Cleveland Township Board

Leelanau County

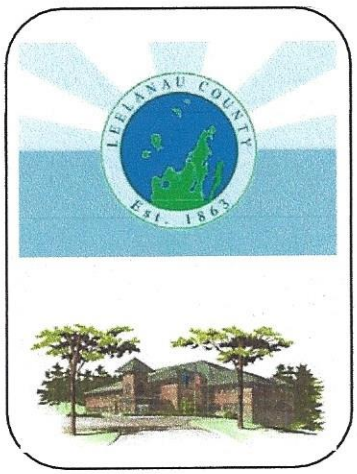
Maple City, MI 49664

Regular Meeting of Tuesday, May 12, 2020

AGENDA

1. Call to Order
2. Roll Call
3. Approval of the April 14, 2020, Regular Meeting Minutes as presented-
4. Consideration of the Agenda
5. Public Comment on the Agenda
6. Reports:
   a. Supervisor
   b. Clerk
   c. Treasurer
   d. Planning Commission
   e. Zoning Administrator
   f. Zoning Board of Appeals
   g. Maintenance
   h. Assessor
   i. Other Members
7. Old Business
   a. Update on Cedar Area Fire and Rescue Department- Rick Royston

8. New Business
   a. Consideration of Approval of Public Act 69 of 2005 Interlocal Agreement with Leelanau County on County Recycling
   b. Consideration of Appointment of Paul Stowe to the Cleveland Township Planning Commission
   c. Consideration of Appointment of Trisha Denton to the Cleveland Township Zoning Board of Appeals
   d. Payment of Bills
   e. Correspondence
9. Open Forum- Public Comment
10. Adjournment



Leelanau County Government Center

Planning and Community Development

County website: ***www.leelanau.cc***

8527 E. Government Center Dr.
Suite 108
Suttons Bay MI 49682
Phone: (231) 256-9812
planning@co.leelanau.mi.us

Trudy J. Galla, AICP
Planning Director

Gail Myer
Senior Planner

Molly Steck
Secretary

Diane Kiessel
Housing Manager

To: Cleveland Township Board

From: Trudy Galla, AICP, Planning Director

Date: April 3, 2020

Subject: P.A. 69 of 2005 (recycling funding)

This correspondence is in regard to the recycling program and funding under P.A. 69 of 2005. Attached is an Interlocal Agreement which allows a ballot question to be placed before the voters in November of 2020 on funding programs using P.A. 69. Collection of the current fee will expire at the end of this year.

The attached Agreement has been reviewed by Corporate Counsel and the Leelanau County Solid Waste Council (SWC) and approved by the County Board. The ballot language has been approved for up to $35/year per housing unit. This Interlocal Agreement allows the public to vote on the fee in November.

The County Board passed a Resolution authorizing the election and designating me as the individual to negotiate the Interlocal Agreement with the municipalities and townships within the county. The Agreements need to be completed by July 31, 2020.

Given the current situation, I am not sure when you will be holding a meeting where this can be placed on the agenda for consideration. Prior to setting this on your board agenda, I wanted to send it out for your review. The Agreement is being sent to all townships and villages.

If you have any questions, please feel free to contact me at 231-256-9812 or tgalla@co.leelanau.mi.us I look forward to hearing from you when this item could be considered by your Board.

On behalf of the SWC, we are looking to gain your approval of the Interlocal Agreement so we can move forward and place this question on the November ballot. Thank you.

LEELANAU COUNTY INTERLOCAL AGREEMENT

THIS Agreement, made and entered into by and between the COUNTY OF LEELANAU, a municipal corporation and political subdivision of the State of Michigan (hereinafter referred to as the "County"), and _____ (hereinafter referred to as the "Village/Township" or "participating unit of government"), is entered into by the parties pursuant to Public Act 69 of 2005.

RECITATIONS:

Leelanau County, as required by Act 641, P.A. 1978, as amended, has adopted a Solid Waste Management Plan. As required by the Michigan Department of Environmental Quality, a major component of the Solid Waste Management Plan is the County's Recycling Program, which encompasses waste reduction and collection of consumer source separated services and related educational programs.

The Village/Township, by resolution, adopted the Leelanau County Solid Waste Management Plan as its guideline for addressing the solid waste management issues of the Township.

Public Act 69 of 2005 allows, by resolution of the County Board of Commissioners, an election to charge an amount greater than $25.00 per year per household, but not more than $4.00 per month or $50.00 per year per household, for waste reduction programs and for the collection of consumer source separated materials for recycling or composting including, but not limited to, recyclable materials, as defined in part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries and yard clippings.

Leelanau County, along with the townships and villages, is responsible for funding such programs as recycling, electronics recycling, composting and household hazardous waste collection programs, and other such services in Leelanau County.

The Leelanau County Board of Commissioners has passed a Resolution authorizing the election as outlined in PA 69 of 2005, and imposition of the Act 69 funding mechanism is consistent with the Leelanau County Solid Waste Management Plan.

The Public Act 69 of 2005 charge shall be assessed to all housing units in the county and property owners and said charge will be placed on the Village/Township winter ad valorem property tax bills. The local Treasurer shall collect the surcharge at the time the winter ad valorem property taxes are collected.

It is expressly understood and agreed by the County and the Village/Township that this Agreement shall terminate after the **10th** year of collection of the Act 69 funding.

STATEMENT OF AGREEMENT:

Based on the above-stated facts, the Village/Township hereby agrees to participate in the Interlocal Agreement and authorize an election in the Village/Township. The date of the election shall be November 3, 2020 and the amount of the proposed surcharge shall be up to $35.00 per housing unit, and will be collected for ten (10) years (2021-2030) on the winter ad valorem tax bills. The Leelanau County Planning Director is designated as the individual to negotiate the Interlocal Agreement with the municipalities and townships within the county and each municipality within the County will have until July 31, 2020 to approve an Interlocal Agreement with the county. **Commercial businesses will not be subject to the proposed surcharge.**

All funds so collected under PA 69 of 2005 shall be administered by Leelanau County in accordance with the Leelanau County Solid Waste Management Plan.

Nothing stated in this Agreement precludes the Village/Township from providing its own curbside recycling program in compliance with the Leelanau County Solid Waste Management Plan.

The persons signing this Agreement certify by their signatures that they are duly authorized to sign this Agreement on behalf of said parties and that this Agreement has been authorized by said parties.

IN WITNESS WHEREOF, the authorized representatives of the parties hereto have fully executed this instrument.

WITNESSED BY: **COUNTY OF LEELANAU**

_____ _____

Date **Chairperson, County Board of Commissioners**

WITNESSED BY: _____(_____ **Township)**

_____

Date

N:\Client\Leelanau\Commissioner\Millage\Recycling Millage\Interlocal Agreement 2020.docx

Regular Meeting of the Township Board
Tuesday, April 14, 2020
Via Zoom Video Conference

Supervisor Stein called the meeting to order at 7:00 pm. Present on roll call were Todd Nowak, Tim Stein, Jan Nowak and Angie Diotte. Bill Olsen absent. Present from the public were Eric Carlson, Chief Comeaux and Rick Royston.

Motion by Todd Nowak and seconded Angie Diotte to approve March 11, 2020 regular meeting minutes. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion carried.

Public Comment on Agenda.

Supervisor's Report - Tim stated that on April 3 the Township reached a mediated agreement with Bo White.

Tim has been invited to be part of the Sugar Loaf Townhouse annual meeting which will be held virtually. Chet Janek and Patricia Soutas-Little will also be present. A Brownfield application has been received by Leelanau County and is on the agenda for April but due COVID protocol it may not be heard until June.

Clerk Report – None.

Treasurer's Report –

Revenue	$ 92,883.47
Disbursements	$ 76,405.93
Bank Balance	$433,063.06

Motion by Tim Stein seconded by Jan Nowak to accept Treasurer's report as presented. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion carried.

Planning Commission Report – Todd stated April Planning Commission meeting was canceled due to COVID 19.

Zoning Administrator's Report – Jan read Nello's report: Nello received three land use permit applications, two were incomplete. Guided out of town builder on how to use the Township website. Talked with Tim Cypher about his role and duties and when projects

DRAFT

should be handed off to him. Took possession of computer and documents from Bruce Buchan. He had a lengthy phone conversation with attorney Peter Miller asking about sitting a vodka distillery with potential tasting room on parcel in Bohemian Valley. Nello told him it was not an allowed use in the Agricultural District but may be appropriate in other Districts.

Zoning Board of Appeals Report – None

Maintenance Report – Due to the COVID 19 protocol. Tim states that he has not asked to have the dock installed or the porta potty placed.

Assessor Report – None

Other members – None

Old Business –

Review/Update Cedar Area Fire and Rescue – Chief Comeaux discussed how the Leelanau County Emergency Service Departments have come together and developed a regionalized response plan for the county. Cedar Fire and Rescue offered their back up ambulance to be staffed as a response unit. Had five calls yesterday for potential COVID 19 cases. They are working to reduce the amount of viral load to the crews.

Rick states that currently Glen Lake has absorbed the lion's share of the expense.

Tim applauded what the departments are doing.

Tim stated that a couple board members terms are expiring and we need to have a motion to reappoint each member.

Motion by Jan Nowak to reappoint John DePuy as the member-at-large for the fire board, second by Angie Diotte. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion passed.

Motion by Todd Nowak to reappoint Rick Royston to the fire board second by Angie Diotte. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion passed.

DRAFT

Update on CR669 Culvert Project - Tim stated that the project has gone out for bids but has no confirmation about who as the job. Not sure when we will know due to the protocols in place. Justin Kelenske said the job should start in late June and should be completed in July.

New Business –

Motion by Angie Diotte for payment of the bills and seconded by Todd Nowak. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion carried.

Correspondence – None

Public forum – public comment was held

Motion by Todd Nowak and seconded by Tim Stein to adjourn meeting 7:26 pm. Ayes: 4, Nays: 0, Absent: Bill Olsen. Motion carried.

Jan Nowak, Clerk
Approved by Tim Stein, Supervisor

DRAFT

TREASURER'S REPORT
ENDING APRIL 30, 2020

Beginning Balance		**$433,063.06**
Disbursements	**$**	**(5,595.40)**
Revenue	**$**	**263.10**
Balance**		**$427,730.76**

CLEVELAND TOWNSHIP ZONING ADMINISTRATOR'S

MONTHLY REPORT

DATE: May 5, 2020

LAND USE PERMITS ISSUED, DENIED OR PENDING:

Issued a land use permit to Brian and Julie Krombeen, 3900 S Townline Rd, Parcel Number: 003-470-064-65: new garage.

Pending land use permits;

Brent and Ashley Petroskey, 6658 S. Lime Lk Rd, Parcel Number: 003-026-031-12: new home with attached garage.

Luke Marker, 1422 E Traverse Lk Rd, Parcel Number: 003-012-015-15: new home with attached garage.

Gary Flohr, 3562 S Shady Ln, Parcel Number: 003-430-003-00, new attached deck.

COMPLAINTS: none

CORRESPONDENCE: Received inquiries about: fences, camping on undeveloped parcels and variances.

REIMBURSEMENTS: none

REMARKS: Introduced myself to the: Building Department, Road Commission, Health Department and Soil Conservation District. Gave all departments my contact information for their respective directories and asked to have Bruce Buchan's contact information removed.

Estimated value of approved projects for the reporting month: $43,000.00. At the same time last year: $1,830,000.

Nello Valentine III, Cleveland Township Zoning Administrator

CLEVELAND TOWNSHIP
Current Disbursements and Revenue
MAY 12, 2020

Disbursements to be Approved for Payment

Date	Check #	Name	Description	Amount
5/1/2020		United States Treasury	941	45.18
	12238	Tim Stein	Supervisor	802.44
	12239	Jan Nowak	Clerk	1,149.74
	12240	Angie Diotte	Treasurer	1,206.73
	12241	Nello Valentine III	Zoning Administrator	795.40
	12242	Julie Krombeen	Assessor	1,060.00
	12243	CenturyLink	Hall	234.77
			TOTAL	**5,294.26**
5/12/2020	12244	Roberta Tarker	Return hall rent due to COVID 19	150.00
	12245	Harbour Ridge Condo Association	Return hall rent due to COVID 19	50.00
	12246	Judy Schaub	Hall	100.00
	12247	Figura Law Office	Board	705.00
	12248	Angie Diotte	Postage	55.00
	12249	Leelanau Enterprise	Election	53.70
	12250	American Waste	Park	40.00
	12251	Consumers Energy	Cemetery $25.36/Hall $66.11	91.47
	12252	BS&A Software	Assessing $591/Tax $517	1,108.00
	12253	Roberta Tarker	Election	274.27
	12254	Todd Nowak	Trustee	104.17
	12255	William Olsen	Trustee	108.71
	12256	Jan Nowak	Election	178.02
	12257	Renee Hobbins	Election	112.50
	12258	Jan Nowak	Mileage	77.05
	12259	PERT	Pension	487.50
			TOTAL	**3,695.39**
			TOTAL DISBURSEMENTS	**8,989.65**

Revenue Date	Receipt #	Name	Description	Amount
4/24/2020	3550	Luke Marker	LUP	100.00
	3551	Troy Petroskey	LUP	100.00
4/30/2020		Chase	Interest	63.10
			TOTAL	**263.10**