

**Au Train Township Regular Board Meeting Minutes**  
**October 14, 2024 6:00 pm - 7:52 pm**

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**Roll Call:**

Board Members Present: Supervisor Michelle Doucette, Clerk Mary Johnson, Treasurer Kristy Cota, Trustee Jake Miller and Trustee Tom Balmes. Also Present: Donna Shields, Scott Smith, Duane Newton, John Carr, Brian and Kristen VanWieren.

Supervisor Doucette opened our October 14, 2024 meeting at 6:00 p.m. leading us with the pledge.

**Approval of the Agenda:**

Moved Johnson/seconded Cota to **approve the agenda**. Motion carried.

**Approval of Minutes:**

Moved Johnson/seconded Doucette to **approve the minutes of the September 9, 2024 Regular Board Meeting**. Motion carried.

Moved Doucette/seconded Cota to **approve the minutes of the September 26, 2024 Special Board Meeting**. Motion carried.

**Pay Bills:**

Moved Johnson/seconded Doucette to **pay bills**. Johnson, yes; Doucette, yes; Miller, yes; Balmes, yes; Cota, yes. Motion carried. (General Fund #17263-17296; Fire Fund #9230-9242; Garbage Fund #2140).

**Financial Reports:**

Clerk Johnson presented the September Financial Reports. Reports are provided to Board Members prior to the meeting. Clerk Johnson requested that Year to Date and Budget Amendments be added to the Special Meeting Agenda scheduled for October 24, 2024 for additional time to review and prepare budget recommendations. The Board agreed.

**Board Member Reports:**

Treasurer - Balance as of September 30, 2024: General Fund \$298,108.38; Fire Fund \$264,658.52 + CD \$54,250.94; Garbage Fund \$195,283.22; Road Fund \$4,808.43.

Treasurer Cota noted that Summer Tax Collection is complete, but that payments will be accepted through the Winter Tax Collection and will include penalties and interest. Winter Tax Bill prep and the proposal with KCI is expected next month. There is a Craft Show scheduled at the Community Building on November 2<sup>nd</sup>, with the General Election scheduled for November 5<sup>th</sup>.

Clerk - Since the September Meeting Clerk Johnson answered several emails, and responded to FOIA requests. Election Administration remains the first priority, making sure all Absent Voter Ballot requests are responded to. The Public Accuracy Test is Saturday, October 19<sup>th</sup> at 9:00 am. The County will be handling the Early Voting, which begins October 26<sup>th</sup> through November 3<sup>rd</sup>. Clerk Office hours are scheduled for November 2<sup>nd</sup> and 3<sup>rd</sup> from 8:00-12 noon, and Monday November 4<sup>th</sup> from 1:00-5:00 for AV requests, download of the Electronic Pollbook and final prep before Polls open on November 5<sup>th</sup> at 7:00 am.

The MML Insurance Quote package was received and forwarded to Board Members for review. The renewal invoice is presented in Bills for payment. Picked up the Audit Report from Anderson, Tackman & Co. Finalized the Policies regarding Zoning Enforcement Ordinance for approval, incorporating a suggestion from the Planning Commission. Prepared a Policy for Appointment of Members to the PC and ZBA for consideration by the Board.

Forwarded a Parcel Division Application to Attorney Nordeen for review. Zero splits were transferred with the Deed on purchase. Applicant has been informed that there are no splits available unless he can get the seller of the 40 acre parcel to authorize one with a Deed Correction.

Trustee's - Trustee Miller noted he attended the Planning Commission Meeting. Asked the Board if there has been any updates regarding ORV trails since the trestle bridge was shut down. Discussion regarding the Forest Lake Basin and noted it is the lowest ever. The draining by UP Hydro and lack of winter runoff and rain has contributed to the current situation. Concerns about surrounding wildlife, fish habitats and water levels down stream were also discussed. Several postings and comments can be found on social media sites. Trustee Miller also noted that Anita McCollum refreshed the bridge signs at North Shore Rd.

Trustee Balmes noted he attended the October Fire Department meeting and the Regional Government Meeting, which included information on the work being done on the Munising Falls Trail, City of Munising moratorium on vacation rentals, and lack of volunteers as First Responders. Trustee Balmes also noted that citizens are requesting information on when meetings will be live or recorded again.

Supervisor - Supervisor Doucette provided her report. Only 19 persons participated in the fall clean-up. The Board will need to reconsider if this fall offering should be continued. The idea of a book lending library was discussed - having seen these little displays in several communities. The Heritage Trail dock parts were ordered and are available for spring repair. The Moorman Hearing is October 15<sup>th</sup> at 11:30 at the Alger County Courthouse. Information and flyers were provided regarding the Au Train River Project update and at a September meeting they noted Project Opening 2026-2027. Supervisor Doucette also spoke with a resident about the development by Cory Cole along Liberty Street and referred them to the Zoning Administrator.

Amy Hernandez, Member of the Zoning Board of Appeals, provided her ZBA Certificate of Completion for MSU Course.

**Special Presentation:** None

**Public Comment:** None

**Boards/Departments:**

**Zoning Administrator/Planning Commission/Zoning Board of Appeals-** Acting Zoning Administrator, Clerk Johnson provided a verbal update to the Board. Attended the October 3<sup>rd</sup> Planning Commission Meeting and is working to schedule a December 5<sup>th</sup> Planning Commission Meeting at 6:00 pm to hear two STR CUP applications and continuation of the CUP application for the Seaberg Resort.

ZA Johnson also requested that the 2<sup>nd</sup> appeal fee that was paid by Scott and Peggy Smith be refunded as their applications were heard as one appeal for the same parcel. Moved Cota/seconded Doucette, to **refund the Smith's \$250.00 ZBA Appeal fee.** Cota, yes; Doucette, yes; Balmes, yes; Miller, yes; Johnson, yes. Motion carried.

PC Secretary Donna Shields provided an update to the Board and noted that they expected to review the Final Draft of the Master Plan at the December 18<sup>th</sup> Board Meeting, which would then be presented for a Public Hearing. Review of the Zoning Ordinance will continue to make sure it aligns with the Master Plan.

Secretary Shields also provided an update to the Board on the outcome of the PC Meeting of September 18<sup>th</sup> and the ZBA Appeal Hearings of September 19<sup>th</sup>.

**Assessor/Board of Review** - No report was provided. The December Board of Review Meeting is scheduled for December 11, 2024 at 6:00 pm.

**Maintenance Department:** Ryan Walther provided an update on maintenance items. The Kayak Launch and dock are out for the season. The parts, as Michelle noted, will be used for repair when the dock is placed in the late Spring. Cemetery Flags have been removed for the winter. The cabinets for the Clerk/Treasurer office were picked up and will be installed. The mower is stored til spring, which will need some maintenance and repairs. 16 Mile Lake Fire Hall overhead doors had the eye sensors replaced. Benches were purchased for the pickleball court for a Spring installation and the AC Unit for the Community Building was serviced by Trudell.

**Fire Department:** The Fire Department report was provided and on file. There was one call for the month, a mutual aide response with the Munising Township Fire Department. The training TV, tools and tool cart were purchased for the Christmas Fire Hall. Brandon Lewis will be in Wisconsin with the Rescue Truck for repairs for two days. All expenses will be charged and receipts provided. Discussion about advertising for bids for the Old Christmas Hall to replace the bathroom, adding an accessible shower and office room. Information will be provided to Clerk Johnson to prepare the bid notice.

**Unfinished Business:**

1. Alger County Road Commission 2025 Road Improvement Contract Review/Approval - Engineer/Manager Lindbeck was not able to attend the meeting, but will provide details regarding the contract at the November Board Meeting.
2. MABAS Agreement/Fire Department - Clerk Johnson noted that Attorney Nordeen reviewed the MABAS Agreement and indicated via email "This agreement is fine. They are trying to make it easier for Mutual Aid for major incidents. The Township can get out at any time with 30 days notice". Moved Cota/seconded Doucette to **enter into the MABAS Agreement with the State of Michigan on behalf of the Au Train Township Fire Department.** Motion carried.
3. Street Signs - Supervisor Doucette indicated she is completing the list and will be finalizing for review and approval at the November Board Meeting.
4. Clerk Johnson indicated the 2023-2024 Fiscal Year Audit report hard copies were picked up. The corrections we made and the final report completed and submitted to the State. They also filed the F65 Report. Final billing invoice was also received.
5. Ordinance Enforcement Policy 2024 - 002; Moved Cota/second Doucette to **approve Policy 2024-002 Ordinance Enforcement Policy for Zoning Administrator - Processing Zoning Violation Complaints.** Motion carried. - *See Attachment #1*
6. Ordinance Enforcement Policy 2024 - 003; Moved Cota/seconded Doucette to **approve Policy 2024-003 Ordinance Enforcement Policy - Zoning Ordinance.** Motion carried. - *See Attachment #2*

**New Business:**

1. Correspondence - Presented and reviewed. Superior Central Schools requested funding assistance for their Playground Project. Action November Board Meeting.
2. Michigan Municipal League Insurance Invoice - Clerk Johnson provided information on the insurance renewal policy and invoice that was previously emailed to Board Members for review. The total cost is \$23,128.00 (General Fund - \$8,535.00; Fire Fund - \$14,593.00), which does not include the Worker's Comp policy costs.
3. Kimar Blight Discussion - Information was provided regarding the fabric fencing on the M28 Blight. A reply from Attorney Nordeen was provided. Supervisor Doucette will send a letter to Sarah Kimar with an explanation which includes "fenced from view".

4. Policy for the Appointment of Members to the Planning Commission and Zoning Board of Appeals - Clerk Johnson provided a draft of the policy to the Board prior to the meeting. After amendments, Moved Doucette/seconded Johnson to **approve Policy 2024-004 for the Appointment of Members - Planning Commission/Zoning Board of Appeals.** Motion carried.

**Public Comment:** Public Comments were received by Donna Shields, Kristen VanWieran, and John Carr.

**Board Member Comments:** Board Members offered additional comments.

**Next Meeting:** The next Regular Board meeting is scheduled for November 11, 2024 at 6:00 pm.

**Adjournment:** Motion Johnson/seconded Cota to **adjourn at 7:52 pm.** Motion carried.

Submitted by Mary Walther Johnson, Clerk

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Mary Walther Johnson

APPROVED DATE: \_\_\_\_\_

DRAFT

1029/2024  
mwj

Au Train Township  
Policy and Procedure for Zoning Administrator - Processing Zoning Violation Complaints  
Policy No. 2024 - 002  
Dated: 10-14-24

Inasmuch as the procedure for the processing of Zoning Violation Complaints needs to be consistent, the following will be followed.

1. Acknowledge receipt of Violation Complaint Form. Verify complainants' name, contact information and that it is signed and dated.
2. Review Violation Complaint to verify location/address, property owner, zoning district and owner contact information.
3. Review as to whether the Ordinance Section Number(s) relative to this appeal is included and that there is a clear description of the complaint.
4. After review of the complaint and site visit, a determination has been made by the Zoning Administrator that a violation exists, prepare First Letter Notice of Violation and send to the owner.
  - a) Letter to the owner must clearly indicate the violation, with supporting documentation, and request a written response from the owner detailing a plan of action to correct the violation, within 14 days.
  - b) Upon receipt of the correction plan, Zoning Administrator will review said plan and if agreeable, indicate as such and provide a reasonable deadline for completion.
5. A Second Notice of Violation letter will be sent if one of the following occurs:
  - a) If no response is received from the parcel owner within 14 days, a Second Notice of Violation letter will be sent on the 15<sup>th</sup> day giving an additional 7 days to respond.
  - b) If the violation is not corrected to the satisfaction of the Zoning Administrator within the time agreed upon within the corrective plan, a Second Notice of Violation letter will be sent to the owner designating a final period of time in which a correction of the violation must be completed.

If the violation remains uncorrected after the deadline given by the Second Notice, the violation will be brought to the Au Train Township Board at their next regular meeting date for further action and to hear any reasons why additional action should be taken. At its conclusion, the Township Board shall provide direction to the Zoning Administrator on how to proceed, which could include involving the Township Attorney for circuit court litigation, request for conjunctive relief, and/or pursuit of the matter as a Civil Infraction.

6. In the event that subsequent violation occurs that mirrors a previous resolved violation on any property, it will automatically escalate to Notice of Presentation to the Au Train Township Board for further and immediate action.
7. Complete the Action of Complaint portion of the Zoning Violation Complaint Form and send a copy to the Complainant, Township Board and Township Attorney.

I, Mary Walther Johnson, Au Train Township Clerk, hereby certify that this administrative Au Train Township Policy - No. 2024 - 002 was approved at a Regular Meeting of the Au Train Township Board on October 14, 2024.

Mary Walther Johnson, Clerk

Mary Walther Johnson  
Au Train Township Clerk

Au Train Township  
Ordinance Enforcement Policy - Zoning Ordinance  
Policy No. 2024 - 003  
Dated: 10-14-2024

The Au Train Township Board has the obligation to set up procedures governing the enforcement of its Zoning Ordinance. Accordingly, the Au Train Township Board hereby adopts the following policy:

1. The Zoning Administrator shall be the Ordinance Enforcement Officer.
2. The Ordinance Enforcement Officer shall be responsible for enforcing the Township's Zoning Ordinance according to this policy, and as otherwise set forth in the Zoning Ordinance.
3. Any written complaint received relating to the Township Zoning Ordinance shall be investigated by the Ordinance Enforcement Officer.
4. Any person verbally lodging a complaint with any Township official or employee shall be directed to submit their complaint in writing by using the Zoning Violation Complaint Form, found on the Township Website under Forms/Documents. The form can also be sent via mail or emailed if requested.
5. The Township shall have a form available for complainants to use.
6. Any written complaint shall be provided to the Ordinance Enforcement Officer for investigation. The Ordinance Enforcement Officer shall investigate only those complaints made in writing.
7. The Township will require the name and address of the person filing the complaint.
8. The Ordinance Enforcement Officer may investigate any potential ordinance violations discovered by the Ordinance Enforcement Officer or other Township official in the course of their normal duties.
9. The Ordinance Enforcement Officer investigating a particular complaint may make any necessary investigation in accordance with applicable law including but not limited to site visits, telephone calls, taking of photographs, researching past property violations, and conferring with the alleged violator, neighbors, and other witnesses.
10. If the Ordinance Enforcement Officer determines no violation exists, the Ordinance Enforcement Officer shall note the file, complete the Action of Complaint portion of the Zoning Violation Complaint Form and no further action shall be taken.
11. If the Ordinance Enforcement Officer determines that a violation exists, the Policy and Procedure for Zoning Administrator Processing Zoning Violation Complaints shall be followed:

In the event that a subsequent violation occurs that mirrors a previously resolved violation by the same landowner on any parcel they own, it will automatically escalate to Notice of Presentation to the Au Train Township Board for further and immediate action.

12. The Ordinance Enforcement Officer may confer with the Township Attorney regarding any enforcement matter at any time.

I, Mary Walther Johnson, Au Train Township Clerk, hereby certify that this administrative Au Train Township Policy - No. 2024 - 003 was approved at a Regular Meeting of the Au Train Township Board on October 14, 2024.

MW Johnson, Clerk  
Mary Walther Johnson  
Au Train Township Clerk



Policy for the Appointment of Members - Planning Commission/Zoning Board of Appeals  
Au Train Township Board  
Policy No. 2024 - 004

Whereas, the Au Train Township Board has the authority and obligation to appoint members to the Planning Commission and Zoning Board of Appeals. In order to provide transparency in the process, the Board wishes to establish a Policy for the *Appointment of Members to the Planning Commission and Zoning Board of Appeals*.

Terms of Board Members are assigned when appointed, and are either a full term or partial term (if they are replacing a member who resigned prior to their term ending).

Two (2) Months prior to an upcoming term expiration, Board Members shall be notified in writing the following:

- Term Expiration Date
- Offer one of the following options:
  - a) End position on the Board due to term expiration.
  - b) Submit letter of interest requesting the appointment for an additional term.

If Option b is chosen, then the Letter of Interest should include the following information:

1. State what they feel they contributed to the Board during their term
2. Indicate whether there was anything they would have handled differently
3. Indicate whether they are committed to educational opportunities provided by the Township
4. Indicate that they remain open minded to the ever changing roles and responsibilities of a Board Member, and commit to following the Au Train Township Zoning Ordinance as approved.

I, Mary Walther Johnson, Au Train Township Clerk, hereby certify that this administrative Au Train Township Policy - No. 2024 - 004 was approved at a Regular Meeting of the Au Train Township Board on October 14, 2024.

Mary Walther Johnson, Clerk

Mary Walther Johnson  
Au Train Township Clerk