

REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

Held Electronically by ZOOM

January 5, 2021 TIME: 7:00 PM

Meeting called to order by Damien Henning, Supervisor, and announced it is being held by Zoom due to the concerns of the health & safety of all persons who would otherwise be attending an in person meeting in accordance to public act 228 of 2020. S. Festerling explained that Roll Call under the new electronic guidelines needs each board member to state where they are participating from. **Roll Call all by Zoom:** D. Henning, Supervisor (Littlefield Township, Michigan), K. Shomin, Treasurer (Littlefield Township, Michigan), D. Morford, Trustee (Littlefield Township, Michigan), K. Derrohn, Trustee (Participating absent member due to medical conditions at Venice, Florida-Sarasota County), and S. Festerling, Clerk (Littlefield Township, Michigan). Guests participating through Zoom: Kim Morgan, Brian Drayton, Jason Losey, Bill Shorter, and Scott Lauer.

Consent Agenda: Items **#3 Minutes:** Regular Meeting 12-17-2020, **#5 Budget Adjustments: General Fund:** Account #253-727 Treasurer Office Supplies: Adjust to \$10,500.00, Account #410-702 Salary Planning/Zoning: Adjust to \$1,200.00 and Account #900-971 Land Purchase: Adjust to \$55,000.00. Adjustments to come from General Fund-Fund Balance. **#6 Approval of Bills:** \$95,458.07, **#9 Blight Enforcement:** None, **#10 Management Authority Report:** In Packet. **#11 Assessor's Report:** None. **#12 Planning & Zoning:** None. **#13 Sewer Authority Report:** In Packet. **#14 Library Board Report:** Will Forward, and **#17 Miscellaneous: Correspondence:** MTA Meeting 1-20-21 VIA Zoom, ECRC Meeting 1-26-21 VIA Zoom, Gaslight Media Letter, Admiral Pointe Settlement Papers, Crooked River Lock Consortium Meeting Minutes 12-16-2020, State Tax Commission Bulletin #17 were all entered into the Consent Agenda and declared Adopted.

Treasurers Financial Report: K. Shomin reported: General Fund Checking \$103,282.49, Sewer Fund Checking \$81,129.79, Fire Fund \$14,540.00, Tax Account \$208,943.75, Cemetery Savings \$11,081.11, Oden Light Savings \$2,324.10, and Hay Lake Marina \$204,693.13. It was also stated that we have received another State Revenue Sharing in the amount of \$37,643.00.

Public Comment: K. Derrohn reported that she received a call from Tammy Doernenburg at Emmet County. She would like for our township to place in our minutes that we are asking her to proceed with filling out the grant for the rest of the bike trail and that we would be the applicant for that grant. Tammy will be working with Max Putter because the grant needs to be in by April. This grant would be for purchasing the remaining section of the Brill property that Don Brill is now saying he would sell. It would allow for the bike path to be moved up onto the railroad grade and bypass the current section that is the long boardwalk and next to US31 leading up to the Village of Alanson. If we don't proceed forward with this grant, we may not get another chance until the end of the year at most and with the upcoming MDOT US Hwy 31 project now is the time to move forward. D. Henning stated that he attended a meeting with MDOT in February 2020 and reported at our March 2020 meeting what the potential was for along that section of the highway. He also stated that he was very specific at that meeting that the township does not have money to go towards the purchase of the remaining section of the Brill property or this project. D. Henning reported that he did talk with Matt from MDOT today and it was stated that they are going to tear out the trail that is currently there due to drainage problems. MDOT is also willing to do what they can to get the path moved because it will help alleviate the drainage issues along the highway in that section of the bike path. D. Morford asked if there was a match for the grant and D. Henning's replied that when talking with Max Putters today it would be assessed based off of the appraisal minus 25% less (of which Mr. Brill would take that decrease). D. Henning said that it looked like it could be a half million appraisal based on the parcels there. If it comes in at that there would have to be two different appraisals per the State guidelines. D. Henning was unsure if the State averages the two appraisals or if they take the lowest amount. D. Henning made a **Motion that Tammy Doernenburg of Emmet County Planning & Zoning** would be permitted to file for the Grant with Littlefield Township being the applicant. Second by K. Shomin, Carried 5 Yes, 0 No.

Fire Board Report: Minutes and financials were received. Jason Losey provided a copy of both Littlefield Township Ordinance #116 & 117 on Cost Recovery: Charges for Fire Department Services for the township to consider making modifications on. He went on to say he updated the layout of the existing ordinances and in #116 Section 2: Charges- he provided current and proposed cost increases to Sub-Sections C through M, and Section 3: Billing – removing the township as the billing agent since the Fire Department has all the records from the runs being made (insurance etc.). Jason explained that this update was thought as another way to help with the costs increases the department has been seeing in the recent years/since 1992 and that at one time the department had been charging the fees but stopped. Jason went on to explain that he has just recently billed two insurance companies for a car accident under the approved rates set in Ordinance #116 from 6/2/1992. He has yet to receive anything back from those insurance companies. In talking further, it was stated that if the department doesn't receive payment from the insurance company it wasn't planned to go after the individuals or their insurance companies. If a payment is received it would be a bonus to the department, but if they don't so-be-it.

When the Ordinance was first re-located after not being used for years, Chief Lauer and Jason had talked about where the money that came in from the billings would be placed. They thought that the department could have an account for Capital Improvement in the budget that would accrual all of the money received for these billings that would be used only as an offset to help purchase updated gear for the department. K. Shomin stated that when she first started as treasurer, she was doing the billings for this ordinance but a short time after the billings stopped because it was discussed and felt that it wasn't right having people pay a millage and then getting a bill. Jason stated per the ordinance we cannot charge anyone we have a mutual aid contract with because the ordinance doesn't allow for it. Medical runs would also not be charged because of the millage. The billings would be more for the amount of car accidents, and power line calls. K. Derrohn responded with back ground information as to why Ordinance #116 & 117 first came about. She stated that it was due to her house burning down on Crooked Lake and her insurance company said to her that you pay for the fire department to come out but she was paying \$500.00 on her policy for this and felt that the money should be going to the department when a call goes out instead of being kept by the insurance company. She went on to explain that if the homeowners didn't have that in their insurance policy the department agreed to not go after the homeowner but if it was in their policy then that insurance money should come to the department. K. Derrohn said the charging of the insurance companies should have never quit if the homeowners are paying the fee on their policy. Jason also touched on the illegal burns such as trash and leaf burning should also be charged and collected no matter of insurance status. If the DNR has to come out due to an illegal burn the homeowner is charged a heavy fine. We should be able to collect for it too in order to recoup some of our costs. D. Henning stated that back when Jim Cantrell was fire chief, he didn't care for the billing process and that was another reason for the charging to stop. K. Shomin stated that if the department starts to bill the insurance companies within the 30 days as stated and they are having a hard time collecting the fees that she would be willing to step in and help with recovering the fees since she is familiar with the process for collections.

After further discussion, D. Henning proposed handing both Ordinance #116 & 117 over to Township Attorney Joel Wurster to research how we could change the ordinance so that it would give us the ability to charge the insurance companies and continue with our intent to not go after the homeowners/policyowners unless it is considered an illegal burn. Also, Joel Wurster will need to verify if there have been any changes to the Michigan compile laws and the referencing of them since 1992. D. Morford made the comment that since 1992 there has been changes to how the insurance companies insure and they may no longer be insuring for fire runs. D. Morford reiterated that it was never the townships intent to go after somebody just because they had a fire, it was about going after the funds being charged to an insured person by an insurance company. D. Henning made the **Motion** to provide current Ordinance #116 & #117 to Township Attorney Joel Wurster to research updating the ordinance for 2021 based on the considerations the Board took on the proposed changes. Second by D. Morford, Carried 5 Yes, 0 No. Jason asked the Township Board if he can continue to charge for accidents based on the old ordinance and was told that he could because it is an ordinance on record.

K. Morgan reported that the title has been received for the new truck. The Plate should be coming in the mail soon. K. Morgan also reported that Tom Kilpatrick has confirmed he would join the Fire Board and that the Township will need

to approve him being added to the Fire Board. S. Festerling made the **Motion to approve** Tom Kilpatrick to the Alanson Littlefield Fire Board. Second by K. Shomin, Carried 5 Yes, 0 No. Chief Lauer asked what happens if there is a tie vote since there is now an even number of board members. D. Morford stated that he believes that according to Roberts Rules the Motion would not pass if a tie breaker doesn't pass in the form of a revised motion and it would be defeated. K. Morgan stated the Fire Board is still looking to find a fifth board member. S. Festerling will attend the Fire Board meeting January 12, 2021 to swear in all Fire Board Members under the new term.

Chief Lauer let everyone know that Wednesday January 13, 2021 the department will be having a demo of Edraulic Jaws at 7PM from Rescue Resources from Grand Rapids in the parking lot. The department is looking to make an upgrade on their equipment and has applied for a grant from the Mainland Foundation for purchasing. Anyone is welcome to attend the demo. D. Morford asked Chief Lauer about the report for next years budget on the air packs estimated replacement of \$140,000.00. Scott responded that currently they have packs that are 20 years old and they are slowly starting to fail. Currently three packs are sidelined because they won't shut off when air is turned off and the valve to fix them is between \$350-400.00. There are some deals out there if a quantity of 10 or more are purchased at once. Scott will be looking into all the possibilities of costs and what could save us the most money if we can meet certain criteria. Currently we have 14 air packs. He will provide an update to this next month.

Unfinished Business:

Luce Street Building Update: When the building was not moved by October 1, 2020 the purchaser, Diane Florenski, that paid \$5,000.00 for the house was in breach of the contract. D. Henning talked to Joel Wurster about this and found out that just extending the contract was not advisable. After talking about it with Joel and Diane they came up with a \$2,000.00 fee and to write a second agreement to move the building no later than May 31, 2021. The agreement has been sent onto Diane for her signature. D. Henning made the **Motion** to extend the agreement with Dian Florenski to move the Blue House no later than May 31, 2021 at the additional cost of \$2,000.00. Second by S. Festerling, Carried 5 Yes, 0 No.

New Business:

Resolution 1 of 2021 Amend Crooked River Lock Operational Manual: D. Henning stated that the last meeting for the CRLC before the most recent December 16, 2020 Meeting (via ZOOM) was back in 2011. The draft minutes of the December 16, 2020 CRLC were provided in each board members packet for reference. D. Henning asked Bill Shorter, newly elected CRLC Chair, to give an update. Bill stated that every 30-35 years there is an updated survey done with the last one being done in 2016. In 2016, due to advance techniques of global positioning systems, there was a difference of opinion stating they found an error in the one that was done in 1968 and adjusted it upward resulting in a 1.2" back up in the lake (or essentially 117,013,415 gallons of water) causing the wetlands to flood. Bill stated that with the lease agreements with the Federal Government through the State back to Emmet County they have increased the water levels the 1.2" which increases the depth of Crooked Lake and has the 1.2" flowing over the weir all the time causing the wetlands and river to become oversaturated essentially like a sponge. When a heavy rainfall happens on top of that the "sponge" or wetlands and river begin to flood. The adjustment should never have changed the historical water level from 595.3. If the Army Corps of Engineers places the water level back to the 595.3 it would place it back to what it was back in 1968 before all the flooding and oversaturation began. Bill went on to explain that the dike should only have a trickle of water flowing over it instead of the 1.2". Because of this information it prompted the members at the Consortium Meeting to request being able to take a resolution back to their respective boards for approval after a full explanation and history is given. Bill explained that by placing it back to the 595.3 it will not affect the boaters running on the bottom or the boat launches on Crooked Lake. There will be plenty of water and it would be back to where it was statistically on Crooked Lake. D. Morford asked how they raised the lake without changing the weir height. The response given by Bill was if you close the lock gates the water will build up 3/8" a day because of all of the cricks and rivers that come into both Crooked and Pickerel Lakes. The study of tail end readings that was done in 1988 that showed the amount of water that should be coming out from the weir moving down river was in error. This prompted them to make the adjustments to keep the water levels where they should be. Now when they close the gates it has created the 1.2" above what it should be due to the incorrect 2016 measurements. Another short answer to the question is that the weir is too short to be doing an accurate job for how wide the river actually is so the lock would have to be cracked open to maintain the historically correct 595.3.

D. Henning read and offered **Resolution 1 of 2021: Littlefield Township Board of Trustees to Recommend to the Army Corps of Engineers to Amend the Crooked River Lock Operational Manual.** Upon a roll call Vote: Yeas: Damien Henning, Kim Shomin, Dean Morford, Katie Derrohn, and Sondra Festerling, Nays: None, Absent: None. Sondra Festerling, Clerk, Certified the Resolution Adopted. A Copy of this resolution will be placed in the Township Resolution Book.

Resolution 2 of 2021 Resolution to adopt Poverty Exemption Income Guidelines and Asset Test: D. Henning presented the resolution with the updated Federal Poverty Guidelines for 2021 Assessments. Damien Henning **Offered Resolution 2 of 2021: To Adopt Poverty Exemption Income Guidelines and Asset Test** and was supported by Sondra Festerling. Roll Call Vote given with the vote as follows:
Yes: Damien Henning, Kim Shomin, Dean Morford, Katie Derrohn, and Sondra Festerling. No: None, Absent: None. Damien Henning declared the Resolution Adopted and Clerk Sondra Festerling signed the Clerks Certification. A Copy of this resolution will be placed in the Township Resolution Book.

Hay Lake Marina Lease Agreements/Marina Management: D. Morford stated that since we have finalized the settlement, the Township Board needs to now start looking into what our lease agreements would look like to rent the slips and obtain information on establishing a Marina Management Agreement. It would be best to establish a committee to start with obtaining samples of both to present to the full Township Board. D. Henning stated that he has received a few examples from both Klaus and Joel Wurster and thought that both him and D. Morford could make up the committee. S. Festerling made the **Motion** recommending that both D. Henning and D. Morford form a committee to explore our options of running and managing a marina whether it is being done by the Township or an outside entity and drafting boat slip lease agreements to present to the Township Board for approval. Second by K. Shomin, Carried 5 Yes, 0 No.

Recognition of Gerard Henning: K. Derrohn wanted to go on record for the Township Board to recognize Gerard Henning for all of the time & work he did for the Township and D. Henning in order to establish the ability to hold Electronic Meetings through ZOOM.

Clerks Agenda: S. Festerling was given a new invoice since the packets were created for tonight's meeting. The invoice was from Williams Excavating for the work that was done at Woodruff Park on July 20th, 2020 in the amount of \$289.00. The work was for digging up the well area, level out stone area, load out excess stone, and clean. K. Derrohn confirmed that was for placing the temporary fountain in at Woodruff Park. S. Festerling made the **Motion** to approve paying Williams Excavating for invoice #3984 in the amount of \$289.00. Second by D. Henning, Carried 5 Yes, 0 No.

Public Comment: Brian Drayton reported that he has all of the 2020 stats books created for the township board but thought tonight's meeting would have been held in person. The books will be dropped off to Damien at some point. He went on to say that in 2020 the Fire Department had a total of 94 fire runs at an increase of 22.07% since 2019 and 320 EMS runs at an increase of 3.55% since 2019. He also explained out of the 94 fire runs 30 of those runs were because of reported downed power lines which is a lot of time that the equipment and guys are out responding to in some cases the same reported line just on a different day. Brian has also been doing research and came across the official start of Alanson Littlefield Fire Departments EMS Squad was back in August 1983. Since the beginning there has been 6937 EMS Runs and in two years this coming August, we will be celebrating the EMS Squad's 40-year anniversary.

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

Regular Meeting was adjourned @ 8:55PM by D. Henning.