

**OVID TOWNSHIP BOARD**  
**August 14, 2017**  
**Ovid Township Regular Board Meeting**  
**Ovid Township Hall – Mobile Office**

Greg Gemmill called the meeting to order and led the board members and attendees in the pledge of allegiance at 7:30 PM.

Members present: Greg Gemmill, Supervisor, Robbi Omo, Clerk, Shelly AcMoody, Treasurer, Ron Sampsel, Trustee, Larry Omo, Trustee

Members Absent: none

Others Present: 8 others

**AGENDA APPROVAL**

Sampsel made a motion to approve the agenda with the additional of I. under new business Land split for O'Daniel, and J. Molly Smith – 126 Robin Dr., and K. Walrack's letter. L. Omo supports. MOTION CARRIED.

**APPROVAL OF MINUTES FROM BOARD MEETING HELD ON July 10th**

Gemmill made a motion to accept July 10<sup>th</sup> board meeting minutes. Sampsel supports. MOTION CARRIED.

**TREASURER'S REPORT**

**L. Omo made a motion to approve the treasurer's report with the addition of payments made to Longardner for \$2500, General Sanitation for \$400, ZBA checks (3) for \$105, \$105, & \$80, Insurance for \$4599, BS&A for \$3178, Shelly AcMoody & Russ Jennings personal property (2) for \$167.99, & \$135. Gemmill supported the motion. MOTION CARRIED.**

**PUBLIC COMMENT:**

Christine Forrister – Golf course issue – split rail fence is falling down, spoke with Jennings and was told that Ron Cary was contacted to fix the fence, and it has yet to be fixed.

608 Lake Drive - par 3 – Harry Dermanelian – some activity on his property; sewer line has been marked off about two weeks ago. Property owner has concern that if any work was done on his property he needs to be contacted because he has private electric and water lines going on his property.

**OLD BUSINESS**

- A. Junk Violation – Lawrence & Sandra Wistinghausen – 359 Treasure Cove  
All three letters have been sent. Garage has been repaired, mostly cleaned up.  
Gemmill made a motion to close the violation. L. Omo supports. MOTION CARRIED.  
L. Omo comments that this is the 3<sup>rd</sup> time the township has had to deal with this property owner for this issue.
- B. Junk Violation – Richard & Darlene Fincham – 434 Sycamore Beach  
Discussed about a month ago, Fincham presented proof of registration for vehicles and fencing yard to hide trash, but the fence posts were removed and fence was never constructed. Upon investigation most of the junk was not on property.  
Gemmill made a motion to send letter to Mark Tom who is the actual property owner with the Fincham's trash on it, which was confused for Fincham's property. Sampsel supports. MOTION CARRIED.

## NEW BUSINESS

- A. Rhonda Pebernat – 169 Behnke Rd. – Not zoned commercially  
Electrical business is being discontinued. Crossfit gym will be disconnected from crossfit and it would be just a group of friends working out.  
The planning commission wanted to bring this to the attention of the board to ask for attorney's advice of whether or not this is a legitimate business or if it's "just friends working out" as Pebernat claims.  
R. Omo made a motion to contact Joe Haas the township attorney to see how the board should proceed. Sampsel supports. Gemmill will follow up with Joe. MOTION CARRIED.
- B. Resolution #2017-8-14A- A Resolution to rescind special assessment district for road maintenance on Buckeye Lane  
Gemmill made a motion to table until September in order to find out how the funds of the dissolved assessment should be allocated. L. Omo supports. MOTION CARRIED. Tabled.
- C. Discussion on proposed amendments to junk ordinance #23  
See Gemmill's notes on the issue with suggested amendments to the ordinance. Remove Gemmill's suggestion of adding "exceptions" to this ordinance. Letters regarding a junk complaint will only be reviewed if they're signed by the person(s) filing the complaint. Correct mail-carrier to being "certified", not "registered".  
Jennings mentioned that there may need to be a public hearing involving amending this ordinance. Gemmill made a motion to accept amendments as discussed, and he will contact MTA to see what the proper steps are to amend this ordinance. AcMoody supported. MOTION CARRIED.
- D. Discussion on wind and solar farms within the township  
R. Omo made a motion that Jennings contact McKenna to get some verbiage to add to an ordinance to address wind and solar farm in Ovid Township. L. Omo supported. MOTION CARRIED.
- E. Clarification of maintenance on private roadways (Signage)  
Street signs on Treasure Cove – residents want to pay for signs and then be reimbursed by road maintenance funds. After board discussion it was determined that signage was not part of the original agreement of the special assessment and therefore could not be used for such items.  
Gemmill made a motion to deny the reimbursement for signage on Treasure Cove. Sampsel supports. MOTION CARRIED. DENIED.
- F. Discuss increasing lot coverage from 40% to 45% or 50%  
During a Planning Commission meeting builders argued that Ovid Township has the strictest requirement involving lot coverage.  
Jennings suggested allowing the planning commission and McKenna to review at the ordinance. Residents are concerned with runoff going into the lake. Forrester stated her concern that builders are disregarding set-backs, and are creating chaos by constantly building and parking machinery in the road right of way. Sampsel reassured her that the home she was referring to did meet setbacks. If deck is built more than 9" off the ground a permit is required. But pavers do count as lot coverage so if no one is required to pull a permit for these items and it creates a lot coverage issue that the board is unaware of.  
Sampsel made a motion to pass this along back to the planning commission and McKenna. Gemmill supports. Gemmill will follow up with McKenna. MOTION CARRIED.
- G. Discuss increasing land-split violation fee from \$50 to \$100 per parcel  
Gemmill made a motion to table until September to create a resolution. AcMoody supports. MOTION CARRIED.
- H. Items Related to fire  
Foundation and Floor – the clerk reported that the forensic engineer determined that there was heat damage to floor and foundation. Attorney contacted adjuster, and adjuster contacted engineer and it was suggested to replace everything due to the extensive heat/fire damage to floor and foundation.

Hemker and Century construction quotes were in and the adjuster offered \$60,000 to replace foundation entirely.

R. Omo made a motion to contact attorney and let the insurance adjuster know that the board accepts the offer of \$60,000. Gemmill supports. MOTION CARRIED.

Revised plans for the building – the board received the revised plans for the building. Robbi Omo stated that she would contact Bell Engineering to arrange a meeting to finalize plans

The Clerk state that Ovid Township was receiving compensation for Trustee per diems incurred due to special meetings due to the fire and rebuilding of Ovid Township Hall.

The Clerk informed board members that the Election Commission met prior to the regular board meeting to discuss election activity for 2017. The Election Commission voted to give authority for election related purchases and decision to the Clerk for the 2017 election year.

**Resolution # 2017-8-14C** - The Clerk made a resolution to establish temporary election location due to building not being completed in time for election. She proposed that the polling location be the Coldwater Lake Association Building.

Offered by R. Omo. Gemmill supports.

Gemmill YES

L. Omo YES

AcMoody YES

R. Omo YES

Sampsel YES

Resolution PASSED.

**Resolution # 2017-8-14B** - The Clerk stated that at the recommendation of the Township Auditor, and the capital purchases that will be required due to the fire, the Township should establish a capital threshold amount.

Resolution is to establish spending threshold at \$5000 per item to be capitalized.

R. Omo offered resolution. L. Omo supports.

R. Omo YES

L. Omo YES

Gemmill YES

Sampsel YES

AcMoody YES

Resolution PASSED.

- I. Land Split – O’Daniel – Trying to create two more even lots.

Sampsel made a motion to move to approve this lot split. Gemmill supports. MOTION CARRIED.

- J. Junk Violation – Molly Smith – 126 Robin Dr.

Gemmill investigated the lot, a lot of misc. junk, a boat, and a camper. Gemmill made a motion to start violation process with the issuing of the first letter. L. Omo supports. MOTION CARRIED. First letter will be issued by Gemmill.

- K. Walrack’s letter

The Walracks stated that they do not agree with letter from attorney regarding his recommendation to the board. The resident stated that his concerns were not fairly represented to the Township attorney and provided the board with additional pictures, which had not been presented to the board previously, and requested that the survey be presented to the attorney as well. He is requesting that the board enforce ordinance Section 14.12, item C and Section 14.25, item C.

Gemmill argued that the township should stand by their attorney’s opinion. Residents are asking the board to revisit this issue with the attorney.

Extensive discussion ensued that consisted of differing opinions and lack of immediate resolution.

Robbi Omo made a motion to contact the Township attorney to present the new evidence as requested and submitted by the Walracks, and confirmed the information with the Walrack which consisted of; the survey, and photographs with detailed description of the images. The Walracks both agreed that this was the information that would like shared with the Township attorney, Greg Gemmill supported. Gemmill will follow up with Joe Haas. MOTION CARRIED.

## **IIX. PUBLIC COMMENT**

### **I. REPORTS**

- A. ZONING** – RUSS JENNINGS delivered the zoning report
- B. ASSESSING** – MELISSA LANE delivered the assessing report
- C. DPW** – WINBIGGLER delivered the DPW report
- D. COUNTY COMMISSIONER** – DON VRABLIC presented the commissioner report
- E. CEMETERY SEXTON** – No report

- II. **CORRESPONDANCE** Greg Gemmill shared a brochure for MTA training. Ron Sampsel stated that a couple of Planning Commission members should attend the medical marijuana seminar. Greg stated that he would follow up with Planning Commission members.

Robbi Omo presented a letter from the auditors stating that they were forming a new company and would no longer be Abraham & Gaffney, P.C., but will continue to service the Township as SK&T, P.C.

### **III. ADJOURNMENT**

R. Omo made a motion to adjourn the meeting. Motion was supported by R. Sampsel. Meeting was adjourned at 10:30 pm. MOTION CARRIED.

**Respectfully submitted by Robbi Omo, Ovid Township Clerk**

**Recorded by Deputy (Recording) Clerk, Samantha Pickering**