

Solon Township Board
Regular Meeting
Thursday, September 10, 2020 7:00 P.M.
Join Zoom Meeting

<https://us02web.zoom.us/j/84052738213?pwd=TVRDWUdWT1B4YkQwOXFoTIV3cDZ2dz09>

Meeting ID: 840 5273 8213

Passcode: 988076

or

Dial by your location

+1 646 558 8656

Meeting ID: 840 5273 8213

Passcode: 988076

MINUTES

1. Call to Order

2. Pledge of Allegiance

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present by electronic remote access: Supervisor Jim Lautner, Clerk Shirley Mikowski, Treasurer Joan Gauthier, Trustee Ron Novak and Trustee Steve Yoder

Guests present by electronic remote access: Mary Taylor, Samantha VanderVlucht, Kimberly Pugliese, Ray Pleva, Kelly Claar and three by telephone access.

Supervisor James Lautner read the agenda as required when a meeting is held by electronic remote access.

3. Approval of Agenda

Motion by Joan Gauthier and seconded by Ron Novak to approve the agenda with additions under New Business: B. Election Equipment. By a show of hands motion carried 5-0.

4. Approval of Minutes

Motion by Joan Gauthier and seconded by Steve Yoder to approve the August 13, 2020 regular meeting minutes as written. By a show of hands motion carried 5-0.

5. Public Comment

There was none.

6. Correspondence

There was none.

7. Treasurer's Report/Authorization for Payment of Vouchers:

Joan Gauthier said she opened a new account for the \$10,000.00 received in grant funding from the Oleson Foundation for playground equipment. Jim Lautner asked if the township received the \$5,000.00 from the Chamber of Commerce for the painting of the bridge and we have. Ron Novak asked about the Sidewalk Fund balance. Joan Gauthier said she has not transferred the amount from the Sidewalk Fund that paid for the recent repairs and updates to the sidewalks from the General Fund. Chemical Bank Checking \$30,418.07, Chemical Bank General Savings \$90,749.21, Total Funds Available: \$121,167.28, Chemical Bank Road Improvement Fund \$5,343.51, Chemical Bank Fire Fund (Northwestern Bank) CD \$6,676.77, (Chemical Bank) Savings \$161.73, Total Fire Sinking \$6,838.50, Chemical Bank Sidewalk Fund \$10,192.67, Chemical Bank Cedar River Marina Project \$21,544.59, Oleson Foundation Grant/Playground Equipment \$10,000.00, total other Township Funds Available: \$53,919.27 - Total Current Assets: \$175,086.55. Voucher #'s 13710-13745 were submitted for payment. Motion by Shirley

Mikowski and seconded by Steve Yoder to accept the Treasurer's report and pay vouchers as presented. By a show of hands motion carried 5-0.

8. Committee Reports:

Steve Yoder reported the Planning Commission met by zoom on Tuesday, September 1, 2020, and all board members were present.

- They covered the entire M-72 Corridor. They will decide at the next meeting if they want to amend the Master Plan
- A member of the Planning Commission will be appointed to the Parks and Recreation Committee at the October meeting.
- New member, Meg Paxton, attended her first meeting.

Ron Novak said that it is difficult to fill the position to the Parks and Recreation Committee from the Planning Commission. He suggested that whoever is appointed should be paid a per diem for attending the Parks Committee meetings. Jim Lautner said that should be discussed at the Budget meeting.

Kelly Claar gave a report on the Parks and Recreation Committee that was held on Tuesday, August 25, 2020 at Vlack's Park. All members were present.

Kelly said the committee would like some branches that are leaning to be trimmed at Vlack's Park. Unfortunately, Kelly was having trouble with her internet connection, and could not give her report. Kelly emailed the rest of her report.

Ron Novak said the Parks Committee is concerned about having the dock removed and Joan Gauthier suggested having the maintenance men remove the dock. Joan said she had no problem for Brent Garvin to remove the dock, but wondering what it would cost. The board agreed to have the maintenance crew remove the dock and trim the branches.

Mary Taylor is presently reviewing the requirements to obtain a soil erosion permit needed to remove and install new playground equipment. Mary also wanted to know if there is any money available to remove some of the old equipment. Ron Novak said that the Parks Committee appointed Mary Taylor as the Project Manager for the playground. Joan Gauthier feels that we should wait until spring to remove any of the old playground equipment and to install the new.

Mary Taylor said they have been doing well on the can drive, Mary collected \$194.00, and Kelly Claar has \$50.00 to turn into Joan Gauthier. The Parks Committee will be having the pop can drive during the same time of the ribbon cutting ceremony.

Zoning Administrator Written Report is attached.

9. Unfinished Business

A. Township Hall/Repairs

There was nothing to report.

1. Cherry Capital/Wi-Fi

Steve Yoder said he spoke with Tim Maylone from Cherry Capital, and Mr. Maylone said he has been in over his head with work with COVID-19, and will try to get a proposal to the township as soon as he can.

B. Parks

1. Recycling Site

Joan Gauthier said there is still a lot of trash being left at the recycling site. She would like to know what it would cost the township to get out of their recycling agreement with Leelanau County. Joan found one bin full of patio furniture. She said the township pays for all of the snowplowing, the gravel, and all the grading of the road, and is

only receiving \$312.50 every quarter. It is always junkie at the site. Ron Novak said he sent over five correspondences to Trudy Galla with addresses, etc. Ron suggested giving a \$500.00 fine to those people that are doing this to send a message. Jim Lautner said he will call Trudy Galla to see what it will cost the township to pull out of the township's recycling agreement with Leelanau County.

C. Fire Department

There was no one to give a report.

D. Cedar River Project

Ray Pleva reported the bridge is painted, put back in place and all of the decking is back on. Ray thanked Ron Novak for his leadership in getting the decking back on. Ray has a list of people that helped with this project. Ted Fleis is having two new signs made to replace the signs that have been there almost since the bridge has been there. Larry Fleis and Rick Stout gave a great presentation at the Public Forum/Zoom meeting held on Monday, August 24, 2020. There were five of Larry Fleis' staff members along with twenty people in attendance. Larry offered to do another zoom meeting. There was a large article in the Leelanau Enterprise with all the information from this meeting.

Ray Pleva announced the bridge will be rededicated on Saturday, September 19, 2020 at noon with a ribbon cutting ceremony, and Father Ken Stachnik will bless the bridge. Raymond and Juliette Watkoski, who donated the bridge in 1983, will be attending along with Jack O'Malley and Curt Vanderwall. Ray would like Mrs. Richardson to attend from the Art Schmuckal Foundation. There will be two band stands set up on the ball field with two polka bands playing giving a mini concert that will be a kick-off for the project. Instead of the Cedar River Marina Project, it will be called the Cedar River Waterways Project. With the project name being changed, the signs and website will need to be updated. Ray was thanked for all of his time and effort in this project.

E. Sidewalk

The sidewalk projects are complete for now so this item will be removed from the agenda.

F. Flynn v Solon Township/Settlement

Jim Lautner, Joan Gauthier and Ron Novak attended the mediation on Tuesday, August 25, 2020 that was held at the Lake States Building. Jim Lautner said it took until 5:30 P.M. for the mediation, and township attorney, David Bieganowski did a great job. Jim Lautner signed the first Mediated Settlement Agreement Solon Township v Mike Sheffer (see attached). The township board has to approve to accept the second part of the settlement (see attached). The second part is where Judith Flynn dismisses the case against Solon Township with part of the settlement holds the Solon Township harmless from any further lawsuits with the Judith Flynn property. Motion by Shirley Mikowski and seconded by Joan Gauthier that Solon Township accepts the Mediated Settlement Agreement: 2020-010458-NZ Flynn v Sheffer and Solon Township/Solon Township v Sheffer at no cost to Solon Township. Upon a roll call vote; Yoder-yea, Novak-yea, Lautner-yea, Gauthier-yea, Mikowski-yea 5 "yeas", 0 "nays". Motion approved.

G. Cemetery

Shirley Mikowski told the board she counted seven roads in the cemetery, so two or more roads could be closed. Shirley has not contacted Zach Baker on how to proceed in changing any one of the road(s) into plots, but will before the next meeting. The board members did go look at the cemetery to get ideas of what can be done about fencing at the entrances. Ron Novak was concerned the plowing would damage the fencing if any were put up, at one of the entrance(s) of the cemetery and is concerned of the additional cost of maintenance it may cost the township. Shirley Mikowski is going to look into the cost of the additional fencing.

10. New Business

A. L-4029

Motion by Joan Gauthier and seconded by Shirley Mikowski to approve the Allocated Operational Millage amount of 0.5825, and the voted Fire/Ambulance Millage of 2.50 to be levied December 1, 2020. By a show of hands motion carried 5-0.

B. Election Equipment

Shirley Mikowski told the board the township will need to purchase an additional tabulator because there are more absentee voters, so there is a need for an Absentee Voter Counting Board. A new tabulator costs over \$5,000.00, but the State of Michigan is offering grant funding that would pay up to 50% of a new tabulator. The cost for the township would be about \$3,000.00 which would include shipping costs of an estimated \$650.00. Unfortunately the township would not receive the tabulator until after the election, so Shirley does not think it is worth applying for the grant funding or the township paying \$3,000.00 at this time for a machine that may sit in the closet for two years before being used.

11. Public Comment

Ron Novak shared how pleased he is with the performance of Dale Gauthier and how well he takes care of the township parks and grounds.

Steve Yoder received the email from Kelly Claar that she would bring the money collected from the pop can drive to the Treasurer, Joan Gauthier's home.

12. Announcements

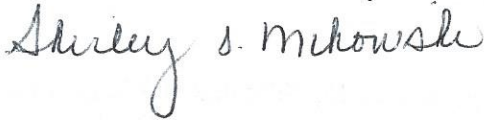
There was none.

13. Adjournment

Motion by Joan Gauthier and seconded by Shirley Mikowski to adjourn the meeting. On a voice vote motion carried 5-0.

The meeting was adjourned at 8:11 P.M.

Respectfully submitted, Shirley I. Mikowski/Solon Township Clerk



SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: JULY 2020

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
8/22/2020	LUP 20-12	TERICE	LAND USE	202012	1013 \$ 50.00
010-022-001-17	11335 S. RAMBLEWOOD	ACCESSORY BUILDING - STORAGE		1,800 S.F.	
8/29/2020	LUP 20-13	SMITH	LAND USE	2020013	1481 \$ 50.00
010-022-001-40	11275 S. RAMBLEWOOD	ACCESSORY BUILDING - STORAGE		960 S.F.	
7/29/2020	PLA 20-03	KASBEN / POPA	PROPERTY PLA2003	9057	\$100.00
010-018-004-10	POPA ROAD	PROPERTY LINE ADJUSTMENT		TREAS. HAS	
010-018-004-20					

TOTAL \$ 200.00

SIGNED:

Timothy A. Cypher

DATE: 9/5/2020

TIMOTHY A. CYPHER
SOLON TOWNSHIP ZONING ADMINISTRATOR
231-360-2557
TIM@ALLPERMITS.COM

SECON TWP
V.
MIKE SHEPHERD

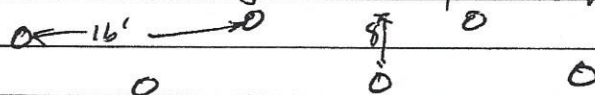
2020-010458-NZ

NEGOTIATED SETTLEMENT AGREEMENT

The parties have met and settled their case, but subject to a number of Contingencies the terms would be as follows

1. Defendant will finish closing in his fence in the south west corner of his business - see Exhibit

2. Defendant will put in two rows of trees (Conifers), ~~the~~ four feet high minimum. The rows are 8' apart and the trees are 11' apart in each row * Perpetually maintained as per ownership guidelines



The trees shall run from the front of his building (depth) down to the right-of-way to M-82. The line of trees be close to his western Property Line - see Exhibit

3. These items to be done by November

15. 2020

4. Failure to complete the items by 11/15/20, if verified by an affidavit of the Zoning Administrator, will subject the Defendant to an immediate \$500 fine, plus \$100/day for any continuing violation

5. The Existing east-west fence at the front of the business shall remain

6. The Parties attorneys will work out a Consent order ~~of~~, pre-signed, in the event of non-compliance

7. The Township ~~is~~ contingency is that they must hold a board meeting and formally approve the settlement on or before September 10, 2020

8. In lieu of trees in #2, above, Defendant may install a gate if he desires

203 up EX

Defendant Mark G. Hoff Date 8-25-2020

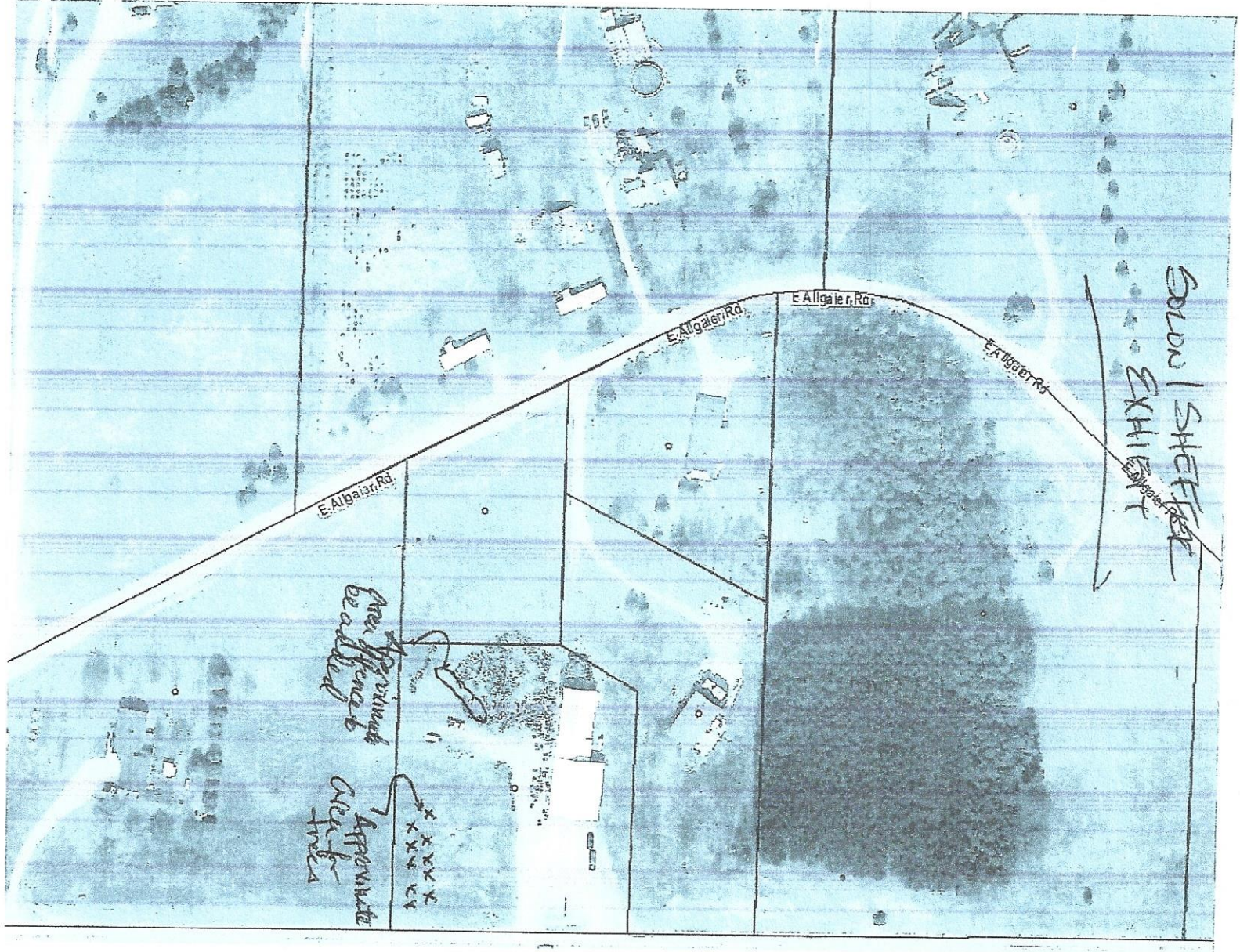
Defendant's Attorney Todd W. Miller Date 8-25-20

Plaintiff Rep James C. Lantieri Date 8-25-20

Plaintiff's Attorney Paul B. Brennan Date 8-25-20

3d B + Exhibit

SUB 1 SHEET
EXHIBIT



#24AN

V.

SHEFFER & SOLON TWP

SOLON TWP

V.

SHEFFER

2020-010458-NZ

MEDIATED SETTLEMENT AGREEMENT

The Parties have met and agreed as follows

1. Defendant shall put fencing around the propane tank to screen the view

2. Defendant shall put in a ~~fence~~ ^{gate}, which is opaque or has covering, on the rear (north) easement entrance to his property

3. Defendant shall pay \$2500 to the Plaintiff within 21 days

4. Defendant shall remove all non-mechanical debris and all non-reparable equipment from the outside of his property

5. Defendant shall make good faith effort to move the remaining items left ~~outside~~ ^{in the fence area} to the eastern fence area in the back lot

6. Plaintiff shall permit Defendant to put a dumpster on the easement which runs from Allgaier Rd to his business should he desire when removing the aforementioned property

7. All property of Defendants ~~shall~~ be in the back lot area must be kept within the fence line, excepting any licensed trailers

8. If any party has to go to Court to enforce this agreement, the prevailing party is entitled to reasonable attorney fees. They must first provide a notice of violation and 14 days to cure prior to commencing litigation

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~~7. Plaintiff~~
9. Defendant agrees to pay up to \$5278.24 for the planting of a vegetative screen upon presentation of a bill for the completed work by Plaintiff. Plaintiff agrees this is a satisfactory screen and binds her successors in title to the land.

10. Landscaping discussed herein will not encroach on Defendant's easement at any time.

11. Parties release each other from any and all claims of every type and nature that may, could or did arise from the beginning of time to the present day, including all possible claims in this lawsuit. This release is for themselves, their heirs, assigns and successors also.

12. Parties shall file a joint dismissal of all claims with prejudice and without costs.

13. Excepting item #3 and #4, all other obligations to be performed by November 15, 2020.

14. Plaintiff will Dismiss Her suit against Selton Township

Plaintiff Judith A. Flynn
J. Flynn

DATE 25 Aug 2020

Plaintiff's
Counsel Maureen Haughey

Date 8/25/2020

Defendant Michael Bluff
M. Bluff

Date 8-25-2020

Defendant's
Counsel Patricia J. Mink

Date 8-25-20

Defendant's
Counsel Lochlan

Date 8-25-20

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