

# REGULAR LITTLEFIELD TOWNSHIP BOARD MEETING

**September 1, 2020 TIME: 7:00 PM**

Meeting called to order by Damien Henning, Supervisor. Present: Dean Morford, Trustee, Kim Shomin Treasurer, Katie Derrohn, Trustee and Sondra Festerling, Clerk. Guests: Kim Morgan, Ken & Pat Ravencraft, Jeff & Patricia Ebling, Steve Boettger, and Scott Lauer.

D. Henning asked if there were any items to be removed from the Consent Agenda. K. Derrohn asked for #9 Blight to be removed.

**Consent Agenda:** Items **#3 Regular Meeting** 8-6-20, **#5 Budget Adjustments: General Fund:** Account #215-703 Deputy Clerks Salary: Adjust to \$800.00 and Account #446-936 Road Main-Dust Layer: Adjust to \$14,000.00 both from General Fund- Fund Balance, and **Hay Lake Marina Account:** Account# 970-973 Flotation Docking Systems: Adjust to \$15,000.00 from Hay Lake Marina Fund Balance. **#6 Approval of Bills:** \$19,672.73, **#10 Management Authority Report:** In Packet, **#11 Assessor's Report:** None, **#13 Sewer Authority Report:** Will Provide at Meeting, **#14 Library Board Report:** Will Forward, and **#17 Miscellaneous: Correspondence:** Consumers Energy -Case U-20722, Stanton Barr- Letter, and Road Commission Minutes were all entered into the Consent Agenda and declared Adopted.

**Treasurers Financial Report:** K. Shomin reported: General Fund Checking \$211,565.85, Sewer Fund Checking \$31,253.72, Fire Fund \$59,769.82, Tax Account \$143,770.71, Cemetery Savings \$10,929.28, Oden Light Savings \$3,997.82, and Hay Lake Marina \$199,792.70. The Township has received our State Revenue Sharing & have been reimbursed for the Presidential Primary Election.

Kim reported that she needs to get receipt/vouchers for the different accounts and has had to locate a new vender since the previous vender is no longer in business. She has a quote from Pummill ProMark Printing, Promotional, & Packaging for 5 of our funds in the amount of \$1,626.93 but would like to add Hay Lake Marina vouchers as well. Kim asked to get approval to pay the bill for all 6 fund vouchers if it comes in before our next meeting. D. Henning asked if there were any other bills that would need approval for payment so a motion could be made for all of them at once.

S. Festerling made the **Motion** to pay invoice #86194 from Gosling Czubak for Professional Services through 8/9/2020 for Boat Launch/Marina design in the amount of \$2,082.50 and to approve payment to Pummill ProMark Printing, Promotional, & Packaging when they invoice us for all 6 township funds K. Shomin is needing to get receipt/voucher books for. Second by D. Henning, Carried 5 Yes, 0 No.

K. Shomin brought up concerns of having to drop off all of the required township books to the auditor for an indefinite time. She went on to say she understands this year has been a problem due to COVID but the books shouldn't need to be gone for more than the 3-4 days that we would have normally provided all of our books here at the hall. S. Festerling did say that it is harder for the records to be at the auditor's office then to have them here at our hall for them to go through. In the past, if we needed to get information for what ever reason, we could at least go to the hall and get what was needed. Under this year's audit, we have no access to these records if we needed to provide answers or information to the board or outside questions from others. When dropping off the records Corey said they could have them for 3 weeks or even longer. D. Henning asked if the audit will be done on time this year. S. Festerling asked about that when dropping off the records and Corey stated because of COVID and the shut downs that have happened they have been given an additional month to complete audits this year. S. Festerling stated that it might be good to check into how a late or extended audit will affect our bonding requirements and the reports that have to be provided to the sewer authority. D. Henning stated he will talk to Martha from Bendzinski & Co. and also Bobby Bendzinski to see how this may affect us and how we need to handle the situation.

**Fire Board Report:** Minutes and financials were received. Chief Lauer was going to be late due to a call. D. Henning asked if Kim Morgan would like the Fire Board report to be later when Chief Lauer arrives or was there anything she wanted to go over. Kim M. stated that K. Derrohn did ask for more detailed minutes from the last Fire

Board meeting. Kim reported that she would create an addendum for last month's meeting to be provided at next week's fire board meeting. K. Derrohn stated at the last meeting Chief Lauer discussed in detail with the Fire Board a personnel issue and it should go on record since it was a public meeting. Chief Lauer was going to set up a meeting with the person separately to discuss a resolution to the issues mentioned, but the issues brought up in the open meeting should be a part of the minutes so there is a timeline for corrective action.

**Blight:** K. Derrohn reported that she talked to Mike Vargo our Blight Inspector about the house on the corner of Luce and US31 which is again building up blight on the porch and surrounding area. She asked for a letter to be re-sent to the homeowners and he stated that he has sent them before. K. Derrohn would like to find a way to prevent having to re-visit this property on an ongoing basis. It doesn't stay cleaned up and its location is very visible. D. Henning stated that since it has been so long since the last incident that the blight process has to be re-started. He went on to say that the process has to be followed otherwise the Judge will not be prone to help- they don't like to deal with blight cases to begin with so it is important to follow the steps so the cases don't get thrown out. S. Festerling stated that on these habitual cases our Blight Inspector needs to re-visit regularly and document everything down to when letters are sent, when it is cleaned up, how many days pass before it becomes an issue again so we can show all the steps we have taken to keep the property in compliance. Comments were also made by guests about the dogs that are on the property being left outdoors all the time in the small pen, but there is nothing that can be done about them since they are being cared for with food, water and shelter. K. Derrohn will call Mike in regards to keeping on top of this property.

**Planning & Zoning:** K. Derrohn presented:

**Case #PREZN20-02:** A request by Kenneth Ravencraft to re-zone parcels located on Shady Maple Lane from FF-1 to R-2. This case was reviewed but since one of the three P & Z Committee Members had to recuse himself a quorum was not met to make a recommendation. The committee did talk about it and said that if they were to consider approval that they would like to see all eight of the properties rezoned. There was one letter from a property owner that he would oppose the rezoning since he might like to have animals (horse) for his daughter if she was to get into 4-H. K. Derrohn did state that under R-2 you can have animals so that shouldn't be a problem. K. Shomin asked what the reasoning was for the request of change. Mr. Ravencraft stated there is a 2-bedroom mobile home on the property which doesn't have enough room in it for them and their family that is increasing with more grandchildren when they would come for a visit. They would like to add a guest cottage for when they come for a visit but under the current zoning each dwelling needs an acre of land. When he first purchased the property, he thought he had 2 acres but has since found that it is short by 1/4 of an acre. Mr. Ravencraft stated he did try to see if he could work with his neighbors so he could obtain the extra 1/4 acre but one has government constraints on them and the other doesn't want to sell any property. The committee did talk about the road because it is in bad shape. K. Derrohn did talk to Tammy Doernenburg about this and she said since it is a private road Planning and Zoning doesn't have a standard for it. The eight parcel owners that come out onto the road can't get together to maintain or keep it up. The private road can not be addressed in rezoning and it may not be addressed with the properties split review. It is, however, something that the Township and County needs to look into because if we have a road that the Fire Department or EMS/Rescue can't travel on due to its poor condition or size and we approve a zoning change that could/would bring more traffic to an already poor condition road, it becomes an even larger problem. K. Derrohn would like to turn this back to the property owners along the road so they can get it back in condition so the County & Township feels it is adequate before discussing rezoning. D. Henning said it would be a road maintenance agreement between the property owners addressing how and who is in charge of maintaining the road in good condition. K. Derrohn stated once there is a road maintenance agreement in place there would be no problems talking about rezoning because neither the Township or County wants to be responsible for a private road in poor standards that would be made worse with increased traffic from R-2 rezoning. It would benefit Mr. & Mrs. Ravencraft to look into what is considered to be the standards for a private road and what would need to be done to their road before setting up a meeting with the neighbors to establish a road maintenance agreement. The Road Commission would be a good starting point for researching this.

After further discussion, K. Derrohn made the **Motion to postpone this case** until the applicant can look into the private road situation and hopefully be able to come up with some solution that would satisfy both the County and Township. Second by D. Henning, Carried 3 Yes, 2 No.

**Case #PZBA20-006:** A request by Jeff Ebling for a front yard setback waiver to allow an addition onto a residential accessory building at 4208 William St. further allowing the garage addition to be zero feet from the William St. right-of-way. The property is zoned RR -Recreational Residential. K. Derrohn stated the Township Planning Committee recommends approval of this case with a condition that the unfinished 2<sup>nd</sup> floor to the new 2 car garage be used for storage only. Before their recommendation, the committee members did talk about moving the new addition back so a car could be parked in front of each door, and the possibility of moving the new doors to the yard side but both topics were decided to take up a lot of green space and that this garage would be in line with the rest of the garages along the street and no closer to the road than they are.

K. Shomin **Moved** to accept the Township Planning & Zoning Committee's recommendation as presented and forward it on to Emmet County. Second by K. Derrohn. D. Morford opened a discussion of wanting to add a few restrictions onto the motion, such as there being an accurate survey and that the building doesn't go over the property line. Mr. Ebling stated that his last survey was done 12 years ago. K. Shomin asked if the survey could still be used and it was answered as long as the 4 corners can still be verified. After further discussion, K. Shomin amended her motion. K. Shomin **Moved** to approve the Township Planning & Zoning Committee's recommendation on Case #PZBA20-006 for the Ebling's with the additional condition that the building would not be built over any property lines or encroach on any road right-of-way. Second by K. Derrohn, Carried 5 Yes, 0 No.

**8:00 PM** Fire Chief Lauer arrived and D. Henning stated that the Fire Board Report was gone over but he wanted to give him an opportunity to add to the report. Scott reported that finding a roofing company to fix a commercial roof is few and far between. He said once he gets the more detailed/itemized report back from the Fire Board he will provide it to Joe to get a quote. Only one other company out of ten has responded to the request of being able to do the job before winter. Scott has also requested to get a copy of the title for truck 4136 so it can be repaired. S. Festerling will look for it in the safe after the meeting.

D. Henning noticed and announced that Steve Boettger arrived to the meeting and had something in his hands. Steve stated that he brought the plans for his commercial building that our township approved a few years ago but didn't start due to financial reasons. He also stated he didn't realize that the County needed to revisit the case since it wasn't done back when it was approved by the Township. Steve talked with Tammy at the County and he stated that he was told to bring it back to the Township. K. Derrohn asked if all of the paperwork was filed with the County. Steve said yes. K. Derrohn then told Steve that those documents also need to be provided to the Township (5 Copies) and that his case will be added to the docket for next month.

**D. Henning addressed the audience in attendance:** Due to the Township Board going into closed session, we will have to ask that everyone except for the Township Board and Township Attorney Joel Wurster to wait outside of the building during the closed session since we are unable to maintain a social distance in our inner township office. We don't know how long the closed session will last, but once it is over, we can go outside and motion to anyone waiting just outside the doors or in their car to come back in. K. Morgan just wanted to confirm that next month's meeting would start at the Township Cemetery at 6:15 PM before she left. It was confirmed.

**8:15PM** Dean Morford made the **Motion** that the Littlefield Township Board to go into closed session to discuss with council the written legal opinion that is subject to attorney-client privilege. Second by Damien Henning. Damien Henning asked for **Roll Call Vote:** Dean Morford, Trustee-Yes, Katie Derrohn, Trustee-Yes, Kim Shomin, Treasurer-Yes, Damien Henning, Supervisor-Yes, and Sondra Festerling, Clerk-Yes.

**9:05PM** while in closed session Dean Morford made a **Motion** to Close the Closed Session with Township Attorney and return to Regular Board Meeting, Second by Damien Henning. **Roll Call Vote:** Dean Morford, Trustee-Yes, Katie Derrohn, Trustee-Yes, Kim Shomin, Treasurer-Yes, Damien Henning, Supervisor-Yes, and Sondra Festerling, Clerk-Yes.

Joel Wurster departed from the Township hall and the doors were again unlocked for the continuation of the Regular Meeting.

### **Unfinished Business:**

**Admiral's Point/Hay Lake Update:** D. Henning included in the packets the estimate from Pro Image Design, Inc. for the boat slip signage. Estimate #96409 came in at \$1,364.67. S. Festerling made the **Motion** authorizing D. Henning to approve Estimate #96409 from Pro Image Design, Inc. in the amount of \$1,364.67. Second by K. Derrohn. Carried 5 Yes, 0 No.

D. Henning stated that he talked Jessie Johnson after he had cut the grass down at Admirals Point, and he will need to meet him down there to go over the areas for grass cutting since his equipment got stuck in two different locations all the way up to the axels. There may be areas that will never be mowed due to it being too wet all the time.

**Blue House Update-Oden:** In the packet is a copy of an email received from Diane Florenski who purchased the Blue House. Her email stated that she was contacted by Nick at J&R to say he could not move the house this fall, but would do it first thing in the spring. Diane is asking for an extension on the date the house needed to be moved by per the purchase agreement. She would also like to have approval to begin tearing out the carpet and other minor remodeling on the house while it is still on our property so there is less to do in the spring so she can move in sooner after it being moved to its new location. D. Morford asked if we were still paying for utilities and insurance on the house. S. Festerling stated we have not had insurance on the house because our insurance company would not insure an unoccupied home and to get a stand-alone policy was going to cost us way too much. It was something both D. Henning & S. Festerling knew about and it was mentioned at our board meeting. As for the utilities, both the electric and the gas has been disconnected from the house but we have seen a few bills from DTE since the disconnect. S. Festerling will try to get them to respond to why we are still being billed \$13.10 and how to get it to stop charging after the disconnect. K. Derrohn would like to confirm with Fairbairn's that they did divert the flowing well that provided the house with its water. D. Morford suggested that we do something about the dead trees that are currently being held up by the small dilapidated shed. D. Henning stated that since she is unable to move the house by the original agreement date, she will need to sign a new agreement. He will contact Joel Wurster to assist with a new agreement. We may even want to include a hold harmless clause for us since it is on our property but no longer belongs to us. She may also want to do some sort of security to prevent others from entering the house uninvited like we found happening last winter through a window. D. Henning made a **Motion** authorizing K. Derrohn to contact Al & Jim's Tree Service to remove the two trees leaning on the shed and to include grinding up the stumps. Second by K. Shomin. Carried 5 Yes, 0 No. D. Morford asked if we should also check into her having a completion bond on the house.

### **New Business:**

**Cemetery Walk:** The Annual Cemetery walk will be held at 6:15PM just before our Regular Meeting on October 6, 2020.

**HSASDA – Hughes Bill:** We have received a billing statement from HSASDA for broken lines (Hughes & Bigelow) in the amount of \$11,392.25. D. Henning made the **Motion** to pay Statement#104 from HSASDA in the amount of \$11,392.25 out of our Sewer Funds for the repair of the broken lines. Second by D. Morford, Carried 5 Yes, 0 No.

**Clerks Agenda:** S. Festerling provided in the packet a report for the clerks agenda. An email was sent to Marty Foster after she requested copies of our flowing well water test reports. K. Derrohn was given Pat Ebling's contact information after she contacted me offering to help spruce up Woodruff Park around the flowing well.

All Michigan County and Township clerks along with the Secretary of State received two FOIA requests from a group called True the Vote. The requests were extensive on election procedures, training of inspectors, signature verification, information on the machines and other information relating to the Primary Election. After talking with Joel on this, an extension was filed with True the Vote on both FOIA's (FOIA 20-02 & 20-03) in hopes we would get some direction from the State, MTA, and County on responding to them in a joint manner. Last Thursday, I received an email from True the Vote cancelling their request, just days before needing to submit my response. I

feel that they withdrew their request since the responses they had started to get were all giving similar or the exact same response as other County and Township Clerks as a united front.

November Election update: We have over 600 AV Ballot requests so far. Next Month we will need to hold our Election Commission Meeting to approve election inspectors and the receiving board for the General Election. We will also have to set the Public Accuracy Test date. I have received the ballot drop box that the State provided with Cares Funding. I am waiting for a response from the State if we are able to use the box for more than an election drop box. It might be possible to use it for all township collection of tax and sewer billings. I have created a sample of a sign that we would want to put on the box stating it is for Littlefield Township Tax Bills, Sewer Bills, and as an election drop box. K. Shomin stated she is not wanting to be responsible to check for her items in the box especially when it is during election times and ballots would be placed in the box. After further discussion, it was decided that we would only use the box for elections. I hope to have it installed by October 1<sup>st</sup> if at all possible.

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

Regular Meeting was adjourned @ 10:00PM by D. Henning