** by Postmus, seconded by Rasmussen, to adopt **Resolution #1 of 2021 to waive penalties for non-filing of Property Transfer Affidavits.** **ROLL CALL VOTE:** Busman: Yes; Heeres: Yes; Rasmussen: Yes; Cooper: Yes; Postmus: Yes. Resolution #1 was declared **ADOPTED** by the Supervisor. **MOTION** by Busman, seconded by Heeres, to adopt **Resolution #2 of 2021 to establish poverty exemption rules and asset limit of \$15,000.** **ROLL CALL VOTE:** Postmus: Yes; Heeres: Yes; Rasmussen: Yes; Cooper: Yes; Busman: Yes. Resolution #2 was declared **ADOPTED** by the Supervisor.

22. **CSX Properties:** Supervisor Busman reported that he and Treasurer Postmus researched the ownership of former railway properties north of Ellsworth. He will contact CSX to find out the status of the property.

23. **Meeting Rescheduled:** The March regular meeting is rescheduled for Monday, March 29 at 6 PM. **PUBLIC HEARINGS:** The Fire Budget Hearing is set for 7 PM on Monday, February 22, during our regular Board meeting. The General Fund, Roads Fund, Vehicle Fund and Liquor Fund Budget Hearings are set for 7 PM on Monday, March 29, during the regular meeting. **MOTION** by Heeres, seconded by Busman, to not hold an Annual Meeting in 2021. **MOTION CARRIED.**

24. **Roads:** Supervisor Busman reports no word from ACRC on Rubingh Road proposal.

25. **Public Comment:** Jarris Rubingh, District 1 Commissioner, asked about Wolfline contractors that are installing fiberoptic cable around the township. He was informed this is a contractor for Trustream. He reported that he has been appointed to the Antrim Creek Natural Area Board, the Road Commission Liaison, and the Health Department Board by Chairman Terry VanAlstine of the Antrim County Board of Commissioners.

26. **Public Comment:** Donald King asked to speak to the Resolution #3 of 2020. He expressed his thanks for supporting the proactive approach of enforcement of this resolution. He stated he has begun action to move his LP tank after receipt of the letter from the township advising him and has incurred costs because of a complaint about the placement of his LP tank within the setback area. He

asked if the Zoning Administrator could issue a statement to implement a Class A Non-Conforming Structure to his tank. He was advised to consult the Ordinance to obtain this designation.
27. The meeting was adjourned by the call of the Supervisor at 9:03 PM.

Respectfully submitted,

Donna L. Heeres

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