

CASCO TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, MAY 18, 2020 @ 7:00PM

Draft

Call to Order: Overhiser called meeting to order at 7:00pm and led in the Pledge of Allegiance.
Present: Overhiser, Macyauski, Winfrey, Brenner, Graff & one interested citizen who participated virtually.

PUBLIC COMMENT: Comments were heard from Judy Graff sent to her thru email.

The public needs to attend the meeting thru the internet, this is the recommendations from our attorney, this is the safest way to comply with the Governor's order to the best of our ability. The township officials viewed virtually from their offices except for Judy Graff, from her home.

Reports:

Clerk:

Cheri presented the minutes of the regular meeting of April 20, 2020 for approval.

Lu made motion to approve the April 20, 2020 minutes. Paul supported. No discussion or corrections.

All in favor. Motion Carried.

Because of the Governor's rules all votes must be a roll call vote.

Roll Call Vote: Allan, Yes, Judy, Yes, Lu, Yes, Paul, Yes, Myself (Cheri) yes.

Yays: 5

Nays: 0

Cheri made motion to amend the following budget accounts:

General

101-215-704.00	Deputy Clerk Wages	\$51.41	\$950.00
101-215-709.000	FICA-MEDICARE	\$50.19	\$120.00
101-247-752.000	BOR-Misc. Supplies	\$43.16	\$100.00
101.253.709.00	Treasurer-FICA	\$98.05	\$200.00
101-257-851.000	Assessor-Postage	\$185.67	\$185.67
101-262-752.00	Elections- Misc. Supplies	\$500.96	\$700.00
101-265.709.000	Bldg Dept-Misc. Supplies	\$355.13	\$1,000.00
101-265.850.00	Bldg Dept- Phone/Internet	\$227.27	\$400.00
101.371-703.005	Inspections Wages	\$4,387.24	\$5,000.00
101-371-709.000	Inspections-FICA	\$293.94	\$350.00
101.401.709.000	Rental – FICA	\$39.80	\$60.00
101-401.801.005	Rental-Contractual	\$2,035.00	\$2,035.00
101-528-703.011	Transfer station-Wages	\$1,969.92	\$3,000.00
101-528-709.000	Transfer Station-FICA	\$150.70	\$200.00
101.536.801.009	Other Activities-Water/sewer	\$120.00	\$180.00
101.567.705.002	Historical Records-Wages	\$43.36	\$50.00
101-567-709.000	Historical Records- FICA	\$428.77	\$1,000.00
101-595-801.0111	Other Activities-Airport	\$135.00	\$150.00

Parks

208-751-709.000	FICA	\$56.22	\$100.00
208.751.752.001	Recreation-Supplies & Maint	\$688.10	\$1,000.00

Paul Supported.
Roll Call Vote:
Yahs: Overhiser, Macyauski, Winfrey, Graff, Brenner
Nays: None

Treasurers Report:
Balances of all accounts are as follows:

General Fund	Balance	\$665,689.37
Parks Fund	Balance	\$107,689.49
Senior Services Fund	Balance	\$112,085.83
Fire Dept. Fund	Balance	\$610,080.35
Road Fund	Balance	\$686,979.62
Police Fund	Balance	\$175,560.21
Cemetery Care Fund	Balance	\$109,598.67
Collected Tax Account	Balance	\$2,207.34
102 nd Ave, SAD	Balance	\$83,646.50
Beach Dr	Balance	\$79,152.48
Lakeview Paving	Balance	\$73,117.80
Lakeview Sewer	Balance	\$19,312.99
Lakeview Water	Balance	\$5,921.12
Pacific Sewer	Balance	\$18,284.05
Pacific Water	Balance	\$43,015.11
Orchard Sewer	Balance	\$35,152.82

Lu made motion to approve the following bills in the amount of \$168,554.60, this balance does not include the collected tax account amount of \$2,015.28.

General Fund	in the amount of	\$43,884.51
Parks Fund	in the amount of	\$1,575.86
Fire Fund	in the amount of	\$121,836.00
Senior Fund	in the amount of	\$730.01
Police Fund	in the amount of	\$528.22
Collected Tax	in the amount of	\$2,015.28

Cheri supported.

Roll Call Vote:

Yahs: Macyauski, Brenner, Overhiser, Winfrey, Graff

Nays: None

Police Report: None, Deputy Katje was on road patrol for the evening.

Short Term Rental Report:

Kathy and Paul's report:

Short Term Rentals are currently prohibited per the Governor's Stay at Home order which is currently scheduled to be lifted after May 28, 2020. If that changes we will let our Rental Owners know right away via email.

Thirty owners have 2020 registrations that have been processed. Kathy sent out an email from Allan letting owners know that the registrations are due right away if they are accepting rentals for the summer, or within two weeks after the Stay At Home Order is lifted.

We have heard from a half dozen owners that they won't be renting this year. A couple are moving their homes that are too close to the bluff. Others don't believe things will return to normal, enough to make it worth renting this year.

Permits are being sent to those who have registered, via email rather than printing and mailing, to save time and money (saves \$50+ in postage and 6-8 hours in time.)

As soon as the Stay At Home Order is lifted, Paul will schedule the inspections he has planned for this year.

We have received several complaints about people renting during the Stay At Home Order. Paul has looked into each situation and spoken to law enforcement where appropriate. Law enforcement is responsible for enforcing the Stay At Home Order so reports of short-term renting at this time are being turned over to them. We don't believe all of these are actually short-term rentals but may be owners, family, or friends staying there since there isn't any record of them being rented (via Host Compliance).

We will publish a registration list on the website that includes both 2019 and 2020 registrations. We will publish a 2020 list after the registration deadline (two weeks after the order is lifted).

Parks & Recreation:

Bruce Brandon submitted a report.

1. The parks and recreation committee held their regularly scheduled meeting with social distancing and ZOOM protocols in place. All members of the committee were present either in person or by ZOOM. One seat on the committee is still vacant, Unless otherwise directed, the June meeting will use the same format.
2. Debbie Weaver gave report indicating that the Miami Park property continues to suffer from the effects of erosion and slumps. The Corp of Engineers predicts a two inch monthly rise in lake level through August.
3. It was noted that the beach delineation signs at First Street were vandalized with paint and up-rooted from their placement. Will need to be replaced.
4. Committee members will be meeting with Davis Landscaping to go over checklist to insure project started last fall will be completed per contract.
5. Committee members will meet with parks maintenance personnel for the purpose of updating of the parks maintenance checklist.
6. Flemings tree service completed their work at the preserve and did a very good job. The assessment of tree conditions will be on-going.

Planning Commission:

Judy reported that the PC has a public hearing this Wednesday at 6:00pm. Dave Campbell added that after the public hearing on Wednesday they will have a regular meeting to take care of older issues that needed to be dealt with.

ZBA:

Paul reported that on May 14, 2020 the following were approved-

1. The purpose for re-doing the Public Hearing for front yard variance it was noticed that the original notice requested a 13' set back and the owner noticed it needed to be an 18' variance. There was no audience for or against the corrected variance, the 18' variance was approved.
2. Alphonse Llekis requested a variance request 8.03 to erect a swimming pool at 42 North Shoe Drive, a 12' setback was approved.

SHAWSA:

Allan reported that the main issue was dealing with high water, the sewer treatment plant had highwaters and they are looking into how to protect the infrastructure there, and with the growth through the last few years they are lowering the water/sewer rates from \$60.00 to \$30.00 each month.

SHAES:

Allan reported again that Brandan Hinz was hired for the new Executive Director, and lots of discussion on how the Covis Virus has affected SHAES call volume. This has freed them up to get somethings done at the station that they couldn't get to before the virus.

OLD BUSINESS:

- Allegan County Legal Assistance:

Linda Teeter was present to discuss how they can enhance Casco's service to their residents, Linda thanked us for entering into a contract with them for this year. Because of our entering into a contract with them they have been able to enter into contracts with Laketown, Allegan, and Trowbridge Township, these townships have signed. Presently they are working with Salem and Gun Plain, Townships.

Linda asked if we would consider doing a pilot program where residents could come to the township hall and meet with someone from the Legal Assistance Program. They would bring a laptop and printer and set up an area to meet any individuals that need assistance. This would help residents to have to not travel all the way to Allegan, they could be assisted right here at the township hall.

- Permitting Growing Marijuana – Medical

We had mentioned this the last time we met, as Allan explained that this is a farming community, and it is high on our list of our master plan with the desire to see farms continue. Allan asked Ron Bultje to give us some instructions on what we need to do. It was his recommendation that if the Township intends to allow a grow operation in the Township that would produce medical marijuana, the Township should adopt both a zoning ordinance amendment and a licensing ordinance, much like was done with short term rentals.

The zoning ordinance amendment would specify that a medical marihuana grow operation is an allowed use in a particular zoning district or districts. His thought would be that a grow operation would be allowed as a special use, not a use by right, in the agricultural zoning district. The zoning ordinance amendment would address other land use issues such as buffer requirements, extra setbacks, minimum or maximum size, etc. The zoning ordinance amendment would have to be drafted, the subject of a public hearing before the Planning Commission, and then adopted by the Township Board like any other amendment to the zoning ordinance. The amendment would deal with the land.

The licensing ordinance would require an applicant to apply for a permit from the Township. In order to apply for a permit from the Township, the applicant would have to already have in hand a license from the state. The licensing ordinance would have establish the application process to be followed by an applicant, including the information to be disclosed on the application form, who grants or denies the application, any appeal process for a denied applicant, any limitation on the number of licenses that can be granted, and any other type of regulatory (i.e, non-land use) issues the Township would want to include. The regulatory ordinance would simply have to be

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drafted and considered for adoption by the Township Board; it would not be the subject of a public hearing before the Planning Commission.

NEW BUSINESS:

- Resolution for the Farm & Resort Drain
Allan explained that the drain code specifies the dollar amount per mile that the Drain Commissioner can spend on maintenance of drains. From time to time drains are in such bad stay or theres' additional costs for some reason put them for coming to us for permission to exceed that statutory limitation spending for a drain maintenance. This drain is located on the west side of Blue Star Highway between 101st & 102nd (now called Beachview) Avenues, it flows behind Sun'n & Sand Resort. The Farm & Resort Drain was legally established and constructed in 1938 with 12" clay tile between 101st & 102nd Avenues. The old tile has failed and water was now running over the ground. Allan also explained that if we don't approve the Resolution to repair the drain this could become the township's expense.

The Resolution is as follows:

**STATE OF MICHIGAN
COUNTY OF ALLEGAN
TOWNSHIP OF CASCO
RESOLUTION NO. 05182020-4**

WHEREAS, the Allegan County Drain Commissioner has advised the Casco Township Board of Trustees that, pursuant to Section 196 of the Michigan Drain Code (MDL 280. 196; MSA 11.1196), an inspection was made of the Farm & Resort Drain and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the Drain; and,

WHEREAS, the Allegan County Drain Commission has the authority to expand Five Thousand and no/100 (\$5,000.00) Dollars per mile in any one (1) year for the maintenance of the drain, and where it is estimated that expenditures in excel of Five Thousand and no/100 (\$5,000.00) Dollars per mile are necessary, those amounts may not be expended until approved by Resolution of the governing body of each township, city and village affected by more than twenty (20%) percent of the cost; and,

WHEREAS, the Allegan County Drain Commissioner has advised the Casco Township Board of Trustees that it will be necessary to expend funds in excess of Five Thousand no/100 (\$5,000.00) Dollars per mile for the maintenance of the Farm & Resort Drain and that the Township of Casco is affected by more that (20%) percent of the cost; and

WHEREAS, the Allegan County Drain Commissioner states that the cost for the maintenance of the Farm & Resort Drain will be approximately \$22,500.00 Dollars, which constitutes \$17,500.00 Dollars in excess of the authorized Five Thousand and no/100 (\$5,000.00) Dollars per mile.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Casco Township Board of Trustees. That pursuant to Section 196 of the Drain Code, the Allegan County Drain Commissioner is authorized to expend money for the maintenance and repair of the Farm & Resort Drain in access of Five Thousand and no/100 (\$5,000.00) Dollars per mile and, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, then the Allegan County Drin Commissioner is authorized to levy a special assessment, as allowed by law.

RESOLUTION approved this **18th** day of **May**, 2020, by the Casco Township Board of Trustees, governing body of the Casco Township.

Allan explained that when a drain is established that it will be maintained.

Paul made motion to approve said resolution. Lu supported.

Roll Call Vote: Allan, Paul, Judy, Lu and myself (Cheri) all yes.

YAYS: 5

NAYS: 0

Motion Carried.

- Assessor Contract:
Allan gave everyone a copy of the Assessor new contract to read and we will put this on June's agenda.
- Budget Review for 2020/2021
We would put together a draft budget and have a meeting to review the new budget. We do know that the Revenue Sharing will be reduced because of the VIRUS.

Lu made motion to adjourn. Paul supported. Meeting adjourned at 8:25pm.

Minutes Respectively Submitted by
Cheryl Brenner, Casco Township Clerk