

LELAND TOWNSHIP BOARD MEETING

Monday, May 8, 2023 – 7:00 p.m.

Leland Township Library, Munnecke Room

203 E. Cedar Street, Leland, MI 49654

MINUTES

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

GUESTS: 22

CALL TO ORDER: Ms. Och called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

APPROVAL OF AGENDA: A request came in for an addition to the agenda to consider approval of a fire on the beach to celebrate graduation. Three Board members were opposed to allowing a fire on the beach, as it is against park rules, so the request was denied.

A presentation from Brendan Mullane, County Road Commission, was added to the Reports section of the agenda. There was a request to add discussion and approval of Ken Hagstrom's job description. It was decided to put this on a special meeting agenda.

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

DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None

APPROVAL OF MINUTES

- **April 10, 2023 (Regular Meeting)**

ACTION: Mr. Mitchell moved to approve the minutes of April 10, 2023; supported by Ms. Garthe. Motion carried.

- **April 24, 2023 (Special Meeting, Open Session)** Ms. Och noted two corrections.

ACTION: Ms. Brookfield moved to approve the minutes of April 24, 2023 as presented and amended; supported by Mr. Mitchell. Motion carried.

- **April 24, 2023 (Special Meeting, Closed Session)**

ACTION: Ms. Brookfield moved to approve the minutes of the closed session of April 24, 2023; supported by Ms. Garthe. Motion carried.

PUBLIC COMMENT

Lawrence Bunchek – A year ago, Mr. Bunchek asked for repair of Oxford Street. He was told that there was no funds for road repair. There are unallocated funds on reserve in the budget, yet no funds have been allocated for road repair. Leland is ignoring their responsibility. He is asking that unallocated reserve funds be defined as to its purpose.

Carolyn Telgard – Her comment is about the road end on Pine street . Gary Coyle has sent a letter about this. Mr. Coyle clearcut the road end. He said he had a permit. He didn't consult the neighbors. Ms. Telgard noted the inaccuracies of the letter. There was no Road Commission permission.

Rich Rossman – He had the impression from the annual meeting that there was a plan and some money for the repair of roads.

Elizabeth Hill – She is the head of Waterford Hills. She wants to know when they will find out about the plan for the roads.

Steve Mikowski – He asked the Board if there was anything needed to comply with the new election rules. He would like an update on the status of the Township Office plan. He is concerned about short-term rentals – a former trustee had advocated for registration of short term rentals but that idea hasn't taken hold. He is also concerned about the issuing of REU's which may cause an overuse of the sewer system.

Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. This is the 320th month this request has been made from 1996. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance. This request has been made since 1983 at Planning and Township meetings.

REPORTS FROM BOARDS AND COMMISSIONS – Reports are online and on file at the Leland Township Office.

Road Commission Report, Brendan Mullane

He did a slide presentation and had a handout for Board members. The presentation described staff, gave statistics for road plowing, discussed other work the Commission does besides plowing, and described the fleet and the facilities. The Commission has just under 8.7 million as revenue. The Road Commission is doing better than most counties of the state that have a similar condition of roads. Electric cars do effect the Michigan transportation because they do not pay fuel taxes. Mr. Mullane explained “wedging” which is a procedure they use for roads that are falling apart at the edges. The expenses for 2022 was 9.2 million. Mr. Mullane briefly discussed their 2023 budget.

Mr. Mullane answered several questions from the Board and the audience.

Fire & Rescue, Chief Dan Besson

There were 35 calls which is the highest April count. He spoke of training on new equipment and other trainings. There were several grass fires in Cedar and Empire. Kate Hall was hired to a full-time position.

Planning/Zoning, Tim Cypher

Mr. Cypher was absent but his report was submitted. Mr. Mitchell spoke on the Planning Commission meeting. They are early in the process on lot coverage, a character amendment to the zoning amendment.

Harbor, Jeremy Anderson

The dredging is completed. Mr. Anderson explained the details of the dredging work. They are getting the deck prepped and ready to go. They are still planning on seal coating the parking lot. It will take 3 days. The bathrooms are open. The cleaning has been great. The parking meter project is not a speedy process; it is moving along slowly.

Sewer, Steve Patmore

Lagoon levels and flows are good. They have acquired a large tank and will by buying the hydrogen sulfide in bulk which is much less expensive. The Thompson Street guiderail project will begin next week. They bought 7 used aerators saving quite a bit from buying new ones. There were a lot of site visits. Next week they will be working on sewer rates. It is anticipated that there will be about a 9% increase. Currently they don't meter individual houses. There is concern about the sewer use of short-term rentals. However, STR's are vacant most of the year, evening out their yearly average.

Parks & Rec, Mariann Kirch

She reported on the May 2 Parks & Rec meeting. They are moving forward on the Sparks grant. Tim Parvin attended the meeting and asked about opening Oak Street road end as a dock for kayaks. There is a sewer pipe that goes through there which may negate that idea. They are organizing a Spring work party. Please contact Karen Kirt if you would like to donate your time for this much needed activity. Ms. Kirch's term on the Parks & Rec Committee has ended.

County Commission, Kama Ross

The County is still exploring the request of the Family courts for a juvenile detention center. The County would cover 17% of cost. The County has hired a new finance director. Ms. Ross is a member of the Leland Dam Authority. Court order levels are being respected. Sparks grants are not so much tied to income level. Kids Fishing Day is coming up. The Solid Waste Council reported that dates in May for disposing hazardous waste may be full. There is a workshop on County composting on May 22.

Assessor – no report

TREASURER'S REPORT

Ms. Garthe reported on income and expenses for the last month. It was a partial billing month. The Township took in \$49,000 in sewer payments. \$6,000 came in as a connection fee. \$50,000 is kept in reserve each year. Capital Improvement spent close to \$500,000, some of which went to sidewalks. For grants, we have to spend the money and then get reimbursed.

ACTION: Mr. Mitchell moved to approve the Treasurer's Report as presented; supported by Ms. Brookfield. Motion carried.

SUPERVISOR'S REPORT

A written report was submitted to the Board prior to the meeting. It is on file at the Leland Township Office. For the sake of time, the report was not discussed. The Facilities Committee is waiting to hear back from the offer that was put in on a parcel for the Township Office.

ACTION ITEMS

1. Request for assistance from Lyn & Skip Telgard to appeal LCRC decision denying driveway access from Pine Street road ending.

The road end in question is an unimproved plat. There are steps to follow to do what they want to be done. The Road Commission denied their request. Mr. Mullane explained the denial. If the Township wanted to improve the road end, then they might be able to run their driveway off the road end. The road end would have to be built to state and national standards, 18 feet wide and paved. Whoever pays for the improvement, the funds have to come through the Township. The Township has to approve the increase of Township roads. There was a detailed discussion with the Telgards, the Board, and Mr. Mullane. Ms. Brookfield mentioned that adding more road means that the Board would have to maintain it. Then other road ends could do the same. It is felt that the changes would diminish the public access to the water. Mrs. Telgard provided an argument that the driveway they are proposing would not inhibit public access use. The Telgards cited similar road end situations.

Ms. Och stated that this is a Road Commission issue unless the Township wants to open up Pine Street as part of the Township road system.

Mr. Mitchell was opposed to the improvement and anticipated that the Lake Association would have an opinion about it as well.

Ms. Brookfield stated that road ends are precious to the public and often problematic. The Township could not commit to this right now. There was no motion made for the request.

2. Leelanau Cultural Center requests Cedar Street closure for Artist Market, July 7 & 8, 2023. Additional request for use of road ending behind OAB.

Dan Lisuk provided a site map of the Artist Market. The street would be closed for 24 ½ hours. Space will be left down the center for emergency vehicles. The plan is the same as what has been done in the past.

ACTION: Mr. Mitchell moved to approve the Leelanau Cultural Center's request for the closure of Cedar Street for the Artist Market on July 7 & 8, 2023; supported by Ms. Brookfield. Motion carried.

The tent would not require a permit. The tent would be up the month of July. They will need to fill out a land use form.

ACTION: Ms. Brookfield moved to approve the Leelanau Cultural Center's request for the use of the road ending behind OAB for a pop-up tent for the Artist Market on July 7 & 8, 2023; supported by Ms. Kirch. Motion carried.

3. Designate Zoning Administrator, as point of contact to the Planner. PC Chairperson, as back up POC.

This was written into the Planner contract.

ACTION: Ms. Brookfield moved to designate the Zoning Administrator, as point of contact to the Planner and the PC Chairperson, as the back-up point of contact to the Planner; supported by Mr. Mitchell. Motion carried.

4. Designate Board rep to Parks & Rec committee.

Ms. Kirch's term has ended and Ms. Och is willing to be the Parks & Rec Board rep.

ACTION: Ms. Brookfield moved to designate Susan Och as the Board Representative to the Parks and Rec committee; supported by Ms. Garthe. Motion carried.

5. Reappoint Lisa Brookfield to the Harbor Committee as Board Rep, term expired March 2025.

6. **ACTION:** M Garthe moved to reappoint Lisa Brookfield to the Harbor Committee as Board Rep; supported by Mr. Mitchell. Motion carried.

7. Reappoint Geno Miller to the Harbor Committee for 3-year term ending March 2026.

ACTION: Ms. Garthe moved to reappoint Geno Miller to the Harbor Committee for a 3-year term ending March 2026; supported by Mr. Mitchell. Motion carried.

8. Approve purchase of dock for Suelzer Park \$3830.84.

Mr. Mitchell got 2 estimates. The one from Twin Bay docks was the better estimate. The depth of the water will determine the dock configuration - T, L, or straight out. Having an absent of cleats would deter dock usage by boaters.

ACTION: Ms. Garthe moved to approve the purchase of a dock for Suelzer Park for \$4,336.00; supported by Ms. Brookfield. Motion carried.

9. Leelanau County Youth League request to use Hancock and Drow Fields for summer sports league.

Mr. Mitchell asked about teams knowing about the raking after practices and games. Ms. Brookfield will tell them.

ACTION: Ms. Brookfield moved to approve Leelanau County Youth League's request to use Hancock and Drow Fields for summer sports league; supported by Ms. Garthe. Motion carried.

10. MERS contribution amendment for the DC plan, reflecting the CBA rates of 8% Township contribution and Employee mandatory contribution of 5%.

An amendment is made every time we update the contributions. It is in the contract.

11. **ACTION:** Ms. Brookfield moved to amend the MERS contract for the DC plan; supported by Ms. Garthe. Motion carried.

VOICE ROLL CALL: (not necessarily called in this order)

Supervisor Susan Och: Yes

Clerk Lisa Brookfield: Yes

Treasurer Shirley Garthe: Yes

Trustee Clint Mitchell: Yes

Trustee Mariann Kirch: Yes Motion carried. 5 in favor, 0 opposed

OTHER/OLD BUSINESS none

BILLS AND ACCOUNTS

The bills and accounts lists were distributed to Board members. There was nothing unusual for the month. There were usual monthly expenses except for the dredging.

ACTION: Ms. Brookfield moved for payment of bills from April 11, 2023 to May 8, 2023; supported by Ms. Garthe. Motion carried.

CORRESPONDENCE- Tobin and Co. to approve in June.

BOARD COMMENT

Susan Och – Ken Hagstrom is now in Physical Therapy. The bone is completely healed.

Mariann Kirch – She volunteered to do mowing and weed wacking in June.

Susan Och – There have been lots of conversations about road conditions. Roads are not getting done unless the Township is participating. She wants to do a special meeting to work this out. Ms. Och would like to participate in the Paser rating.

Mariann Kirch – She is concerned about the water usage at the Harbor. The faucets in the bathrooms are running over a minute long. Jeremy will check on resetting the running time. Mr. Patmore agreed that overly long running time may overload the system. We should change out these faucets. Perhaps we should look at the airport bathrooms and see how long those faucets run. Jeremy asked for bleach water. Kirch bought some bleach at Costco.

PUBLIC COMMENT

Steve Mikowski – Mr. Mikowski stated that within 5 years of the installation of the sewer system people were experiencing drain fields getting plugged. He also spoke of REU's in terms of the capacity of the sewer system. We need to be diligent to not overuse the limit specified by the DEQ. Mr. Mikowski asked for a REU report from sewer commission. REU's are reserved for remaining properties. The remaining properties would bring us to capacity.

ADJOURNMENT

ACTION: Ms. Garthe moved to adjourn the meeting at 9:49 p.m.; supported by Mr. Mitchell Motion carried.

The next meeting is June 12, 2023

Respectfully Submitted,

Cindy Kacin, Recording Secretary

Date Approved: _____

Susan Och, Leland Township Supervisor

Lisa Brookfield, Township Clerk