

REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

August 9, 2018 TIME: 7:00 PM

Meeting called to order by Damien Henning, Supervisor. Present: Dean Morford, Trustee, Katie Derrohn, Trustee, Kim Shomin, Treasurer, and Kim Morgan, Deputy Clerk. Absent: Sondra Festerling, Clerk. Guests: Art Drayton, Julie Peurasaari, Paul Mooradian, Dave Carlson, Chuck Kneese, Jane Bell, Craig Bell, Jim Bell, Tracy Lowery, Samuel Lowery, Samuel R. Lowery, Mark Headley, Kurt Hoffman and William Shorter.

Consent Agenda: Item #3 Regular Meeting Minutes 7/3/18, #5 Budget Adjustments: None. #6 Approval of Bills: \$54,765.25 and added additional bills in the amount of \$12,897.79, #9 Blight Report: In Packet, #10 Management Authority Report: In Packet, #13 Sewer Authority Report: In Packet, #14 Library Board Report: In Packet, and #17 Miscellaneous-Correspondence: Invasive Species Update, Property Tax Assessment Meeting August 14, 2018, and Emmet DPW -Free Tire Collection- were all entered into the Consent Agenda and declared Adopted.

Treasurers Financial Report: K. Shomin reported: General Fund Checking \$46,961.73, Sewer Fund Checking \$101,149.58, Fire Fund \$18,128.19, Tax Account \$202,533.48, Cemetery Savings \$8,744.23, and Oden Light Savings \$1,854.81.

Public Comment:

Dave Carlson – Bossingham’s Cabins: Mr. Carlson explained that the County came to Bossingham’s Resort Association with a concern that came up a few months back when Mrs. Bell went to the County for approval of a land split. When the County was processing the request, a survey identified that out of the 9 units in the resort one of them is over Mrs. Bell’s property line and is also within two roads rite-of-way (Willard Rd. & Meeker Avenue) and not within Bossingham’s property. Mr. Carlson is coming before our board hoping to figure out a way for a resolution to this new-found problem. The Association wanted to see what the township board’s opinion would be on the problem before the resort would go forward with what could become a major expenditure to resolve this situation. The two plotted roads are not visible when looking at the two properties. In trying to come up with a solution to this problem the County said one way to resolve it would be to abandon the two roads but noted that one of the two roads end into a body of water. When a road ends into a body of water it is suggested to approach the Township because it can be a concern. The body of water that the road ends at is what appears to be a man-made canal from Crooked Lake that leads to a lagoon and a private boathouse. If you are standing on US-31 you cannot see a road that leads to the canal since it is all grass with a big tree in the middle of it. Mr. Carlson stated that if the two roads were abandoned the property lines could be re-done to have the mobile home inside of Bossingham’s property lines and the Bell property could have the other road area be assigned to their property lines giving them back the necessary amount of property to do the land split. It would also solve the problem of the well and sewer for the Bell property being in the middle of what is considered Willard St. D. Henning stated he talked with Brian Gutowski from Emmet County Road Commission and he stated that Willard Road is not within their jurisdiction. Looking at GIS Maps it looks like the corner of the trailer is within MDOT’s jurisdiction or State right-of-way. Meeker Ave is within Emmet County Road Commission’s jurisdiction. D. Henning also stated that the only thing that Littlefield Township would be deciding on, if all other issues were resolved between the two properties (Bossingham’s and Bell’s), would be if the Township would agree to the abandonment of Meeker Ave. The Association would prefer not having to hire lawyers to rectify this problem which prompted the County to mention road abandonment. Mr. Carlson did state that one of the possible ways that Bossingham’s Association can rectify the trailer being on the Bell property is to have the other 8 members of the association buy out the member of the trailer home and have them remove the home from the property. Mrs. Bell did state that she didn’t know the trailer was on her property, nor did she know if her father or grandfather before him knew it was on their property. She also stated that over the years the trailer has changed and become bigger, and is concerned that all these years she has been paying property taxes on a mobile home that has never been hers.

D. Henning responded on behalf of the Township Board that the property owners need to come up with and agree to resolution that will address the problems of the trailer and its placement along with what it would mean to both properties and their property lines if the State of Michigan would agree to abandonment of Willard. Until that is

settled the Township would not be comfortable making a decision that could possibly cut off a piece of public property to a person/s.

Sam Lowery -Eagle Scout Proposal: Sam came before the Township with a proposal for his Eagle Scout Service Project that if approved would build a Littlefield Township Cemetery Veterans Memorial in the Township's Cemetery 2nd Edition, NE ¼ of lot 74 on a 10x10 plot (2 grave sites). The Memorial would consist of six flag poles and flags- the American flag and one for each branch of the military. He would also install a headstone with a dedication to the veterans, create a book listing the names and military information of all the veterans buried in the cemetery honoring them for their sacrifice and service to our country and where they are located in the cemetery. In Sam's proposal he would start the service project this month and would plan on being completed by the end of September 2018 if the Township would approve of the project and donate the cemetery plot. The question was asked as to the cost to maintain the memorial and who maintains it. Sam's father introduced himself and stated that he is also the scoutmaster for Troop 4 here in Alanson and as far back as he can remember Troop 4 has placed the American flags on the grave sites of our service men and women every year for Memorial Day. He said that as a veteran himself, he felt that the troop would easily provide the service to maintain the memorial at the same time as placing the flags on the grave sites. A comment was made by the Township Board that the design would need to incorporate easy lawncare maintenance around the memorial for the Township's groundskeeper. D. Morford made the **Motion** to donate a portion of Littlefield Township Cemetery's 2nd Edition at the NE1/4 of Lot 74 which is a 10'x10' plot containing 2 grave sites to the Boy Scouts Troop 4 for the construction and maintenance of a memorial for the veterans of our community. Second by K. Shomin, Carried 4 Yes, 0 No, 1 Absent.

County Commissioner -Bill Shorter: Wanted to talk about the Michigan Department of Treasury's proposal to amend state laws related to the roles and responsibilities of Michigan Townships to administer property tax assessments in their jurisdictions. Mr. Shorter stated that Emmet County doesn't support this and that there is a meeting coming up in Gaylord to discuss these changes. A resolution could be passed opposing these changes. D. Henning said that our board was presenting and voting on Resolution #4 of 2018 later this evening that would register Littlefield Township's opposition to Michigan HB 6049 and SB 1025. Damien also stated that MTA provided all the State Township's a resolution template of opposition. The template was received by all Charlevoix, Cheboygan and Emmet County Township's and has been modified for us to vote on tonight.

Fire Board Report: The minutes and financials were received.

Assessor's Report: D. Henning reported that in the packets there is a Michigan Tax Tribunal Stipulation for the Crooked River LDHA. D. Henning stated that back when he was the assessor before becoming supervisor the Crooked River Apartments would file regularly to the tribunal to get their values lowered. Damien explained that the state set up a system that we mass appraise but when you go to the Tax Tribunal it switches to fee appraisals. To do a commercial fee appraisal it is about \$5,000.00. The Townships end up having to defend their assessment's. In this case we ended up lowering the assessment to the point that it just changed the taxable value by about \$100.00 and that was acceptable to Crooked River LDHA (Petitioner) so we were able to settle. Joel Wurster signed the stipulation for the Township.

Planning & Zoning:

Case #PZBA 18-013 – Carswell: This was a request for a dimensional variance to allow installation of a foundation on a non-conforming cottage at 10195 Lakeview Rd. This case was withdrawn due to some problems with the building department. K. Derrohn reported that she thinks that things have since been resolved with the building department.

Case #18-011 Crooked Lake Yacht Club: The Yacht Club's request was for a Temporary Use Permit to allow for 13 parking spaces and 12 boat slips at 3704 Oden Rd. K. Derrohn reported that this case was not heard since all parties have not gotten together and worked out their differences since their previous request approximately two years ago. At the previous request the committee wanted to have in writing some type of management commitment of who is in charge and who is responsible for the PUD and it still hasn't been provided. Because the requested commitment has

not been done/received, the township committee refused to hear the case and they didn't want the ZBA getting involved since it is still within the Planning and Zoning. Before another element is added the Original PUD needs a resolution. K. Derrohn said this past Monday she met with the 4 parties that are involved with this PUD now (the Condo people, Rick Lobenherz, Kurt Hoffman, and the Yacht Club). She informed them she was not representing the Township and that she was just trying to get the parties together to see if they could reach a solution and have them agree on signing a commitment of who is in charge and responsible for the PUD if a problem was to happen (who would the County or Township go to). The PUD represents land use only and doesn't have anything to do with the legal side of who owns what. The Township and County doesn't care who owns what just who is responsible if there was a problem. The meeting did answer a lot of questions even though it didn't come to an exact agreement but a clearer understanding about this PUD was reached than it has in the past. The two parties involved in the legal matter with this is getting closer to a conclusion and once it is resolved the County and Township could act on what the Yacht Club is asking for and can see if it fits with the PUD. K. Derrohn made a **Motion** that the Township amend the Littlefield Planning & Zoning Committee's comment given to the County and ask that the County table this case for 30 days in the hopes that some of the problems can be resolved between the 4 parties and potentially allowing the case to be referred directly to the County Planning and Zoning without having to go before the ZBA. Second by K. Shomin, Carried 4 Yes, 0 No, 1 Absent.

PPTEXT 18-01: Add Farm Operation Accessory Uses to Section 18. Accessory Uses Land Use Matrix with an "S*" and add Section 26.51 and PPTEXT 18-02 Adding to the Farm Labor Housing Ordinance to Section 18 Land Use Matrix a "P*" in the table and add Section 26.33. D. Henning made a **Motion** that the Township Committee's recommendation for both PPTEXT 18-01 and PPTEXT 18-02 revisions be approved and forward on to Emmet County. Second by K. Shomin, Carried 4 Yes, 0 No, 1 Absent.

Unfinished Business:

Bid Openings on Township 20 Acres on Powers Rd: D. Henning read the advertisement for RFP for the purchase of township land on Powers Road that was in the Petoskey News Review for the past four Fridays. D. Henning reported that he received two bids- one from Steve Boettger and another from Haggard's Plumbing and Heating. D. Henning then opened the bid envelope from Haggard's in which they proposed \$1,959.00 for the West Half of the Northeast Corner of Section 18T35NR4W. The bid envelope from Steve Boettger was then opened by D. Henning in which Mr. Boettger submitted a bid on tax parcel #17-1718200006 in the amount of \$40,000.00 cash. He stated that he can pay the moment the Township is ready to sell and his terms include that the property is surveyed and that there are no leans on the property. He also wants to know what will happen to the neighbor's driveway that is on the township property that is being sold. D. Henning stated that Jim LaPeer, Township Assessor, had felt that this is what that property would be worth. The neighbor's driveway is on the property line and the embankment of the driveway comes over onto the township's property. D. Henning would defer the question of the driveway over to township attorney Joel Wurster. After a brief discussion the Township Board agreed that they felt the bid given was a good amount for the property. D. Henning made a **Motion** that the Township sell to Steve Boettger the property parcel #17-1718200006 as the Township deems it is excess property since there was extreme opposition when the Township proposed to utilize the property for the relocation of the buildings from Admirals Pointe, and that the Township deems \$40,000.00 is a reasonable price. Second by K. Derrohn, Carried 4 Yes, 0 No, 1 Absent. D. Henning will contact Haggards to let them know their bid was not accepted and will also contact Joel Wurster in regard to the driveway.

Oden Parks: K. Derrohn reported that we are 29th in line for Harbor Fence Company to place the posts in Oden Dow park to prevent parking on the grass. Gazebo Park has not been seeded for grass due to the lack of rain. K. Derrohn tried to place the garden hose out but the neighborhood kids were having fun playing with the hose. We will now wait until the end of September beginning of October to plant the seed when the weather tends to be more wet.

Land Bank Update: The Land Bank has cleaned up the house and surrounding property but Habitat for Humanity hasn't taken possession yet of the lots. K. Derrohn did contact Habitat to let them know the Township has stopped mowing the two lots. They will now keep up on the mowing the lots and around the house but they will not start building on the properties until next summer.

New Business:

Village of Alanson – Boathouse: D. Henning thought that Greg Babcock would be in attendance to make a presentation on behalf of the Village of Alanson's Boathouse Project. Damien texted Greg to ask if the Village was looking for funds for the Boathouse garage doors. Greg responded that it would help because they have already exhausted the Grant funds and the Village appropriated an additional \$10,000.00 to finish all of the project except the garage doors which is an additional \$3,400.00. D. Henning stated that Tom Fairbairn came to him to ask for assistance, and he thought that after the conversation with Tom someone from the Village of Alanson would present a request for assistance. D. Henning made a **Motion** that the Township allocate up to \$4,000.00 for the Boathouse garage doors and to be available as soon as the funds are needed. Second by K. Derrohn, Carried 4 Yes, 0 No, 1 Absent.

Resolution #4 of 2018: D. Henning presented Littlefield Township, Emmet County Resolution #4 of 2018 to Register the Township's Opposition to Michigan HB 6049 and SB 1025 to the Township Board. K. Derrohn Supported Resolution #4 of 2018 and Deputy Clerk K. Morgan did a Roll Call Vote: Yeas: Henning, Morford, Shomin, and Derrohn. Nays: None. Absent: Festerling. D. Henning then declared the resolution adopted. After the full Resolution #4 of 2018 as presented, voted, and approved it will be given to S. Festerling to certify as being adopted and that it is to take immediate effect. S. Festerling will place in the Township's Resolution Book along with sending out copies of the resolution to Representative Jim Lower, Senator Jim Stamas, Senator Wayne Schmidt, Representative Lee Chatfield, Emmet County Commissioner Bill Shorter, and the Michigan Townships Association.

Resolution #5 of 2018: This resolution came out of our AMAR Review that happened with our assessor last month. The Township has never levied any penalty and interest for untimely filed property transfer affidavits and it was a negative mark on our AMAR Review. D. Henning presented Littlefield Township, Emmet County Resolution #5 of 2018: Resolution for Waiver of Penalty and Interest for Untimely Filed Property Transfer Affidavits. D. Morford Supported Resolution #5 of 2018 and Deputy Clerk K. Morgan did a Roll Call Vote: Yeas: Henning, Shomin, Derrohn, and Morford. Nays: None. Absent: Festerling. D. Henning then declared the resolution adopted. After the full Resolution #5 of 2018 as presented, voted, and approved it will be given to S. Festerling to certify as being adopted and that it is to take immediate effect. S. Festerling will place in the Township's Resolution Book.

Cemetery Report: Kim Morgan presented her report that was tabled last month (7-2-18). 242 flags were placed on Veterans graves by Boy Scout Troop 4 and the spring clean-up was completed in time for Memorial Day weekend. A new weed whip was purchased. The number of Burials is up slightly and as of now we have had 1 full lot sale and 3 single grave sales. Brian Johnson has been doing a great job maintaining the grounds and has made improvements to how the dirt is being held until after burial has happened. Many complements have been received on how nice the cemetery looks! Kim as also reported that over the years people have asked her how to get the date of death engraved on headstones if it is purchased before date of death. A few years back Ron Farr from Custom Engraving gave Kim a price list and order forms. The price list had the charge that Custom Engraving charges for their service but it also included what to charge the customers for the service. In the past Kim would tell someone who asked about engraving to contact the funeral home or Greenwood Cemetery, but after talking to Ron Farr's wife Debbie, she stressed that the cemetery should be making a little bit of money for the work that is being done to assist the customers. Debbie explained that other cemeteries and the funeral homes collect a portion of the fee for scheduling the service for the customer before paying for the engraving. Kim asked if the Township Board would want her to start collecting the fees for the engraving and scheduling the engraving. D. Henning reported that this is not much different from our Township Assessor collecting a land split fee and the Township paying that fee back to him directly. K. Shomin made the **Motion** that the Cemetery Sexton take over the coordinating of setting up headstone engraving from Custom Engraving, Ron Farr, when asked by customers for help. The Sexton will follow the pricing that Custom Engraving uses for all the other cemeteries and funeral homes in the area and that the difference between the charge to the customer and the cost that is billed to Littlefield Township Cemetery from Ron Farr will be paid to the Cemetery Sexton for their services. Second by D. Henning, Carried 4 Yes, 0 No, 1 Absent.

Regular Meeting was adjourned @ 8:35PM by D. Henning

Sondra Festerling, Clerk