

LEELANAU COUNTY PARKS & RECREATION COMMISSION
Myles Kimmerly Park Committee
Thursday, June 16, 2022 – 2:00 p.m.
Leelanau County Government Center, Suttons Bay, Michigan
<https://www.leelanau.gov/meetingdetails.asp?MAId=2355>

(Please silence cellular/electronic devices)

*(Proceedings of the meeting are being recorded and are not the official record of the meeting.
The formally approved/accepted written copy of the minutes will be the official record of the meeting.)*

AGENDA

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda and Late Additions/Deletions

Public Comment

Action Items –

1. Approval of Minutes.
2. Park Property Deed Discussion/Recommendation.
3. Land Sale Requests.
4. Property Lease Options.
5. Proposed Projects Review.
6. Consultant Considerations.

Public Comment

Board Member Comment

Motion to Adjourn

Leelanau County Parks and Recreation Commission
Myles Kimmerly Park Committee
Thursday, May 26, 2022 – 11:00 a.m.
Leelanau County Government Center, Suttons Bay, Michigan
Tentative Minutes – Meeting Recorded
<https://www.leelanau.gov/meetingdetails.asp?MAId=2346>

Call to Order:

A meeting of the Myles Kimmerly Park Committee was called to order by Committee Chairman Don Frerichs at 11:04 a.m.

Pledge of Allegiance:

Chairman Frerichs led the “Pledge of Allegiance.”

Roll Call:

Steve Christensen
Don Frerichs, *Chairman*
Rick Robbins
Michael Smith (*Resigned prior to meeting.*)

Staff Present:

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

Approval of Agenda and Late Additions/Deletions:

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

Discussion – None.

Ayes – 3 (Christensen, Frerichs, Robbins)

No – 0

Motion Passes.

Public Comment:

Steve Stier, President, Leelanau County Historic Preservation Society, read a letter on behalf of Colton Smith, owner of the property at the north end of Cold Spring Road. In his letter, Smith expressed opposition to the prospect of building “a commercial building” on the north end of Myles Kimmerly Park (the property adjacent to the Poor Farm Barn). Stier also expressed opposition to development of the parcel and said the potential for what could be done with the park property will be “gone forever” if it is sold. He said he discovered this morning that the north side of the park may not be parkland in perpetuity, and his group would like clarification and assurance that their investment in preservation of the Poor Farm Barn is secure as part of Myles Kimmerly Park. To clarify Stier’s stance, Robbins inquired if Stier would be in opposition to development on the south side of the park (across Burdickville Road/CR 616). Stier responded that he opposed the sale of any park property.

Relating to Item 5 (Signage) on the agenda, Stier requested signage be posted to discourage drivers from entering the Poor Farm Barn area via the pedestrian walkway. He suggested a sign directing drivers to enter from Cold Spring Road.

Haylee Fisher, owner of Cold Spring Farm, which is located next to the park property being considered for the fire station, was present. She implored the committee members to “find a different spot for the fire station.” She said it would ruin the aesthetic and habitat of the area and after all the work that has been put into the Poor Farm (Barn) and its surrounding area, she does not understand why development is even being considered. She said it would be detrimental to her business (equestrian facility) and psychologically damaging to her horses to have a fire station nearby. Robbins clarified that “they came to us” – the County was not actively seeking a buyer for the property. Fisher added that her understanding was that the property would be parkland into perpetuity. She said the proposition to build a fire station is frightening because her livelihood is dependent on the peace and beauty of the area that brings clients to her farm with a desire to board their horses and ride.

Christensen thought that Greg Julian’s (Kasson Township Supervisor) inquiry about purchasing the property was an action of due diligence in prospecting before moving on to other options.

Bradley stated that he wanted to go on record in opposition to the fire station on Myles Kimmerly Park property. He said he would rather have the fire station next to his farm than have it in Maple City.

Stier returned to speak about the money that was raised to refurbish the Poor Farm Barn with the assumption that the barn was on protected parkland. He asked the County to ensure that all Myles Kimmerly parkland remains parkland into perpetuity.

Action Items –

Approval of January 19, 2022 Meeting Minutes:

Motion by Christensen to approve the meeting minutes dated January 19, 2022, as presented. Seconded by Robbins.

Discussion – None.

Ayes – 3 (Christensen, Frerichs, Robbins)

No – 0

Motion Passes.

Cedar Area Fire & Rescue Property Acquisition Request:

Regarding the proposal from Tim Stein, Supervisor, Cleveland Township and Greg Julian, Supervisor, Kasson Township to purchase approximately five acres from the north area of Myles Kimmerly Park for construction of a fire station, Chairman Frerichs explained that the Parks and Recreation Commission sent the proposal back to the Myles Kimmerly Park Committee for more discussion to determine why the Committee might approve or disapprove of the proposal. Christensen added that Glen Lake Community Schools is also interested in the property to build baseball fields. Christensen said he thought that with competing interest in the land, it was time to update the conceptual study for Myles Kimmerly Park to get a fresh focus on the Committee’s aspirations for the park.

Motion by Christensen to go for a study and a “redo” of the conceptual design for Myles Kimmerly including our wishes for the 10 acres. Seconded by Robbins.

Discussion – Chairman Frerichs said he thought the Committee could decide the direction of the park on its own without hiring a company to do it. Christensen responded he thought it would be helpful to document a plan because of so many things being “up in the air, including the perpetuity concept.” Frerichs voiced concern about the cost for the redesign, so Christensen suggested rewording the motion to “look at the cost for doing it.” Evans advised that no motion was necessary for researching cost.

Christensen withdrew the motion.

Bradley said he was involved in the process of the first conceptual design and that it was “pretty seamless.” He said there was public comment with many good ideas shared. He felt it was a productive endeavor and that it was “money well spent.” He estimated the design was completed seven or eight years ago and that the Committee’s vision had changed since then. He thought the public’s vision might have changed as well. Christensen said he would research options for conceptual design work.

Motion by Christensen to recommend to the Parks and Recreation Commission to put all activity on the 10 acres, other than what we want to do, on hold. Seconded by Robbins.

Discussion – Christensen added this means “no, to Cedar Fire and Rescue and no, to Glen Lake Schools.” Chairman Frerichs said he wanted a motion that simply stated the property was not for sale.

Motion amended by Christensen to recommend to Parks and Recreation Commission to put all proposed activity on hold for the 10 acres north of Burdickville Road at Myles Kimmerly County Park and that the property not be sold. Seconded by Robbins.

Discussion: Chairman Frerichs said he did not feel the “proposed activity” sentence should be included in the motion. He wanted to clearly state that the Committee did not support the sale of the property.

Christensen withdrew the motion.

Motion by Christensen to recommend to the County Parks and Recreation Commission to refuse the request from the Cedar Area Fire and Rescue to purchase property within Myles Kimmerly Park. Seconded by Frerichs.

Discussion: Frerichs said the motion negates the fact that someone else may come along and want to buy the property. He suggested simply stating that the Committee feels the property should never be sold. Robbins responded that the County Board most likely would not want to box themselves into a commitment to never sell the property.

Ayes – 3 (Christensen, Frerichs, Robbins)

No – 0

Motion Passes.

Motion by Frerichs to recommend to the Parks and Recreation Commission that the section of Myles Kimmerly Park north of Burdickville Road be put in perpetuity similar to Leelanau County “Resolution #2000-15.” Seconded by Christensen.

Discussion: None.

Ayes – 3 (Frerichs, Robbins, Christensen)

No – 0

Motion Passes.

Grub Shack Removal:

Bradley reported the grub shack removal was still two to three weeks out. Bradley added the water has been hooked up and will have to be redone once the grub shack is gone.

Kiosk/Porta-Potty Enclosure:

Chairman Frerichs updated members on the cost of the kiosk project, which has increased from an estimate of \$27,000.00 to \$30,000.00 - \$33,000.00, based on estimates from Northport Building Supply and a local builder. Christensen added that the walking trail could be presented to the County Board as a stand-alone project above and beyond the Commission's budget, with the kiosk project being the Committee's highest priority for Myles Kimmerly Park. Robbins said the estimate he had for paving the walking trail was between \$125,000.00 - \$150,000.00. Bradley said Elmer's would be contacting him to meet for an estimate for paving the trail. Christensen inquired if the Committee had voted for Option #2 of Walter's renderings for a kiosk. Frerich's thought was that the Committee had agreed on Option 2.

Motion by Christensen to recommend to the Parks and Recreation Commission that they include this kiosk/porta-potty enclosure for the Fiscal Year 2023 County Board Budget. Seconded by Frerichs.

Discussion: Evans reminded the group of the June 1, 2022, Executive Session at 3:30 p.m., directly following the Regular Session of the Parks and Recreation Commission meeting.

Ayes – 3 (Christensen, Frerichs, Robbins)

No – 0

Motion Passes.

Chairman Frerichs said he thought the public might think \$33,000.00 for portable toilets might be excessive and wondered if they should explore flush toilets. Christensen responded that flush toilets was a topic for future discussion; portable toilets would serve the purpose for now. Christensen discussed renovating/improving the current pit toilet to a universal access toilet. With discussion about more changes to the kiosk project, Bradley emphasized the need for an updated concept design to document a comprehensive vision for the park.

Motion by Christensen to strike the motion recommending that the kiosk/porta-potty enclosure be included in the Fiscal Year 2023 County Board Budget. Seconded by Robbins.

Discussion: None.

Ayes – 3 (Christensen, Frerichs, Robbins)

No – 0

Motion Passes.

Signage –

Trails: Chairman Frerichs reported that the new signage for Myles Kimmerly and Veronica Valley Parks will be installed sometime this summer.

Disc Golf Course: Aloft Disc Golf members requested that the signs be replaced on the disc golf course. Bradley said the existing signs are in poor shape; he has talked with Greg Argyle of Aloft and he estimated \$700.00 to print the signs and “a couple hundred bucks” for a map and “they” are willing to do it. Chairman Frerichs suggested that Argyle should attend the June Parks and Recreation Commission meeting to present his ideas.

Paved Loop Trail: Bradley shared some grant opportunities to raise funds for paving the loop, such as the Oleson Foundation; the Schmuckal Foundation; and the Les Biederman Foundation. Christensen reminded the group about past failures for state grant monies because of low scores on the grant applications due to the high median incomes within Leelanau County.

Dog Park: Chairman Frerichs reported he contacted the couple who sent a letter offering to support the construction of a dog park. Robbins said he felt the master plan and walking trail should be first priority before adding more projects. Frerichs mentioned the office for Bradley they had discussed by building an addition on the shop at Myles Kimmerly Park, but Bradley said he would rather focus on projects in the park that benefit the community.

Pickle Ball Courts – No discussion.

Public Comment:

None.

Committee Member Comment:

None.

Adjournment:

The meeting adjourned to the call of Chairman Frerichs at 12:15 p.m.

Respectfully submitted,

Lori Eubanks, Recording Secretary

Roswell W. Burke wife
TO
Leelanau County

This Instrument was presented and received for record this 29th day of October, 1901, at 12 o'clock P.M., as a proper Certificate was furnished in compliance with Section 135, Act 206, Laws of 1893.

Garson Warner, Register of Deeds.
Made this 28th day of October

in the year of our Lord one thousand nine hundred and one

BETWEEN Roswell W. Burke and Mary F. Burke of Maple City, Mich.
and Leelanau County of the first part,
of the second part;

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Two thousand four hundred Dollars to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and his heirs and assigns, FOREVER, ALL that certain piece or parcel of Land, situate and being in the Town of Musson

County of Leelanau, and State of Michigan, and described as follows, to-wit:
The West half (1/2) of the South East quarter (1/4) and the West half of the East half (1/2) of the South East quarter (1/4) of Section Four (4) Township Twenty-eight (28) North Range Thirteen (13) West.

Together with all and Singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining; To Have and to Hold the said premises, as above described, with the appurtenances, unto the said party of the second part, and to its heirs and assigns, FOREVER. And the said Roswell W. Burke and Mary F. Burke his wife parties of the first part, their heirs, executors and their administrators, do covenant, grant, bargain and agree to and with the said party of the second part its heirs and assigns, that at the time of the ensailing and delivery of these presents they are well seized of the above granted premises, IN FEE SIMPLE; that they are free from all incumbrances whatever; Except a mortgage of one thousand dollars which shall be paid by first parties and that they will, and their heirs, executors, and administrators, shall Warrant and Defend the same against all lawful claims whatsoever, except as above

In Witness Whereof, The said parties of the first part hereunto set their hands and seal the day and year first above written
Signed, Sealed and Delivered in Presence of
Roswell W. Burke
Mary F. Burke
B. B. Ackerman
A. F. Bunting

State of Michigan, } ss.
COUNTY OF Leelanau }
On this 28th day of October, in the year one thousand nine hundred and one, before me, a Notary Public in and for said County, personally appeared Roswell W. Burke and Mary F. Burke his wife to me known to be the same person described in and who executed the within instrument, who jointly acknowledged the same to be their free act and deed.

Archibald F. Bunting
Notary Public
Leelanau Co., Mich.

This instrument was presented and received for Record, this 11th day of October A. D. 1944, at 11:00 o'clock A.M., as all proper certificates were furnished in compliance with Section 3531, Compiled Laws of 1929, as amended by Act 261, Public Acts of 1931.

JOHN B. & RUBY A. BLOSWICK TO

FREDERICK HAHNENBERG Register of Deeds.

This Indenture, Made this 28th day of April

COUNTY OF LEELANAU

in the year of our Lord one thousand nine hundred and forty-four

BETWEEN John B. Boswick and Ruby A. Boswick husband and wife of Mackinac, Isl. Mich.

of the first part, and The County of Leelanau, State of Michigan

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Seven hundred Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents, grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and its people heirs and assigns, FOREVER, ALL those certain piece or parcel of Land, situate and being in the Township of Kasson County of Leelanau, and State of Michigan, and described as follows, to-wit:

The North west quarter of the North east quarter of Section nine Town twenty eight North range thirteen west Mich.

Also the East thirty acres of the North East quarter of the North west Quarter of Section nine Town twenty eight north range thirteen west. Mich.

DOCUMENTARY
U.S. I.R.
STAMPS
\$1.10
J.B.B.
4-28-44

Together with all and Singular, The hereditaments and appurtenances thereunto belonging or in anywise appertaining; To Have and to Hold, the said premises, as described, with the appurtenances, unto the said party of the second part, and to its people heirs and assigns, FOREVER. And the said John B. Boswick and Ruby A. Boswick

parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said party of the second part, its people heirs and assigns, that at the time of the ensembling and delivery of these presents, they are well seized of the above granted premises IN FEE SIMPLE; that they are free from all incumbrances whatever;

and that they will, and their heirs, executors, and administrators, shall Warrant and Defend the same against all lawful claims whatsoever;

In Witness Whereof, The said parties of the first part, have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

ELMER BILLMAN Elmer Billman

JOHN B. BLOSWICK John B. Boswick

RUBY A. BLOSWICK Ruby A. Boswick

FRANK BLOSWICK Frank Boswick

STATE OF MICHIGAN, ss. On this 28th day of April, in the year one thousand nine hundred and forty-four, before me, a Notary Public, in and for said County, personally appeared John A. Boswick and Ruby A. Boswick

to me known to be the same person as described in and who executed the within instrument, who have acknowledged the same to be their free act and deed.

My commission expires April 12, 1946

ELMER BILLMAN Notary Public and for Leelanau County, Michigan.

RCV'D LEELANAU COUNTY
2016 NOV 4 PM 3:45

Leelanau County STATE OF MICHIGAN
Dorothy M. Miller Register of Deeds



RECORDED
November 04, 2016 04:05 PM
Liber 12 Page 182-185
4P FEE: \$30.00



DMM Liber 12 Page 182 #20160046

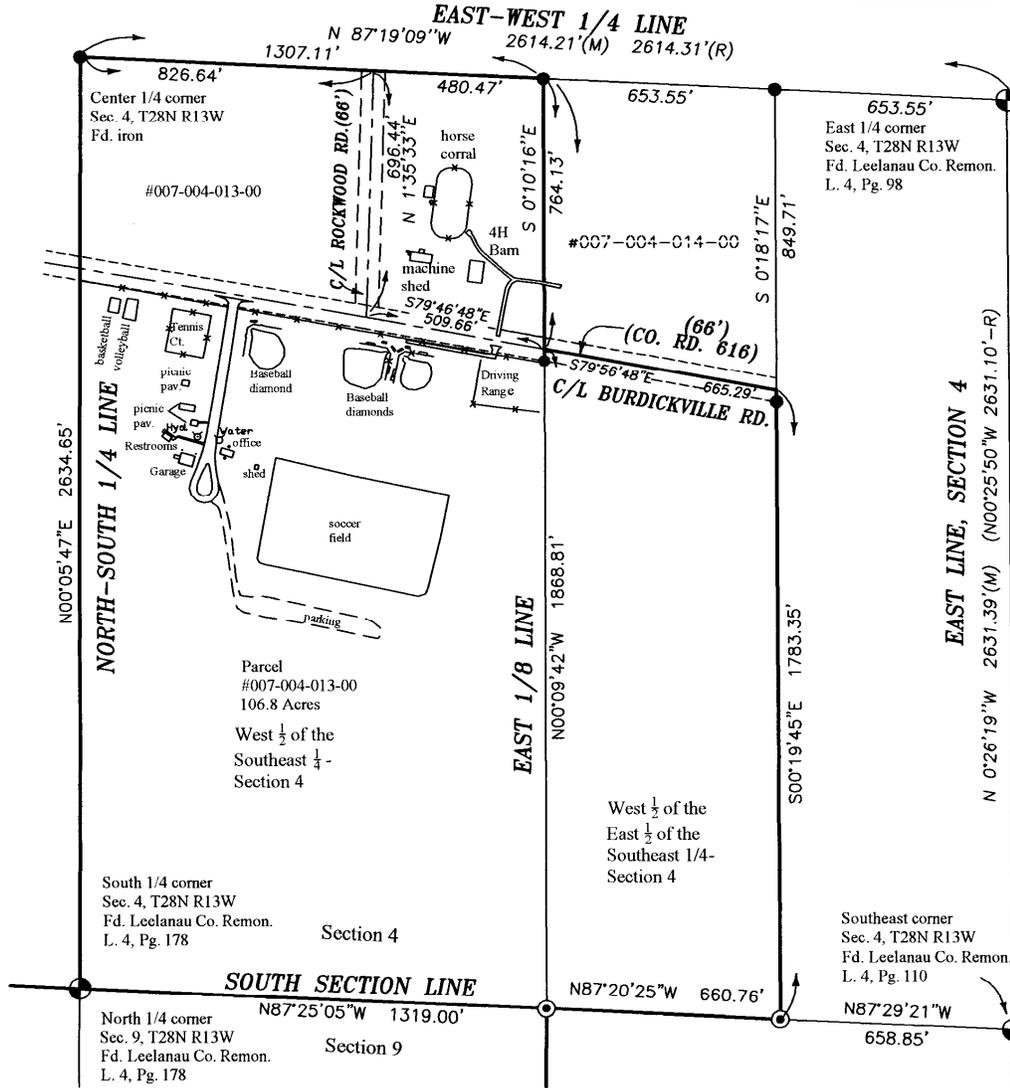
CERTIFICATE OF SURVEY

LEGEND

- = IRON (SET)
- = IRON (FND)
- R = RECORD
- M = MEASURED
- ⊙ = CONC. MONUMENT FD.



SCALE: 1" = 400'



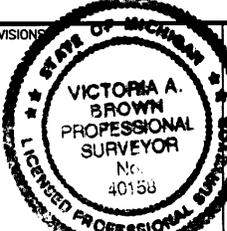
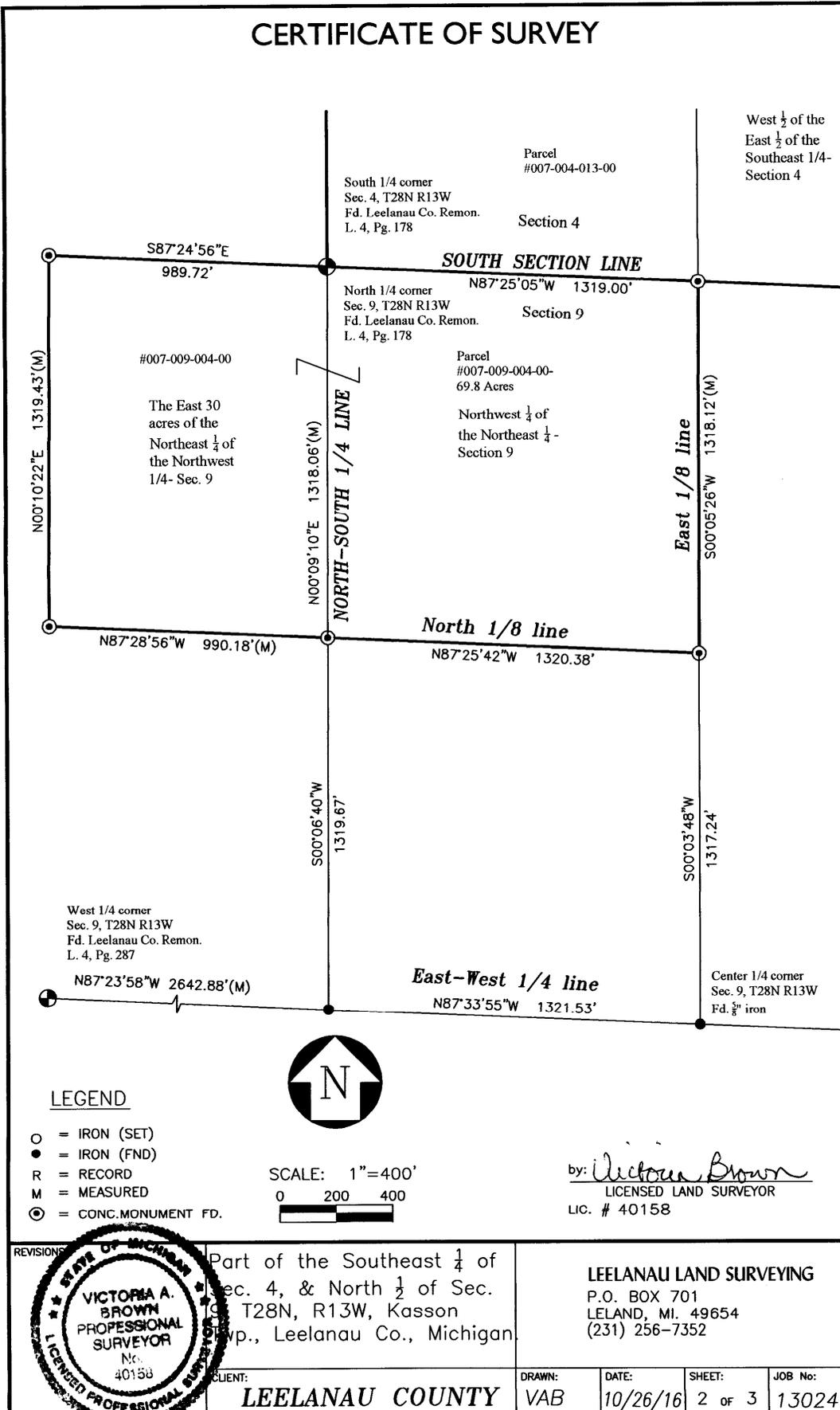
I hereby certify that I have surveyed and mapped the land above platted and/or described on 6/19/13 and that the ratio of closure of the unadjusted field observations of such survey was 1/5,000+ and that all of the requirements of P.A. 132, 1970 as amended have been complied with.

Bearings based on a survey by Gourdie/Fraser & Assoc. dated 9/17/91.

by: Victoria Brown
 LICENSED LAND SURVEYOR
 LIC. # 40158

REVISIONS 	Part of the Southeast 1/4 of Sec. 4, & North 1/2 of Sec. 4, T28N, R13W, Kassar Twp., Leelanau Co., Michigan Myles Kimmerly Park CLIENT: LEELANAU COUNTY	LEELANAU LAND SURVEYING P.O. BOX 701 LELAND, MI. 49654 (231) 256-7352
	DRAWN: VAB	DATE: 10/26/16
		SHEET: 1 OF 3
		JOB No: 13024

CERTIFICATE OF SURVEY



Part of the Southeast 1/4 of Sec. 4, & North 1/2 of Sec. 9, T28N, R13W, Kasson Twp., Leelanau Co., Michigan.

LEELANAU LAND SURVEYING
P.O. BOX 701
LELAND, MI. 49654
(231) 256-7352

CLIENT: LEELANAU COUNTY	DRAWN: VAB	DATE: 10/26/16	SHEET: 2 of 3	JOB No: 13024
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CERTIFICATE OF SURVEY

LEGAL DESCRIPTIONS

Parcel #007-004-013-00

A parcel of land in part of the Southeast $\frac{1}{4}$ of Section 4, T28N, R13W, Kasson Twp., Leelanau County, Michigan, more fully described as follows:

BEGINNING at the South $\frac{1}{4}$ corner of said Section 4; thence, along the North-South $\frac{1}{4}$ line, N00°05'47"E 2634.65 feet to the Center $\frac{1}{4}$ corner of said Section; thence, along the East-West $\frac{1}{4}$ line, S87°19'09"E 1307.11 feet to the East $\frac{1}{8}$ line; thence, along said $\frac{1}{8}$ line, S00°10'16"E 764.13 feet to the centerline of County Road 616 (Burdickville Rd.); thence, along said centerline, S79°56'48"E 665.29 feet; thence S00°19'45"E 1783.35 feet to the South line of Section 4 (North line of Section 9); thence, along said South line, N87°20'25"W 660.76 feet; thence, continuing along said South line, N87°25'05"W 1319.00 feet to the POINT OF BEGINNING. Containing 106.8 acres of land.

Subject to the rights of the public over and across County Road 616 (Burdickville Road) and Rockwood Road.

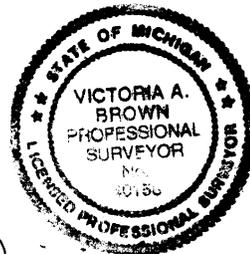
Subject to and together with all agreements, easements and restrictions of record, if any.

Parcel #007-009-004-00

A parcel of land in part of the North $\frac{1}{2}$ of Section 9, T28N, R13W, Kasson Twp., Leelanau County, Michigan, more fully described as follows:

BEGINNING at the North $\frac{1}{4}$ corner of said Section 9; thence, along the North line of Section 9, S87°25'05"E 1319.00 feet to the East $\frac{1}{8}$ line; thence along said $\frac{1}{8}$ line, S00°05'26"W 1318.12 feet; thence, along the North $\frac{1}{8}$ line of said section, N87°25'42"W 1320.38 feet; thence, continuing along said $\frac{1}{8}$ line, N87°28'56"W 990.18 feet; thence N00°10'22"E 1319.43 feet; thence S87°24'56"E 989.72 feet to the POINT OF BEGINNING. Containing 69.8 acres of land.

Subject to and together with all agreements, easements and restrictions of record, if any.



by: *Victoria A. Brown*
 LICENSED LAND SURVEYOR
 LIC. # 40158

REVISIONS:	Part of the Southeast $\frac{1}{4}$ of Sec. 4, & North $\frac{1}{2}$ of Sec. 9, T28N, R13W, Kasson Twp., Leelanau Co., Michigan.	LEELANAU LAND SURVEYING P.O. BOX 701 LELAND, MI. 49654 (231) 256-7352		
CLIENT:	LEELANAU COUNTY	DRAWN:	DATE:	SHEET:
		VAB	10/26/16	3 OF 3
				JOB No: 13024



County of Leelanau

Excerpt
LEELANAU COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION – TUESDAY, NOVEMBER 21, 2000

MICHELLE L. CROCKER
*Leelanau County Clerk
Clerk of the Circuit Court*

Meeting called to order at 7:05 p.m. by Chairman Watkoski.
Pledge of Allegiance led by Chairman Watkoski.

Roll Call:	District #1 – Wayne L. Wunderlich	PRESENT
	#2 – Richard A. Schmuckal	ABSENT
	#3 – Jean I. Watkoski	PRESENT
	#4 – Melinda C. Lautner	PRESENT
	#5 – Bernard U. Glettler	PRESENT

RESOLUTION #2000 – 15 PARKS PERPETUITY

Whereas Leelanau County is the owner of two recreational facilities known respectfully as Old Settler’s Park and Myles Kimmerly Park, and,

Whereas the Leelanau County Parks and Recreation Committee recommend and unanimously support the continuation and preservation of said parks for future generations to enjoy, and,

Whereas the Leelanau Board of County Commissioners is responsible for the maintenance and operation of all county parks, therefore,

BE IT RESOLVED, that all of Old Settler’s Park and that portion of county owned property known as Myles Kimmerly Park south of County Road 616, be dedicated into perpetuity as public lands for the purpose of providing opportunities for recreation for all to enjoy, subject to the rules and regulations as recommended from time to time by the Park and Recreation Committee and adopted by the Leelanau County Board of Commissioners

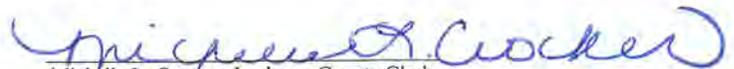
MOTION BY WUNDERLICH THAT THE RESOLUTION TO PLACE OLD SETTLER’S PARK AND MYLES KIMMERLY PARK, SOUTH OF COUNTY ROAD 616, INTO PERPETUITY FOR RECREATIONAL PURPOSES BE APPROVED. SUPPORT GLETTLER.

AYES – 3 NO – 1 (LAUTNER) ABSENT – 1 (SCHMUCKAL)

MOTION CARRIED.

State of Michigan
County of Leelanau

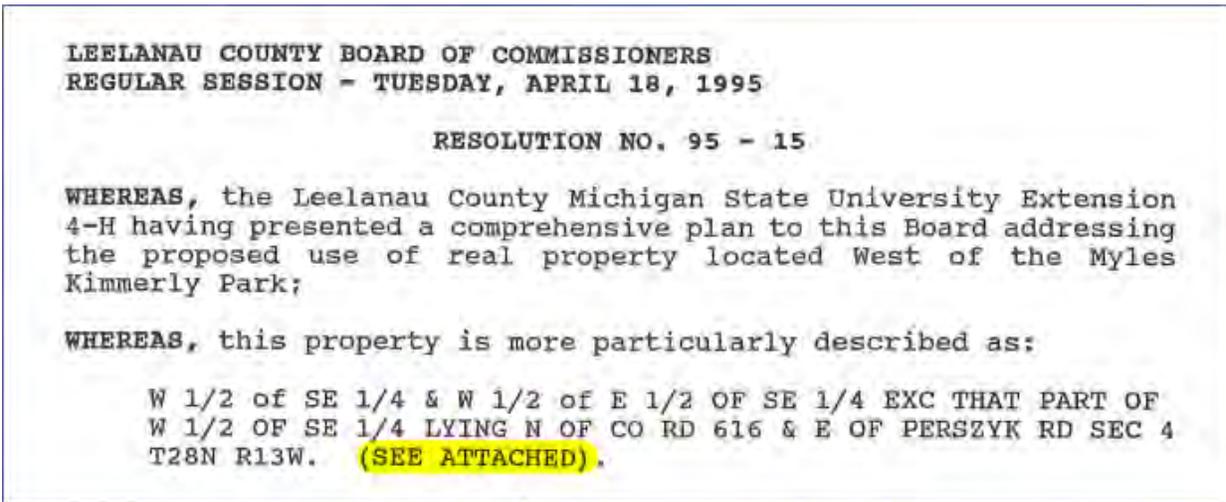
I, Michelle L. Crocker, Clerk of said County and Clerk of Circuit Court for said County, the same being a Court of record having a seal, do hereby certify that the above is a true copy of the Record now remaining in my office and of the whole thereof. In Testimony whereof, I have hereto set my hand and affixed the seal of the Circuit Court the 25th day of October 2004.


Michelle L. Crocker, Leelanau County Clerk

From: [Rob Herman](#)
To: [Chet Janik](#)
Cc: [Laurel Evans](#)
Subject: County Resolution 95-15 Map
Date: Friday, June 3, 2022 1:03:07 PM
Attachments: [Resolution 95-15 Map.pdf](#)
[image002.png](#)

Chet,

I created and attached a map of the resolution we discussed the other day. I was hoping to see the attachment referenced in the resolution (image below) before making the map, because I don't think the property description matches the intended purpose of the resolution. The description as written does not cover the current 4-H area.



I've been fielding requests from Don Frerichs on the Parks & Rec Commission to send him a map of the resolution, but I wanted to discuss it with you before doing so. I don't want to spread bad information if the resolution doesn't carry any weight; especially if the property description is incorrect.

Maybe we can talk about it next week. I'm out of the office Monday and Tuesday, but will be back on Wednesday.

Have a good weekend.

Rob Herman
GIS Analyst
Leelanau County Equalization
8527 E. Government Center Dr. Suite 102
Suttons Bay, MI 49682
rherman@leelanau.gov
Ph: (231)256-9823

Myles Kimmerly Park

Kasson Township, Leelanau County



Aerial Imagery - Spring, 2021

1 inch = 350 feet

 Property Described in Resolution #95-15
 Current Parcels

From: [Matt Nordfjord](#)
To: [Laurel Evans](#); [Jennifer Grant](#)
Cc: [Tim Perrone](#); [Chet Janik](#)
Subject: RE: Road clarification - Opinion Request - Leelanau County Parks
Date: Wednesday, June 1, 2022 3:18:56 PM

Hi Laurel -

There is no restriction language in the deeds and both deeds are more than 40 years old. Last thing to check into is whether the County accepted any State grant funds to improve the park (e.g. are there restrictions in the grant agreements if so).

Thanks,

Matt

--

Matt Nordfjord, Shareholder
Cohl, Stoker & Toskey, PC
601 N Capitol Ave.
Lansing, MI 48933
Ph: [\(517\) 372-9000](tel:517-372-9000)
Fax: [\(517\) 372-1026](tel:517-372-1026)

This transmission is intended to be delivered only to the named addressee(s) and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named addressee(s), the recipient should immediately notify the sender by E-MAIL and by telephone(517-372-9000) and obtain instructions as to the disposal of the transmitted material. In no event shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the express consent of the sender or the named addressee(s). Thank you.

From: Matt Nordfjord
Sent: Wednesday, June 1, 2022 1:26 PM
To: Laurel Evans <levans@leelanau.gov>; Jennifer Grant <jgrant@leelanau.gov>
Cc: Tim Perrone <tperrone@cstmlaw.com>; Chet Janik <cjanik@leelanau.gov>
Subject: RE: Road clarification - Opinion Request - Leelanau County Parks

Hi Laurel –

We will need to see the deed before reaching a final opinion here; however, there is generally no statutory bar to the County disposing of County-owned park property.

The 2000 Resolution holding the property as recreational property in perpetuity is likely not binding on a future Board, and could be rescinded by a future Board.

The 1995 Resolution granting use to MSU Extension may also be rescinded, but if there is a lease or other formal grant of use, then the agreement may need to be amended to allow for the conveyance.

The recorded Deed to the property should be reviewed for reference to any restrictions as to use, e.g., park uses only. Depending on whether the grant was more than 30 years ago may make a difference in the enforceability of any restrictions.

Also, if the County accepted State grant funding for the park, there could be restrictions as to disposal of the park property affected by the grant.

Thanks,

--

Matt Nordfjord, Shareholder
Cohl, Stoker & Toskey, PC
601 N Capitol Ave.
Lansing, MI 48933
Ph: [\(517\) 372-9000](tel:517-372-9000)
Fax: [\(517\) 372-1026](tel:517-372-1026)

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From: Laurel Evans <levans@leelanau.gov>

Sent: Wednesday, June 1, 2022 11:53 AM

To: Jennifer Grant <jgrant@leelanau.gov>

Cc: Matt Nordfjord <mnordi@cstmlaw.com>; Tim Perrone <tperrone@cstmlaw.com>; Chet Janik <cjanik@leelanau.gov>

Subject: FW: Road clarification - Opinion Request - Leelanau County Parks

Hi Jen,

Please let me know if this is something you might be able to find; I do not have a file number. Thank you!

Laurel

From: Matt Nordfjord <mnordi@cstmlaw.com>
Sent: Wednesday, June 1, 2022 11:52 AM
To: Laurel Evans <levans@leelanau.gov>
Cc: Tim Perrone <tperrone@cstmlaw.com>; Chet Janik <cjanik@leelanau.gov>
Subject: RE: Road clarification - Opinion Request - Leelanau County Parks

Thanks Laurel –

The document is a recorded survey but did not include the deed. I'm looking for the instrument that conveyed title in the property from the prior owner to the County.

--

Matt Nordfjord, Shareholder
Cohl, Stoker & Toskey, PC
601 N Capitol Ave.
Lansing, MI 48933
Ph: [\(517\) 372-9000](tel:5173729000)
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From: Laurel Evans <levans@leelanau.gov>
Sent: Wednesday, June 1, 2022 11:47 AM
To: Matt Nordfjord <mnordi@cstmlaw.com>
Cc: Tim Perrone <tperrone@cstmlaw.com>; Chet Janik <cjanik@leelanau.gov>
Subject: Road clarification - Opinion Request - Leelanau County Parks

Hi Matt,

One other thing; at the top of 1995-15, it states, Perszyk to Rockwood to Coldspring. This is the evolution of the road names from Perszyk to the existing Cold Spring Rd.

Laurel

From: Laurel Evans
Sent: Wednesday, June 1, 2022 11:43 AM
To: Matt Nordfjord <mnordi@cstmlaw.com>
Cc: Tim Perrone <tperrone@cstmlaw.com>; Chet Janik <cjanik@leelanau.gov>
Subject: RE: Opinion Request - Leelanau County Parks

Hi Matt,

See attached.

Laurel

From: Matt Nordfjord <mnordi@cstmlaw.com>
Sent: Wednesday, June 1, 2022 11:29 AM
To: Laurel Evans <levans@leelanau.gov>
Cc: Tim Perrone <tperrone@cstmlaw.com>
Subject: RE: Opinion Request - Leelanau County Parks

Hi Laurel –

Can you please send us the recorded deed for the park property?

Thanks,

Matt

--

Matt Nordfjord, Shareholder
Cohl, Stoker & Toskey, PC
601 N Capitol Ave.
Lansing, MI 48933
Ph: [\(517\) 372-9000](tel:(517)372-9000)
Fax: [\(517\) 372-1026](tel:(517)372-1026)

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From: Laurel Evans <levans@leelanau.gov>
Sent: Wednesday, June 1, 2022 9:32 AM
To: Nicole Moles <nmoles@cstmlaw.com>
Subject: FW: Opinion Request - Leelanau County Parks

Hi Nicole,

Have someone review the attached – call with any questions.

Laurel

From: Laurel Evans
Sent: Thursday, May 26, 2022 10:19 AM
To: Chet Janik <cjanik@leelanau.gov>
Subject: Opinion Request - Leelanau County Parks

Chet,

Please review my draft request for an opinion on behalf of the County Parks –

Dear Gwen and Nicole,

The County Parks and Recreation Commission has been asked to consider selling a portion of the Myles Kimmerly County Park to the Cedar Area Fire & Rescue for the construction of a fire station to service nearby residents. However, the request may be partly hindered due to a few resolutions on the books (see attached). Please let me know if you need additional information in order to compile an opinion. The County Parks Commission will be meeting on Wednesday, June 1, and will be considering a recommendation to the County Board at that time. Thank you!

Laurel S. Evans

Executive Assistant

Leelanau County Administration

8527 E. Government Center Dr., Suite #101
Suttons Bay, MI 49682

231-256-9711 *main*

231-256-8101 *direct*

231-256-0120 *fax*

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Leelanau County Parks and Recreation Commission

Regular Session – Wednesday, May 4, 2022, 3:00 p.m.

Tentative Minutes – Meeting Recorded

Leelanau County Government Center, Suttons Bay, Michigan

<https://www.leelanau.gov/meetingdetails.asp?MAId=2331>

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

Chairman Noonan led the “Pledge of Allegiance.”

Roll Call:
Dave Barrons, *Vice-Chairman*
Steve Christensen
Don Frerichs
Charles Godbout
Melinda Lautner
Casey Noonan, *Chairman*
John Popa
Rick Robbins
Michael Smith
F. Jon Walter

Staff Present:
Laurel Evans, Executive Assistant
W. Scott Bradley, Maintenance Worker

Public Comment:
None.

Agenda Additions/Deletions:

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

Discussion – None.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Action Items –

Cedar Area Fire & Rescue Request, Potential Property Acquisition:

Chairman Noonan introduced Cleveland Township Supervisor Tim Stein and Kasson Township Supervisor Greg Julian, who previously met with County Administrator Chet Janik to discuss interest by the two townships in purchasing (a portion of) the Myles Kimmerly Park parcel (approximately five acres) adjacent to the Poor Farm Barn to build a fire station. They attended today’s meeting as advised by Janik to discuss the proposal with the Parks and Recreation Commission. Lautner noted and Popa agreed that the parcel of interest may not have been placed in perpetuity (must remain park land forever) like the rest of the County’s parkland. Noonan said the perpetuity issue would need to be researched. Julian stated he had not researched the deed prior to expressing interest in the parcel.

Frerichs said he did not support the proposal and encouraged the supervisors to seek other options. Robbins had mixed feelings. From a public safety perspective, he thought the fire station made sense. He thought the Poor Farm could benefit by sharing parking and said the township offices could consolidate and be built there as well, but he wondered who would own the property. He wanted to look at the big picture, “not just today.” Popa said he was not against the proposal and inquired about the timeline.

Stein said the objective for today’s discussion was to determine if there was “tacit interest” by the Commission before they pursued other private sector options. He said a 36-month option for the purchase of five acres or more would be ideal. He said their current agreement did not expire until 2025.

Robbins inquired how much the townships would pay for the property. Stein responded \$50,000.00. Robbins said another thing that has not been considered is that the property could be used as a substation for the Leelanau County Sheriff’s Office. Lautner said she did not have a strong opinion either way, but shared that years ago, another landowner adjacent to the property inquired about purchasing the parcel and the County refused to sell. Noonan added that there has been lots of interest over the years because it is a prime piece of real estate. He thought (the County) should keep their options open. Godbout said that, based on discussions about a new fire station in Empire, an ideal fire station location is six to eight minutes from areas it would serve, which, he said, makes the Myles Kimmerly parcel a perfect location.

Christensen suggested running the topic through the Myles Kimmerly Committee and then back to the Commission for questions. Noonan concurred. After looking at a map, Lautner agreed with Frerichs that she would like to see other options explored by the townships. Robbins suggested areas north of Maple City along Co. Rd. 616 because that road is kept clear in the winter. Noonan agreed that the Myles Kimmerly parcel was a perfect location for the proposed fire station. He said he does not like to let park property go, but that there was benefit to the community to have the fire station at that location so, he said, at this point it was “not yea or nay” for him. He first wanted the Myles Kimmerly Park Committee to talk over the proposal, then put the topic back on the Commission agenda for the next Regular Session. He added that the perpetuity issue needed to be resolved first because “that could shut the whole thing down.” Lautner said someone from the Commission will have the deed researched.

Julian added that the Cedar Area Fire and Rescue serves beyond Cedar and Maple City and responds to calls throughout the nation which gives the station great visibility within the community. He felt the new facility would have a similar exposure. Robbins inquired if the new substation would lower insurance premiums for nearby property owners. Julian responded that it could, but that “it would have yet to be seen.”

Lautner inquired if the pursuit of property was premature because she thought the townships were about five years out from building a new fire station. Stein responded they were right on target, timewise. Noonan mentioned that at the prior discussion with the County Administrator, there was talk about leasing the proposed site, but it was determined a fire

station could not be located on leased property. Noonan wrapped the discussion with a commitment to add the topic to the June (2022) Parks and Recreation Regular Session agenda and invited both Stein and Julian to return at that time for further discussion.

Chairman Noonan moved Laurel Voran up the agenda so she would not have to wait to present her Monkey Flower topic (Pgs. 15 and 16 of the packet). Voran provided an update on the current plantings of Monkey Flower at Old Settlers Park as well as the proposed maintenance and nurturing of the new colony established in 2021, and the identification and preparation of additional transplant sites along the shoreline at Old Settlers Park. She also discussed proposed funding for 2022: \$1,440.00 from neighbors and Laurel Voran, LLC; \$1,000.00 from the Glen Lake Association; and \$960.00 from Leelanau County. Voran added that much of the work performed involves managing competing plants. She announced a video that is now available online for a more comprehensive look at Monkey Flower status in the region. [Link to video – <https://naturechange.org/2021/12/15/hope-for-michigans-most-endangered-flower/>]

Motion by Smith to approve continued monetary support of Monkey Flower cultivation at Old Settlers Park in the amount of \$960.00. Seconded by Popa.

Discussion – None.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Approval of Minutes:

Motion by Christensen to approve the Parks and Recreation Commission Regular Session meeting minutes of April 6, 2022. Seconded by Smith.

Discussion – None.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Approval of Financials:

- Transaction History Listing Report April 1-30, 2022
- Revenue and Expense Report Period Ending April 30, 2022

Motion by Godbout to approve the financials as presented. Seconded by Smith.

Discussion – Bradley explained there was a \$10,000.00 charge to the Parks and Recreation budget for a tractor, which will be reversed.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Committee Reports and Recommendations –

Myles Kimmerly Park Committee:

Frerichs reported that the grub shack has not yet been removed. Chairman Noonan said he reminded Tim Newman (Kasson Contracting) about removing the shack and the project is moving up on Tim’s list of things to do. Frerichs suggested getting the concrete slab installed (\$3,000.00 - \$4,000.00) for the kiosk and purchasing the bottle filling station (\$3,500.00) if there was money left in the 2022 budget. Frerichs said he would follow-up on the letter from the people interested in donating funds for a dog park at Myles Kimmerly Park. Smith reported that he and Walter walked the trail at the park and considered modest changes to accommodate wheelchair access.

Barn Use Committee Update:

Chairman Noonan reported that the first meeting of the Barn Use Committee was conducted “last week.” First order of business was discussion about what liability is tied to having public enter the barn and what insurance is needed. The group consensus was to keep things simple and to use the site for public education about the historic value of the barn and poor farms and how they operated and to continue the partnership with Glen Lakes Community Schools with education about gardening and agriculture. Another idea discussed was to use the barn as a museum for antique farm equipment. Lautner mentioned she ran into John Kasben (Maple Valley Nursing Home) and he asked her if the County might consider an extension on his lease of the drainfield property. She thought someone should follow-up with Kasben to advise there is no intention by the County to extend the lease. (The lease expires in April 2023.) Evans said she will talk with the County Administrator about having a formal letter sent to Kasben.

Old Settlers Park Committee:

Motion by Lautner for the Parks and Recreation Commission to approve the request from Glen Lake Community Reformed Church to use the park for a concert on Saturday, July 9, 2022, with same rules that previously applied. Seconded by Christensen.

Discussion – None.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Motion by Lautner for the Parks and Recreation Commission to recommend to the County Board of Commissioners to approve hiring Playground Boss and accept their quote of \$8,410.00 to install the playground equipment at Old Settlers Park and to request the County Board of Commissioners to waive the bid requirement. Seconded by Christensen.

Discussion – Frerichs asked about the purchase price of the playground equipment. Lautner responded that it was approximately \$13,000.00.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Motion by Lautner for the Parks and Recreation Commission to recommend to the County Board of Commissioners to purchase 60 yards engineered wood chips from Deering Tree Service, at a cost not to exceed \$2,160.00, including delivery. Seconded by Christensen.

Discussion – It was not clear if this motion should be a recommendation to the County Board of Commissioners. Bradley said three quotes have been obtained. Evans will check with County Administrator.

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Regarding the annual picnic at Old Settlers Park, Chairman Noonan inquired if portable toilets would be placed at the park for this event. Bradley affirmed. Noonan also inquired if power to the gazebo had been fixed. Bradley responded that it had not been fixed. Noonan said, depending on if the Masons provide the food for the picnic, power may be necessary. Bradley said to just let him know. Lautner will check with Cherryland Electric for a donation of electrical service.

Veronica Valley Park Committee:

Motion by Barrons for the Parks and Recreation Commission to recommend to the Board of Commissioners to support the application for tribal two percent monies as developed by Bill Watson and YouthWorks for invasive species control/removal at Veronica Valley Park. Seconded by Christensen.

Discussion – Frerichs inquired about the dollar amount. Evans directed the group to Page 20 of the packet where the fiscal data is outlined. Barrons responded that the amount is a little less than 50 percent of the total budget of \$50,200.00 (\$22,000.00).

Ayes – 10 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Robbins, Smith, Walter)

No – 0 Absent – 0

Motion Passes.

Barrons said he is still working on getting the signage printed for both Myles Kimmerly and Veronica Valley Parks. Barrons also reported that the Veronica Valley Park Committee will be taking steps to perform an aquatic plant assessment in the ponds at Veronica Valley in preparation for the ponds, or a pond, to be used to test mitigation methods for Eurasia Milfoil by biologist Brian Price of Lake Leelanau Lake Association. Barrons reported that Kids' Fishing Day is June 26, 2022, at 11:00 a.m. and, as the event nears, if necessary, members of the Association's Fishing Committee will assist in raking the ponds for fishing access. Christensen mentioned that as a result of the milfoil discussion, signage will be placed at Veronica Valley Park to make the public aware of cross contamination in the lakes and ponds and how to mitigate it.

Public Comment:

None.

Commissioner Comments:

Frerichs asked that the grub shack be removed and noted that there needs to be a “Plan B” for water at Myles Kimmerly Park. Lautner mentioned that Solon Township is housing the long boats for the rowing club. She also mentioned park cleanup from 10:00 a.m. to 2:00 p.m. on May 14, 2022, at the Cedar Town Hall in Cedar.

Chairperson Comments:

None.

Adjournment:

The meeting adjourned to the call of Chairman Noonan at 4:28 p.m.

Respectfully submitted:

Lori Eubanks, Recording Secretary

Leelanau County Parks and Recreation Commission

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

Tentative 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
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 with the 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 the 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 read from page 66 of Five-Year Plan 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.

Lori D. Eubanks, Recording Secretary