

## Leelanau County Parks and Recreation Commission

Regular Session – Wednesday, June 1, 2022, 2:30 p.m.

**Amended** Minutes – Meeting Recorded

Leelanau County Government Center, Suttons Bay, Michigan

<https://www.leelanau.gov/meetingdetails.asp?MAId=2352>

The regular session of the Leelanau County Parks and Recreation Commission was called to order by Chairman Casey Noonan at 3:00 p.m.

Chairman Noonan led the “Pledge of Allegiance.”

Roll Call:

Dave Barrons, *Vice-Chairman*  
Steve Christensen, *Secretary*  
Don Frerichs  
Charles Godbout  
Melinda Lautner  
Casey Noonan, *Chairman*  
John Popa  
Rick Robbins (Late arrival.)  
F. Jon Walter

Staff Present:

Laurel Evans, Executive Assistant  
W. Scott Bradley, Maintenance Worker

### Agenda Additions/Deletions:

**Motion by Christensen to approve the agenda, as presented. Seconded by Popa.**

Discussion – None.

**Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)**

**No – 0 Absent – 1 (Robbins)**

**Motion Passes.**

### Public Comment:

Haylee Fisher was present. Fisher is owner of Cold Spring Farm, which is adjacent to the area of Myles Kimmerly Park being considered for sale to build a fire station. She implored Commission members not to sell the park property and to consider a different location for the fire station. She said sirens would be detrimental to her business and dangerous for the young people to whom she teaches horseback riding, and that it would be psychologically damaging to horses she boards. She added that she could potentially lose her liability insurance as a result of the siren hazard. She read two letters also expressing opposition to the fire station and encouraging that an alternate location be considered. The first letter was from John Kasben, Maple Valley Nursing Home, and the second letter was from Wendy Intrieri, a six-year resident of Leelanau County.

Andria Bufka of Maple City spoke in support of Haylee Fisher’s opposition to building the fire station, citing a potential negative impact to her farmstand business. She clarified that she was not opposed to building the fire station, she just did not support building it on the Myles Kimmerly Park property.

Steve Stier, President, Leelanau County Historic Preservation Society and resident of Empire Township, is part of the group that restored the Poor Farm Barn because they thought it was an important part of Myles Kimmerly Park history. He said thousands of dollars were solicited from hundreds of citizens with the understanding that the barn stood on dedicated park land which he discovered was not the case at a recent Myles Kimmerly Park Committee (MKPC) meeting. He said with current, ongoing discussions to determine a beneficial use for the newly restored barn, he urged the Parks and Recreation Commission to recommend to the Leelanau County Board of Commissioners to take steps to ensure the property is dedicated park land into perpetuity.

Action Items –

Approval of Financials:

- Transaction History Listing Report – May 1 - May 31, 2022
- Revenue & Expense Report – Period Ending May 31, 2022

Bradley reported expenses at 41% of budget (41.76% per May 31, 2022, Revenue and Expense report). He added there are upcoming maintenance expenses, but none beyond the maintenance budget.

**Motion by Popa to approve the financials, as presented. Seconded by Walter.**

Discussion – None.

**Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)**

**No – 0 Absent – 1 (Robbins)**

**Motion Passes.**

“For the record,” Christensen encouraged the public to listen to the recording of the May 26, 2022 MKPC meeting and listen “to this young lady” (pointing to Fisher) with respect to the discussion about the sale of Myles Kimmerly Park property for the construction of a fire station.

Evans noted that recommendations from the MKPC meeting of May 26, 2022, were included on page 9 of the packets, along with a copy of Leelanau County Board Resolutions #95-15 (page 10) and #2000-15 (page 11), as well as the email from counsel regarding what the County is able to do with respect to the perpetuity of Myles Kimmerly Park. She added that County Administrator Chet Janik was in attendance to address questions, if needed.

Lautner suggested that Myles Kimmerly Park’s perpetuity may have been consummated prior to the engagement of the legal counsel noted on Resolutions 95-15 and 200-15. She suggested amending the property deed to support a more binding agreement regarding the park’s perpetuity.

Committee Reports and Recommendations –

Myles Kimmerly Park Committee: Presented by Frerichs

Leelanau County Resolutions – #1995-15 (MKP Use, Michigan State University Extension)

Frerichs asked for clarification on Lautner’s comments about amending the deed. Discussion ensued, including input from Janik, about options for amending the property deed to support a more defined language for perpetuity of the parkland. Frerichs asked about Lautner’s

recollections regarding her opposition in 2000 to place Myles Kimmerly Park into perpetuity. She said she opposed the action because the whole park was not included in the perpetuity proposal. She thought the reason was because the County wanted to reserve the land for potential sale some time in the future. Popa asked if counsel had confirmed yet on the perpetuity status of the 10 acres in question. Evans responded that “everything is evolving today.”

Frerichs said he did not feel what was reflected on the deed was important if the MKPC was not in favor of turning over parkland for commercial use.

Greg Julian, Kasson Township Supervisor, clarified that Kasson Township and Cleveland Township (represented by Tim Stein, Cleveland Township Supervisor) are the entities “searching for a facility,” not Cedar Area Fire and Rescue. He added that when a legal opinion is made available, that it should be thoroughly reviewed before making any decisions. He then thanked Chairman Noonan and Janik, the MKPC, and the Parks and Recreation Commission for addressing the issue. He said “we are in search of a piece of property, in the area of (Co. Rds.) 669 and 616” because that is the ideal location, whether the purchase is from a private individual, the County, or the state. He said the visibility of the facility was important because the citizens would see the facility and know their safety concerns were being addressed and he thought improved recruitment efforts of fire and emergency services personnel could result. He added, “We want to see it through, at the county level here, regarding that piece of property” because “we wanted to do that first, not last, in our search.” He said without minutes and with last-minute legal review, he thought it was too early to make a decision.

Popa and Godbout both concurred that it was too early to make a decision. Frerichs asked for clarification about what counsel was determining with regard to the property deed. Evans explained that counsel was reviewing restrictions on the property. Evans reminded the group of the Glen Lakes Community Schools’ request, which should also be discussed before any recommendations came forward.

Godbout asked Julian about other properties the two entities were considering. Julian said they had not pursued other properties because the County property was the first option they wanted to explore. In an effort not to hinder Julian from exploring other properties, Frerichs said “We have all the information we need today. We feel we don’t want to sell our park for commercial use.” Popa proposed a special meeting for more in-depth discussion. Christensen concurred, adding the reminder that there are no Parks meetings scheduled in July. Christensen provided background on how the MKPC came to agreement about the two recommendations for the Parks and Recreation Commission (recommendations are on page 9 of packet). He said the MKPC came to the conclusion that all discussions about the future of the park should be halted until a professional update of the park plan be completed. He said after months of outlining and planning for park improvements, when it came down to making a final recommendation to the Parks Commission, the Committee determined the recommendation was premature without a formal, updated park plan.

Regarding the two, proposed Page 9 recommendations by the MKPC, as a procedural check, Lautner stated she thought the first recommendation was a “negative motion” and, therefore, she did not think it could be voted on without the verbiage being rephrased to a more positive tone; however, she supported the second motion. She added that she had heard from others and no one has been in favor of selling parkland. She said she was not in favor of selling. She favored keeping the land for a purpose yet to be determined in the future. She encouraged the second motion (that the section of Myles Kimmerly Park north of Burdickville Road be put into perpetuity) be made to the Board of Commissioners.

Evans advised that the Commission needs to listen to the proposed request of Glen Lake Community Schools, who also have an interest in the property. She said after they hear the School’s proposal, a motion to whether the Commission wants to move forward with considering it might be in order, and if it fails, then it would be clear any further action would be a dead issue. Chairman Noonan said until there is a “solid foundation to stand on” with regard to deed restrictions, requests to sell or lease the property will continue. Lautner thought something could be done where a change to the status of the park could only be done by “a majority of the people,” which might afford the security needed for perpetuity of the parkland. Noonan asked that the Commission listen to GLCS JV Coach Randy Weber, who was there to speak on behalf of the School. Evans directed the group to Page 12 of the packet, which shows a conceptual drawing of the School’s proposal for a baseball/softball complex. Noonan said Weber came to him about two years ago with a proposal to build a baseball/softball complex on the property.

Weber explained that because the Varsity team takes priority for field use at the school, the seventh and eighth grades and Junior Varsity teams get limited use of school fields. He said the Myles Kimmerly Park property fulfills a number of needs for a baseball/softball complex, including accommodations for busses and parking. He would add a pull-up area where seniors could watch games from their cars. Batting cages would be installed. He would like to create a Leelanau County summer team and a few traveling teams and even host a few tournaments. He said the need is there and thought it was a great opportunity that “we’re missing out on.” He said the School is on board this year and is willing to move forward with a 50-year lease. He added that the school would put a well on the property.

Frerichs inquired if other properties had been explored as options for the complex. Weber responded that there are no other viable options within the proximity of the school.

Lautner said in past years the Commission was in favor of tennis courts on the property for the School, and the school backed out after they decided to place them on school property. Lautner inquired if the public would be allowed to use the ballfields when not in use. Janik said that terms and conditions would be dictated by the County Board. He added that if the school uses bond financing to fund the purchase of the property, that a 50-year lease would be required. Janik added that maintenance responsibility would need to be defined in the lease agreement.

Godbout commented that the baseball complex was in the mission statement of what Parks and Recreation was about which, he thought, made it a higher priority over the fire station. Frerichs agreed, but before proceeding further, he wanted to have a committee meeting to discuss the issue.

Chairman Noonan explained that he suspected there would be less controversy about the baseball complex and that is why he held off previous motions to take action. Evans pointed out the current partnership with the Preservation Society for the Poor Barn and that a proposed partnership with the school would be similar. She said it is not a sale, but it is of mutual benefit to residents and park users.

Chairman Noonan proposed that the MKPC conduct a meeting with Randy Weber, followed by a full meeting of the Parks and Recreation Commission to discuss specifically the two proposals for the Myles Kimmerly Park property. He wanted these meetings to occur within the next two weeks. Noonan added that the Commission has a lot of challenges caring for its parkland given its limited budget and limited support from the Board of Commissioners. Added to the mix will be more land from the lease expiration of the property to the east of Myles Kimmerly Park where the drainfield is located. He said it will take “millions” to develop the parks to the level envisioned, so he thought the Commission should keep an open mind when proposals come forward for use of the parkland; however, he said he did not have a firm decision either way in support of the fire station or the ball fields.

Frerichs continued with his report. He said the grub shack is “still there.” He said the construction of the kiosk has been put on hold pending an update of the master plan for the park. He said the focus should be on the park infrastructure, such as parking and restrooms. Frerichs discussed a signage request from Steve Stier for directing traffic to the proper entrance to the Poor Farm and a request for updated signage from a group named Aloft Disc Golf.

Old Settlers Park Committee:

Evans acknowledged receipt of a letter from the Meadow Garden Committee of the Glen Lake Garden Club. Bradley reported about a call received from a citizen regarding the dock configuration at Old Settler Park. The citizen thought the dock was being monopolized and wanted it spread out more (page 17 of packet). The consensus of the group was that the current configuration is fine and no changes were needed. Chairman Noonan said it is a busy dock, so “first come, first served.” Evans said she had called the citizen, but has not received a return call.

Lautner inquired about when the playground equipment would be installed. Evans responded that she sent out the purchase order, but will follow up on the status.

Robbins present.

Bradley reported that there is a water leak under the new concrete at the park and that a contractor will be out in the next two to three weeks.

Veronica Valley Park:

**Motion by Popa that the Parks and Recreation Commission approve the purchase of 13 wayfinding signs for Veronica Valley and Myles Kimmerly Parks to include the laminated, all white signs, wood posts, metal numbers, and hardware at a total cost not to exceed \$900.00. Seconded by Godbout.**

Discussion – Frerichs inquired and Barrons responded there would six signs for Veronica Valley Park and seven for Myles Kimmerly Park.

**Ayes – 9 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Walter)  
No – 0 Absent – 0 Motion Passes.**

Bradley reported that the County Road Commission will be repairing a washout issue at the park entrance to Veronica Valley Park until Popp Excavating completes the curbs and paving in late September. Barrons inquired if the park sign would go back up before September. Bradley said to just let him know where it should be installed. Christensen was concerned the overflow of water was taking sediment close to the stream. Bradley suggested Christensen call Dave Priest.

Commission Member Appointment Recommendation:

With the recent resignation of member Michael Smith due to his move out of Leelanau County, a new commissioner appointment was necessary. The two candidates on the existing list were Richard Isphording of Northport and John Arens of Cedar. Evans offered to solicit for more candidates, but she said it could take up to six weeks to gather more candidates.

**Motion by Lautner to appoint John Arens to the Parks and Recreation Commission. Seconded by Christensen.**

Discussion – None.

**Ayes – 9 (Lautner, Noonan, Popa, Robbins, Walter, Barrons, Christensen, Frerichs, Godbout)  
No – 0 Absent – 0 Motion Passes.**

Fiscal Year 2023 Budget Review/Recommendations:

Evans noted that she included Page 31 in the packet (copy of the 2022 Adopted Budget) for review by those attending the Executive Committee meeting directly following this meeting.

Public Comment:

Susan Kurnick expressed opposition to the proposed fire station. She boards two horses at Cold Spring Farm and she said she would have to terminate boarding if a fire station was constructed near the farm. She said she moved to the area for the wide-open spaces and for the peacefulness. She added that the baseball complex would be a difficult decision because she understands there is need.

Steve Stier urged the Commission to stay on the parks perpetuity issue and to try to ensure the decision is not just up to the County Board of Commissioners whose members change every two years. He said parks are sacred and should stay for the benefit of the County residents and not be subject to the whims of the commissioners. He said to find the best use of something is

not always apparent “in the now” and again urged the Commission to practice due diligence in their deliberations.

Commissioner Comments:

Lautner said that in the past the County had lots of ideas and uses for the Poor Farm Barn but no funds to execute them. She said that is why the partnership with the Leelanau County Historic Preservation Society is such a great thing. The preservation of the Poor Farm Barn was completely funded by the Society who solicited the community for donations.

Frerichs *asked to* read from page 66 of Five-Year Plan – *‘Proposed Action; c. preservation of the field at the northwest corner of the property for passive recreation to blend with the historical and agrarian nature of the poor farm vicinity.’ If you put a fire station next to that poor farm, that’s not saying what we said we’re going to do; if you put a baseball field over there, that’s really not...it’s a little better, but it’s not doing what we said we’re going to do.* ~~Extension 2020 – 2024 that the Parks and Recreation Commission which, he said, did not include a fire station or a baseball in the vision for the park.~~

Chairperson Comments:

None.

Adjournment:

The meeting adjourned to the call of Chairman Noonan at 3:52 p.m.

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Lori D. Eubanks, Recording Secretary