

LELAND TOWNSHIP BOARD MEETING

Monday, July 10, 2023 – 7:00 p.m.

Leland Township Library, Munnecke Room

203 E. Cedar Street, Leland, MI 49654

MINUTES - Amended

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

GUESTS: 32

CALL TO ORDER: Ms. Och called the meeting to order at 7:01 p.m. with the Pledge of Allegiance.

APPROVAL OF AGENDA: Several changes were suggested for the agenda:

- Mr. Mitchell asked to add “Special Assessment District” policy as Action Item #9.
- “Parks and Rec recommendation” should be removed from Action Item #2.
- The learning package was approved in December; remove Action Item #5.
- Ms. Brookfield and Ms. Kirch requested that Action Item #7 be struck from the agenda because there was not enough time for Board members to become familiar with the topic.
- Action item #7 moved to Old Business.

ACTION: Mr. Mitchell moved to approve the agenda as presented and amended; supported by Ms. Brookfield. Motion carried. (5,0)

DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None

APPROVAL OF PRIOR MINUTES

June 12, 2023 (Regular Meeting):

ACTION: Mr. Mitchell moved to approve the minutes of June 12, 2023; supported by Ms. Garthe. Motion carried. (5,0)

PUBLIC COMMENT

Brian Bishop – He is opposed to improving the road access on Oak Street. He does not want to encourage more kayak and paddleboard use from that location. He feels putting a dock there would be dangerous.

Tim Parvin – He stated that road ends were platted so residents could have access. He has talked to Brendan Mullane from the Road Commission. He told Mr. Harlan that if they cleaned up the area, the Road Commission would pick up the debris. He requested that the Board approve the wood chips. (Item #2)

Shep Burr – He is opposed to the proposed improvement at the Oak Street road end. He read aloud his prepared statement.

Frank Migda = He is ~~opposed to~~ in favor of the proposed improvement of the Oak Street road end.

Shelley Holland - She is opposed to the improvement of the Oak Street road end. It would cause too much traffic. She read a letter she had sent to the Township that stated her reasons for opposing the improvement.

Kristen Becker – She is opposed to improving the Oak Street road end. She believes that it would be a safety concern.

Jim Ristine – He stated that previous work disturbed the shoreline at the Oak Street road end. Rocks were put in and boats hit the rocks. It is unsafe for public activity.

Steve Mikowski - Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. This is the 322th month this request has been made. He also asked the Board of Appeals to correct a longstanding error denying a 17 ½ inch side yard setback variance. This request has been made for many years to the Board of Appeals. He said that improvement to the road end should consider safety first.

Heidi Weckwert – She stated that zoning changes can have unintended consequences. She thanked Clint Mitchell for his work on this in the Planning Commission.

Tony Borden – He stated that Oak Street is not a park and it should not be a Parks & Rec concern. The recommendation for improvement of Oak Street road end failed. It was procedurally improper.

Mr. Borden stated that Supervisor Och has been sending emails to Trustee Kirch that can be considered harassment. He warned that it is severe enough that it could go to litigation.

Additional public comment that was written to the Board will be included with the minutes and is on file.

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

Fire & Rescue, Chief Dan Besson

Chief Besson cited calls, incidents, etc. that are statistically outlined in his report. He stated that they have been working on a better payroll system.

Planning/Zoning, Tim Cypher

The Planning Commission meeting was on July 6. Some changes were made to the residential lot coverage amendment. The reduction on lot coverage was not changed. They finished the review of the master plan. Hopefully, a text draft will be available for the September meeting.

Mr. Cypher reported on his activity for the month which is detailed in his report. \$900.00 came in as fee income.

Harbor, Jeremy Anderson

Jeremy Anderson was absent. The Harbor is very busy. The parking system was put in practice. Trustees noted that this was not approved by the Board.

Sewer, Steve Patmore

Flows and lagoon levels are normal. Aerators are running well. The addition of calcium nitrate is working on the hydrogen sulfide problem. However, using calcium nitrate creates a greater need for more calcium nitrate. The Commission is exploring other methods for odor control.

Parks & Rec

Ms. Och reported that two Sparks grants were completed and sent in on time. They will find out in September if the grants are approved. The research that was done can be used again for applying for other grants.

Ken Hagstrom is still recovering from injury. There is a new dock at Suelzer park. The dock at Nedows Bay was hit by a boat. There was also a boat that was often tied up to the dock that has chewed it up. This boat has been seen at other launch sites and is often left unattended. The next meet is August 9, 2023. They need to update the 5-year P&R plan.

County Commission, Kama Ross

The County is reviewing a draft of a capital improvement plan. The Solid Waste Council is writing a new plan. Budget work will start on August 7. Ms. Ross encourage people to attend County meetings and comment. Broadbrand work is being done. Allison Hubley is working on a tree planting project. The largest mat yet is being laid in Lake Leelanau to help rid the lake of Eurasian Milfoil. September 25 and October 14 are the last das for recycling of hazardous waste.

TREASURER'S REPORT

Ms. Garthe reported on income and expenses for the last month. It was not a sewer billing month. Tax bills were sent out. She has been busy receiving income from the Harbor.

ACTION: Mr. Mitchell moved to approve the Treasurer's report as presented; supported by M. Brookfield. Motion carried. (5,0)

SUPERVISOR'S REPORT

A written report was submitted to the Board prior to the meeting. It is on file at the Leland Township Office. Ms. Och reported on what has been completed for the purchase of the property at 489 Main. The floor plan is being developed. USDA financing was explained in the report. There was one inquiry about the lifeguard position. Sunset Shores is getting permission from surrounding homeowners to get the sewer line placed under the road. The Library has started on getting support for the rebuilding of the sea wall. There are no long-term rental properties in this county.

ACTION ITEMS

1. Update from Cal Little regarding roadside sign for new Township Office building.
Cal Little was tasked with the design for the sign on the building. He asked the Board to decide how they wanted the building to be described: offices, community center, etc. Mr. Little recommended Image 360 for making the sign. He showed a sample of the material that would be used. The sign will be between 400-500 lbs. The sign is deeply etched and can be painted. He showed a mock up of a sample sign. He asked the Township if they have a logo or if they would like to develop one. The sign would cost about \$9,000. Ms. Kirch asked if this sign met the requirements of the sign ordinance.
2. Oak Street Public Access, P&R recommendation for installation of wood chips
Discussion: Tim Parvin discussed his research. He would like the Board to approve asking the Road Commission to provide wood chips delivered to the site. A work party would make a pathway to the river. The Sewer Commission would need access to the sewer line that goes under river and there are two manholes in the road end as well. There is also a gas line crossing the river. The sewer line is at least 8 feet below grade. Ms. Kirch would like time to verify the petition signatures. Mr. Mitchell commented that if the Board approves this improvement with the wood chips, they create an obligation to maintain it. Mr. Patmore doesn't have a sewer issue with the plan.
No action was taken.
3. Request from Lake Leelanau Lake Association to install boat wash station at Suelzer Park.
Doug Van Dyke and Nancy Popa
The LLLA would like to relocate the boat cleaning station previously at the Bingham Launch to a location on the North Lake. An upgraded cleaning station is now in use at the Bingham Launch. Ms. Popa has created a memorandum of understanding with the Board for the placement of the old cleaning station to be placed at Suelzer Park. The Board has concerns about the location of the station next to the picnic area. There is a need for sunlight for the solar collectors on the station, and the proposed location is sunny and optimal for how boats and trailers move in the area. The Board would like boaters to use this equipment and appreciate the work of LLLA to protect the lake. There would be no expenses to the Township. There is liability insurance for the LLLA and the Band has damage insurance.
ACTION: Mr. Mitchell moved to approve boat wash station at Suelzer Park in the proposed location, and all costs to be paid by LLLA including and not limited to: installation, operation, and maintenance, and Leland Township to be additionally insured for 1 million, and the LLLA will provide documentation to the Clerk; supported by Ms. Kirch. Motion carried. (5,0)

~~4. MTA Approval of Learning Package (Dues approved at 6-1-23 meeting)~~

5. ~~Bonding Resolution for 489 W. Main Street, Lake Leelanau, MI 49653~~

6. Approval moving company up to \$5000

ACTION: Ms. Brookfield moved to hire a moving company not to exceed \$5,000; supported by Ms. Garthe. Motion carried. (5,0)

7. ~~Road Maintenance Policy~~ (moved to Old Business)

8. Reappointment of Dan Korson to the Leland Township Planning Commission (Term: 6/1/23 to 12/31/23).

ACTION: Ms. Brookfield moved to reappoint Dan Korson to the Leland Township Planning Commission, term 6/1/23 to 12/31/23; supported by Ms. Garthe. Motion carried. (5,0)

9. Special Assessment District Policy

A document was prepared by Mr. Mitchell and handed out to the Board. Mr. Mitchell read aloud the document to the audience. Definitions of a SAD and cost responsibilities were explained. There was discussion about the needed repair of North Street.

ACTION: Ms. Brookfield moved to adopt the Leland Township Road Improvement Special Assessment District policy; supported by Ms. Kirch. Motion carried. (5,0)

OTHER/OLD BUSINESS

1. Road maintenance policy

The Road Commission is working on the policy. Craig is working on the road condition report from 2021. He will be presenting it to the Board.

ACTION: Mr. Mitchell moved to table the motion to approve Leland Township Road Improvement and Maintenance policy; supported by Ms. Kirch. Motion carried. (5,0)

2. USDA Loan Update

Ms. Och shared some current information. This would be a bond. If 20% of the voters wanted to take it to a vote, we would have to. The USDA buys the bond. Ms. Kirch asked for a breakdown of the interest cost. Financial analysis is an additional cost. That could be rolled into the loan as well as the down payment. Mr. Mitchell asked how are we reimbursed for costs we haven't incurred. There was discussion about using the term refinancing when it isn't refinancing. Ms. Och will arrange a zoom meeting to get answers to the questions. Ms. Brookfield felt that this topic should be discussed in a workshop.

BILLS AND ACCOUNTS

The bills and accounts lists were distributed to Board members. There was nothing unusual for the month. No questions were presented.

ACTION: Ms. Garthe moved for payment of bills from June 13, 2023 to July 10, 2023; supported by Mr. Mitchell. Motion carried. (5,0)

CORRESPONDENCE – None

BOARD COMMENT

Susan Och – She addressed the accusation from Tony Borden about bullying Ms. Kirch. Ms. Och explained the discrepancies she found with Ms. Kirch’s residence and what she did to explore that. The situation was discussed by the Board. Ms. Och read aloud the email in question that was sent to Ms. Kirch concerning her residency. The text of that email is below:

“Mariann,

It was a year ago that I sent you this question about your residency. Although you informed me that you had re-established your Michigan residency and your truck got Michigan plates to replace the ones from Arizona, you never actually informed me of your Leland Township address.

As part of my research at that time, I looked you up on WhitePages.com. Last week, I got an email from that site informing me that you have established residency at 1268 Brittany Hls E Newark, OH 43055. I understand that there are lots of mistakes online, but if I can find this in a simple search, so could any of our constituents.

As I stated a year ago, a person cannot be a resident of two places. If you are not a resident of Leland Township, you are not eligible to serve on the Town Board and should submit a letter of resignation. If you do have a residence in Leland Township, please inform me immediately of that address and explain your connection to the property in Newark, Ohio.

The people of Leland Township deserve to be represented and served by town board members who live here and are committed to our community. Please answer the question of your residency clearly and promptly.

Susan Och”

Ms. Och feels she was doing due diligence.

Ms. Kirch felt she had satisfied the question about residency and the further actions taken by Ms. Och were harassment.

There were complaints about the Reynolds Street public access that Ms. Och handled on her own. Ms. Brookfield expressed her concern that the Supervisor addressed complaints without input from the Board. Ms. Brookfield reminded Ms. Och that complaints from residents should be run through the Board and the Board needs to decide how to address the complaint. Ms. Och agreed.

PUBLIC COMMENT

Keith Ashley – He commented that the new building will have a single purpose as an office and the sign should use the word “office” instead of “community center.”

Lawrence Bunchek – He complimented the Board on resolving the issue of maintenance of roads. He strongly urged the Board to consult corporate counsel for the Special Assessment District policy. There are procedures that are in place for this. He explained some of those procedures. The Road Commission has changed their policy to 40% and the township to 60%.

Steve Mikowski - He agrees with Mr. Ashley about the sign. He made comment about the County Commission’s capital improvement plan as explained previously by Kama Ross. He stated that the Board should ignore the petition pertaining to Oak Street because it is not a lawful petition. He was overwhelmed by the lack of information in the USDA discussion. It should be a step-by-step procedure.

Terry Steffens – He explained that, historically, road ends to the lake were made because there wasn’t a fire department and that is where they got water for fires. After that was no longer necessary, they didn’t want to maintain road ends. He opposes a sign that costs \$9,000.

ADJOURNMENT

ACTION: Mr. Mitchell moved to adjourn the meeting at 10:03 p.m.; supported by Ms. Garthe. Motion carried. (5,0)

The next meeting is August 14, 2023.

Respectfully Submitted,
Cindy Kacin, Recording Secretary

Date Approved: _____

Susan Och, Leland Township Supervisor

Lisa Brookfield, Township Clerk