

EAST BAY CHARTER TOWNSHIP
East Bay Charter Township Hall
1965 N. Three Mile Road
Traverse City, MI 49696

Regular Board Meeting
Monday, February 13, 2023

Call Meeting to Order: Supervisor Friend called the meeting to order at 6:31pm at the East Bay Charter Township Hall.

Pledge of Allegiance: was recited by all in attendance.

Roll Call: Board Members Present: Beth Friend, Tracey Bartlett, Matt Courtade, Matt Cook, Mindy Walters and Susanne Courtade

Absent and Excused: Glen Lile

Review for Conflict of Interest: (6:32)

Friend declared a conflict with the Holiday Woods SAD.

S. Courtade moved and Walters seconded to accept the conflict of interest. The motion carried upon a unanimous voice vote.

S. Courtade moved and Bartlett seconded to elect Walters to chair the meeting for the Holiday Woods SAD item. Walters accepted and the motion carried upon a unanimous voice vote.

Presentation of the Agenda (6:34)

Supervisor Friend presented the agenda for February 13, 2023.

Approval of the Agenda: (6:35)

Cook moved and Walters seconded to approve the agenda as amended moving TC Watersports Resolution documenting EGLE-Approved bottomland conveyance to business to be heard by the board. The motion carried upon a unanimous voice vote.

Public Comment (6:38)

None

Correspondence & Reports: (6:38)

Included in packets

Consent Calendar: (6:38)

- A. Board Minutes:** January 9, 2023 Regular Meeting Minutes and February 7, 2023 Joint Meeting Minutes (Recommend Approval)
- B. General Fund:** Checks numbered 17626 - 17703 were paid in the amount of \$113,232.72 with check #17673 voided.
- C. Emergency Fund:** Checks numbered 5202-5236 were paid in the amount of \$58,353.84.
- D. Receiving Fund:** Checks numbered 2890 – 2890 were paid in the amount of \$317.99.
- E. Escrow Fund:** Check numbers 1900 – 1911 were paid in the amount of \$85,817.37.
- F. Roads SAD Fund:** Nothing was paid from the Roads SAD Fund.
- G. Payroll Fund:** The payroll dated 1/1/2023 - 1/14/2023, check numbers 7495-7497 totaled \$54,679.65 and includes \$9,981.76 for payroll tax and check number 7497 for \$1,579.92 for State of Michigan withholdings.
- The payroll dated 1/15/2023 - 1/28/2023, check numbers 7498 - 7500 totaled \$58,308.69 and includes \$10,187.72 for payroll tax and check number 7500 for \$1,605.49 for State of Michigan withholdings.
- The payroll dated 1/12/2023 Parks Commission December Pay included check number 7494 in the amount of \$772.35 and included \$99.62 for Payroll Tax and check #7494 for \$21.48 for State of Michigan withholdings.

Total Payroll \$113,760.69

Total amount paid: \$371,482.61

G. Proposed Budget Adjustments
None

H. Other Items

1. CEDAM Fellowship Memorandum of Understanding
Move to approve the CEDAM Agreement for Professional Services for Hosting a Community Development Fellow, Memorandum of Understanding, and authorization to pay the \$10,000 commitment as it is invoiced by CEDAM.
2. Copier Purchase
Move to approve the 60-month lease purchase of the bizhub C450i through MiDEAL and Kraft Business Systems; with current functioning copier to be placed at Station 9.
3. Poverty Exemption Income Guidelines and Asset Test Resolution
Move to approve Resolution 2023-03, Resolution Establishing Poverty Exemption Income Guidelines and Asset Test Policy and Attachment A which includes the annual update of the Federal and Township Poverty Income Guidelines.
4. TC Watersports – Resolution documenting EGLE Approved bottomland conveyance – removed from consent agenda
5. Resolution documenting updated fees from January 2023 meeting
Move to approve Resolution 2023-04, Resolution Updating the Fiscal Year 2023 Costs of Permits, Applications, Fees, Licenses, and Initial Escrow.

Walters moved and S. Courtade seconded to approve the consent calendar as amended noting the deletion of the words "FY 2022-2025 Auditing Services" from item 5c in the January 9th Regular Meeting Minutes. The motion carried upon a unanimous roll call vote.

Business Before the Board of Trustees

a. Public Hearing – Holiday Woods Special Assessment District (Road) (6:46)

Friend excused herself because of a conflict and Walters chaired this item.

At the January 9, 2023 board meeting, the township board approved Resolution 2023-01, Resolution to Receive Petition to Create Special Assessment District, to Declare Intent to Create Special Assessment District, and to Schedule Public Hearing. The Board can now consider Resolution 2023-05 ordering creation of the Special Assessment Roll. The Township could finance the SAD internally so a bond would not be sought. Walters opened the public hearing at 6:49pm.

Bruce Moore of Summer Leaf Drive is in favor of the SAD.

Walters closed the public hearing at 6:50pm.

Jim Schiffer from the GTCRC stated that this was not a formal bid but that \$205,000 was a very good estimate for the project.

S. Courtade moved and Cook seconded to schedule a second public hearing for the Holiday Woods Special Assessment District for the road improvement project which includes 1½" bituminous overlay (on chip inner layer) over existing pavement within Holiday Woods subdivision [which includes the roads of Autumn Leaf, Summer Leaf, Winter Leaf, Spring Leaf, and a portion of Village Circle] and properties outside of Holiday Woods subdivision that have frontage on Village Circle Drive where it extends west to reach Holiday Village Road, Summer Leaf Drive where it extends to reach Yorkshire Drive, and Spring Leaf Drive where it extends to reach and includes the south approximately 100' of Columbine Court; and to approve Resolution 2023-05 Resolution Creating the East Bay Charter Township Holiday Woods Special Assessment District, Ordering Creation of Special Assessment Roll, and Scheduling Public Hearing on Assessment Roll. The motion carried upon a unanimous roll call vote.

S. Courtade moved and Cook seconded that East Bay Township contribute 10% of the total construction cost. The motion carried upon a unanimous roll call vote.

Friend returned to the meeting after completion of the vote.

b. East Bay Ambulance

East Bay Ambulance submitted two grant applications to the most recent Grand Traverse Band of Ottawa and Chippewa Indians Allocation of 2% Funds Grant cycle. \$18,434.81 was awarded for a LUCAS replacement and \$21,119.48 was awarded for a cardiac monitor replacement.

S. Courtade moved and Walters seconded to accept the grant funds from the Grand Traverse Band of Ottawa and Chippewa Indians Allocation of 2% Funds Grant cycle of 1) \$18,434.81 for a LUCAS replacement and 2) \$21,119.48 for a cardiac monitor replacement; for a total award of \$39,554.29. The motion carried upon a unanimous voice vote.

East Bay Ambulance and East Bay Charter Township were awarded \$35,000.00 in ARPA funding from Grand Traverse County for a Chevy Tahoe. Ordering a vehicle is very difficult in this current vehicle market and Ambulance Director Nick Lemcool is asking for some flexibility with quotes and the price.

Walters moved and Cook seconded to approve the purchase of a 2023 Chevrolet Tahoe and up fitting from 911 Rapid Response with a total cost not to exceed \$77,000.00. The motion carried upon a unanimous voice vote.

East Bay Ambulance will be obtaining \$39,554.30 from the Grand Traverse Band of Ottawa and Chippewa Indians in the amount of \$18,434.82 for a LUCAS 3 CPR device. This will cover the cost of the equipment; it is recommended to purchase a service plan for 4 additional years of service as done in the past for \$5,565.80. Also, EBA staff found an old Stryker manual cot in the pole barn that is going to be traded in for \$500 towards this total amount. EBA also applied for \$21,119.48 for a LifePak15. This will cover half of the equipment cost. It is recommended to purchase a service plan for 4 additional years of service as done in the past with other equipment. This cost is \$7,136.60. EBA staff recommends trading in one of the older LP15's for a total of \$6,500 towards the total amount.

M. Courtade moved and S. Courtade seconded to approve and declare one Stryker manual cot and one LP15 as surplus and used for trade in; and purchase LUCAS device and LP15 with service plans as quoted from Stryker. The motion carried upon a unanimous roll call vote.

Ambulance Director Nick Lemcool proposed a change in the EBT employee manual which states that an employee must reside in Grand Traverse, Leelanau, Antrim, Kalkaska, Benzie or Wexford counties. Due to difficulties in finding qualified EMS staff, Lemcool proposes that East Bay Ambulance be allowed to hire anyone that resides in the state of Michigan.

M. Courtade moved and Walters seconded to approve suggested verbiage regarding exception to EBCT employee manual to allow EBA medical personnel to reside outside the listed countries.

Lemcool proposes hiring Melissa Dauw as a part-time paramedic.

S. Courtade moved Bartlett seconded to approve the hiring of Melissa Dauw as presented. The motion carried upon a unanimous voice vote.

c. Short-Term Rental Ordinance Amendment Discussion (7:31)

The East Bay Township Board of Trustees reviewed possible amendments to Ordinance No. 5 of 2019, the Short-Term Rental Licensing Ordinance on November 14, 2022. At this meeting, the Board discussed the proposed amendments and directed staff to make additional changes to the draft Ordinance No. 5 of 2019. Edits had been proposed to the draft Short-Term Rental Licensing Ordinance, based on guidance from the Board of Trustees when this ordinance was last reviewed and discussed with staff and legal counsel on November 14, 2022. Jake Witte, from Fahey, Schultz, Burzych and Rhodes, was present virtually and reviewed the twelve proposed changes with board members as well as some issues with processing applications.

Friend opened the public comment at 7:52pm

Mark Clark, an attorney representing several homeowners commented on the Short-Term Rental Ordinance.

Renee Jacobson of Bittersweet Lane commented on Short Term Rentals.

Mr. Jacobson of Bittersweet Lane commented on Short Term Rentals.

Katelyn Falinski of Arbutus Lake commented on Short Term Rentals.

The public comment was closed at 8:12pm.

Zoning Administrator Preston Taylor addressed complaints that were made on Short Term Rentals. He went through how a complaint should be made and how it can be followed up on. He stated that in 2022, fifteen complaints were received about short term rentals and noise is the biggest complaint.

Taylor also addressed enforcement.

Board members reviewed the proposed 12 changes and determined that #4 would be left as originally written. Board members discussed all changes, and the revised language will be brought back in the future. Board members will also continue to discuss how to handle those applications that came in during the moratorium time. *Walters left the meeting at 9:16pm.*

d. Bottomland Conveyance Resolution – Alexandra Inn (7:07)

Dusty Christensen of Mansfield Land Use Consultants on behalf of Alexandra Inn, explained the plans for a dock. The proposed dock serves to allow access to the deeper waters of East Bay and does not have any boat slips but does have a kayak rack for guests with kayaks.

Bartlett moved and Friend seconded to approve Resolution 2023-06 Resolution Approving the Application for Conveyance of Great Lakes Bottomlands. The motion carried upon a unanimous roll call vote.

e. Site Condominium – SPR Holiday Forest II Cluster Development (7:18)

On January 3, 2023, the East Bay Township Planning Commission unanimously recommended the approval of Site Plan Review #11-22 – Holiday Forest II Residential Cluster Condominium Subdivision to the Township Board for approval. The applicant, River Road Investment, LLC, is proposing to add an additional 34 residential units to the existing residential condominium subdivision, Holiday Forest. The parcel (03-215-037-00) is located off Yorkshire and Winchester Drives in the Holiday Hills area and is 16.40 acres in size. The proposed lots range in size, with a minimum proposed width of 67.3 feet and a minimum proposed area of 7,643 square feet.

Walters moved and Cook seconded to approve Site Plan Review #11-22 – Holiday Forest II Residential Cluster Condominium Subdivision subject to the Planning Commission Findings of Fact and six (6) conditions as listed in the January 3, 2023 Planning Commission minutes. Condition #7 – “Street trees will be added per site plan” was added by board members. The motion carried unanimously upon a voice vote.

f. National Flood Insurance Program Ordinance Introduction (9:48)

FEMA recently completed new maps for Grand Traverse County and these maps need to be adopted and referenced in township ordinances.

S. Courtade moved and M. Courtade seconded to introduce and notice proposed Ordinance 2023-01 Ordinance Addressing Floodplain Management Provisions of the State Construction Code; and to review Resolution 2023-09 Resolution and Intergovernmental Agreement between East Bay Charter Township and Grand Traverse County to Manage Floodplain Development for the National Flood Insurance Program at the March 13, 2023 board meeting for approval. The motion carried upon a unanimous voice vote.

g. TC Watersports – Resolution documenting EGLE Approved bottomland Conveyance (9:52)

For record keeping purposes, the attached resolutions are being brought before the board to ensure the final dock permits for TC Watersports and Sugar Beach Resort, as approved by EGLE, are documented in the final Township records. Additionally, the property owner for 1773 US 31 N has been updated from Hospitality Holdings, LLC to Sugar Beach Resort Partners, LLC.

M. Courtade moved and Bartlett seconded to approve Resolutions 2023-07 & 08, Resolutions Acknowledging the Final Conveyance of Great Lakes Bottomlands, for 2155 and 1773 U.S. 31 North, respectively. With Cook dissenting, the motion carried upon a roll call vote.

Public Comment (10:03)

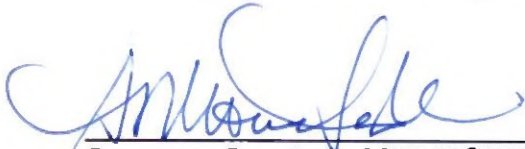
Bruce Moore of Summer Leaf drive commented on the proposed short term rental ordinance.

Upcoming Meeting Dates

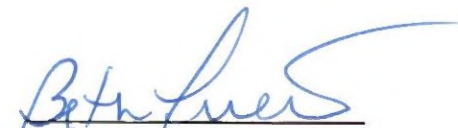
1. March 13, 2023 Regular Board Meeting

Adjournment:

Friend adjourned the meeting at 10:05pm.



Susanne Courtade MiPMC²/MMC, Clerk
East Bay Charter Township



Beth Friend, Supervisor
East Bay Charter Township