

REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

November 8, 2018 TIME: 7:00 PM

Meeting called to order by Damien Henning, Supervisor. Present: Dean Morford, Trustee, Katie Derrohn, Trustee, Sondra Festerling, Clerk, and Kim Shomin, Treasurer. Guests: Julie Peurasaari, Art Drayton, Brian Drayton, Paul Mooradian, Kurt Hoffman, Pat Hoffman, Dan Gorman, Fred Hackl, Krista Lutz, Bill Shorter, Klaus Heinert, Kevin Krogulecki, and Joan Tlihonon.

Consent Agenda: Item **#9** Blight was removed from the Consent Agenda and Items **#3** Regular Meeting Minutes 10/2/18, **#5** Budget Adjustments: **General Fund:** #101-955 TWP -Misc: +2,000.00 to \$12,500.00, and #215-703 Deputy Clerks Salary: +\$100.00 from General Fund-fund balance. **Sewer Fund:** #807 Reimbursable Expense: +\$100.00 from Sewer Fund-fund balance. **Fire Fund:** Uncategorized Expense: +\$100.00 from Fire Fund-fund balance. **Oden Light:** #448-700 Misc.: +\$100.00 from Oden Light-fund balance **#6** Amended Approval of Bills: \$87,317.61, **#10** Management Authority Report: Received at meeting, **#11** Assessor's Report: None, **#13** Sewer Authority Report: In Packet, **#14** Library Board Report: In Packet, and **#17** Miscellaneous-Correspondence: Invasive Species Update and NW Michigan's Seasonal Economy were all entered into the Consent Agenda and declared Adopted.

Treasurers Financial Report: K. Shomin reported: General Fund Checking \$31,360.38, Sewer Fund Checking \$136,225.77, Fire Fund \$9,823.14, Tax Account \$8,118.20, Cemetery Savings \$9,470.15, and Oden Light Savings \$939.53. October is typically a slow month. All the delinquent sewer is ready to go on the tax bills. The Township Newsletter will be sent into the County tomorrow so it can be incorporated with the tax bills.

Public Comment: Bill Shorter stated that the Emmet County Board of Commissioners created an ad hoc committee for Economic Development and they are looking at the light industry. There are three areas that they are looking at for set up of industry development areas. Those areas are located at Pellston Regional Airport, Keystone East in Littlefield Township, and also Bear Creek. Bill asked how many sewer taps the township has since it is more favorable to have sewer set up for these developments to come in and would we consider extending our service out to Keystone Park on M-68. D. Morford reported that the township has a surplus of taps. D. Henning reported that the Township had talked about extending the sewer lines out that way around 18 years ago but at that time we did not have the extra taps nor did we do any type of engineering to see what it would cost to extend the line in that direction. Bill Shorter stated that the County has been very pro on getting year-round occupation in light industry within the county. The ad hoc committee consists of two commissioners and Bill Scott of Great Lakes Energy. It is felt that an expansion of more members will be in the future. NLEA has been active in giving input to this committee in order to help create industry that our younger generations would be interested in staying in this area for jobs.

Paul Mooradian mentioned to Bill Shorter that around 20 years ago, he and other property owners (including Eagle Beach) petitioned the Township to extend the sewer lines and that maybe now is the time to revisit the possibilities. D. Morford did respond stating that since that original petition the Township did acquire more taps for development and some of that was in consideration of going out M-68 in the future.

Fire Board Report: The minutes and financials were received. Art Reported that the Fire Board is finalizing the three-month budget adjustments for the extension of their budget year to align with the Township's budget year end going forward.

Blight Report: K. Derrohn reported that she talked to Martie VanBerlo and D. Henning on the Valley Rd. property. The fence on the property made of pallets is a blight issue and is in violation. D. Henning did contact Mike Vargo to let him know to start the blight process on the fence. Martie is pursuing the occupancy on the property since the property owner has been residing there without an occupancy permit. He had posted the property/trailer is not to be occupied. The county has also placed a cease and stop order on the shed she was building.

4229 Indiana Street: This is the house that has been slowly falling down, but now the inside of the house can be seen and walked into without using a door. This property is now needing to be either fenced in or torn down because it has become a public danger if anyone was to attempt to go around or into the structure. Mike Vargo has sent a letter.

Planning & Zoning:

Case #PZBA 18-019: Request by Dan Gorman for PM Ponshevaing II LLC for expansion of a non-conforming use and setback variances for the business located at 5496 Oden Rd. known as The Fort. The request is to move the existing storage building closer to the main building and convert the storage building to a retail/food service establishment and to connect the two buildings on the property. The property owner will have screening around the dumpster with cement, a Knox Box installed, and plenty of parking. The Fire Department has already approved the property. The Littlefield Planning Committee has approved this case with conditions that the document of approval from MDOT and Road Commission is received. The setbacks would be 1'3.5" from the southerly property line, 40' from the westerly property line, the dumpster be screened with cement, and a Knox Box installed. Mr. Gorman presented this case to the Township on behalf of Mr. & Mrs. Collins the property owners who are looking to bring the building up to code and bring back a snack shack similar to what it had been in the past with a few extra touches. There will be a privacy fence installed by the development to replace the existing one that the neighbor had. The new fence will give the neighbor more benefit for their property. K. Derrohn stated at this time the 2nd floor apartment will not be occupied as an apartment and just used as storage for the time being. K. Derrohn made the **Motion** to approve Case# PZBA 18-019: 5496 Oden Rd. known as The Fort with conditions that the dumpster is screened with cement, Knox box installed, the MDOT and Road Commission letters of approval received, the setbacks would be 1'3.5" from the southerly property line, and 40' from the westerly property line, and that the committee's recommendations be moved onto Emmet County, Second by K. Shomin, Carried 5 Yes, 0 No.

Case # PPUDF18-02: A request by Crooked Lake Yacht Club for an Amendment to a Final Planned Unit Development and Site Plan Review for a proposed parking lot and boat slips at 3704 Oden Rd. The Property is zoned R-2 General Residential with a PUD-1 Overlay which is part of the Windjammer PUD. K. Derrohn reported this has been before us several times but what the Yacht Club would like to have is 21 parking places and 12 boat slips. It was thought to be taken care of with the management agreement between the four parties and the Yacht Club submitted a management agreement to the county. In the meantime, there was two other party members of the four submit a management agreement to the county, and because of that we are back to where we were before. Three parties agree to the one management agreement and one party that is not willing to sign the agreement. The Committee looked at the presented plan and told the county that they would approve the plan with the condition that all four parties meet to sign the Owner Development PUD Agreement and that they need approval from MDOT and the Fire Department. Since the Committee Meeting, K. Derrohn reported she has looked into it further. The drainage plan for the PUD from back in 2003 is basically outdated, and she would like to add it as new conditions that they get a new seal drainage plan along with an updated or new landscaping plan. They are requesting 21 parking places and the ordinance states that with that volume of parking they must have at least 3 trees 2 ½" in caliber within their landscaping. The committee is at the point that the issues with the four

parties can not be solved by the committee. It needs to be solved by the owners, and if they are not willing to get together and work out an agreeable and signed Owner Development PUD Agreement then it's back to not passing through. It is completely up to the four parties to working out their differences. K. Hoffman made a comment that he would like to see the county identify who can park in the parking places or how the parking is to be used. K. Derrohn stated that the county sees it as the parking for the boat slips if this goes through. If the Yacht Club wants anyone to come in and park then that is up to them. K. Derrohn stated again that the County and the Township will not be getting involved with the legal matters of who owns what. We don't settle legal matters, and the only thing that the County will get involved with is the land usage. D. Henning made the **Motion** that we approve the Township Planning Committees recommendations as presented with the addition of the new conditions that they get a new seal drainage plan along with an updated or new landscaping plan to include at least 3 trees 2 1/2" in caliber on the plan. Second by K. Shomin, Carried 5 Yes, 0 No.

K. Derrohn reported that she has received an application for a replacement Planning & Zoning Committee member. Allen Bersonnet has filled out an application to serve on the committee and has also agreed to be the Village Blight Officer. He is taking a course in zoning and a few other things as well. K. Derrohn reported that if the committee doesn't have a case in December, we will get an employee packet for him in January. Unfortunately, we have received another letter of resignation from a Planning & Zoning Committee Member. Wayne Meyers will be resigning as of November 30, 2018 stating that he has enjoyed working on the committee and has learned a lot but he feels it is time to step back and allow for younger people to get involved with the community. The Township Board accepts Wayne's resignation and would like to thank him for the many years of his involvement with the township. He will be sorely missed.

Unfinished Business:

Admirals Point/Keystone Park: D. Henning introduced Klaus Heinert and Kevin Krogulecki from Gosling Czubak who came before the Township to give a presentation on where the Admirals Point project is and to give us the preliminary project opinion of cost and funding summary. Klaus reported that for the last 5 months they have been working on getting the bid packages ready to go out for bid. A handout was given to the board to show the area and what is going out to bid on the site package to include land and water improvements. There are three areas that makes up the bid package: The Hay Lake Marina- site & marine construction, the Hay Lake Marina- floating dock construction & installation, and the Hay Lake Marina- shower/restroom building construction. Klaus reported that they did a pre-bid walk through with a set of contractors (around 15 people) on site to get a feel of the pricing. The schedule is that the land-based portion of the project will be done first (by the 20th of November) so they can come back to the Township at the December 4th meeting with a bid tabulation and assessment with recommendations. The total project cost is estimated at \$2,782,850.86. The Township has been granted two grants, one from MNRTF Grant in the amount of \$280,000.00 and the Waterways Grant in the amount of \$185,700.00. The remaining funds will come from the Township through funding and a financing package. A RFP for financing will need to be started. Next year will be considered as a construction year with the hopes that the project will be completed in time for a 2020 summer opening. Everything does depend on good bids and the process needed to be taken with the necessary approvals locally and through the State of Michigan. D. Henning did say that the Township Board can see that the costs have gone up considerably since we first started this two years ago. Now that we have more solid figures, we will need to put out the RFP for the lending institutions to see if they will they lend us the money and at what interest rate and term. We now are at the point where we would find out what our annual investment would be and at what terms. We would then decide if we move forward by approving contractors or if we need to scale back etc. D. Henning hopes we could find out from financial institutions their financing options by the next board meeting in December.

New Business:

Resolution #6 of 2018: Resolution #6 of 2018 to Register the Township's Opposition to Senate Bill 396 was presented to the Township by Damien Henning. If this bill were to pass it would allow exemptions from seasonal weight restrictions (also known as "frost laws") to the forest product industry during the spring thaw when roads are most vulnerable to damage from heavy loads and would result in costly damage to the public road system and negatively impact the traveling public. Resolution #6 of 2018 to Register the Township's Opposition to Senate Bill 396 was then supported by D. Morford and a roll call vote was passed with all Yeas: Dean Morford, Trustee, Sondra Festerling, Clerk, Katie Derrohn, Trustee, Kim Shomin, Treasurer, and Damien Henning, Supervisor. Supervisor Damien Henning then declared the Resolution #6 of 2018 adopted. S. Festerling will send this adopted resolution onto Senator, Wayne Schmidt, Representative, Lee Chatfield and Emmet County Road Commission.

Bid Opening- Powers Road: The ad for request for proposals regarding purchase of the township owned Powers Rd. property was placed in the Petoskey News Review 10/12, 10/19, 10/26, and 11/2/18. Two bids were received and opened at the meeting. The first envelope was from FAH Inc. with a bid price of \$21,000 and gave the Township the right to dump the dredging material from Admiral's Point project onto the property giving an estimated benefit savings of \$20,000.00 in trucking costs. This proposal was submitted by Frederick A. Hackl. The second envelope submitted a bid price for the property at \$41,350.00 with an immediate cash purchase from Phillip Vandermus from Tri-County Excavating. D. Morford made the **Motion** to accept the bid submitted by Phillip Vandermus from Tri-County Excavating in the amount of \$41,350.00. Second by K. Shomin, Carried 5 Yes, 0 No. D. Henning will contact Mr. Vandermus to let him know his bid was accepted.

Clerks Agenda: S. Festerling presented the Board with the Township Audit that was just completed by Mason, Kammermann & Rohrback, P.C. The F65 has been completed and everything has been submitted to the State of Michigan by the Auditors. Since we are just receiving the Audit, the Board is asked to review it and bring any comments to our next regular meeting in December. D. Morford made the **Motion** to receive and file the 2018 Township Audit. Second by D. Henning, Carried 5 Yes, 0 No. The auditors originally provided an initial audit report to D. Henning that stated we were over budget in both the General Fund and Oden Light. The overage they first submitted to us on the General fund was substantial and after hearing of their report (I was not included in the initial report) I was able to prove to the Auditors that they did not have all of our records in their findings. They did not have any budget adjustments that were made monthly and reported on our monthly agendas, minutes, and financial reports after December 2017 when most of our adjustments are made. I personally went to their office with the proof of those adjustments. After all the corrections to their reporting it still showed the Oden Light expenditures over by \$55.00.

The Johnston's Lawncare bill dated 10/6/18 for the fall clean up was dramatically higher than last year. K. Derrohn has offered to help look into the reason behind this higher amount and will let S. Festerling know when to pay the bill or if a corrected amount will be issued.

The Election was almost as large as a Presidential Election in terms of number of Absentee and Election day voters. We had 1,316 voters for this election and the 2016 election was just under 1,500 voters. The day had just as many issues pop up as you would see for a Presidential Election such as identifying where a person, who was not in our records, was registered to vote, along with other miscellaneous issues that take time to process/fix. There were too many people who thought the Secretary of States office had registered them to vote but they were not on our voter files and some not even in the State wide look up. If they didn't have a receipt of registration, I could only give them an application for future elections. One person who didn't have proof of registration actually contacted the Bureau of Elections by e-mail telling them of her contact at the Secretary of States' office and they told her she was registered in time to vote when updating her driver's license. The State contacted me and approved the voter could receive a regular ballot and placed her in our records during the election. Littlefield Township had 225 AV ballots issued that averaged 30 minutes a piece for processing before being submitted to the Election Inspectors to process at the opening of the polls. There was additional time spent on problems that was encountered when people were requesting AV Ballots. I do personally hand off the Absentee Ballots to the

post office that the voter requested to be mailed. I ask them to place election mail on route, but multiple problems still happened at the hand of the Post Office. The extra hours spent on this election was 117.5 hours above the normal clerk hours. K. Derrohn made the **Motion** to compensate S. Festerling for the additional 117.5 hours at the rate approved at the annual budget meeting in March. Second by D. Henning, Carried 5 Yes, 0 No.

Public Comment: A question was asked if there was an end in site for the Valley Rd. Blight case. Unfortunately, the Blight cases taken to court is considered a nuisance by the courts. The property may never be back to what most people would consider to be normal, and it will be a long drawn out process to get any progress. The best thing that the Township can do right now is to blight the pallet fence and to have it replaced with a more appropriate fence. This property owner seems to be two steps within what the law allows in regards to occupancy, building permits, and blight. The Township will continue to process any blight on the property that falls within our Blight Ordinance.

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

Regular Meeting was adjourned @ 9:15PM by D. Henning