

**From:** [Tim Perrone](#)  
**To:** [Laurel Evans](#); [Dave Stoker](#)  
**Cc:** [Gwen Kamm](#); [Chet Janik](#); [Steve Christensen](#); [Mike Borkovich](#); [James Kiessel](#)  
**Subject:** RE: Leelanau County Request for Review - Hunting within the park - Application part 1  
**Date:** Tuesday, March 16, 2021 3:27:45 PM

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Laurel:

As previously advised, there is nothing in the MDNR Grant Application or Grant Agreement which references a stipulation that hunting would be allowed in the Park, and therefore nothing in those documents would prevent the County from prohibiting or regulating hunting in the Park.

I understand that in 2010, i.e., several years after the Park was acquired, the County Board of Commissioners approved a Management Plan for the Park, which expressly allowed hunting.

It would appear that the approval of hunting in the Park was a matter within the County Board's discretion, and not mandated by the MDNR Grant Agreement.

Therefore, consistent with the County Board's discretion as to the use of the Park, and its responsibility for the safety of all persons, hunting in the Park may be prohibited, or restricted to certain areas of the Park.

Please contact me if you have any questions, or wish to discuss further.

Timothy M. Perrone  
Cohl, Stoker & Toskey, P.C.  
(517) 372-9000  
[tperrone@cstmlaw.com](mailto:tperrone@cstmlaw.com)

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**From:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>  
**Sent:** Tuesday, March 16, 2021 2:26 PM  
**To:** Tim Perrone <[tperrone@cstmlaw.com](mailto:tperrone@cstmlaw.com)>; Dave Stoker <[dstoker@cstmlaw.com](mailto:dstoker@cstmlaw.com)>  
**Cc:** Gwen Kamm <[gkamm@cstmlaw.com](mailto:gkamm@cstmlaw.com)>; Chet Janik <[cjanik@leelanau.gov](mailto:cjanik@leelanau.gov)>; Steve Christensen <[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)>; Mike Borkovich <[mborkovich@leelanau.gov](mailto:mborkovich@leelanau.gov)>; James Kiessel <[jkiessel@leelanau.gov](mailto:jkiessel@leelanau.gov)>  
**Subject:** RE: Leelanau County Request for Review - Hunting within the park - Application part 1

Hi Tim,

After a lively discussion during yesterday's Veronica Valley Committee meeting, I did some more research on the subject and found that a Board motion/resolution in 2010 approved a "management plan" for that park (see attached).

Could you please provide an opinion on Steve's questions, which are also attached. Thank you!

*Laurel S. Evans*

Executive Assistant/Administration

**Please Note New Email Address:**

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**From:** Tim Perrone <[tperrone@cstmlaw.com](mailto:tperrone@cstmlaw.com)>

**Sent:** Wednesday, February 24, 2021 3:43 PM

**To:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>; Dave Stoker <[dstoker@cstmlaw.com](mailto:dstoker@cstmlaw.com)>

**Cc:** Gwen Kamm <[gkamm@cstmlaw.com](mailto:gkamm@cstmlaw.com)>; Chet Janik <[cjanik@leelanau.gov](mailto:cjanik@leelanau.gov)>; Steve Christensen <[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)>; Mike Borkovich <[mborkovich@leelanau.gov](mailto:mborkovich@leelanau.gov)>; James Kiessel <[jkiessel@leelanau.gov](mailto:jkiessel@leelanau.gov)>

**Subject:** RE: Leelanau County Request for Review - Hunting within the park - Application part 1

Laurel:

Thank you for providing the Grant Application, which was incorporated by reference as Appendix C to the Grant Agreement.

There is nothing in the Grant Application, or elsewhere in the Grant Agreement, that restricts the County from regulating or prohibiting hunting in the Park.

Rather, the uses specified for the Park in Sec. 19b of the Grant Application include hiking, fishing, birdwatching, and wildlife experience.

The projected opportunities for the Park in Sec. 21a of the Grant Application has boxes checked for Fishing, and Other Wildlife-Related Recreation Activities; notably, the box for Hunting is not checked.

The Application states throughout that the Park is to be used for fishing and wildlife preservation.

There is reference to hunter education, but not to hunting as an intended use.

As previously noted, active hunting would appear to be incompatible with the other specified uses of the Park.

If you are aware of anything in the documents that could be construed as a stipulation that the park would be open to hunting, please advise.

Absent an express restriction in the Grant Agreement on the County's authority to prohibit or regulate hunting in the Park, the County may proceed to adopt a regulation to that effect, without breaching the Grant Agreement.

Please contact me if you have any questions, or wish to discuss further.

Timothy M. Perrone  
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**From:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>  
**Sent:** Wednesday, February 24, 2021 2:26 PM  
**To:** Tim Perrone <[tperrone@cstmlaw.com](mailto:tperrone@cstmlaw.com)>; Dave Stoker <[dstoker@cstmlaw.com](mailto:dstoker@cstmlaw.com)>  
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**Subject:** RE: Leelanau County Request for Review - Hunting within the park - Application part 1

Dear Tim:

I had only forwarded the agreement to you as requested; Steve thinks the language might be within the application. Due to file size, here is part one.

Laurel

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**From:** Tim Perrone <[tperrone@cstmlaw.com](mailto:tperrone@cstmlaw.com)>  
**Sent:** Wednesday, February 24, 2021 2:05 PM  
**To:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>; Dave Stoker <[dstoker@cstmlaw.com](mailto:dstoker@cstmlaw.com)>

**Cc:** Gwen Kamm <[gkamm@cstmlaw.com](mailto:gkamm@cstmlaw.com)>; Chet Janik <[cjanik@leelanau.gov](mailto:cjanik@leelanau.gov)>; Steve Christensen <[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)>; Mike Borkovich <[mborkovich@leelanau.gov](mailto:mborkovich@leelanau.gov)>; James Kiessel <[jkiessel@leelanau.gov](mailto:jkiessel@leelanau.gov)>

**Subject:** RE: Leelanau County Request for Review - Hunting within the park

Laurel:

I have reviewed the Grant Agreement by which the MNRTF provided funding for the acquisition of the Veronica Valley Park, and the Amendment to the Agreement.

The County Drain Commissioner stated in his message that the grant was obtained “with the stipulation that the park would be open for hunting.”

However, in my review of the Grant Agreement, I did not see any reference to hunting. Please advise of the source of any stipulation as to hunting in the documents.

The Grant Agreement incorporates by reference the Grant Application as Appendix C, which Appendix was not included in the copy of the Grant Agreement that I received for review.

Unless the Grant Application specifies that the Park would be open to hunting, then there is no mention of hunting in the relevant documents.

According to the Grant Agreement, the Park is to be used in perpetuity for “passive recreation,” and “public outdoor recreation.” (Secs. 5, 8.w., 12.a).

The County is responsible for Park operations. (Sec. 14a) The County is authorized to adopt ordinances for Park operations. (Sec. 8.t).

The County is responsible for regulating the use and occupancy of the Park, and for the safety of all persons. (Sec. 20).

It would appear that permitting hunting and unleashed dogs at the Park would potentially conflict with the safe use of the Park by the public.

Unless there is an express reference in the documents that specifically prohibits the County from regulating hunting in the Park, then the County may adopt appropriate regulations as to hunting.

Please contact me if you have any questions, or if you are aware of any specific reference to hunting in the relevant documents.

**Timothy M. Perrone**  
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**(517) 372-9000**  
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**From:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>

**Sent:** Tuesday, February 23, 2021 3:28 PM

**To:** Dave Stoker <[dstoker@cstmlaw.com](mailto:dstoker@cstmlaw.com)>

**Cc:** Gwen Kamm <[gkamm@cstmlaw.com](mailto:gkamm@cstmlaw.com)>; Chet Janik <[cjanik@leelanau.gov](mailto:cjanik@leelanau.gov)>; Steve Christensen <[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)>; Mike Borkovich <[mborkovich@leelanau.gov](mailto:mborkovich@leelanau.gov)>; James Kiessel <[jkiessel@leelanau.gov](mailto:jkiessel@leelanau.gov)>

**Subject:** Leelanau County Request for Review - Hunting within the park

Dear Mr. Stoker:

Please have someone review the request detailed below from County Parks Commission Secretary, Steve Christensen, who is also the County Drain Commissioner.

If you need any further documentation, please let me know as soon as possible. Thank you!

*Laurel S. Evans*

Executive Assistant/Administration

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**Leelanau County Government Center**

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**From:** Steve Christensen <[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)>

**Sent:** Tuesday, February 23, 2021 3:24 PM

**To:** Laurel Evans <[levans@leelanau.gov](mailto:levans@leelanau.gov)>

**Subject:**

Hi Laurel,

We have a situation where a person is walking his dog at Veronica Valley Park and not having the dog on a leash – which is posted as a park rule.

Wayne Kalchik – animal control officer - issued a ticket to him and he declared that he was hunting and therefore his dog could run without being on a leash.

As it turns out, he can legally do that – he can declare he is hunting with no weapon and no license and that is legal.

Wayne is revoking his ticket today after learning about that part of the state hunting law.

We got a State of Michigan Trust Fund grant to help pay for Veronica Valley Park with the stipulation that the park would be open for hunting.

Can we post part of the park as a no hunting area?

Sincerely,

Steven R Christensen

**Leelanau County Board of Commissioners  
Special Session – Tuesday, October 5, 2010**

Meeting recorded – tentative minutes

Meeting called to order by Chairman Mary P. Tonneberger at 8:45 a.m.

Roll Call:	District #1 – Jean I. Watkoski	Present
	#2 – James A. Schaub, Sr.	Present
	#3 – Richard A. Schmuckal	Absent (prior notice)
	#4 – Mary P. Tonneberger	Present
	#5 – David W. Shiflett	Absent (present @ 8:46 a.m.)
	#6 – David G. Marshall	Present
	#7 – Melinda C. Lautner	Present

Public Comment:

Commissioner Shiflett present at 8:46 a.m.

► Steve Mikowski of Lake Leelanau. Mikowski commented that he hasn't seen the plan regarding the Veronica Valley Management. From what he has observed, it has some grand plans to absorb the taxpayers' money. He continued that this is a self-initiated project and was not an item that the people petitioned for. This is not the will of the people. Mikowski referenced the revised statutes of 1856 and questioned if the County can even be legally involved in this type of project. Mikowski said he opposes any projects on this property and it should be left in its pristine form.

Action Items:

Approval of the Veronica Valley Management Plan Resolution:

*Motion #303-10052010 – Special Session*

Parks and Recreation Commission Chairman, Drain Commissioner and Soil Erosion Officer Steve Christensen was present. Christensen commented that the management plan was put together in essence to provide a written plan for the DNRE that we have made a request for a grant for the pavilion in the spring. The initial score is back and one of the items that they requested to garner more points on the application was to put together in a written format the plans for the park. They had been following a verbal plan. Explanation continued by Christensen with responses given to questions posed by Commissioners regarding the plan. (The plan is on file in the Clerk's office.)

**MOTION BY LAUTNER TO APPROVE RESOLUTION #2010-020 PARKS AND RECREATION COMMISSION SUBMISSION OF MANAGEMENT PLAN FOR VERONICA VALLEY PARK. SECOND WATKOSKI.**

Discussion.

**ROLL CALL: Marshall – Yes; Schaub – Yes; Shiflett – Yes; Watkoski – Yes; Lautner – Yes; Tonneberger – Yes.**

**AYES – 6    NO – 0    ABSENT – 1 (Schmuckal)    MOTION CARRIED.**

LEELANAU COUNTY RESOLUTION NO. 2010-020  
Parks and Recreation Commission  
Submission of Management Plan for Veronica Valley Park

WHEREAS, the Leelanau County Parks and Recreation Commission has applied for a grant from the Michigan Department of Natural Resources Trust Fund; and

WHEREAS, the Leelanau County Parks and Recreation Commission will use this grant to build a basic pavilion building at Veronica Valley County Park, along with a walkway to a fishing platform at Kids Fish Pond. The building will include restrooms with flush toilets, a mechanical room, a learning center room, and a covered pavilion area that will cover nine (9) picnic tables; and

WHEREAS, this facility is designed to be universally accessible, and will be used by the citizens of all ages of Leelanau County, whether permanent or seasonal residents, as well as the many visitors who come to our county throughout the year; and

NOW, THEREFORE, BE IT RESOLVED that the Leelanau County Board of Commissioners fully supports and approves the Leelanau County Parks and Recreation Commission Management Plan for Veronica Valley Park.

Public Comment:

► Steve Mikowski. Mikowski offered comment that there seems to be a serious disconnect in local government, state government and Federal government. Hours and hours are being spent on grants, and the state and federal governments are going broke and no one knows where the money is going to come from. Mikowski questioned with this disconnect, how can people be so weak minded – a Cadillac company just laid off 300 people. It is a systemic problem in this stand and feel good projects are not going to save us. The Commissioners should be on the front line to stop this. Brief comments continued.

Commissioner Comment: None.

Adjourn:

*Motion #304-10052010 – Special Session*

**MOTION BY SHIFLETT TO ADJOURN. SECOND WATKOSKI.**

**AYES – 6 (Lautner, Marshall, Shiflett, Tonneberger, Schaub & Watkoski)**

**NO – 0      ABSENT – 1 (Schmuckal)**

**MOTION CARRIED.**

Meeting adjourned at 8:59 a.m.

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Mary P. Tonneberger, Chairman  
Leelanau County Board of Comm.

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Michelle L. Crocker, Leelanau County Clerk  
Clerk-Leelanau County Board of Comm.



# Leelanau County Parks and Recreation Commission Management Plan Veronica Valley Park

The management plan for Veronica Valley Park flows from the mission statement and the original mandate that this park be a **Passive Recreation Park**.

## **Veronica Valley Park Mission Statement:**

**Our mission for Veronica Valley Park is to offer to all persons outdoor recreation that exemplifies environmental awareness, sustainability and an opportunity for education with respect to the ecology of the ponds, stream, wetlands and uplands, all while welcoming the involvement of the community in developing this unique natural setting.**

## **Management Plan:**

### **Trails:**

The trail system is designed to allow users to reach nearly all areas of the park to experience the entire varying habitat – pond areas, stream system, wetland areas, and upland meadows – and the unique features – the covered bridge, ship wreck pond, the tree tunnel, and the big bridge.

The system is maintained by the county mowers and staff. It is color coded on the system map (posted and available at the kiosk in pamphlet format) and with the signage throughout the park.

Our goal is to add trail extensions as specific plans are formulated and funds are available (to the wetlands, through ship wreck pond, to observation platforms and to fishing platforms).

Trail improvements will happen as funding is available (inc. conversion to universal accessibility).

We purchased a groomer from the Leelanau (Tart) trail system and will groom a trail system for cross country skiing. Another loop for hiking, walking and snowshoeing will also be groomed (this one will be dog friendly).

### **Birding:**

We partnered with Saving Birds Thru Habitat (SBTH) to generate a bird check list for Veronica Valley Park based on probable sightings for the existing habitat. The list is in a format that can be folded for a pamphlet format to stock at the Kiosk. This will be

interactive in that birders will be encouraged to leave a listing of the birds that were sighted including time and date.

We initiated a plan to convert the open areas to native prairie plants – we will copy the planting plan completed at SBTH by starting with grasses (big blue stem, little blue stem, switch, and Indian grass) then adding the wildflowers.

We partnered with SBTH to be a part of LEELANAU PENINSULA BIRDFEST (June 1 – 5, 2011) hosted by Leelanau Peninsula Chamber of Commerce. Veronica Valley Park is considered one of the premier public birding locations in the county and will be featured for tours during the fest.

We have partnered with the Leelanau Conservation District to locate a company to purchase native seed from and to use the no-till drill to plant the seeds.

**Fishing:**

**We have instituted a policy whereby the Parks and Recreation Commission is encouraging a “Kids fishing experience” and to consider a catch and release fishing experience. (For Kids - 12 years old and younger)**

**The official rules for fishing are the State of Michigan guidelines and rules.**

**Ponds:**

We continue to partner in support of Kids Fish Day. (Partners – Lake Leelanau Lake Association, *The Leelanau Enterprise*, Cedar Rod and Gun Club, Cherryland Rural Electric, The DNRE and The Grand Traverse Band Of Ottawa and Chippewa Indians (GTB))

This was the 5<sup>th</sup> annual fish day and we continue to have great participation!

We help fund the planting of bluegills for the fish day and this year started an annual planting in Kids Fish Pond and Long Pond East and West of bluegill (75%) and largemouth bass (25%) on the recommendation of The Fisheries Division of the DNRE and the GTB.

They also did an inventory with shock testing and an in depth study and determined that these ponds would be the ones that had the best chance to overwinter fish and support a breeding stock. We are encouraging people to catch and release fish to allow us to keep some fish in the system all year.

**Stream:**

The biologists also looked at the stream and determined that the culverts leading into and out of the park need to be replaced. They contacted the County Road Commission and The GT B to move forward on plans to do the replacement. Funding is being pursued at this time and we hope to have the work done within a year or two.

This will eliminate two plunge pools and allow fish to migrate from Lake Leelanau up through the park to spawn and therefore improve the fishing experience in the park. The biologists will also be recommending locations for lunger structures along the creek.

**Hunting:**

Hunting is allowed in the park under the guidelines and rules of the State of Michigan. We have seen deer and turkey hunting as the primary hunting done in the park along with some small game hunting.

**Playground:**

Our goal for the playground area is to place the playground far enough away from the ponds for a safety buffer but close enough to the main parking area to allow for easy access.

**Nature Center:**

We have a plan in place for a new pavilion and walkway system to Kids Fish Pond and the stream. We are seeking grant monies to assist in this project. It will house restrooms as well as a small meeting room and an open/covered area over 9 picnic tables. The whole project is planned to be universally accessible. Learning centers will be installed in this building as soon as it is constructed. (fishing, stream ecology, pond ecology, wetland ecology and bird watching)

**Maintenance:**

Maintenance of the park will be through the county staff assigned to the parks through the buildings and grounds department and paid for through the parks and recreation budget.

**Activities:**

We will add activities as the need arises as long as they fit the mandate of a passive recreation park as outlined by the Parks and Recreation Commission.