

**LEELANAU TOWNSHIP BOARD MEETING MINUTES  
TUESDAY, OCTOBER 19, 2021, 5:30PM**

**CALL TO ORDER, ROLL CALL:**

PRESENT: Monica Diaz, Denise Dunn, Gina Harder, Georgie Murray, John Sanders and Host: Steve Patmore, with Scribe: Georgienne Hammer.

Zoom Meeting of the Leelanau Township Board called to order at 5:30p.m. by John Sanders

**SET AGENDA:**

John Sanders asked for agenda changes: John cited three significant changes to the agenda: 1. Add Discussion Item E for Fire Lane 6 discussion for a request to bid, 2. Remove Action Item C as no mediation agreement has yet been signed, and 3. Add, before Public Comment #1, an open discussion of the Board with our attorney, Seth Koches, regarding the action plan to take on TimberShores. Then we will move to Public Comment #1.

**OPEN DISCUSSION WITH ATTORNEY, SETH KOCHES:**

The Board has read letters, listened, and spoken openly with constituents about the action we plan to take, specifically the talk about releasing the 1998 and 2006 sewer agreement. We listened and listened, spoke in person, all the while being 100% transparent. The action we're taking on behalf of the people of the Leelanau Township is a Declaratory Judgement. Attorney, Seth Koches, fully explained the process of filing a declaratory judgement to put in front of the Leelanau County Circuit Court. Seth explained the actions are in the best interest of the township with its litigation with TimberShores. Q & A with Seth. The timeline will be expedited as quickly as possible. Seth explained the mechanics, purpose and scope of filing for a declaratory judgement to determine a status of disagreement on a contract.

John asked for a motion to approve filing for a declaratory judgement. Georgie Murray moved to approve filing a Declaratory Judgement as outlined by Attorney Koches. Gina Harder seconded the motion. Roll call vote: Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried. unanimously.

**PUBLIC COMMENT #1:**

Ten members of the public shared comments about the TimberShores project and Discussion Item A: the 5203 N W Bay Shore home business issue, as well as clearer notification of cancelled and/or rescheduled meetings.

## **GENERAL BUSINESS:**

A. Approval of 9/14/2021 Regular meeting and Special Meeting minutes from 9/21 & 21, 2021,

Denise Dunn noted that the word “be” was omitted on Regular minutes, Page 3, Item B, six sentences down.

Denise Dunn moved to accept the minutes as presented with the one correction. Georgie Murray seconded the motion. Roll call vote: Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried unanimously.

Denise Dunn moved to accept the Special Meeting minutes on 9/24/21 as presented. Gina Harder seconded. Roll call vote: Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried unanimously.

Denise Dunn moved to accept the Special Meeting minutes on 9/29/21 with one grammatical correction, line where it says: “Sanders stated...” it should be “he” not “she”. Georgie Murray seconded the motion. Roll call vote: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried unanimously.

B. Approval of Bills for October 2021

Georgie Murray questioned why posting dates are the same as due dates for the bills. Monica Diaz will look at these matching dates. Monica added that the HSA accounts for employees have had difficulties due to the TCF bank change-over to Huntington. Honor State Bank will now handle our HSA contributions as they are a locally based bank. AT&T bills still are overly high for the fire department on one number in particular and will again be researched. Discussion resulted in denying any usage of the phone and number involved.

Monica Diaz moved to accept the bills for the first half of October 2021 bills in the amount of \$34,114.93. Denise Dunn seconded the motion. Roll call vote: Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried unanimously.

## **REPORTS:**

A. Leelanau County Commissioners – Ty Wessell

Two items to report on this evening: Broadband Survey results, and a meeting utilizing the American Rescue Monies for this issue. Leelanau Township is the most limited area in the county receiving adequate broadband accessibility. We did approve our \$14 million dollar budget last week. Q & A. None

B. County Sheriff – Olivia Drzewiecki

Hugh Cook reported that Officer Drzewiecki was not able to attend tonight due to change in the meeting’s schedule.

C. EMS/Fire – Hugh Cook

EMS rescue on Omena Woods Trail utilizing the ATV to extract the patient. Between 9/1 – 9/30 there were 44 total runs. Hiring interviews are going well with 5 applicants: 2 have not yet graduated from training and one lives in Montana. Hugh will be talking to the last two tomorrow to schedule interviews.

#### D. Planning Commission – Gina Harder

On the 14<sup>th</sup> we had work session #8 with looking at the commercial resort district ordinance, we also looked at several other RV parks and ordinances relating to them. Our planner and Steve Patmore are working to get the wording together. October 21 is the next meeting with the next regular meeting on 10/28. On November 11 there will be a public hearing regarding commercial resort district changes to the ordinance. A possible meeting on 11/3 may be requested by the TimberShores developer, but it is up in the air right now due to no settlement at this time. Goal is to get the Ordinance to the County by 12/10/21. We received 501 responses on the survey put out by the Master Planner. Other changes: Setback changes from the highwater mark to the lake have taken place. It was 40' and is now 150' back from the lake. Front, rear and sides setbacks are also being looked at for increasing footage setback.

#### **ACTION ITEMS:**

##### A. Woolsey Stabilization

The Woolsey stabilization proposal for the terminal building (old creamery) was presented by Pat Machin and Ben Purdy. Immediate stabilization of the west end building requires four components in the 2<sup>nd</sup> phase which includes destructive testing, develop an engineering plan with a construction document and construction oversight to assure passing the County Code inspection. Q & A: Funding resources include General Township Fund as well as donations. The emergency stabilization includes engineering and testing. Discussion regarding the total work bill in the amount \$200,000 vs the Emergency Stabilization bill only at \$49,200. John Sanders asked for a motion to approve Machin Engineering, stabilization and testing project in the amount of \$49,200.

Monica Diaz moved to accept the project by Machin Engineering with the budget to not exceed \$49,200 to engineer, stabilize and test the terminal building. Denise Dunn seconded the motion. Roll call vote: Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: 0. Motion carried unanimously.

##### B. EMS/Fire Capital Request – Hugh Cook

Hugh presented the Capital Request for updated/new tools and equipment for emergency life-saving equipment in the amount of \$33,556.00. The third page of the request notes the department budgeted \$35,000 in their annual budget for just such important upgrades. Current tools are not able to cut into the metals of many of the newer trucks and automobiles. Denise Dunn cited the annual budget for EMS/Fire department goes until March 2022.

Georgie Murray moved to approve the request of \$33,556 from capital for the EMS/Fire to update necessary life-saving emergency equipment. John Sanders seconded the motion. Roll call vote: Yea: Murray, Sanders. Nay: Diaz, Dunn, Harder. Motion denied to 3 to 2.

## **DISCUSSION ITEMS:**

### **A. Home Business Permit Update - Sanders**

John Sanders shared a brief background on the Home Business Permit at 5203 N W Bay Shore Drive, Omena, MI. Steve Patmore prepared a report for the attorney to review. Both parties and board members have also received the report. If a Civil Infraction is found, the township has a civil infraction process in place. This will remain under discussion at each meeting going forward.

### **B. Township Move From .org To .gov Update – Harder**

Gina spoke to the rationale for moving from a .org domain to a .gov domain. The .gov would provide much better cyber security and falls under Homeland Cyber Security. With the new website, it is a perfect time to make the move. Currently the cost is free for the changeover. The address would be leelanautownshipmi.gov rather than leelanautwp.org. No opposition by the board and is in support to move forward from .org to .gov.

### **C. New Township Website Update – Harder**

The website is close to finalization and will be up and running within two weeks. Gina will share a video at the next meeting.

### **D. Rural Broadband Inventory Survey Results – Sanders**

County Commissioners researched broadband services in Leelanau County. Over 1,000 persons in the county are without broadband services, with Leelanau Township being the highest without adequate services. Businesses need strong/reliable broadband. Ty Wessell and John Sanders will meet soon regarding this issue. Leelanau County has the largest number of residences/businesses without broadband in the State.

### **E. Fire Lane 6 – Sanders**

The Leelanau County Road Commission asked to prepare a bid process for the repairs of Fire Lane 6 off Omena Point Road. This will aid in determining the cost and where to seek funding for the necessary repairs.

## **PUBLIC COMMENT #2:**

Three comments/concerns were shared by the public addressing support for EMS/Fire capital request and the high cost in loss of life as well as a concern regarding not have email access to planning commission members.

## **CORRESPONDENCE & ANNOUNCEMENTS:**

None

## **ADJOURN:**

Denise Dunn moved to adjourn the meeting. Georgie Murray seconded the motion. Motion carried unanimously. Meeting adjourned at 7:26pm.

**NEXT REGULAR MEETING OF THE LEELANAU TOWNSHIP BOARD:**

November 9, 2021, 5:30 p.m., via Zoom.