

REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

Held Electronically by ZOOM

March 2, 2021 TIME: 7:00 PM

Meeting called to order by Damien Henning, Supervisor, after the Public Hearing adjourned at 7:25PM. It was 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 with 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:** Damien Henning, Supervisor (Littlefield Township, Michigan), Kim Shomin, Treasurer (Littlefield Township, Michigan), Dean Morford, Trustee (Littlefield Township, Michigan), Katie Derrohn, Trustee (Participating absent member due to medical conditions at Venice, Florida-Sarasota County), and Sondra Festerling, Clerk (Littlefield Township, Michigan). Guests participating through Zoom: Kim Morgan, Brian Drayton, Jason Losey, Scott Lauer, and Jule Peurasaari.

D. Henning stated he wanted to move Resolution #4 of 2021 up on the agenda due to just coming out of the Public Hearing that it addresses.

D. Henning presented **Resolution #4 of 2021: Resolution Approving Submission of Michigan Natural Resources Trust Fund Grant Application for Acquisition of Property in Littlefield Township.** The resolution was supported by K. Derrohn. A Roll Call Vote was given with the following results- For: Dean Morford, Trustee, Katie Derrohn, Trustee, Kim Shomin, Treasurer, Damien Henning, Supervisor, and Sondra Festerling, Clerk. Against: None and Absent: None. D. Henning declared the resolution adopted, and S. Festerling certified.

Consent Agenda: Items **#3 Minutes:** Regular Meeting 2-2-2021, **#5 Budget Adjustments: General Fund:** Account #101-959 Dues: Adjust to \$2,374.00, and Account #265-850 Telephone: Adjust to \$875.00 Adjustments to come from General Fund-Fund Balance. **Hay Lake Marina:** Account #970-973 Flotation Docking Systems: Adjust to \$25,000 to come from Hay Lake Marina-Fund Balance. **#6 Approval of Bills:** \$35,968.87, **#9 Blight Enforcement:** None, **#10 Management Authority Report:** None. **#13 Sewer Authority Report:** In Packet. **#14 Library Board Report:** In Packet, and **#17 Miscellaneous: Correspondence:** Reg Smith- Crooked River Lodge Expansion, Emmet County Planning & Zoning- Text Amendment, EGLE Notice of Authorization Permit#WRP027585 v.1, and ECRC- Minutes were all entered into the Consent Agenda and declared Adopted.

Treasurers Financial Report: K. Shomin reported: General Fund Checking \$304,390.70, Sewer Fund Checking \$71,148.65, Fire Fund \$101,051.65, Tax Account \$124,013.05, Cemetery Savings \$11,082.02, Oden Light Savings \$9,933.70, and Hay Lake Marina \$219,528.67. It was also reported that we have received a METRO and a State of Michigan Revenue Sharing deposit. The last day of Tax Collection and postings are done. The records will be turned over to the County this week.

Fire Board Report: D. Henning provided the draft that Joel Wurster provided for a Littlefield Township Cost Recovery Ordinance and wanted to know if there was any comments or changes that may need to be done before a final draft is put before a public hearing. Chief Lauer and Jason Losey did get a chance to look it over and Jason said the only questions that they had was regarding Section 10: Exemptions where it refers back to 4. Accessible Costs section f). Basically, does it mean that if they are a township resident that they cannot be charged for a car accident, extrication of individuals from a car fire, including but not limited to spill cleanup; foam; fire extinguishers; and any liabilities resulting from the accident. Jason and the department concerns are that they would not be able to charge for extra equipment required to be pulled in from elsewhere to resolve such situations unless it was found to be due to a criminal action from the resident by law enforcement. D. Henning answered that currently that is the way it reads for motor vehicle fires but does not apply to structure/ residential/ grass/ or business fires. Jason responded that at first it wasn't clear on fire calls not being a part of section 10 and is glad it is not. Now the question would be how to get

proof of what is deemed a criminal action determined by law enforcement and it would be better if he could get clarification on this section. Jason went on to say everything else on the ordinance he was good with. D. Henning felt that there is good collaborative effort between the fire department and law enforcement. Jason realizes that the law will have to do their investigation on an incident, and he hopes that they would be willing to let him know if it's deemed a criminal act so the costs could get recouped. Jason also stated that unfortunately he thinks we will see more and more of these types of accidents with cars going to and from work through our township but currently the fire department doesn't have reports of who they were or where they live and how it would apply to this section. Scott Lauer stated that the department could establish reports that would track the information needed. Jason stated again that clarification would help because in the situation of a Blarney Castle truck going through our township to deliver gas and they are in an accident technically they do have a business within our township, but that doesn't mean that the truck was going to the business in our location when the accident happens. What would a business like that in this type of scenario be responsible for? D. Morford would like to see Section 4 f) end by adding the word *accident*. After further discussion D. Henning stated we would not be adopting this tonight since it needs to have a public hearing before adopting it. He suggested that we take the Ordinance and the questions brought before the Township this evening back to the township attorney for clarification, adjustments and before establishing the finalized resolution for *rates & guidelines* as talked about in Section 5 and holding public hearing. S. Festerling made the **Motion** to authorize D. Henning to take the draft of the proposed ordinance back to township attorney, Joel Wurster, to make modification to Section 4 Assessable Costs - sub-section f). Also, to have him put together the rates & guidelines resolution that is talked about in Section 5, and to incorporate updated rates as suggested by the fire department from our current Ordinance #116 before the new ordinance and resolution can be put into a Public Hearing. Second by K. Derrohn, Carried 5 Yes, 0 No.

Minutes and financials from the Fire Department were received. D. Henning asked if there was anything else that the department wanted to bring before the township board. Jason stated that Kim Morgan will need to make a new line item for the insurance billing reimbursement that was charged and paid for under the existing Cost Recovery Ordinance #116 in the amount of \$800.00. Scott Lauer stated that these funds as previously discussed would be used for future equipment purchases. K. Morgan reported she would get the \$800.00 and the \$3,000.00 from the sale of the 1988 truck to K. Shomin.

D. Henning asked if anyone wanted to give an update about the truck that was sold. Scott Lauer reported that there is an issue that happened with the 1988 Dodge truck after it was purchased by Lewis & Toni Fisher. In short, the truck was driven away by the new owners after purchasing and they stated they had driven it less than 20 miles when the rear drivers side tire fell off of it. The bill of sale did state it was an as-is sale however it wasn't thought to have them sign the original bill of sale. D. Henning did talk with Mr. Fisher earlier today about this, and he told him of our meeting tonight and asked him not to take the title to the Secretary of State's Office which could be a potential complication if they choose not to keep the truck. It was felt the department has two options to solve this: 1) Have the truck transferred to our fire garage and a few of the department's mechanics repair this issue with new bearing etc. and return it to the purchaser. 2) Have the new owner go ahead and have the bearing fixed by his mechanic at M&D Auto where the truck is currently sitting and the department can cost share this repair as Mr. Fisher had expressed, he would be willing to do. Scott said it was felt it could be fixed by us for around \$200.00. After further discussion, it was decided to have Chief Lauer let Mr. Fisher know we would be willing to have our department mechanics fix this situation and return it back to him with a new bill of sale stating what was fixed and that the department paid for the repairs. The bill of sale will once again state it is an as-is sale, but this time will have the Fisher's sign it which will release the fire department from any other liabilities. If Mr. Fisher wanted to have his mechanic fix it, we would need a cost estimate before any work was to be done for a cost share option. Again, for this option we would be drafting a new bill of sale that they would need to sign stating as-is sale. Finally, if the Fisher's are not interested in the truck any longer, we can give them back their money upon return of the truck, title, and a letter stating they are returning it. We could then fix the truck and resell it. This truck would not take long to sell again.

Scott Lauer stated that the three air packs sent into Douglas Safety were thought to be fixed but when tested again by them it was found to still have problems. Scott also said that there is now a fourth pack down but until the previous three are fixed it will not be sent out to them. Scott stated that these packs are 20 years old, and the department is now down to 10 for a structure fire. K. Derrohn asked how much it would cost to replace the old packs. Jason reported that the estimate for 14 packs, 28 air bottles, masks, charger, and batteries for the packs would cost \$120,374.50. Jason

thought there was a few things on the estimate that could come off and potentially bringing down the cost to around \$115,000.00. The company also stated that the cost could go down if the company could get additional orders from other departments and they were to order in bulk. They said there is a financing option as well and the packs would have a full 15-year warranty. D. Henning said that there is only so many ways a township can finance and that the fire department has to go through the township for any financing and we may not be able to get additional financing until our debt ratio decreases. Next year the fire hall will be paid off and we will have paid more on our Hay Lake Bond. As in the past, D. Henning stated that these type of expenses for equipment shouldn't come all at once but placed on an alternating basis spreading out the total dollars spent in any given year. The department should set up an asset management system for the equipment that is used and needed by our firemen and department. D. Henning went on to say the Township has always been 100% behind our department (firemen and EMS first responders) and their safety. Financially that is why the township has appropriated the additional \$30,000.00 from our budget above what is taken in by the fire millage, and on the years, we could do additional money for the unexpected we did. It was suggested to check into the Baiardi Foundation for any grant monies that might be able to be received. D. Henning will talk to Cindy Baiardi to see if they have any room in their grant funds to help our department in updating these essential packs. Anything we can get in grant funds would be that much less that would have to be financed.

Assessors Report: D. Henning reported that Jim Lapeer had his meeting this evening in his township and had hoped he would be able to make an appearance with us through the Zoom platform. Unfortunately, it looks like it didn't work out for him, so D. Henning stated the Board of Review Organizational Meeting was held today by Zoom and it had a few logistical issues getting it going smoothly on the host computer. D. Henning stated that today MTA published the Governor has announced starting March 5th indoor public meetings can resume up to 25 people. The problem is we have already sent out the notices stating the BOR will be held electronically. It was also placed on our website and in the Petoskey News Review. We will still have to do it by Zoom but can now also include in-person if we practice the social distancing with masks between BOR members and the public. There is one problem; BOR goes from 3PM to 9PM, and the Village of Alanson has their in-person board meeting from 6PM on in the hall. One further complication on the use of the hall is since LAMA was unable to meet in December like normal for the Joint Meeting between the Village and Township to approve the LAMA Budget, it was scheduled for in person to start at 5:45PM just in front of the Village of Alanson's Regular Meeting. These meetings will all be happening at the same time- spread out in the hall to adhere to social distancing requirements.

D. Henning also reported that he uploaded the form L4035 onto the Township's website for residents to fill out and be turned in either by scanning and emailing or to mail signed document back to BOR by the time it adjourns from the public hearings. Normally this form would be filled out at the time they would come in person. D. Henning went on to say that he did attend an MTA meeting that was on how to have the BOR meetings through Zoom. Based on their recommendation, tonight we will be reviewing Resolution #3 of 2021: Resolution to Allow Local Residents to Protest to the Board of Review in Writing. This resolution would allow both residents and non-residents to submit their protest by handwriting, typewriting, email, mail, and to be turned in by the BOR adjournment, along with allowing for the meeting to be held electronically. They were also the ones to recommended uploading the L4035 to our website along with having an electronic facilitator to monitor the people coming into online meeting. This would be adding a 6th person to the BOR payroll. D. Henning asked his son Derek if he would be willing to do the position of facilitator and he said yes. With that, D. Henning made the **Motion** to have Derek Henning be the facilitator for Littlefield Township's electronically held part of the 2021 March Board of Review and to be paid the Board of Review rates. Second by S. Festerling, Carried 5 Yes, 0 No.

Planning & Zoning: K. Derrohn reported last month that Brian Gorney has agreed to sit on the P & Z Committee. Last month we were unclear what the procedure was since it has been a while since adding a new member. This month we need to approve him by way of a motion. D. Henning made the **Motion** to appoint Brian Gorney to Littlefield Township's Planning and Zoning Committee. Second by S. Festerling, Carried 5 Yes, 0 No.

Unfinished Business:

ECRC – Crump Road: The bids came back on Crump Rd. and Brian Gutowski from ECRC is recommending that Tri County Excavating be awarded the contract as low bidder for \$339,728.92. D. Henning stated that currently we have approximately \$220,000.00 in our Hay Lake Construction Account. D. Henning went on to say he did talk to Bobby Bendzinski on what we need to do to transfer those funds and close the account down. S. Festerling has already been informed that he said we just need to collect all the P&E invoices for the project that was paid out of our General Fund before the Admirals Point Account was established. There may be a couple of bills yet to go against that account but most if not all those funds can get paid back to the General Fund from our initial investment costs for the engineering expenses of the project. Those invoices will be our source documents to show proof if we were to be audited. With these funds going back into the General fund along with the ECRC promise of \$15,000 for forest funds, and our ECRC allocation of \$64,604.00, we would only have to utilize \$75,000.00 from our Township Road Millage to add up to \$374,604.00 give or take the final close out amount of the construction account. The extra above the bid cost would be the cushion for contingences for budget reasons. D. Henning went on to say if you take that dollar amount and add it up with all the figures spent over the years we've been involved with roads, our township has paid \$302,889.00 more than what was called for since we made our gentleman's agreement with the ECRC when it first started. D. Henning sees no reason not to move forward with the Crump Road Project this year. In further discussion on the transferring of the funds from Hay Lake account we should leave money in the account for a short time and only transfer \$200,000.00 currently because will do still need to move the hook up of the dry hydrant due to it being too far away from the location the fire truck can get to and change the hook up fittings on it. There may still be a few other odds and ends that would have to be paid out of this account as well. K. Shomin Made the **Motion** authorizing D. Henning to sign the contract for the Crump Rd. road project with ECRC for the low bidder of Tri County Excavating to be done in this next budget year. Second by S. Festerling, Carried 5 Yes, 0 No.

Gosling Czubak- Final Bill: Klaus has presented the final accounting of invoices for the additional approved work on Admirals Point/Hay Lake project. With that accounting there are two outstanding invoices that the township was holding until the final accounting was given by Klaus. We approved an additional \$10,000.00 for add on expenses and with the accounting that Klaus provided it showed the final add on cost was only \$8,844.25. Invoice #85801 for \$5,206.25 and Invoice# 86282 for \$2,110.00 for a total of \$7,316.35 can now be paid out of the Hay Lake Construction Account.

Hay Lake Marina Contracts & updates: D. Henning reported with the extra meetings he has had D. Morford and him have not done any additional work on the contracts/lease agreements this past month. D. Henning asked D. Morford if this coming Thursday they can get together to go over lease agreements and contracts for Hay Lake Marina before they will be brought before the Township Board for any changes and approvals. D. Henning asked S. Festerling to help by calling around to a couple of local marinas to find out what they charge for leases and other pertinent information that will help in figuring our pricing. K. Morgan asked about the sewer billing for the marina. Currently there is 3 taps there and the township has been paying bond only. Once the Marina is open will it be transferred over to be a full sewer billing and how many taps are needed. D. Henning stated he didn't think we would need all three taps but that may be something that D. Morford can address. The township will be paying the full sewer bill for the taps that is needed because we will live up to our own Sewer Ordinance. K. Morgan and D. Henning will go over all the Sewer bills we currently pay for within the township to verify. K. Shomin also asked about why the electric bill has been so high at the Marina this past winter when we haven't been open. D. Henning responded that it is because of the bubblers that are running non-stop to prevent damage to the docks. K. Shomin also asked about management for the Marina and D. Henning responded that will be something that him and D. Morford will be talking about when they meet this week.

Land Bank Update: Habitat had a meeting recently and they felt that they could be starting on the foundation for the house on the corner of Luce and High St. as early as Spring. This is the house that will end up having a walk out basement, and because of that it could end up being a 4–5-bedroom house. Two of the other three houses already have tenants lined up. K. Derrohn did talk with them also about making sure the tenants keep the property up and no blight. K. Derrohn suggested that we incorporate a copy of our Blight Ordinance for all future Habitat Homeowners within our township. D. Morford suggested it might be able to be added to the closing documents. This is something K.

Derrohn can look into once she is back in this area. She also found out that Habitat does have a program for people to get repairs done and they don't have to be Habitat owners but would need to qualify for.

New Business:

Resolution #3 of 2021: D. Henning provided Resolution #3 in the packet and talked about it under Assessors Report. Damien Henning **Offered Resolution #3 of 2021: A Resolution to Allow Local Residents to Protest to the Board of Review in Writing.** Second by Dean Morford. Roll Call Vote- For: Katie Derrohn, Trustee, Dean Morford, Trustee, Kim Shomin Treasurer, Damien Henning, Supervisor, and Sondra Festerling, Clerk. Against: None, Absent: None. Damien Henning declared the resolution adopted. Sondra Festerling Certified to take immediate effect.

Century Link – METRO Act Renewal: D. Henning asked if the Board went over the renewal that was included in the packet. D. Morford asked about the renewal dates of June 1, 2018 to May 31, 2023: why is it we are just now getting this if it expired May 2018? S. Festerling said she also had the same question. It wasn't realized that it had gone past the date and never thought to create a reminder of the expirations of the METRO's to ensure they stay up to date. It is possible that Century Link was auditing their contracts and caught this as being expired. The only change identified was the dates of the renewal and the contact persons for CenturyLink has changed from the original contract. D. Morford **Moved** to approve signing the Century Link – METRO Act Permit Renewal for an additional five-year period from June 1, 2018 to May 31, 2023. Second D. Henning, Carried 5 Yes, 0 No. S. Festerling will sign, scan and email back to them.

Set Budget Meeting Date & Time: After a brief discussion, S. Festerling made the **Motion** to hold the annual public hearing and budget meeting on March 23, 2021 5:30PM at the Township Hall and that **the property tax millage rate proposed to be levied to support the proposed budget will be subject of this hearing.** The Township Board will also be **discussing the township salaries** for the 2021 – 2022 budget year and any other business to come before the board. Second by D. Henning, Carried 4 Yes, 0 No, 1 Absent. The Notice of the Public Hearing and Budget meeting will be posted as required.

LAMA Joint Meeting – 3-8-21 5:45PM: This was announced under Assessors Report since it is the same time as BOR is meeting along just before the Village of Alanson's Regular Board Meeting.

Hay Lake to General Fund Transfer: This was talked about under Unfinished Business: ECRC- Crump Road.

Clerks Agenda: Clerks Notes were provided in the packet. The Village of Alanson's invoice for Glen Pemberton's 4th Quarter wages was received but included overtime wages that the township does not pay as we have discussed before. Brooke Milbrandt included in her email that she is prepared for the township to deduct the overtime. As stated in my notes, I would like the Township Board to look over the adjusted figure if no questions I will go ahead and pay.

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

Regular Meeting was adjourned @ 10:18PM by D. Henning.