

**BINGHAM TOWNSHIP  
REGULAR BOARD MEETING MINUTES  
FEBRUARY 21, 2022 7 PM  
ZOOM MEETING ID: 835N4616 7569 PASS CODE 49684**

**1. CALL TO ORDER**

Supervisor Midge Werner called the Bingham Township Board Meeting to order on Monday, February 21, 2022, at 7:00 p.m., at the Bingham Township Hall, 7171 S. Center Hwy., a zoom meeting.

**2. ROLL CALL - QUORUM PRESENT**

Present: Midge Werner, Kathy Morio, Sandra Grant, Jeff Layman, Todd Stone

Absent: None

Staff Present: Steve Patmore

Zoom Attendees: Eric Carlson, Dan Rose, Marge Johnson

**3. PLEDGE OF ALLEGIANCE**

**4. AGENDA APPROVAL**

*Sandra Grant/moved, Kathy Morio/supported, to approve the Agenda as amended, adding under Trustee Report - Todd Stone, Watershed Plan, passed.*

**5. CONFLICT OF INTEREST**

None stated.

**6. APPROVAL OF MINUTES - January 17, 2022**

*Kathy Morio/moved, Todd Stone/supported, to accept the January 17, 2022 Minutes as presented, passed.*

**7. PUBLIC COMMENT**

Phil, 5200 S. Elm Valley Rd. - on zoom. No public comment.

**8. OLD BUSINESS**

a. No old business.

**9. NEW BUSINESS**

a. Charter Township Referendum Info - Kathy Morio

Kathy Morio said a packet of information was received from the State of Michigan, Department of State that indicated Bingham Township, Leelanau County, has a population of 2000 or more according to the most recent United States census and is eligible to become a charter township under the provisions of the Charter Township Act 1947 PA 359, as amended, MCL 42.1 (et seq). The Act explains what is required for Bingham Township to be a charter township. MTA has information on charter township law.

Discussion -

- Kathy Morio - Bingham Township is required to post two (2) notices in the newspaper that the township could become a charter township based on the latest census. A charter township would have additional flexibility in an organizational structure, boundary protection against annexation and it enhances the units' tax authority. Most charter townships like Garfield and Elmwood Townships are near cities.
- Todd Stone asked if a Resolution has to be adopted if the township chooses not to incorporate. It doesn't make sense for the township to become a charter township. There would be two more trustees.
- Midge Werner said she would look into whether a resolution has to be adopted.

b. Painting of Township Hall Bid Information - Midge Werner

Midge Werner said three people were going to submit bids to paint the township hall. One bid was received - from Fortified Coatings out of Maple City for \$13,864.00 which included the description of the work that would be done.

Consensus of the Board was to request that Midge Werner obtain more bids for painting the township hall.

c. Planning Commission and Board of Review Appointments

A Memo of 02/17/2022 was received from Steve Patmore recommending that the Board affirms the planning commissioners' terms of office.

***Midge Werner/moved, Sandra Grant/supported, to appoint Planning Commissioners as follows: Motion passed.***

<u>Planning Commissioner</u>	<u>Date of Expiration</u>
Jeff Layman, Twp Bd Rep.	Coincides with Trustee Term of Office
Michael Park	Term Expires: 07/01/2022
Dennis Grant	Term Expires: 07/01/2022
Cathy Jasinski	Term Expires: 07/01/2023
Jim Pawlowicz	Term Expires: 07/01/2023
Charlie Dashner	Term Expires: 07/01/2024
Mary Woods	Term Expires: 07/01/2024

***Midge Werner/moved, Sandra Grant/supported, to appoint Board of Review members as follows: Motion passed.***

<u>Board of Review</u>	<u>Term Expires</u>
Lou Okma	12/31/2023
Scott Emeott	12/31/2023
Virginia Schultz	12/31/2023

d. Proposal to Define Parking Changes at E. Bingham Rd and Boughey Park

A proposal of 02/15/2022 was submitted from the Park Committee as follows:

1. That parking spaces for Boughey Park patrons shall not be increased from the current spaces for 18 vehicles, 3 parking spaces inside Boughey Park and 15 spaces along the south side of E. Bingham Rd. Additional parking spaces would further contribute to the congestion and overcrowding that is being experienced at this small neighborhood park.
2. No perpendicular or angle parking should be planned, promoted or developed by Bingham Township for the south side of E. Bingham Rd, and no live trees should be removed from that area for that purpose.
3. Recommend to the Bingham Township Board that a request be made to the Leelanau County Road Commission to clear brush, dead trees and fallen trees only, from the asphalt on the south side of E. Bingham Rd to the fence line for Boughey Park. No live trees shall be removed.
4. Recommend to the Bingham Township Board that a request be made to the Leelanau County Road Commission to paint parking lines on the asphalt on the south side of E. Bingham Road, alongside Boughey Park, where parking is currently permitted.
5. Recommend to the Bingham Township Board that a handicapped parking space be designated at Boughey Park, and that those spaces comport in size and dimension to state law requirements.

Discussion:

- Midge Werner - #1 - change small neighborhood park to public park.
- Todd Stone - would put down some gravel to allow the parallel parking to keep it off the road, to identify the parking spots in a clear manner. Road Commission may ask the township to submit a drawing of what needs to be done, and ask the Road Commission to provide a cost estimate for doing the project.
- Dan Rose - At the recent Park Committee meetings no gravel would be put down between Bingham Rd. and the fence in the 218 feet that exists where the current parking spots are. Parking should remain on the east side of Bingham Rd at no cost to the township because that it owned and maintained by the Road Commission. There were only going to be three things done, lines marked along the south side of E. Bingham Rd. to mark the 15 spaces that exist. There was to be clearing of the dead and fallen trees that currently exist between the road and the fence and designating a handicapped parking spot which the Committee can do because it is on park property. Concerned about new discussion about gravel. Questions what discussions have been going on with the Road Commission and is their effort to try and increase the parking by creating perpendicular parking on E. Bingham Rd. It was agreed at the park meetings that wouldn't be done. Attending this meeting is to make sure what was discussed is being presented. Is something different being presented is now different than what we discussed at the park meetings. Dan Rose drafted the proposal. There is nothing about gravel and

doing off-road parking because it was agreed it was not something that should be done.

- Todd Stone - When we having discussions, I also thought where the dead stuff would be removed, there might be gravel put down. It is not implying that the direction of the marking would change, it still stays right here as parallel parking all the way. By clearing out the dead stuff and moving the parking over slightly, that's the whole purpose of clearing that out. Why would we have it cleared and let the people just park right on the pavement as is. There is nothing with the Road Commission other than what we are talking about right here.
- Dan Rose - We did not discuss gravel no. 1, and no. 2, the things that need to be cleared are fallen trees that have been taken down and sitting in that area between the pavement and the fence that has been there for years. I am talking about large trees. I can go over and cut it up with a chain saw myself, but that was the clearing and that's why it said no live trees in the proposal that we are recommending to the Board tonight.
- Sandra Grant - are the large trees on Road Commission property or township property.
- Dan Rose - The trees are on Road Commission property, on the easement that's between the end of the pavement on the south side of E. Bingham Rd. and the fence that marks the property line for Boughey Park.
- S. Grant: In order to clear those trees this would to be have discussed with the Road Commission.
- D. Rose: that is true.
- Todd Stone - from the beginning we had discussed that this would cost the township money. Brendan said from the beginning they would do it, but it would be a reduced cost to us. In several e-mails he wrote to the committee, he did mention that the engineers would draw something up, and it would come back to us to be approved for cost to the township board. A cost has always been part of the issue.
- Dan Rose - I don't think so and the reason is, I was present at the discussion with Brendan, and that's when there was a proposal for a turn around and perpendicular parking going into the park, and that's why there was an issue of tree removal that we discussed at the January 10th Park Commission Meeting. The only reason that was going to be a cost at that time was that the Road Commission would do it. If we were going to do that, it would be going into the park itself onto township owned property. With that whole idea being abandoned, the only thing that we are asking the Road Commission to do is to take action with regard to their own property which I might point out they do anyway every year because they go thru and they clear the brush to make sure that power lines aren't going to have trees fall on them. We are simply identifying it to them and asking them to come and basically, clean up their property. I don't think there should be a cost to the township.
- Todd Stone - If the Road Commission will be doing some painting, there will be some cost associated with it. They are doing it at our request.
- Dan Rose - The Road Commission painted the lines on Reynolds Rd in Leland Township. Don't believe Leland Township was charged for that service.
- Sandra Grant - Dan Rose, was that a volunteer or hypothetical statement that you could

remove the trees tomorrow?

- Dan Rose - I have already cleared some of it, the stuff that was smaller, that I could do with my home chainsaw. I can always call the Road Commission to cut up the remainder of it. This is an area that I do a lot of personal taking care of just because if I don't, it ends up on my yard anyway. I rake all the leaves over there. The whole road end I take care of. The Road Commission said they would remove the large trees. There is some other debris that they need to remove at the road end anyway that I have talked with them about. I take care of the road end. I mow it and rake all the leaves for it every year. It has nothing to do with the township park, I was also responding to Road Commission property that is between the fence line and south end of E. Bingham Rd. I have cut up some of the fallen trees as well. You will see the cuts, some of it.
- Kathy Morio - have question about the first paragraph there, talking about Boughey Park and in the last sentence, it says, is being experienced at this "small" neighborhood park/township park.
- Dan Rose - With the discussion that we had on January 10th, there are a number of township residents that were involved in the meeting, wrote to our committee when there was this proposal to do perpendicular parking that would add spots and also do a turn around. Their concern was it was going to change the nature and character of the park. Part of what they talked about was how the park has changed because it's on Google Maps. It's now become over used, so a lot of the township residents were expressing that it be called a neighborhood park, that their use of the park was substantially diminished because basically it has become overcrowded, and that was an effort to avoid adding more parking places because in their opinion the parking is already overburdened.
- Kathy Morio - There seems to be an overcrowding in a lot of areas in Leelanau County. A lot of people have discovered this area.
- Midge Werner - I just want to make it clear that it is not just a neighborhood park, it is a township public park. A neighborhood park is in a subdivision for the use of the neighbors.
- Dan Rose - Issue of semantics, neighborhood means the township. All the parks that we have are in neighborhoods. That was one of the earlier discussions we had. Parks were put in residential areas next to people's homes, in that regard they are neighborhood, not parks separated from residential areas.
- Midge Werner - it is not just an issue of semantics; it might be better to call them township parks because as you change the names of what we are calling them, it can make people misunderstand, actually that they are not the neighborhood's park, it is a township park.
- Dan Rose - I agree with you.
- Midge Werner - we will change that one word to township.

Midge Werner said the Board will take this proposal under advisement and talk to the Road Commission about the three issues of concern. We need to find out if the Township is allowed to spend money if the Road Commission does any work. Will check with MTA regarding this.

## 10. COMMITTEE, STAFF AND OFFICER REPORTS

- a. Parks and Recreation Committee  
Todd Stone said the Committee developed a maintenance schedule and park inspection checklist. The checklist would be used for grant writing. A subcommittee was formed to determine what park usage is about because a lot of people are using the parks, and this information could be used in the five year plan. Talked about having swimming buoys at the beaches. There is a state regulation that indicates the township may be required to have buoys if swimming is allowed. Todd Stone said he will check with MTA on the issue of buoys being required at beaches where swimming is allowed.
- b. Building & Grounds - Kathy Morio  
Kathy Morio, nothing to report, waiting to get the painting bid for township hall.
- c. Cemetery Committee- Midge Werner  
Midge Werner said nothing to report.
- d. Zoning Administrator/STR Administrator - Steve Patmore  
Steve Patmore submitted his January 2022 Report. January and February busy months. Short term rentals - 36 total, out of that 11 are new, and 25 are renewables. Patmore will send a notice to people that haven't renewed. Midge Werner said she is hearing that the limit of ten people in a rental is not happening. Werner asked Patmore if he can go on line and see if the rentals are being advertised. Patmore said he will check the link from Host Compliance. This year will be more proactive in finding short term rentals that don't have a permit.
- e. Planning Commission  
Steve Patmore said at the last meeting, the Planning Commission reviewed data that Rob Carson submitted. Finding there are more residences and more development than there was 20 years ago. There were only 40 responses to the master plan survey that was sent out. Survey reminders will be sent out with the tax assessment change notice. The Board will be sent a link to the survey, and a copy of the master plan survey will be available at the township office. March Planning Commission Meeting - working on master plan. Jeff Layman said he thinks everyone is going to agree this is a great master plan.
- f. Fire Authority  
Documents e-mailed to township board. The Fire Board Meeting is the second Tuesday of the month.
- g. Assessor's Quarterly Report (Jan/Apr/Jul/Oct)  
No Assessor's Report.
- h. Treasurer  
Sandra Grant - A week from today, February 28, 2022, is going to be the last day to pay Property taxes at the township.

i. Trustee

Jeff Layman said he hopes everyone has read the article in the Enterprise about Rich Bahle. People should appreciate what the elected officials do.

Todd Stone said he represents Bingham Township in the Watershed Protection Plan, a joint effort between the Lake Leelanau Lake Association and Leelanau Conservancy. Plan was last done in 2002, being led by Global Environmental Planning Associates, funded by Lake Leelanau Lake Association.

Bingham Township is being asked to participate in this, and in the future to align any ordinances that fit with the Watershed plan. The township will be requested to fill out a stakeholder's survey.

Sandra Grant said she cannot attend the Lake Leelanau Association Meetings due to the time of the meetings during the day.

j. Clerk

Kathy Morio submitted the Vendor Balance and Payroll Report. Payroll Report is \$10,089.59. Vendor Balance - \$6,253.55 - additions - Leelanau Enterprise \$153.20, Netlink Business Systems - \$300.00, and Steve Patmore - \$1,000.00 - STR Admin.

*Sandra Grant/moved, to approve the Vendor Balance in the amount of \$6,253.55. and Payroll of \$10,089.59, Jeff Layman/supported, passed.*

Kathy Morio provided the Board with a list of new township e-mails.

k. Supervisor

Midge Werner report.

- Board of Review - have to take classes every 2 years, should they be paid per diem. Centerville Township has a policy for per diem.
- Attempting to call Yarrow Brown of Affordable Housing Organization to come to a board meeting. Supervisors are asking what do we get in return for contributing money to this organization which is based on population. Centerville Township would pay about \$3,500 a yr.
- Blight Ordinance - only Cleveland and Centerville Townships have an ordinance
- Renovation of township hall - Andy Rink, Architect, is booked up. Need to have drawings finished so can send the project out for bids. Jon Walters, Architect, may be able to assist the township with drawings. Proposed timeframe - start the project Spring of 2022.

11. **PUBLIC COMMENTS AND ANNOUNCEMENTS** - None.

12. **ADJOURNMENT** - The meeting was adjourned at 8:11 p.m.

Minutes by Marge Johnson, Recording Secretary      Kathy Morio, Clerk