

LELAND TOWNSHIP BOARD MEETING

Monday May 10, 2021– 7:00 p.m.

(Meeting held remotely via Zoom)

MINUTES

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

ABSENT: Supervisor Susan Och

GUESTS: 40

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

ACTION: Ms. Garthe moved to have Ms. Brookfield chair the meeting in the Supervisor's absence; supported by Mr. Mitchell.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

APPROVAL OF AGENDA: Mr. Mitchell asked to add an item to the agenda. However, without a full Board present, the agenda cannot be amended. Mr. Mitchell will bring the subject up in the Board Comments.

ACTION: Ms. Garthe moved to approve the agenda as presented; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None

APPROVAL OF MINUTES

April 12, 2021 (Regular Meeting): Ms. Brookfield moved to approve the minutes of April 12, 2021; supported by Ms. Garthe.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

April 23, 2021 (Special Meeting): A correction was noted on page 1.

Ms. Garthe moved to approve the minutes of April 12, 2021 as presented and amended; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

April 28, 2021 (Workshop): Ms. Garthe moved to approve the minutes of April 12, 2021; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

PUBLIC COMMENT

Tony Borden – Mr. Borden read aloud from his written comment submitted to the Board:

“This is Tony Borden, former Leland Township Trustee. I’m speaking on behalf of the supporters of Taxpayers of Leland Township, as well as those who voted down the Extra-Voted Millage. To ensure my comment becomes part of tonight’s public record, I ask for it be included verbatim in the minutes. Last Tuesday’s “NO” vote on the Extra-Voted Millage sent a clear message to the Leland Township Board: taxpayers no longer will tolerate “blank-check” spending. Moving forward, we expect this Board to engage in “plan-based” spending. In other words, determine what needs to be done— and how much it will cost—BEFORE requesting more money from voters. It has been 5 years since the library millage passed. The \$93,500 per year amount which was freed up and was repeatedly stated by the Supervisor to be spent on sidewalks still has not happened. And you still have not solicited and received firm bids on the cost. There is no basis for you to now be saying the new millage is needed to pay for the sidewalks. Likewise, you do not have any firm price quotes for the bulkhead around the library property, but you want this millage to pay for it. It’s a simple, logical request to provide specific details on what funds are needed instead of saying write me a blank check for \$214,896. And, yet, tonight’s agenda includes placing the exact same ExtraVoted Millage language on the August ballot. The exact same language that was voted DOWN last week by more than 60% of voters. Why are you ignoring the message sent to you by the voters? Why are you wasting additional taxpayer dollars on it? TOLT is not an anti-tax organization, but we demand accountability and transparency. A simple, logical request. In the recent past, our community has stepped up—and gone above and beyond to raise funds—when there was a legitimate need. A good example is the Leland Harbor dredge which was supported by private donations for a clearly identified

need. And people knew what it was going to cost in advance. Now, conversations about raising money to support the Library's river-wall repair have begun. To claim you "need" a millage to pay for the Library's river-wall is inaccurate. It is also very unfair to "charge" all the taxpayers in the Township for it. This is equivalent to forcing taxpayers to pay for the dredge. The April 30 Treasurer's report shows more than \$512,603. dollars in a capital improvements fund. The Township will also be receiving \$200,000 dollars from Uncle Sam. What improvements are really necessary for all taxpayers to be paying? Are you still planning on imposing a property tax administration fee? If you do, you better very, very, specific on how much the tax accessing and collecting really costs. Until you fully answer these questions, until you present complete, cost supported, fact-based plans to your constituents, TOLT will encourage electors to vote NO again. And again. And again. Thank you for listening..."

REPORTS FROM BOARDS AND COMMISSIONS

Fire & Rescue, Chief Dan Benson

Chief Benson was not in attendance. A report is on file at the Leland Township Office and is posted on the website.

Planning/Zoning, Tim Cypher

A report is on file at the Leland Township Office and is posted on the website. Mr. Cypher reviewed his report. The Planning Commission met on May 5, 2021. The application regarding the proposed Popp Road recycling center was discussed. There were questions about the previous dump site on the property and the clay cap placed over it in 1992. Sinkholes were also discussed. There will be a public hearing on June 2, 2021 at 7:00 p.m. The meeting will be at the Leland Township Office and on ZOOM. The Planning Commission wants soil boring samples and has obtained 2 bids for the work. The bids will be discussed under Old Business, item #4, in this meeting.

Mr. Cypher also discussed the zoning permit requests from this last month.

Harbor, Jeremy Anderson

The Harbor team has been busy power washing everything and prepping for the summer season. There have been a lot of reservations already. Fuel sales have been brisk.

Sewer, Steve Patmore

A report is on file at the Leland Township Office and posted on the website. Mr. Patmore reported that flow measurements have been normal and the lagoon level is lower than at this time last year. The hydrosulfide project needs to get approval from EGLE in order to use calcium nitrate in the treatment. Although planned, there is no firm date for the sludge pumping of the lagoon as yet. Testing for PFAS is required and then an approval. The capacity study is being updated and they are getting ready for the rate study.

Parks & Rec, Molly Steck

The regular monthly meeting is tomorrow night. Trees have been removed from Grove Park. The water spigot will be replaced and then hydroseeding will take place. Work is being done to move the wood chip pile at Provemont Pond. They have quotes for the driveway grading and parking area at Provemont. They are going over options with Gosling Czubak for the Hancock Field work. Ms. Kirch added that they will be discussing putting the fire rings back at Van’s Beach.

County Commission, Patricia Soutas-Little

A rural broad band survey was approved by the County Board. The objective is to define the extent of current internet service. The data will be available on August 2, 2021. Ms. Soutas-Little reported on a presentation from the Lake Leelanau Lake Association concerning an invasive species, Eurasian Water Milfoil, on Lake Leelanau. The LLLA is interested in establishing a County Commission on the subject to study and fund work to control its spread in the lake. This subject will be on the County Board agenda this month. The airport agreement and prayer before meetings will also be discussed this month. A bench in honor of Pete Taylor will be placed on the County Building grounds.

Assessors Report, Julie Krombeen

The report is on file at the Leland Township Office and is posted on the website. Ms. Kirch asked Ms. Krombeen to report at the meeting. Ms. Krombeen discussed the calendar that was on the report.

TREASURER’S REPORT

Ms. Garth reported on income and expenses for the last month. It was a partial sewing billing month. The Revenue Sharing check came in. The Township made the 3rd payment of 5 on the fire truck. The delinquent tax money will be coming in from the County. Money has been coming in from the harbor.

ACTION: Ms. Kirch moved to approve the Treasurer’s Report as presented; supported by Ms. Garthe.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

SUPERVISOR’S REPORT

A written report was submitted to the Board prior to the meeting. It is on file at the Leland Township Office and will be posted on the website tomorrow.

ACTION ITEMS

1. Renewal of agreement with Bendzinski & Co. to prepare bond statement.

This is an annual service to the Board to provide a statement to the Municipalities Security Board. We have been using this company for some time. The fee is \$1000.

ACTION: Ms. Brookfield moved to approve the renewal of the agreement with Bendzinski & Co. to prepare the bond statement, supported by Ms. Garthe.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

2. Request from Leelanau Community Cultural Center to close Cedar St. July 9-10, 2021 for an Artist’s Market.

This is an annual fundraiser event. They are requesting to close Cedar Street from Main Street to the Library for vendors. There could be a concern if the COVID restrictions on crowd sizes are still in effect in July and how the crowd size would be enforced. Details of the event, liability insurance and an emergency plan has been submitted.

ACTION: Ms. Garthe moved to approve the closing of Cedar St. on July 9-10, 2021 for an Artist’s Market at the Cultural Center contingent on the COVID regulations at the time of the event; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

3. Maintenance agreement with Leelanau Community Cultural Center

Previously, the Township has provided lawn mowing for the LCCC provided by the Leland Township maintenance person, Ken Hagstrom. Mr. Mitchell suggested that the LCCC should pay the Township what the Township would be paying Ken Hagstrom to do the work. Our equipment use would be of no cost to them. The LCCC is suggesting paying a flat fee of \$125 a month. More information about the cost to the Township for this service is needed. A trial period was suggested to track Ken Hagstrom’s hours for this work. Mr. Mitchell suggested that the Township could invoice the work to the LCCC. Ms. Kirch suggested they could check the rates of other contractors. Also, Ken Hagstrom is very busy and maybe the LCCC mowing is difficult for him to fit in.

ACTION: Mr. Mitchell moved to direct the Supervisor to propose that the LCCC would pay for the true value of Ken Hagstrom’s work, contingent on Mr. Hagstrom’s availability; supported by Ms. Brookfield.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

4. 2021 Leelanau Harvest Tour Bike Ride request to use Suelzer Park September 18, 2021.

This request comes from the Cherry Capital Biking Club. They want to use Suelzer Park for a rest stop during the bike tour. There will be approximately 250 riders. They have submitted the required paperwork. They have used this park before for their event. Mr. Mitchell asked for a map of the route. He is concerned about the parking on a county road which has a speed limit of 55 mph. There are also a lot of curves in the road and blind spots. Some bikers do not ride in a single file. Also, when the bikers stop to rest, the groups of people sometimes are standing in the road. This event can pose a safety issue and is an inconvenience to the residents. He would like the event planners to be cognizant of this and plan accordingly. Ms. Kirch suggested to approve the request with contingencies that address Mr. Mitchell’s concerns.

ACTION: Mr. Mitchell moved to approve the request of Leelanau Harvest Bike Ride to use Suelzer Park on September 18, 2021 with the requirement of road use and safety concerns as outlined by the Board to be addressed and barriers put in the park to designate areas to safely congregate; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 opposed

5. Leland Township extra voted millage language resolution R-21-13

Ms. Och has worked with Mr. Parker to revise the language. If it is to go on the August ballot, it will have to be turned in to the County tomorrow. If not, it could go on the November ballot or not at all. There was discussion about the 1% administration fee. Mr. Mitchell stated that he was not in support of a millage renewal as long as the 1% administration fee was an option. Ms. Brookfield explained that the 1% fee is an option that is allowed, not an issue that the Township has to enact or reject. The fee was discussed in the budget workshops. Since the millage did not pass in this last election, Ms. Brookfield would like to have a workshop meeting to discuss the shortfalls in the

current budget. An election can cost \$5,000-7,000 in answer to Ms. Kirch's question. Mr. Mitchell did not want to have a workshop until we learned more about federal stimulus funds that may be coming in. No action was taken on this matter.

OTHER/OLD BUSINESS

1. Office space for Township

Ms. Kirch called Exit Realty about property in Leland for office space. The building is available but it is expensive. The information was given to the Supervisor. Ms. Kirch also suggested that the Board could work from home and records could be stored at the Harbor Building. Both Ms. Garthe and Ms. Brookfield stated that they would need access to the copy machine and the file cabinets, so that option is impractical. Also, they do not want to conduct walk-in business at their homes. The owner of the current building has verbally given 90 days to be out. However, the Board has not received a written order. The owner's plans for building involve slow moving procedures, making the need to vacate probably much later in reality. There was discussion about renting space in the County Building. Ms. Soutas-Little said that any space at the County Building would require remodeling. She will ask about that and get back to the Board.

2. Compensation Committee recommendation and process

People who are interested in serving on the Compensation Committee could go to the website to submit an application. Ms. Kirch obtained a copy of a similar resolution in Gaylord and emailed it to Board members. The language is very similar to the MTA guidelines. The MTA has said there are not many such committees in Michigan and those compensation committees follow the MTA guidelines. Ms. Kirch suggested that the Township's attorney draft an ordinance. The Township could also have an advisory committee without an ordinance.

No action taken. Board members will continue to research the options.

3. Sidewalk improvements

Ms. Och provided a sidewalk project schedule. Ms. Brookfield reviewed the project schedule.

4. Popp Road Recycling

There is a public hearing on June 2, 2021. Mr. Cypher discussed two estimates for soil boring samples that were sent to Board members. The bid from Gosling Czubak is for \$2,400. The bid from Evirologic is approximately 2.5 times more. Both companies are qualified. The Planning Commission is in favor of a public hearing after the soil boring analysis is done. No money has been budgeted for this project. There was a question as to where the capped dump is located. Ms. Soutas-Little stated that she talked a person who was involved in that decision and action and reported that the proposed recycling site would not be over the capped dump.

BILLS AND ACCOUNTS

The bills/accounts list was distributed to Board members. There was nothing unusual for the month.

ACTION: Ms. Garthe moved for payment of bills from April 13, 2021 to May 10, 2021; supported by Mr. Mitchell.

VOICE ROLL CALL: (not necessarily in the order called in the meeting)

Supervisor Susan Och:	Absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 0 opposed

CORRESPONDENCE

Any correspondence that came in was shared with the Board. Ms. Kirch read aloud one email from a resident who had many complaints about short term rentals in her neighborhood.

BOARD COMMENT

Clint Mitchell – He is in favor of in-person meetings. He cited several statistics that would warrant returning to in-person meetings.

PUBLIC COMMENT

Jim Atkinson – The Board should look at the Leland Fire Station for office space.

Keith Ashley – He reviewed the discussion of a previous plan to provide office space in the Leland Fire Station when it was built. If that had been done, the Township would not be in this situation.

Kathy Dawkins – She cited from Michigan law that bicyclists can ride two abreast. She also expressed that she was disconcerted about the lack of courtesy and respect portrayed in this meeting with the many interruptions when someone was talking. The audience needs to mute themselves so their comments are not heard by everyone.

Steve Mikowski – He agreed with Mr. Ashley about public offices being considered when the Leland Fire Station was built.

Mr. Mikowski also presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance.

Mr. Mikowski felt the public was led to believe the 1% administrative fee is a mandate from state. His understanding of the history of this option was that some time ago the state government was shorting the local government of funding and the state gave the local governments this option.

Sandy Reardon – She stated that she supported Ms. Kirch for reading aloud the correspondence.

Clint Mitchell – He clarified that he was talking about rules of the road for cyclists to ride as far off the road as possible not the section of the law about riding two abreast.

ADJOURNMENT

ACTION: Mr. Mitchell moved to adjourn the meeting at 9:13 p.m.; supported by Ms. Kirch.

VOICE ROLL CALL: (not necessarily in the order called at the meeting)

Supervisor Susan Och:	absent
Clerk Lisa Brookfield:	Yes
Treasurer Shirley Garthe:	Yes
Trustee Mariann Kirch:	Yes
Trustee Clint Mitchell:	Yes

Motion carried. 4 in favor, 1 absent

The next meeting is June 14, 2021.

Respectfully Submitted,
Cindy Kacin, Recording Secretary

Date Approved: _____

Susan Och, Leland Township Supervisor

Lisa Brookfield, Township Clerk