

June 19, 2017

Supervisor Tibbits called the regular meeting of the Jonesfield Township Board to order at 7:00 p.m.

PRESENT: Tibbits, Parker, Siler, Foye and Nock (arrived at 8:00)

ABSENT:

GUEST: Rob Kehoe, Paul Strasel, Officer Ryan Stockford, Shanda Mentus

PERMITS:

Pledge to the Flag

Public Comment: Paul Strasel questioned the considerations when applying for a land division.

The Show Cause Hearing for the Unsafe Structure and Structure Unfit for Human Habitation at 200 S. Fenmore was opened, Shanda Mentus was present to represent property owner Scott Mentus.

Opening Comments:

Statement from the Zoning Administrator Rob Kehoe recounting the history of the notices and requests sent to the Owner regarding property maintenance and building safety. It is Zoning Administrator Rob Kehoe conclusion this structure is in violation of the 2006 International Property Maintenance Code adopted by Jonesfield Township on June 25, 2007 and the property is continuing to decline.

Take notice that the Code Enforcement Officer for the Township of Jonesfield, Rob Kehoe, has determined that the structure located at 200 S. Fenmore Road, owned by Scott Mentus, is an “unsafe structure” under Section 108.1.1 and a “structure unfit for human habitation” under Section 108.1.3 of the international Property Maintenance Code as adopted by the Township.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

Rob Kehoe has issued an order that the structure be demolished and or repaired (copy attached). Rob Kehoe advised the board to proceed with the order to have the single family dwelling on the property demolished if not repaired within 30 days from the date appearing on this His Order, that date being, June 8, 2017. The reasons for this determination include the fact that the dwelling suffered substantial damage and has remained in the state of disrepair for a period in excess of 3 years.

Shanda Mentus appeared on behalf of owner Scott Mentus:

Shanda presented a letter signed by Scott Mentus in appeal of the determination of the Code Enforcement Officer for the following reasons:

1. Property is not being lived in
2. Property is for sale
3. Property is posted as No Trespassing
4. Please indicate what has been found to make it unsafe (not merely code numbers) or appearance
5. Who has made complaints against this property
6. Property is locked and windows are intact

Following is the list with Zoning Administrator Rob Kehoe's response:

1. **Property is not being lived in** – The Structure is dangerous by a visual assessment from the outside. The roof is not in a condition that meets building codes.
2. **Property is for sale** – The condition of the structure/property has been declining for several years, there has been no visible effort to repair the structure. Opportunities to bring the property in compliance were extended due to pending sale offers which were not executed.
3. **Property is posted as No Trespassing** – The structure/property has to be made safe and kept in a sanitary condition regardless of occupancy or postings.
4. **Please indicate what has been found to make it unsafe (not merely code numbers) or appearance** – Mr. Kehoe requested a tour of the structure to detail the repairs needed to provide minimum safeguards to protect the public and to insure the structure does not constitute a hazard to the occupants of the structure or to the public.
5. **Who has made complaints against this property** – Property Maintenance and Zoning non-compliance issues are not implemented from complaints. This property has been in non-compliance for several years.
6. **Property is locked and windows are intact** – The structure is a hazard to the public and is not safe, regardless of the locks in place and the window assembly.

Shanda Mentus stated Scott Mentus plans to sell the property; the property is for sale with a sign in the front yard with Shanda Mentus as the contact number. Rob Kehoe requested the price; Shanda stated she did not know the price Scott was asking for the property.

Shanda Mentus stated Scott Mentus has no plans to live there; the house is being used for storage. Shanda Mentus stated the house is locked and also stated the roof does not have holes. Shanda Mentus stated Scott Mentus will not allow Zoning Administrator Rob Kehoe in the home to inspect.

Mildred Parker made statements regarding the condition of the house several years ago when Scott Mentus allowed her to tour inside the house. Mildred Parker stated at that time the structure needed maintenance and there was a vast amount of debris in the house that needed attention.

Again, Zoning Administrator Rob Kehoe advised the board to proceed with the order to have the single family dwelling on the property demolished if not repaired within 30 days from the date appearing on this His Order of June 8, 2017. The Show Cause Hearing was closed at 7:20.

Foye made a motion to approve minutes from the May 15, 2017 regular meeting, seconded by Parker, carried.

Treasurer's Report: General Fund \$121,884.30; Police Fund \$87,119.83; Trash Fund \$65,388.75.

Planning Commission Report – On June 5, 2017 the Planning Commission held a Special Meeting for Ken LaPierre owner of County Line Equipment and Trailer Sales. Mr. LaPierre is requesting a Special Use permit for property he has purchased at 22686 Gratiot Road and 22690 Gratiot Road. Mr. LaPierre request includes a Used Vehicle Sales this will include trailer sales. The Special Use Permit was approved.

MMWA Report – Mr. Tibbits informed the board and guests present about the Drop off Days and Shredding Days available to Jonesfield Residents.

A Budget Amendment was requested by Siler to increase the Clerk Supplies Account to \$2,000.00, seconded by Tibbits, carried.

Zoning Administrator Rob Kehoe reported on 4-H animals being kept on 545 S. Fenmore Road, Owner Kimberly Knowles. Zoning Administrator Rob Kehoe visited the property and spoke to the owner explaining the property is not zoned to keep farm animals. Ms. Knowles stated the animals were 4-H related and would be gone after the fair week in August. A letter will be sent to Ms. Knowles citing the Zoning Ordinance relating to farm animals.

In the matter concerning 200 South Fenmore Road, Merrill, Michigan, 48637, Owner Scott Mentus Supervisor Larry Tibbits stated:

It is hereby recognized that July 8, 2017 will be the conclusion of the 30 days granted to have the single family dwelling on the property demolished or repaired.

It is hereby acknowledged that after July 8, 2017 the Jonesfield Township board, on behalf of the residents of Jonesfield Township and established on conditions set forth by 2006 International Property Maintenance Code adopted by Jonesfield Township on June 25, 2007, will request a court order to condemn the structure and order the s to be demolished. At which time any costs related to the demolition and removal of the structure shall be deemed a lien against the real property at 200 South Fenmore Road, Merrill, Michigan, 48637, Owner Scott Mentus. Such lien shall be filed with the County Treasurer and shall be collected in the same manner as general property taxes.

Discussion regarding the Bridge on North Chapin Road North of O'Hara Rd. The bridge is considered a critical bridge as determined by the size. The county will pursue critical bridge funding from the state and/or any additional funding/grant opportunities.

Discussion regarding lawn maintenance; zoning letters will be sent when lawns are over 10" in height.

Parker made a motion to hire Jim Gray for Zoning Administrator, seconded by Nock, carried.

Parker made a motion to pay invoices from the General fund for \$10,033.67; Trash fund for \$3,734.32; Police fund for \$438.25 Siler, seconded carried.

Nock made a motion, seconded by Foye to adjourn at 8:05 p.m., carried.

Rochelle E. Siler, Clerk

Jonesfield Township

Robert W. Kehoe, Zoning Administrator
217 Eddy Street
PO Box 117
Merrill, Michigan 48637

June 8, 2017

Mr. Scott Mentus
200 S. Fenmore Rd.
Merrill, MI 48637

PROPERTY: 200 S. Fenmore Rd.

TO: Scott Mentus:

NOTICE:

Take notice that the Code Enforcement Officer for the Township of Jonesfield has determined that the above structure is an “unsafe structure” under Section 108.1.1 and a “structure unfit for human habitation” under Section 108.1.3 of the international Property Maintenance Code as adopted by the Township.

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He has ordered that the structure be demolished and or repaired. His Order is dated June 8, 2017. The reasons for this determination include the fact that the dwelling suffered substantial damage and has remain in the state of disrepair for a period in excess of 3 years.

CORRECTION ORDER

You are hereby ordered to have the single family dwelling on the property demolished or repaired within 30 days from the date appearing on this NOTICE.

RIGHT TO APPEAL

You have the right to appeal the determination of the Code Enforcement Officer. Your appeal must be made to the Jonesfield Township Board and delivered to the Township Clerk within 20 days from the date appearing above. A hearing will be held on Monday, June 19, 2017 at 7:00 pm at the Jonesfield Township Hall. In the event that no appeal is filed within the time provided, then the Code Enforcement Officer shall cause the structure to be demolished and removed.

COSTS OF DEMOLITION AND REMOVAL

Any costs related to the demolition and removal of the structure shall be deemed a lien against the real property specified above. Such lien shall be filed with the County Treasurer and shall be collected in the same manner as general property taxes.

CODE ENFORCEMENT OFFICER
Robert W. Kehoe