

**OVID TOWNSHIP BOARD**  
**July 13, 2015**

**Regular Board Meeting**

The Ovid Township Board met at the Township Hall on Monday, July 13, 2015

Members present: Sue Miller, Supervisor, Robbi Omo, Clerk, Shelly AcMoody, Treasurer, Larry Omo, Trustee, Ron Sampsel, Trustee. Also in attendance were 13 guests.

The Ovid Township Regular Board Meeting was called to order by Sue Miller at 7:30 P.M.

The Board led the guests in the Pledge of Allegiance.

AGENDA: L. Omo made a motion to approve the agenda. Motion was supported by Sampsel. MOTION CARRIED.

APPROVAL OF MINUTES: Sampsel made a motion to approve minutes as presented from the Regular Board Meeting held on June 8, 2015. Motion was supported by Miller. MOTION CARRIED.

TREASURER'S REPORT: AcMoody presented the Treasurer's Report. Miller asked if there were any questions regarding the balance sheet and list of payables. There were no questions. The report was placed on file. AcMoody requested that the board give approval for a check in the amount of \$3,773 to Michigan Mineral Resources in payment for dust control on Ovid roadways. Sampsel made a motion to approve the payment. Motion was supported by L Omo MOTION CARRIED

PUBLIC COMMENT: NONE.

**OLD BUSINESS**

- A. ZBA REFUND ISSUE – LLOYD BARROWS. Miller read aloud the recommendation from the Zoning Board of Appeals that Lloyd Barrows be given a refund of \$500 he paid for a hearing by the Zoning Board of Appeals. In the opinion of the ZBA members, Barrows had been incorrectly advised to take his property issue to the ZBA when, in actuality, his issue should have been brought before the Planning Commission. For this reason, the ZBA recommended Barrows' hearing fee be refunded. Miller made a motion to approve the refund. Motion was supported by R. Omo. MOTION CARRIED.
- B. JUNK COMPLAINT AT 404 WARREN ROAD. Miller stated the township had sent a letter requesting that a representative from the Eichmann family attend the July board meeting in relation to a junk complaint filed against the Eichmann's property at 404 Warren Road. Robert and Geoffrey Eichmann were present. Miller asked about specific items mentioned in the junk complaint which included an unlicensed pickup truck, a horse trailer, a motorhome, and a baler. R. Eichmann responded that horse trailer has a permanent license on it, but that it has not been moved because the Eichmann's do not currently have horses. Eichmann stated the pickup truck is used to move the horse trailer around the property and that is why it has not been moved in several years. Eichmann stated that the motorhome is for sale but that he has been unable to sell it, and that it is currently being used for storage. Miller asked if the items could be moved inside a building. Eichmann said the horse trailer, pickup truck, and baler could be moved within

two weeks, but that he would need at least a month to move the motorhome. L. Omo recommended that the Eichmann family return to the August 10, 2015 Ovid Township Board meeting to report that the items have been moved inside. Eichmann asked if his family could send a letter instead of attending the meeting in person. Miller stated that a letter updating the status of their property would suffice, and added that if the Eichmann's had any questions about the issue, they could contact her for assistance.

#### NEW BUSINESS:

- A. REQUEST TO SPLIT LOT IN PLATTED SUBDIVISION DUE TO ENCROACHMENT AT 284 BEVERLY DRIVE & 496 PINE CREST DRIVE. Miller explained that the encroaching property in this case is 496 Pinecrest Drive. Miller stated both property owners are aware of the zoning ordinance pertaining to encroachment and that, together, the property owners had contacted a surveyor and tried to work out a separation that will meet, or come as close as possible to, zoning setbacks. Board members reviewed drawings of the properties and the proposed new boundaries. Sampsel asked if the properties meet side yard setbacks. Tara Angle, owner of 284 Beverly Drive, stated she was not sure that 496 Pinecrest Drive met all setbacks, and she explained that the line was drawn in an effort to keep as much property on both lots possible to satisfy the mortgage companies of both properties. Sampsel asked what the setbacks are on each side yard would be under the proposed plan. Angle said on one side, there was approximately 6 feet. Angle stated the proposed boundary line was drawn in an effort to keep separation between the houses. Sampsel asked if the owner of 496 Pinecrest Drive, Mr. Schraeder, is aware that his lot is still non-conforming under the plan? Angel stated that she believed Mr. Schraeder was aware of the non-conformity. Sampsel stated that creating a non-conforming lot could mean problems for the property in the future should remodeling or additions be desired. Miller agreed with Sampsel, but stated she felt the proposed boundary was an improvement over the existing issue of encroachment. Miller made a motion to approve the plan as presented. Motion was supported by L. Omo. 4 members voted yea. Sampsel voted nay, but stated his only opposition to the motion is that the sideyard setbacks were not met. MOTION PASSED

- B. REQUEST TO SPLIT LOT IN PLATTED SUBDIVISION TO BRING LOT INTO ZONING COMPLIANCY – TWO HOMES. Miller stated that the current situation is that on the tax roll there is one tax code parcel number that includes lots #7, #8 and approximately 15 feet on the south side of lot #9. Scott and Terri Heller are requesting a property split that will use a portion of lot #8, along with a 12 foot piece of lot #9, and will add 15 feet to lot #7 from lot #8. At the present time, there are two houses on the properties. L omo asked why the Hellers want to split the property. Miller stated that the split was requested to bring the properties into compliance because there are currently two homes on the property. Terri Heller stated that the split would increase conformity, but that the primary motive for the requested split is that she and her husband would like to sell part of their property. Miller stated that, under the proposed plan, one side of the property would not meet required setbacks. L. Omo stated that, overall, the plan did bring the property into greater conformity with zoning regulations. L. Omo made a motion to accept the plan to split the lot, provided that the pole barn and back lot be attached to lot #7 (667 Lake Drive). Motion was supported by Sampsel. MOTION CARRIED

- C. SPECIAL USE APPROVAL RECOMMENDATION FROM PLANNING COMMISSION TO PLACE BROADBAND TOWER AT 103 E. CENTRAL ROAD BY DMCI. David Cleveland of DMCI presented information about the proposed tower. Miller stated that the Planning Commission recommended approval for the tower and asked what the height of the tower would be. Cleveland stated the tower would be 180 ft. in height. Miller asked if there would be any risk of the tower falling on any structures. Cleveland stated there are uninhabited barns that could be hit if the tower were to fall, but that the tower is far out of the reach of any homes or inhabited buildings. Cleveland stated that the taller tower should help with greater reach for DMCI customers. Miller asked what the tower would be used for specifically, and would there be any other companies using the tower. Cleveland stated the tower would be for internet and phone. Tower is for internet and phone and there will be no co-location on the tower. It will be DMCI exclusive. Sampsel made a motion to approve the Special Use Permit for a DMCI broadband tower at 103 E. Central Road. Motion was supported by L. Omo. MOTION CARRIED.

PUBLIC COMMENT: Sheriff John Pollack discussed recent arrests involving some men shooting off guns in the Round Lake area of Noble Township on July 11, 2015. Pollack stated that the Branch County Sheriffs' Department was assisted by neighboring agencies and that, by Sunday, all suspects involved in the incident had been arrested. Pollack stated that the corrections cells are currently full and that the max security cells are being used to handle inmate overflow, with 145 current inmates. Pollack stated that Marine Patrol responded to three personal watercraft injury accidents in the past month, and that the Victim Services Unit responded to one fire and one attempted suicide. Pollack addressed the issue of animal control in Branch County since the fire at the Animal Control Building. Pollack stated that the phone numbers have not yet been switched over, but that soon calls to Animal Control will ring into the sheriff's office. Animal Control officials will work out of the Sheriffs' office until the building is either repaired, or a new building is completed. Pollack stated that he would like to see a new Animal Control building be included in a new Branch County Jail facility, so that inmate labor could be used to care for the animals, and sheriffs' department office staff can help with administrative duties for Animal Control. L. Omo asked if a portable animal shelter could be built Pollack said that was a possibility, but that the issue is largely dependent upon where the jail is built.

#### REPORTS:

ZONING-Russ Jennings submitted the zoning report for June, 2015. 13 permits were issued. Jennings stated permits were issued for four new homes, and one violation was issued for the construction of a shed without a permit.

ASSESSING: Melissa Lane, Assessor, stated that Board of Review will meet on July 21<sup>st</sup>, 2015 at 6pm.

DPW-No report

COUNTY COMMISSIONER: Don Vrablic presented his report and discussed the following issues: future plans and challenges of Branch County Animal Control, heavy rains in June causing problems with roof leaks at the jail, a Boat Inspection to be held on August 1, 2015 at Narrows Road public access site, a Boater Safety Class to be held on August 8, 2015 at the 911 center. Tire Recycling Day to be held on August 22, 2015 at Human Services Building from 9am to noon, the Branch County Employees Pension Fund.

CEMETARY SEXTON: No Report.

CORRESPONDENCE-

Notice of Hearing before the Michigan Public Service Commission for Natural Gas Customers of Michigan Gas Utilities Corporation. Meeting is for the request to increase natural gas base rates by 4.75%. Meeting is Monday, July 20, 2015.

Omo, ZBA member Greg Gemmil, Ron Sampsel would like to attend.

DEQ, Notice of Authorization for a seawall for Jack Wickliff at 553 Maple Lane.

Michigan Townships Association is holding a Hot Topics in Planning seminar that will include sessions on medical marijuana zoning and building code enforcement. Cost per attendant is \$81.00 if payment is received by July 28 2015. Larry Omo, Greg Gemmill, and Ron Sampsel expressed interest in attending the session on August 12, 2015 in Kalamazoo. Miller made a motion to send Larry Omo, Greg Gemmill, and Ron Sampsel to the seminar. Motion supported by R Omo. MOTION CARRIED.

Department of Licensing and Regulatory Affairs, revised rules for National Electrical Code effective as of June 18, 2015

Department of Agriculture and Rural Development regarding a review of beekeeping practices of Deborah Severson at 277 S. Centennial Road. Review was conducted in response to a complaint concerning bees being kept in close proximity to a neighboring property.

ADJOURNMENT: Sampsel made motion to adjourn the meeting at 8:32pm. Motion was supported by Omo . MOTION CARRIED.

Respectfully Submitted:

Robbi Omo, Ovid Township Clerk  
Minutes Prepared by Charlotte Knisely