

## LELAND TOWNSHIP BOARD

### SPECIAL MEETING

April 25, 2024, 10:00 a.m.

Leland Township Office

489 W. Main Street, Lake Leelanau, MI 49653

#### AMENDED

**PRESENT:** Supervisor Susan Och, Clerk Lisa Brookfield, Treasurer Shirley Garthe, Trustee Clint Mitchell, Trustee Mariann Kirch.

On Zoom: Brad Weirda

**CALL TO ORDER:** Ms. Och called the meeting to order at 10:03 a.m. with the Pledge of Allegiance.

#### APPROVAL OF AGENDA:

ADDITION: Discussion of dredge pipes storage as item #5.

**ACTION:** Garthe moved to approve the agenda as presented and amended; supported by Mitchell. Motion carried.

**PUBLIC COMMENT** - None

#### ACTION ITEMS

There was discussion about going to closed session. It was decided to stay in open session.

1. Review of Tokio Marine coverage position for 211 Main Street suits, decision on attorney assignment for Suit 1.

The Court ordered to separate the lawsuit into 2 separate suits. The Township has \$25,000 insurance coverage for Suit 1. There is \$100,000 coverage for Suit 2. There was discussion about who would represent the Township in both suits. Brad Weirda, the Township attorney, was present for the discussion. Mitchell asked if Weirda would be comfortable in representing the Township in both suits. Weirda can only represent the Township in Suit 1. Weirda stated that he was in favor of McGraw Morris handling both Suit 1 and Suit 2. He stated his reasons for his opinion. The judge assigned to this case has local knowledge in such cases and is a good judge for the Township's case. He also felt that Suit 1 would not cost more than the \$25,000 insurance limit. The attorney fee would be \$200 an hour. Mitchell had concerns that the Township may be paying two attorneys for representation (Weirda and MaGraw/Morris). Weirda felt that it was advantageous to have fresh eyes look at the case. Also, having one attorney handle both cases would provide consistency.

**ACTION:** Mitchell moved to have Brad Weirda handle Suit 1 and McGraw/Morris handle Suit 2 with Weirda providing counsel on Suit 2; supported by Brookfield. Motion carried. (5,0)

Weirda will contact McGraw/Morris and Och will notify Tokio Marine.

2. Review of Coyle easement negotiation.

Because of discussion of property negotiations and possibly economics of such, Mitchell suggested that the meeting go to closed session. Weirda suggested that a closed session

would be appropriate in a future meeting and he would put together the information needed. The meeting remained in open session.

Coyle is insisting on building a bathroom on site at his boathouse as a condition of the easement. Since a bathroom will not be allowed, there was discussion about how to repair the wall without needing an easement from Coyle.

**POINTS TO CONSIDER**

- It was suggested that riprap be used on that part of the wall and let it go to the natural river.
- Jim Tiffany suggested that an explanation be given to EGLE about needing an easement to do the complete wall and get permission for the rest of the wall to be completed without the easement. The Township could apply for two separate permits.
- Mitchell suggested the work be done well away from Coyle's property.
- The wall is bowing and could give way quickly.
- Och explained to the Board that the Township still may be able to get Congressional funding.
- If we can't get an agreement with Coyle, do we have any leverage in repairing the wall? Do we have the option to work on the wall without the easement?
- We need clarification on the 25% that is allowed to be left natural.
- The Library has scaled down its building plans. We may be able to get them to help pay for the wall.

Och will have a discussion with Jim Tiffany about getting a permit without the easement and find out more information about the 25%.

3. Appoint Steve Scales to Sewer Commission.

**ACTION:** Mitchell moved to appoint Steve Scales to the Sewer Commission; supported by Kirch. Motion carried. (5,0)

4. Approval of Summer Youth League use of Hancock and Drow Fields.

**ACTION:** Brookfield moved to approve use of Hancock and Drow Fields for the Summer Youth League; supported by Kirch. Motion carried. (5,0)

5. Dredge pipes storage

The Harbor dredge crew would like to move the dredge piping storage site from the north side of the Harbormaster building. The neighbors want to repair the wall and want the pipes stored on the other side of the Harbor. The pipes would be put into the dune and covered with burlap. Och went to the County building and found no deed restrictions. The Board was concerned about damaging the dune grass and blocking Leland's beach with pipes. Och called Jeremy Anderson during the meeting. He said that there is little beach traffic on the proposed location and it would deter people from walking on

neighborhood property. Anderson explained the reasoning for putting the pipes in that location. A rack could be built for the pipes and it would be a temporary arrangement.

**ACTION:** Brookfield moved to approve the temporary storage plan for the dredging pipes as discussed with Jeremy Anderson; supported by ~~Kirch~~ Och.

**DISCUSSION:** The Harbor is using Township property for storing the pipes so they have to figure out a reasonable solution.

(2 in favor, 3 opposed) Motion failed.

The Board would like to further look at the situation. Dredging will be done next week.

**OTHER BUSINESS** - None

**PUBLIC COMMENT** - None

**ADJOURNMENT**

**ACTION:** Garthe moved to adjourn the meeting at 11:06 a.m.; supported by Mitchell. Motion carried. (5,0)

Respectfully submitted,  
Cindy Kacin

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Lisa Brookfield, Leland Township Clerk

Date Approved \_\_\_\_\_