

AVERY TOWNSHIP BOARD
REGULAR MONTHLY MEETING

September 3, 2019

6:00 P.M.

Supervisor Thom Seymour called the regular monthly meeting of the Avery Township Board at the Avery Township Hall with the Pledge to the American Flag at 6:00 p.m.

ROLL CALL: PRESENT: Supervisor, Thomas Seymour; Treasurer, Jean Angell; Trustee, Gary McMurphy; Clerk, Ann Seymour; Dawn Dobbyn, Trustee.
ABSENT: None
GUESTS: Shane Cumper; Kayla Cumper; Ken Werner, K-N-K Excavating.

Motion by Gary McMurphy, seconded by Jean Angell to accept the minutes of the August 6, 2019 regular monthly meeting as corrected. All in favor, motion carried.

Motion by Ann Seymour seconded by Gary McMurphy to accept the Treasurer's Report as submitted. All in favor, motion carried.

Motion by Gary McMurphy, seconded by Dawn Dobbyn to pay vouchers #3912-3933 totaling \$10,262.04 as submitted. All in favor, motion carried.

Ken Werner of K-N-K Excavating addressed the Board regarding a project he was working on regarding a property on Flagg Drive where the house burned earlier this year. The property owners want to put in a double wide mobile home and the road access to Flagg Drive will not accommodate the angle to which they need to enter Flagg Drive. He advised that the County Road Commission is okay with the allowing of putting fill in the ditch on the Avery Park side of the road to facilitate in the project. His request was to see if the Township of Avery wanted another access driveway into the park. If it was agreeable the fill would not have to be removed. After discussion. The board agreed that we do not need another access driveway. If they needed to remove the fill from the ditch that they could place it in the park on the north side of the ditch and to the south of the playground.

Motion by Gary McMurphy, seconded by Jean Angell; 1) Allow K-N-K Excavating to temporarily fill the ditch east of the Avery Park Driveway to accommodate the trucks to place the new modular home on Flagg Drive. 2) When the fill is removed that they can place the fill between the playground and the ditch. All in favor, motion carried.

Shane and Kayla Cumper addressed the Board regarding the property owned by Kevin Murphy, which is south of their parcel. They expressed their concerns regarding the "junk and salvage" that

has been there since November 2018. Mr. Cumper stated that our Zoning does not allow for the salvage business in Sunrise Acres. He advised that he has had his water tested, and findings are that there is contamination in his water source. Supervisor provided copies of the letter from our Zoning Administrator regarding this blight issue since its onset. She has also recommended the Law Firm of Young, Graham & Wendling, P.C. as she has worked with them when handling Zoning violations in Albert Township.

NEW BUSINESS: Discussion regarding obtaining a new Township Attorney. Supervisor presented a letter of introduction and a proposal from the firm of Young, Graham & Wendling, P.C. outlining the scope of services they provide work with other city and township governments in Michigan. They also provided a list of clients which includes 3 counties and 40 townships that they provide services for. Also included is their fee schedule as follows: 1) \$165.00/hour billed on a 1/10th hour increments; 2) Township can pay a \$200 per month telephone retainer as defined.

Motion by Jean Angell, seconded by Gary McMurphy to authorize the Supervisor to proceed with the Legal Firm of Young, Graham & Wendling, P.C. as Avery Township's Legal Council. Supervisor declared the motion carried by the following Roll Call Vote: Ayes: Dawn Dobbyn, Trustee; Gary McMurphy, Trustee; Jean Angell, Treasurer; Ann Seymour, Clerk; Thom Seymour, Supervisor. NO: None Absent: None.

OLD BUSINESS: Tax Tribunal: RE: Case: Trendwell Antrim vs. Avery (MOAHR 19-. Timothy Gulden, Legal Representation, suggests that Avery Township stipulates to Trendwell's figures as has been done in the past with other gas production companies.

Motion by Jean Angell, seconded by Gary McMurphy to accept the recommendation of Legal Representative Timothy Gulden. All in favor, motion carried.

Supervisor requests that he attend the October 10, 2019 MTA meeting in Gaylord, Michigan. All in favor, motion carried.

AIRPORT REPORT: Jean Angell advised that their meeting was changed from the 12th to the 19th.

Jean Angell advised that PIE & G. will install electric charging stations for charging electric cars. Discussion regarding having one put at the Avery Twp. Park, and the possibility of having a free security light as power would be needed for the charging station.

AMBULANCE REPORT: Given by Thom Seymour.

ASSESSOR REPORT: Letter from Assessing Department (Berg Assessing) regarding the attached letter for renewal of the "Berg Assessing & Consulting and Avery Township Perpetual Reappraisal Project Agreement) for a period of five (5) years.

Motion by Dawn Dobbyn, seconded by Jean Angell to sign the renewal form from "Berg Assessing & Consulting and Avery Township Perpetual Reappraisal Project Agreement" for a period of five (5) years. All in favor, motion carried.

BOARD OF REVIEW: No report.

CEMETERY REPORT: No report.

FIRE BOARD REPORT: By Dawn Dobbyn.

MONTMORENCY COUNTY ROAD COMMISSION: Ken Werner, County Road Commissioner advised of the upcoming 100th anniversary of the Road Commission. Discussion also regarding the Road Bridge Road, where a property owner is installing fence posts on the road.

MTA COUNTY CHAPTER REPORT: Next meeting October 10 at the Avery Township Hall at 7:00 p.m.

PARK REPORT: No report.

PLANNING REPORT: Resignation as of 8/12/2019 for Barbara Moore, who has moved to Gaylord, Michigan.

ZONING ADMINISTRATOR REPORT

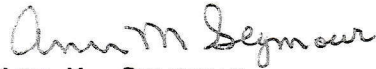
ZONING BOARD OF APPEALS: No report.

PUBLIC COMMENT: Ken Werner, Montmorency Cty. Road Commissioner spoke on the charging station and security light at Avery Park.

Correspondence was read and returned to the Clerk for filing and disposition.

There being no further business at hand, the meeting was adjourned at 7:37 p.m.

Respectfully submitted,



Ann M. Seymour
Clerk