

Bear Creek Township Regular Meeting

June 5, 2019

Called to order at 7 p.m.

Roll Call: Keiser, Hoffman, Nowland, Golding and Stringer

Approval of Minutes: Keiser reported that we have minutes from meetings on 5/1, 5/8, 5/15, 5/22, and 5/29 of 2019.

Motion by Nowland and 2nd by Hoffman we approve all the minutes as printed. **Unanimous**

Approval of the Agenda: Keiser ask to move around agenda.

Blight: J. Villemure went over 10 cases with us, some have improved, and others have not, he is still working on them.

1. Shively-Greenwood Rd.

Motion by Hoffman for a letter from our attorney, 2nd by Stringer **Unanimous**

2. Millron-River Rd. The board has received a letter from the building inspector about this property being unsafe and he has had no response from the owner.

Motion by Nowland for a letter from the attorney, 2nd Hoffman **Unanimous**

Planning Commission Case #PSUP19-003 David Coveyou/Coveyou Farms. We have received another letter concerning this case, Keiser read the letter. The concerns from the neighbors are the noise, the barn is closer than 1000 feet to 4 homes and the ordinance states music must be in a closed building. Keiser states that he works with all the farmers in the area and read off a list of names, he is not against farms at all the problem is not with the farm but with the events and the amplified music. D. Coveyou states lots of farms are going under they need this extra income to keep the farm. Keiser states all the events to keep the farm going are fine it is the music he doesn't agree with. The neighbors have also in writing have asked for no amplifies music. K Coveyou asked if we can work out a solution and Keiser replied no unless you agree to nonamplified music. Keiser states that he asked Kathy last month at the county building "will you agree to .51 decimals and you said nothing less than .75".

D. Coveyou says the ordinance says he may request a different sound level and Keiser states you it does, and you asked, and the board says no. If you want amplified music, it must be moved to another place farther away from the homes. The boards are in a rough spot and we must do what is right for the neighbors, Keiser says I was fine with the .51 decimals and you said no. Keiser states that 12 events a month mean that every weekend there would be noise and that the neighbors need quiet time too.

Keiser asked D. Coveyou your plan says 6 events at 25 people or less with no music, 3 events at 25-60 people with some music and 3 events at 65-99 people with some music, Keiser asked K Coveyou if she would agree to this in the motion and she said no, that's our vision but we don't want to be held to that.

D. Coveyou says that's part of the package and he is fine with that. What we want to envision is people sitting on our deck having a catered meal using our produce looking out at the lake enjoying their meal. Hoffman states that he went to a class by a law firm at the MTA Conference and they stated wedding are not part of agriculture. They are trying to hash all this out about what is a farm and what is not, wedding venues are not part of a farm.

D. Coveyou says that a wedding is not agriculture what it is is a way to get additional income to keep the farm going.

Hoffman says MSU said that weddings are not part of right to farm.

Keiser states that noise effects people differently, and that street noise is a few seconds where music is for a longer period of time.

D. Johnson says if they play music and someone complains can you do something about it then?

Keiser says we can't go backwards, if we say yes and you don't like it you are stuck with it. If we start off saying no amplified music, then maybe change later but the MTA says ease into things.

D. Johnson says he can't speak for the association but as for him he is not opposed to the amplification, but he agrees move into this slowly.

D. Goldsmith says his family and the Coveyou go way back 3 generations, but he is against the amplified music. He feels that it will reduce the character of the area, reduce the quality of life and reduce the value of the property.

Golding states that when Zoning set the field for this it was for a reason and we need to stick with it.

D. Coveyou would like to table this and sit down and talk to his neighbors.

Keiser says if you move this to another area on your farm, we wouldn't have this problem.

Hoffman says not to table this because you don't meet the 1000 feet.

R. Goldsmith says she would like no amplified music, she feels these events that Coveyou is talking about are conducive to nonamplified music.

D. Coveyou states that he can't get weddings without amplified music.

Stringer asked, you have over 300 acers, how much of this do you farm?

D. Coveyou states "pushing 40".

J. Kargol thinks the slow approach is the way to go. We have waited so long to get nice weather days and they are limited; people want to sit and relax outside and enjoy themselves.

K. Buckmaster says that she goes to all these meetings and she doesn't like to hear the talk about the board being anti farm, they are not in any way. She feels that if your farm depends on amplified music to survive that's too bad, that's not what farming is all about. She wants to know where the sound originates.

Keiser says the property line. At another meeting that she attended a man used his cell phone and tested the decibals in the room with 1 person talking and it was 65, knowing that if at the property line is what we're hearing right now, she doesn't want to hear that. She hopes that the farm can survive without amplified music.

Hoffman says not to table this he feels that it won't be worked out and it still doesn't meet the zoning ordinance of 1000 feet, we need to follow the ordinance.

Bear Creek Township's recommendation to the County will be no amplifies music and this will not be sent back to the Planning Commission.

Motion by Golding to have no amplified music and to answer all 17 questions from the list, 2nd by Hoffman **Unanimous**

Roads: Keiser reported that the speed sign is working and has been put out on different roads for 3 days at a time. He handed out reports for review and has also given the reports to the Sherriff's office for review. We have gotten our first application of dust control. The road commission has raised its rates. The truck traffic on Pickerel Lake Road is causing some complaints, Keiser has talked to MDOT and the Road Commission, they can't stop the traffic but can make some suggestions for alternate routes, also has talked to them about jake braking.

Library Report: Report by Golding. She checked into the free vouchers they are giving for bus rides and they are a donation from before.

Township Clerk: We have hired Heidi Kendziorski she started on June 4th working with Cynthia to learn the Deputy Clerk job. Cynthia has given us her written resignation and her last day will be July 12, 2019. Heidi will advertise for a Deputy Clerk and will train them and then she will train for the Clerks position.

Explore 131 North: Keiser has invited representatives to our meeting but has not heard back from yet.

Master Plan: We have gone over the number of meetings on our contract, so we need to sign a new one with 7 additional meetings and a cost of \$3920.00.

Motion by Hoffman to sign a new contract and pay the \$3920.00, 2nd by Nowland **Unanimous**

Commissioners Report: Jim Kargol reported the commissioners passed a vote to continue with the NLEA for the remainder of the year but not sign a 4-year contract, the NLEA say no they want both or nothing at all. Concerns from other 3 counties are how to cover what the expense without Emmet County.

Planning/Zoning: Stringer gave a report that there were 4 cases:

1. David Firman – Passed 7-0
2. David Coveyou – Passed 4-2
3. BF Properties – Passed 7-0
4. Sun Communities – Passed 7-0

There were also 2 TEXT Amendments that Passed 7-0

Motion by Stringer to accept the report, 2nd Hoffman

Unanimous

Fire Dept.: Chief Welsheimer gave a report on the training they have been doing.

The department had 10 EMS calls, 23 fire calls.

Parks and Recreation: Nowland gave a report about the work that they have done 2 site walks, fixed lights and sidewalks at Spring Lake Park and are working on showers and other things at Jones Landing. They have approved a bench being donated by a family as a memorial and are working with the family on placement.

Correspondence:

--Thank you from 4-H for using the hall

--Agenda from MTA and minutes

--letter from Jennifer Eustice

--letter from Martie VanBerlo

--letter from Charter

--letter from Census Bureau

--Township Focus Magazine

--Annual Report from Emmet County Road Commission

--MTA form for Assessing Class

--Invite to breakfast from Walloon Lake Association

--The Wallooner

--MTA form for Planning and Zoning Retreat

Clerks Report Stringer reported bills in the amount of \$112,284.76

Motion: by Hoffman 2nd by Nowland to pay the bills.

Unanimous

Stringer reported that 3 laptops for the elections need to be updated to windows 10 at a cost of \$435.00 also that we might have an election in November so we will need to amend our budget so I will put together all the information and come back at a later date with it.

Treasurer's/Building Report: Golding gave a report and stated that they are still very busy.

Sewer Report: Keiser gave report on bills for the month totaling \$74,809.01.

Motion by Keiser to pay the sewer bills, 2nd by Hoffman.

Unanimous

Motion to go into closed session at 9:14 pm by Stringer, 2nd by Golding

Roll Call Hoffman, Keiser, Nowland, Golding, Stringer

Unanimous

Motion to come out of closed session: Hoffman, 2nd Nowland

Roll Call Hoffman, Golding, Nowland, Stringer, Keiser

Unanimous

Motion: by Nowland to settle case with Bay View Golf Course Tax Appeal, 2nd Hoffman

Roll Call Nowland, Hoffman, Golding, Stringer, Keiser

Unanimous

Adjournment: 9:32 p.m.

Respectfully submitted:

Anita Stringer Clerk