

REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

October 1, 2019 TIME: 6:15 PM

The Littlefield Township Board Meeting met at the Alanson Littlefield Cemetery for the annual Cemetery walk. Board Members present: K. Shomin, K. Derrohn, S. Festerling, D. Morford, and D. Henning. Also, present was Cemetery Sexton Kim Morgan. The meeting started out at the Vault. It was noticed that there are a few roofing slates that need to be pushed back into place but otherwise the vault area is looking good. Kim Morgan reported that Rick Gorney will be servicing the tractor for the winter and that Brian Johnson's idea of the covered plywood to place over openings has been working out nicely, along with using 5 gal pails for the dirt to go into when doing a cremains burial. Kim also brought up the idea of getting large buckets with trees planted in them to be placed in the center of the driveways during the winter so people do not drive into the cemetery. In the past there have been cars going into the cemetery when it full of snow and they have driven off of the roadway causing damage. Those pots could be moved to the back parking lot area when the roads in the cemetery are ok to drive on. The fence was also talked about. Kim reported that the new short caps on the spindles would be placed soon. It was suggested that we hold off doing it now until the springtime so we don't loose any of the new caps over the course of the winter. At the back of the property where the trees and stumps were removed, D. Henning reported that Wade Williams is going to come back and disk and smooth out the back lot so next year it could be mowed making it look nicer. The Board members all agreed that the cemetery looked good.

The meeting ended at the Cemetery at 6:50 PM so it could reconvene at the Community Hall.

7:00PM

Meeting called to order at the **Community Hall** by Damien Henning, Supervisor. Present: Katie Derrohn, Trustee, Kim Shomin, Treasurer, Sondra Festerling, Clerk and Dean Morford, Trustee. Guests: Roman Benson, Matt Ladd, Dave Droste, Sue Droste, Julie Peurasaari, Art Drayton, Brian Drayton, Kim Morgan, Kurt Hoffman, & Bill Shorter.

Consent Agenda: Items **#3** Regular Meeting Minutes 9/3/19 and Special Meeting 9/17/19. **#5** Budget Adjustments: None. **#6** Approval of Bills: \$49,396.19, **#9** Blight Enforcement Report: In Packet, **#10** Management Authority Report: In Packet, **#11** Assessor's Report: None, **#13** Sewer Authority Report: In Packet, **#14** Library Board Report: Will Forward, and **#17** Miscellaneous: Correspondence: ECRC Meeting Minutes 9-5-19, and Treasurers Comments Dtd. 9-19-19 and 10-1-19 were all entered into the Consent Agenda and declared Adopted.

Treasurers Financial Report: K. Shomin reported: General Fund Checking \$47,162.90, Sewer Fund Checking \$68,510.88, Fire Fund \$19,261.90, Tax Account \$887,177.28, Cemetery Savings \$9,999.57, and Oden Light Savings \$1,383.45. K. Shomin reported we have received the Grant money back from the DNR Trust Fund for the purchase of the Blumke to Milton Rd. property.

Public Comment: Roman Benson commented on the Townships decision of not opting into Medical Marijuana. He stated in his professional opinion he firmly believes that the board did not act in the best interest of the community. He stated that he believed that the board didn't make their decision based off of facts but their own personal feelings and then went on to offer or state options to the board. His first option was asking for any of the board members to put forth a resolution to say let's vote yes or no and place the question of allowing a provisioning center in Littlefield Township to be put to a public vote on the General Election of 2020. He then went on to say that he and his partners from B+B, LLC Medical Marijuana Provisioning will be pursuing the issue to have it be placed on the ballot in Littlefield Township to let the citizens decide two

questions: Do you want a medical marijuana provisioning center in your community (yes or no) and Do you want a recreational marijuana provisioning center in your community (yes or no). He said that they are hoping with the signature gathering and the referendum as allowed by state law and the State of Michigan guidelines that they let the voters decide by voting, yes or no, at the election. He went on to say that they will be following the State of Michigan's guidelines for a voter referendum and also the State of Michigan Election Laws.

Bill Shorter, County Commissioner, came before the Township Board to ask if there were any questions by the township in regards to the proposed combining of the Register of Deeds Office and the Clerk's Office at the last County meeting. Bill did go on record stating he voted against the combining and that the county needed to spend more time on trying to balance the two separate budgets. One if the proposal for EMS passes and the second one if it doesn't pass. To combine the two offices, it would be extremely time consuming and require at minimum of one public hearing most likely more. He stated that both offices are complex and that the employees working on the elections currently have enough to deal with without adding to their duties. He also felt that the county's cost savings figures that were put forth were not correct. He also stated that if the offices were to be combined it would take a 2/3 vote by the county board members present and it was defeated. Judge Johnson will have to appoint an interim clerk to serve out the term until the 2020 general election. He also went on to state there was a problem with ordering election supplies. The County didn't have a line item in the budget for election supplies which held up getting the supplies in a timely manner at no fault to the clerk's office. K. Derrohn asked Bill why the county is making the townships pay for the election costs when it is a special election. Normally when a special election is called the entity who calls it has to pay for the costs associated in running it. It places the burden on the townships who didn't anticipate having to pay for an election this year. Bill replied that the decision of who was paying was not up to the Board of Commissioners. The county stated it went back to a state statute. Bill also state that some of the townships were willing to pay for the election but he would go back and research into this more and give a better answer as to why.

Fire Board Report: The fire Board Minutes were received. K. Derrohn asked for clarification of the 17 Knox Box checks that were done. Art Drayton stated that there were 4-5 that needed changes and now only one box is remaining as not operational which is the Stafford's Karriger building on River Rd. he also stated that this is something that gets done once every two years do to the time that it takes to verify each one personally. Brian Drayton reported that the fire department is getting dangerously close to shutting down EMS. Currently there is only three people besides the day shift person (Brian Johnson) to be on call for EMS. Brian reported that he hopes to have two people come back on rotation next week after having a leave of absence. Brian said that the department will need to come up with plan that will entice others to join the team by either offering a sign in bonus after a year of service, or an hourly rate for being on call-something needs to be done to get people interested. He stated that flyers have been done, Facebook posts, and talked with people, but there hasn't been any interest in joining. Art stated that he let the Fire Board know that if they have to shut down EMS a letter needs to be drafted to Maple River stating we will no longer be able to provide that service. Currently EMS on call personnel get \$15.00 a run but that doesn't account for the number of hours that they have to dedicate to being available in close proximity. Art reported that the same scenario is happening with the volunteer firemen as well – no new applicants since the pay is only if they go on a run. K. Derrohn stated that we may need to start prepping for the possibility of an additional millage to allow for increases. D. Henning replied there are only 3 payments left on the building and those funds that had been budgeted for the hall will be able to be used for other items. He went on to say, we have tried not to burden the residents of Littlefield with any additional millage over the 3 Mills we are already paying. Art made the comment that it's the ones working at the hall that are burdened and there is nothing to be proud of anymore. D. Henning replied by stating when the township saved for years and was able to achieve a new fire hall and equipment for the department, that it was and still is something to be proud of. Brian Drayton stated that it is something to be proud of but the man hours that is being put in is hard. D. Henning stated that is understood, but the census of firemen/volunteers has gone up and down for years and at one time there was more people on the department then turnout gear. What is happening with participation? We need to know about that as well. Comments were made that there is less and less of

people wanting to give back to their community whether it is because they don't have the time or the money is not worth their time. All boards and organizations are having these issues. D. Henning asked if it was felt that if we were able to change the way we pay than we should not have volunteer problems. Brian Drayton responded that he believed so. K. Derrohn would like to see the Fire Board come up with a plan and bring it back to the Township. Look into what other departments are doing, what type of packages they have for their volunteers etc.

Planning & Zoning:

Case # PSUP 19-012: A request by Matthew Ladd for a Special Use Permit for an exception to size of a residential accessory building at 7502 M-68 Hwy. The request is for a 1728 sq. ft. accessory building behind the house. K. Derrohn presented the case and stated the property is zoned R-1 and the allotted accessory building size is 1200 sq. ft. Mr. Ladd would be removing three buildings to place the new building. The location of the new building is because of the location to the well. K. Derrohn stated that at the committee meeting they asked if he could move the new building over past his well and up closer to the dwelling so he wouldn't have to come in later before he builds it for a variance. The building is currently too close to the back property line. K. Derrohn reported that the county has been letting people, depending on circumstances like where they are living, does it affect their neighbors, and can it be seen from the road, build larger than what is granted as a maximum size for this zoning type. K. Derrohn stated that he would be willing to move the building over so he would meet the setbacks. Mr. Ladd interjected that he was willing to do that if it would fit. However, today he went out and measured everything and created a scale of the property and building on graph paper. He attempted to make it work but wanted to show the board by his paper model why he was asking for the setbacks. He found it didn't work. After discussion of possible ways to make it work and realizing that if it was to be moved closer to the mobile home there would be a potential for a hardship when it comes to winter months and removing snow loads from both roofs. The snow load coming off both could potentially be higher than the roof line of both buildings and in the spring, it could create a problem when melting. Due to the new information provided it was suggested to have Mr. Ladd go in and try to get the variance first. If the variance is not granted then he would have to change the size of the building or come up with a new plan. K. Derrohn stated that the Township can table this case so Mr. Ladd can go and talk with Tammy Doernenburg at Emmet County about pursuing a variance. D. Morford later stated he would like to see an aerial view from the County to see what is going on with the neighboring properties. He said that it would give him more information on the properties around this parcel like how close the closest building is, and what the uses are on those properties. He also thought that in County Zoning we should think about the ability to buy or obtain a setback easement from a property owner such as this case. By doing something like this it would allow for the setbacks to be a part of an easement that the neighboring property would permit or grant and be placed on the deed as such. D. Henning stated there is an out-lot that is being abandoned by the Road Commission between Mr. Ladd's property and the neighboring pit.

Re-Zoning Cincinnati St, Oden: K. Derrohn reported the county sent out letters to the surrounding property owners along Cincinnati St. that was included in the Motion made during the Regular July 2, 2019 Board Meeting. No one showed up to the Township P & Z Committee meeting, so the Committee would like the Township to move forward with the re-zoning. Tonight, there was no one in the audience for this as well. The change would go from B-1 to R-2 allowing all the property owners in this re-zoning area to rebuild a single-family home if something were to happen to their existing home. By requesting this change it also helps to update our corridor study which is something we need to do every 5 years. D. Morford asked if the change would affect a property owner from opening up a B & B, and it was stated that they could have a B & B with a special use permit. D. Henning asked since no one showed can we proceed with the change and what would be our next step. K. Derrohn stated the Township would need to fill out the application to change the zoning and pay the fee. D. Henning made the **Motion** that K. Derrohn be authorized to submit the application for re-zoning the list of parcels that was sent the Notice of possible Re-Zoning as shown on the Oden Possible Re-zoning Area Map prepared by Emmet County Planning & Zoning dtd. 9/6/19. Since this change complies with the County's Master Plan, and it complies with Littlefield Township's 2012 Corridor Study, and since there were no negative

objections, the Township can proceed to fill out the application for this zoning change from B-1 to R-2. Second by K. Shomin, Carried 5 Yes, 0 No.

Unfinished Business:

2019 Audit: The Audit has been preformed and filed with the State of Michigan by Kammermann & Bascom, PC. D. Morford made a **Motion to receive and file** the 2019 Audit- retroactive since it was due by September 30th. Second by D. Henning, Carried 5 Yes, 0 No. D. Henning stated in order to go forward with the Bond issue for Hay Lake Marina & Park it had to be filed on time, along with submitting the Qualifying Statement. D. Henning did state there is going to be a corrective action that will need to be filed. On page 26 of the Audit report, it talks about the Hay Lake Marina fund not having an approved budget. The interim financing for Hay Lake happened the same time as budget and we did not realize we had to have a separate fund. We thought that we would be putting the funds from the loan through our General Fund and be able to make the appropriate budget adjustments. When we went into the Special Meeting to sign for the loan with Citizens Bank, we were required to open a special account just for that money. We will be filing a corrective action with the Department of Treasury with the help of our Auditors. D. Henning stated, in speaking with the Auditors they didn't feel it was a huge problem. Then with speaking with Patrick McGow from Miller -Canfield (Bond Counsel), and Bobby Bendzinski from Bendzinski & Co., they also didn't see it as a big issue since the Auditor's felt it wasn't a problem because it was something, we were unfamiliar with within days of a new budget year.

Bond Resolution: D. Henning asked if the Board had the chance to go over the Bond Resolution that was drafted by Miller, Canfield, Paddock, and Stone, PLC, and if there were any questions on how they and Bendzinski & Co. have worked together to get us to this point. As there were no questions, **Damien Henning, Supervisor, offered: Resolution Authorizing 2019 Capital Improvement Bonds (Limited Tax General Obligation) Resolution #7 of 2019.** The resolution was then supported by Dean Morford, Trustee. A roll call vote was administered by Clerk Sondra Festerling with A Yes from: Damien Henning, Supervisor, Kim Shomin, Treasurer, Sondra Festerling, Clerk, Dean Morford Trustee, and Katie Derrohn, Trustee. Nays: None. **The Resolution was Declared Adopted and then Certified by Sondra Festerling, Clerk.** Three certified copies will be mailed out to Miller Canfield as requested and a certified copy will remain within the township.

Admiral's Pointe: The universal access kayak & canoe launch was installed today. It is an impressive launch pad that is handicap accessible and extremely stable for all that use it.

K. Derrohn reported that Kurt Hoffman and herself will be meeting with Tammy at the County on Thursday morning to discuss the buildings and what we can do and to see if modifying the PUD would work.

Township Newsletter: K. Derrohn asked if the Newsletter could include information about Woodruff/Veterans Park's well. It is currently down but it will be rebuilt. The cement was so thick that needed to be removed in order to find the well head. The well head was found but it was under the fountain and the thickness of the cement made the back part of the well crumble apart. The well had to be taken down, but fortunately they could place an elbow over the two pipes so it wouldn't flood the surrounding area, they also placed a pile of gravel over the pipes so they wouldn't be messed with until the Township can rebuild the fountain within next year's budget.

New Business:

Crystal's Well: D. Henning provided the well agreement for Crystal's Well that is across from the Crooked River Lodge to the property owner behind the well. Two weeks ago, on a Saturday, the well was shut down by the property owner of the house. They also own the well but there is an agreement that the public can have access to the well that sits in the public right-of-way as a source of domestic drinking water. This agreement was registered with Emmet County Register of Deeds and it also states that the homeowner can continue to use the existing flowing well for its own domestic water supply as long as the well continues to provide water for

the public along with a few other stipulations. Apparently, the homeowner was unaware of the registered agreement, and when D. Henning provided her with a copy of the deed, he invited her to attend tonight's meeting. He went on to say that if there were problems with what is going on at the well, we could address them and find a way to minimize them. The township has never heard anything from the previous owners after the Housding's owed it. There have been no other complaints of dumped garbage or any other disrespectful occurrences since the agreement was established in 2012. K. Shomin reported that she has stopped at the well almost daily while she has been delivering the mail and she has never noticed it to be dirty or have garbage. K. Derrohn also stated the same. The turning off of the well caused a big social media stir with the property owner admitting to turning it off and that it was her right to do so. Strong words and comments were posted on social media by many people but fueled by the property owner. D. Henning stated he was unaware of the situation on social media until another board member brought it to his attention, but he did want to let all the board members know of it so if there are any other problems with the property owner it can be addressed appropriately right away. K. Derrohn would like to ask the Road Commission about the signs the property owner has posted by the fountain and if they need to be moved. D. Henning will contact the Road Commission.

Clerks Agenda: S. Festerling reported that we have received a notice from the IRS Department of Treasury acknowledging our tax-exempt bond form for our Purchase Installment Loan. A copy of the form was given to D. Henning to place with all of his Hay Lake Marina documents and another copy will be maintained in the township safe.

S. Festerling stated that an email was received from the County that the Public Accuracy test will be held at the Board of Commissioners room at 2PM on October 23, 2019. In light of K. Shomin being on vacation D. Henning will need to attend the public testing. It will be very short test since there is only one item on the ballot. It was also brought to the boards attention that after attending the two trainings on the required election changes due to 18-3, S. Festerling purchased two hand held scanners that will aid in scanning voter id's and barcodes that will print out on the labels for all Absent Voter Applications and Ballot Envelopes along with a Dymo label printer with labels (\$284.23 total) and a small laser printer that will be used to register voters by the clerk during the election (\$99.00). I have confirmed with ES&S acknowledging that Littlefield Township will need one of the new required/updated DS200 modems. We will be billed for the modem around the time they come to install them in the machine around February 17·2021.

Public Comment: Dave & Sue Droste wanted to find out more about the project on the corner of Smith Rd. and Banwell. D. Henning reported that it is a wetlands mitigation project and is being constructed by Michigan Department of Transportation. D. Henning went on to explain that whenever an acre of wetlands is lost or filled it has to be replaced with two acres elsewhere. The property was bought by MDOT back in 2017 and it will be in the public trust forever. It has three levels of ponds that will flow down each level. The wetland birds have already started to show up on the property.

Cemetery: Kim Morgan let the board know that she had a request from someone to have the cemetery buy back their cemetery plots since they are moving away and there is no family in this area. K. Morgan drafted a letter and mailed it to them for their signature stating that they are wanting to sell back their graves. Once signed they will need to send it back with their original lot certificate so they can be re-sold. Once everything is received back a notice will be sent to both the Clerk & Treasurer to send the refund check.

No other comments or information was brought before the Township Board.

Regular Meeting was adjourned @ 9:06 PM by D. Henning