

# Boyne Valley Township Meeting

December 9, 2019 – 7:00 p.m.

*This meeting is a meeting of the Boyne Valley Township Board in public for the purpose of conducting the township's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.*

## Minutes

<b>I.</b>	<b>Call to Order</b>
	The meeting was called to order by Hobbs at 7:00 p.m.
<b>II.</b>	<b>Roll Call</b>
	Members Present: Hobbs, Sparks, Matelski, Kondrat
	Members Absent: Kelenske
	Others Present: Ron Reinhardt, Jason Johnson, John Lamont, Russ Koeman
<b>III.</b>	<b>Approval of Minutes and Corrections</b>
	Motion by Matelski, support by Kondrat to approve the minutes of the regular board meeting of November 11, 2019. Motion carried 4 to 0.
<b>IV.</b>	<b>Approval of Financial Report</b>
	Motion by Kondrat, support by Matelski to approve the financial report for November 30, 2019. Motion carried 4 to 0.
<b>V.</b>	<b>Recognition of Audience</b>
	<ul style="list-style-type: none"> <li>Ron Reinhardt mentioned that the County Commission meeting to be held at Bear River Health in Boyne Falls.</li> </ul>
<b>VI.</b>	<b>Board Update</b>
a.	<p>Recreation Plan Update Resolution</p> <p><b>WHEREAS,</b> The Boyne Valley Township has undertaken a 5-Year Recreation Plan Update which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreational facilities during the period of 2020 – 2024, and</p> <p><b>WHEREAS,</b> The Boyne Valley Recreation Committee held public input sessions were held on August 5, 2019 and October 7, 2019 at the Boyne Valley Township Hall to provide an opportunity for citizens to discuss the future of recreation in the community, and</p> <p><b>WHEREAS,</b> A public notice was published in the Petoskey News-Review on , which began a 30-day public review period for the draft plan, and</p> <p><b>WHEREAS,</b> The Boyne Valley Township held a public hearing on December 9, 2019, and</p> <p><b>WHEREAS,</b> The Boyne Valley Township has developed the plan for the benefit of the entire community to assist in meeting the recreation needs of the community.</p> <p><b>WHEREAS,</b> The Boyne Valley Recreation Committee has recommended adoption of the 5-Year Recreation Plan.</p> <p><b>NOW, THEREFORE BE IT RESOLVED,</b> the Boyne Valley Township Board hereby adopts the Recreation Plan Update as a guideline for improving recreation for the residents of the Village of Boyne Falls and Township of Boyne Valley.</p> <p>Yeas: Matelski, Kondrat, Hobbs, Sparks                      Nays: None              Absent: Kelenske</p> <p><b>I HEREBY CERTIFY,</b> that the forgoing Resolution was adopted at a regular meeting of the Boyne Valley Township Board, held on December 9, 2019.</p>
b.	EMS - Ambulance Levy for ballot – tabled until further discussion
c.	<p>Cemetery Land Purchase</p> <ul style="list-style-type: none"> <li>Township has been approached regarding land to expand the township cemetery. Clerk will figure out how many grave spaces are left, etc.</li> </ul>

d. Storm Water Intergovernmental Agreement

**INTERGOVERNMENTAL AGREEMENT  
STORM WATER MANAGEMENT ORDINANCE  
ADMINISTRATION AND ENFORCEMENT**

BACKGROUND

Boyne Valley Township has enacted a Storm Water Management Ordinance (the Ordinance). The Ordinance is modeled after a similar Storm Water Control Ordinance that had been enacted previously by Charlevoix County (the County). This Agreement is authorized by the Intergovernmental Transfers of Functions and Responsibilities Act (MCL 124.531, *et seq*).

AGREEMENT

The parties agree as follows:

1. **Functions Being Transferred.** The County, through its Soil Erosion and Sedimentation Control Officer, shall have the authority to administer the Ordinance. The County, through its Soil Erosion and Sedimentation Control Officer and Prosecuting Attorney's Office, shall have the authority to enforce the Ordinance and the County Storm Water Management Ordinance Board of Appeals is authorized to process appeals as provided in the Ordinance. These administrative and enforcement functions are concurrent with the right of the Township/City/Village to administer and enforce the Ordinance on its own. The County shall be responsible for the primary administration and enforcement of the Ordinance, unless the Township/City/Village elects to temporarily administer or enforce the Ordinance as provided in the Ordinance. If the Township/City/Village elects to temporarily administer or enforce the Ordinance, this election by the Township/City/Village shall take precedence over the County's concurrent authority.
2. **Costs and Financing.** If the Township/City/Village exercises its administrative or enforcement functions, it shall do so at its own expense. If the Township/City/Village provides a service for which a fee is charged under the Ordinance, the Township/City/Village may retain that fee.
3. **Real and Personal Property/Employees.** No employee and no real or personal property is being transferred. The Township/City/Village shall use its own employees and real and personal property.
4. **Effective Date.** This Agreement shall become effective when it has been signed by representatives of both parties.
5. **Term.** This Agreement shall be for an indefinite term, but subject to the termination provisions of Paragraph 6 below.
6. **Termination.** This Agreement may be terminated by either party with or without cause upon not less than 90 days written notice to the other party.
7. **Governmental Immunity.** The parties acknowledge that the functions being transferred by this Agreement are governmental functions which are subject to all immunities provided by law.
8. **Ordinance Uniformity.** Since the County will be performing similar functions for other municipalities, similar storm water management provisions within the

County promote efficiency and the uniform treatment of applicants throughout the County. While it is acknowledged that the Township/City/Village must retain its legislative discretion, the Township/City/Village agrees to consider in good faith any amendments to the Ordinance that are proposed by the County to all participating municipalities.

Motion by Sparks, support by Matelski to approve the agreement.  
Motion carried 4 to 0.

e. Parcel Division Ordinance

**BOYNE VALLEY TOWNSHIP  
Ordinance No. 5 of 2019**

AN ORDINANCE TO AMEND THE BOYNE VALLEY TOWNSHIP PARCEL  
DIVISION ORDINANCE.

THE TOWNSHIP OF BOYNE VALLEY ORDAINS:

**Section 1. Amendment of Section 4.**

Section 4 of the Boyne Valley Township Parcel Division Ordinance is hereby amended to read in its entirety as follows:

**Section 4. Creation of Parcel Division Committee; Membership; Voting; Officers; Open Meetings Act Compliance**

A Parcel Division Committee is hereby created, which shall be the locally designated body to approve proposed divisions or property transfers under the Land Division Act, as amended. The Parcel Division Committee shall be composed of the Township Assessor, the Township Supervisor, and an individual who is a resident of the township appointed by the Township Board. The Township Board shall also annually appoint another resident of the township to serve as an alternate member of the Parcel Division Committee. The alternate member of the Land Division Committee shall serve in the absence of a regular member and, when so serving, shall have the same authority as a regular member of the Parcel Division Committee. Any action of the Parcel Division Committee shall be by a majority vote of the entire membership of the committee. The Parcel Division Committee shall elect a chairperson and a secretary from its members, who shall hold office for one year or until their successors are selected. The Parcel Division Committee shall comply with all requirements of the Open Meetings Act, being Act 267 of the Public Acts of 1976, as amended.

**Section 2. Effective Date.**

This Ordinance shall become effective the day after it is published in a newspaper of general circulation within the Township.

Ordinance No. 8 was adopted on the 9<sup>th</sup> day of December, 2019, by the Boyne Valley Township Board as follows:

Motion by: Sparks  
Seconded by: Kondrat  
Yeas: Matelski, Kondrat, Hobbs, Sparks  
Nays: None  
Absent: Kelenske

f.	Donation of \$500 to Breezeway to replace old signs <ul style="list-style-type: none"> <li>• Motion by Matelski, support by Kondrat to donate \$250 to the Breezeway to replace old signs.</li> </ul> Motion carried 4 to 0.
g.	Board of Review – Dec 10 3pm to 5 pm
h.	Other <ul style="list-style-type: none"> <li>• Township will meet with the County Road Commission on Tuesday, Jan 14 at 5:00 pm</li> </ul>
<b>VII. Building and Grounds</b>	
<b>VIII. Fire &amp; Rescue Report</b>	
<ul style="list-style-type: none"> <li>• The Open House on December 7<sup>th</sup> was great. \$1500 was raised from the silent auction.</li> <li>• Fairly quiet month, other than auto accidents.</li> </ul>	
<b>IX. Ambulance Report</b>	
<ul style="list-style-type: none"> <li>• 39 responses in November</li> <li>• Garage door seals are being repaired.</li> <li>• John feels that 52@1 needs new tires. He will get a couple of quotes.</li> </ul>	
<b>X. Planning Report</b>	
<ul style="list-style-type: none"> <li>• Dollar General has submitted an application for a rezone and a site plan.</li> <li>• Heartwood Mills is closing and property will be up for auction.</li> </ul>	
<b>XI. Transfer Station Report</b>	
<ul style="list-style-type: none"> <li>• Quiet month</li> </ul>	
<b>XII. Public Comments</b>	
<b>XIII. Pay the Bills</b>	
Motion by Sparks, support by Matelski to approve the payment of the December bills. Motion carried 4 to 0.	
<b>XVII. Adjournment</b> Motion by Sparks, support by Kondrat to adjourn. Motion carried 4 to 0.  Time: 7:32 p.m.  Respectfully submitted,   Lynn Sparks Clerk	