

Melrose Township Board of Trustees Minutes
April 12, 2022 7:00pm

Call to order: 7:00pm V. Goodwin called to order

Present: V. Goodwin, S. Burr, M.P. Goldich, D. Nowland, R. Hissong Berry

Approval of the Agenda

Motion to approve the agenda as presented.

Motion: S. Burr, 2nd M. P. Goldich 5/0 approved

Approval of minutes from previous meeting:

Minutes of the March 8, 2022 Regular Meeting

Motion to approve the minutes of the March 8, 2022 Regular Board meeting as presented.

Motion: M. P. Goldich 2nd S. Burr 5/0 approved

Minutes of the March 22, 2022 Budget Workshop

Motion to approve the minutes of the March 22, 2022 Budget Workshop as presented.

Motion: D. Nowland, 2nd M. P. Goldich 5/0 approved

Minutes of the March 29, 2022 Budget Public Hearing

Motion to approve the minutes of the March 29, 2022 Public Hearing as presented.

Motion: S. Burr, 2nd D. Nowland 5/0 approved

Guest – none

Old Business

- **Sewer Update** – Bid for expansion to be reviewed under new business. Working on plans for the Holmes Road connection and site.
- **Water Update** – Third Street has frozen waterlines. Dr. Cale Sebald asked if there was anything we could do to help? Suggested possible steps and explained we have not authority.
- **Cemetery Ordinance update** no news
- **Mettler Lawsuit update** no news
- **Noise in the village issue, Ordinance direction for attorney** - waiting to work on it in spring per V. Goodwin
- **Smith Street Easement agreement** no news from Mr. Breidenstein
- **Personnel Committee Report**- no report at this time.

New Business

- **Attorney consultation Policy**

Motion to approve Resolution 2022-04-12-01 Attorney Consultation Policy

Motion: S. Burr, 2nd M. P. Goldich

Roll Call Vote: M.P. Goldich-Y, S. Burr-Y, V. Goodwin-Y, D. Nowland-Y, R. Hissong Berry-Y

Approved 5/0

Copy attached at end of minutes.

- **Municipal Civil Infraction Enforcement Policy**

Motion to approve the Municipal Civil Infraction Enforcement Policy as presented.

Motion: D. Nowland, 2nd S. Burr 5/0 approved

Copy attached at end of minutes.

- **Ballot Language for Millage renewals:**

1. Road Millage

Proposal to Renew Road Millage

This proposal reestablishes the 1 mill road millage previously approved by the electors that expired after the December, 2021 levy. Specifically, the proposal renews the current .9792 mills that was last levied and restores the .0208 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to 1 mill (\$1.00 per \$1,000 of taxable value)

for a period of four (4) years, 2022 through 2025, inclusive, for the purpose of providing funds for road construction and maintenance, and shall the Township levy such millage for these purposes? If approved and levied in its entirety, this millage would raise an estimated \$193,868 for the Township in 2022.

() Yes () No

Motion to approve the Ballot language as presented for the Road Millage renewal.

Motion: M. P. Goldich 2nd S. Burr approved 5/0

2. Fire Sinking Millage

Proposal to Renew Fire Sinking Fund Millage

This proposal reestablishes the ½ mill Fire Sinking Fund millage previously approved by the electors that expired after the December, 2021 levy.

Specifically, the proposal renews the current .4895 mills that was last levied and restores the .0105 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to ½ mill (\$.50 per \$1,000 of taxable value) for a period of four (4) years, 2022 through 2025, inclusive, for the purpose of providing funds for the Fire Sinking Fund for the fire department, and shall the Township levy such millage for this purpose? If approved and levied in its entirety, this millage would raise an estimated \$96,934 for the Township in 2022.

() Yes () No

Motion to approve the Ballot language as presented for the Fire Sinking Fund Millage.

Motion: D. Nowland 2nd S. Burr approved 5/0

3. Fire Operating Millage

Proposal to Renew Fire Department Operating Millage

This proposal reestablishes the ½ mill fire department operations millage previously approved by the electors that expired after the December, 2021 levy.

Specifically, the proposal renews the current .4895 mills that was last levied and restores the .0105 mills previously rolled back by the Headlee Amendment.

Shall the limitation on the amount of ad valorem taxes which may be levied by the Township of Melrose, Charlevoix County, Michigan, against taxable property in the Township be increased by up to ½ mill (\$.50 per \$1,000 of taxable value) for a period of four (4) years, 2022 through 2025, inclusive, for the purpose of providing funds for fire department operations, and shall the Township levy such millage for this purpose? If approved and levied in its entirety, this millage would raise an estimated \$96,934 for the Township in 2022.

() Yes () No

Motion to approve the Ballot language as presented for the Fire Operating Millage.

Motion S. Burr 2nd D. Nowland approved 5/0

- **Lawn Mower Purchase**
Motion to approve the purchase of a new lawnmower as planned in the budget.
Motion: R. Hissong Berry, 2nd D. Nowland 5/0 approved
- **F-65 engagement letter**
Motion to approve the Gabridge & Co. Letter of Engagement to complete the F-65 report for the Township and DDA PA57 report and qualifying statements for an amount up to \$2,000.00.
Motion: M. P. Goldich, 2nd S. Burr 5/0 approved
- **Insurance Coverage Renewal**
Motion to approve the insurance coverage with McGregor Peterson as presented.
Motion: D. Nowland, 2nd S. Burr 5/0 approved
- **North Shore Drive Bid Release**
Motion to authorize the North Shore Drive project to go out for bid per specifications provided by the Charlevoix County Road Commission which includes Whitfield Drive and Howard Road work.
Motion: R. Hissong Berry 2nd S. Burr 5/0 approved
- **DDA appointment- Bill Goldsmith**
Motion to appoint Bill Goldsmith to serve on the DDA.
Motion: V. Goodwin 2nd D. Nowland 5/0 approved
- **Matts Underground Sewer Extension**
Motion to accept the bid from Matts Underground to install the North Shore Drive sewer extension for a price of \$38,415.
Motion: M. P. Goldich 2nd D. Nowland 5/0 approved
- **Mackie Retirement transition plan**
T. Mackie will be retiring on Aug. 31, 2022. Will need to find replacement to cover the task of: DDA Recording Secretary, accounting, Planning Commission recording secretary and the Sewer System accounting work.

Financial Report

- **General fund reports**
Motion to accept the financial reports as presented and pay all bills.
Motion to :S. Burr 2nd D. Nowland 5/0 approved
- **Sewer fund reports**
Motion to accept the reports as presented and pay all bills.
Motion: D. Nowland 2nd M. P. Goldich 5/0 approved

Zoning Administrators Report - see included report

Assessors Report - BOR is done. The notices have been mailed. The changes have been uploaded. The new aerial mapping is not finished yet, this is being done by the County.

*All reports on file in clerk's office

Employee Grounds Report

Committee Reports

- **Planning Commission**
D. Nowland shared the Planning Commission report. They approved a waterfront overlay permit and the preliminary development plan for the gas station renovation on US 131.
* All reports on file in Clerk's office
- **Zoning Board of Appeals - no meeting**
- **Road Committee**
As roads thaw the spring grading is being done. Brining is to be determined.
- **Park Committee** no report
- **Fire Department** T. Mackie shared the included report.
- **DDA Meeting** scheduled for April 20, 2022
- **Library Board** M.P. Goldich shared the included report
*All reports on file in clerk's office

Correspondence

Fireworks fund-raising notice for Village Fire Works.

Public Comment called for:

Public comment was taken on EMS and website information.

Adjournment at 9:10 pm

**MELROSE TOWNSHIP
MUNICIPAL CIVIL INFRACTION ENFORCEMENT POLICY**

Any person who is authorized to write municipal civil infraction tickets on behalf of Melrose Township shall comply with the following enforcement procedures:

1. Except as provided herein, the enforcement of township ordinances the violations of which are municipal civil infractions shall be initiated only by a complaint being filed with the ordinance enforcement officer. The ordinance enforcement officer shall not conduct a systematic inspection of the township for the purpose of detecting ordinance violations, unless expressly authorized to do so by the township board.
2. Whenever possible, the ordinance enforcement officer shall attempt to make personal contact with the person who is in violation of the township ordinance which is being enforced. Personal contact may be by telephone or face-to-face. The purpose of the personal contact is to explain the nature of the violation and to attempt to persuade the person to voluntarily comply with the township ordinance.
3. If the personal contact is unsuccessful or cannot be accomplished, a written warning shall be sent to the property owner's last known address. The notice shall contain at a minimum the nature of the violation, an explanation of the corrective action to be taken, and a deadline for compliance.
4. The verbal and/or written notice may be waived by the ordinance enforcement officer when experience has shown that the person has repeatedly violated a township ordinance in the past or the violation has resulted in a condition which may be a danger to persons or property.
5. Before issuing a municipal civil infraction ticket, the ordinance enforcement officer shall:
 - a. Obtain approval from the township attorney. This is to ensure that the township has all the evidence necessary to prevail in court.
 - b. Notify the supervisor or such other person designated by the township board that the ticket will be issued. This is to ensure that the township board knows of pending court

actions. If the township supervisor is authorized to issue municipal civil infraction tickets and in fact issues a ticket, then the supervisor shall advise the township board at the next township board meeting that the ticket has been issued.

MELROSE TOWNSHIP
Resolution No. 2022-04-12-01

A RESOLUTION TO ESTABLISH A POLICY FOR UTILIZING
TOWNSHIP ATTORNEY LEGAL SERVICES

At a regular meeting of the Melrose Township Board held in the Township Hall located at 04289 M-75, N., Walloon Lake, Michigan, on April 12, 2022 at 7:00 p.m.

PRESENT: V. Goodwin, S. Burr, M.P. Goldich, D. Nowland , R. H. Berry

ABSENT: None

The following resolution was made by S. Burr and seconded by M.P. Goldich, to-wit:

Recitals

6. MCL 41.187 authorizes the Township Board to engage the services of an attorney to represent the township in civil matters and in the prosecution of violations of township ordinances.
7. The Township Board has exercised this statutory authority and engage the services of a law firm to serve as the township attorneys.
8. To ensure the proper utilization of the legal services of the township attorneys the Township Board desires to establish a policy for utilizing the legal services of the township attorneys.

Resolution

NOW, THEREFORE, THE MELROSE TOWNSHIP BOARD HEREBY RESOLVES that:

1. The township supervisor, township clerk, and township treasurer may contact the township attorneys for legal services without the need for any prior authorization. Township Board trustees may contact the township attorneys for legal services after obtaining approval from the township supervisor, township clerk, or township treasurer.
2. The township zoning administrator, chairperson of the township planning commission, and the chairperson of the township zoning board of appeals may contact the township attorneys for legal

services without the need for any prior authorization, but only as it relates to legal matters within their respective zoning duties.

3. The township zoning administrator, chairperson of the township planning commission, and the chairperson of the township zoning board of appeals may contact the township attorneys for legal services unrelated to their zoning duties and other appointed township officials may contact the township attorneys for legal services after obtaining approval from the township supervisor or township clerk.

YES: 5

NO: 0

RESOLUTION DECLARED ADOPTED.

MELROSE

TOWNSHIP

By: _____

Vern Goodwin, Supervisor

I, the undersigned, the Clerk of Melrose Township, Charlevoix County, Michigan do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Melrose Township Board at its regular meeting held on April 12, 2022 relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act.

Dated: _____

Robin Hissong Berry, Clerk