

Leelanau County Parks and Recreation Commission

Regular Session – Wednesday, April 5, 2023, 3:15 p.m.

Tentative Minutes – Meeting Recorded

Leelanau County Government Center, Suttons Bay, Michigan

<https://www.leelanau.gov/meetingdetails.asp?MAId=2500>

The meeting of the Leelanau County Parks and Recreation Commission was called to order by Chairman Casey Noonan at 3:17 p.m.

Chairman Noonan led the recitation of the “Pledge of Allegiance.”

Roll Call:
John Arens, *Absent*
Dave Barrons, *Vice-Chairman*
Steve Christensen
Don Frerichs
Charles Godbout
Melinda Lautner
Casey Noonan, *Chairman*
John Popa
Kama Ross, *Absent*
F. Jon Walter

Staff Present:
Laurel Evans, Executive Assistant
W. Scott Bradley, Maintenance Worker

Public Comment:
None.

Agenda Additions/Deletions:

Motion by Walter to approve the agenda, as submitted. Seconded by Barrons.

Discussion – None.

Ayes – 8 (Walter, Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Action Items –

Approval of Minutes, February 1, 2023, Regular Session:

Motion by Lautner to approve the Regular Session minutes of February 1, 2023, as submitted.

Seconded by Barrons.

Discussion – None.

Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Approval of Minutes, March 1, 2023, Regular Session:

Motion by Barrons to approve the Regular Session minutes of March 1, 2023, as submitted.

Seconded by Walter.

Discussion – None.

Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Approval of Financials:

- Transaction History Listing Report – March 1, 2023 through March 31, 2023
- Revenue & Expense Reports – Period Ending March 31, 2023

Bradley reported expenditures at 5.79% of budget.

Motion by Popa to approve the financials, as presented. Seconded by Barrons.

Discussion – Godbout requested that the financials be sent out ahead of the meetings.

Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Poor Farm Barn Lease Clarification/Discussion:

Chairman Noonan introduced this topic as a follow-up from the March (2023) Parks meeting where clarification was needed from Corporate Counsel regarding the County's financial obligation to the Poor Farm Barn. Noonan directed the group to page 14 of the packet, which stated that the opinion from Counsel was that the County had no financial obligation to support the barn, except for taxes and insurance. Noonan added that the County could financially support the barn if it so chooses, but it has no obligation to do so. Noonan inquired if the intent of the Parks board was to ask for a line item in the budget for the Poor Farm Barn. Christensen responded that it was a discussion the Parks board needs to have. Barrons inquired if the issue belonged with the Myles Kimmerly Park Committee. Noonan responded that it would be a determination by the Parks Commission whether they wanted "to make the ask." Lautner said that, looking back at the history of the Poor Farm Barn, the County did not have extra money to spend on the barn, nor did the Parks Commission. She said she would hate to set precedent by asking for funding for the barn. She added that "we have a really great thing with that foundation [Leelanau County Historic Preservation Society (LCHPS)], and it is all being done with volunteering dollars." She said that if the Parks Commission used the barn for the parks, that would be different; but at present, "We are really hands off." Noonan said he was involved in the meeting with then-County Administrator Chet Janik and Christensen when the lease agreement was created, and it was his understanding that the objective was to remove the financial obligation from the County. He added that it does not mean the Parks Commission cannot ask for a special sum or use extra money from its budget. But he reiterated that there was never an intent to be a financial partner.

Christensen said he thought it premature to discuss finances when information from the architect was still outstanding. He thought better direction could be provided to Steve Stier (President, LCHPS) once the numbers from the architect came in. Christensen added that once they have a number "to chase" perhaps fundraising could begin, and the County could chip in once a certain amount was collected through donations. Chairman Noonan said the question from the March meeting has been clarified, which was "do we have to" (contribute) or "if it's a choice." Lautner added that it is sort of a "wait your turn" situation.

Lautner said the budget is already set for 2023, so whatever happens with the barn in 2023 would have to be done through fundraising by LCHPS. Frerichs mentioned that it would be nice if American Rescue Plan (ARP) dollars could be used for park projects. He added that the Poor Farm Barn lease is for 25 years, but it is still part of Myles Kimmerly Park. Stier commented that he does not believe the County does not have the money to support the parks. He said they just choose to spend it on other things. He added that he thought the parks were desperately underfunded.

Maple Valley Nursing Home Agreement to Grant License Update:

Chairman Noonan reminded the group that the lease agreement between the County and Maple Valley Nursing Home is due to expire in April (2023). Evans directed the group to Page 27 of the packet for the legal opinion of Corporate Counsel that contained a recommendation regarding the agreement to grant license. Evans said she sent a courtesy email to Nursing Home owner John Kasben to advise that whatever recommendation was made at today's Parks meeting, would be on the County Board's Executive Board agenda for Tuesday (April 11, 2023). She added that the agreement to grant license expires at the end of April (2023). Noonan clarified, that until formal action was taken to terminate the lease, the 30 days will keep renewing. Evans directed the group to Page 28 (Agreement to Grant License) of the packet pointing out that "this is what most concerns you." She read:

1. Grant of License. *Licensor (the County) grants to Licensee (the nursing home) the right to maintain, operate, repair, substitute, remove, enlarge, inspect, and replace sanitary sewer lines and drain field, together with all facilities and appurtenances, incidental to the sewage treatment system currently located on the Property.*

Evans explained that with the County Board-approved expenditure to engage Gosling Czubak Engineering Sciences, Inc., to create a conceptual plan for Myles Kimmerly Park that includes a paved loop trail that would run over the area where the drain field resides, the lease termination needs to be resolved to "get your ducks in a row." She added that they need to hear from Kasben regarding his timeline for installing a new, updated system.

Chairman Noonan said the Parks board has no intention of renewing the lease; however, the new drain field has yet to be installed, so he wants to get a timeline from Kasben and if he does not complete the drain field by the specified timeline, then the County (could) start charging him. Popa wanted to know the discussion between Evans and Kasben. Evans explained she talked with Kasben "this morning and he wanted to know if he could get on the (County Board) agenda regarding the septic system." Evans said she told Kasben the issue was already on that agenda and would also be discussed at today's Parks meeting, and if he wanted to attend the County Board meeting, it would begin at 9 a.m. (April 11). Popa thought Kasben should have an opportunity to be advised in person at a Parks meeting regarding the intention of the Parks board to recommend to the County Board not to renew the lease. Noonan explained that Kasben was advised "a year ago" by then-County Administrator Janik, that the lease expires in April and there is no interest by the County to renew it. Noonan added that there have been several years of reminding Kasben when the lease was up and that it would not be renewed.

Popa said he would like to hear “where Kasben is at” before the Parks Commission goes to the Board of Commissioners.

Lautner said she talked with Kasben about 18 months ago and he said he was aware of the lease expiration. He said he had plans to expand the nursing home and build a new septic system, but Covid put those plans on hold. She said he asked if he could get an extension, but she explained that there are plans for the property. Lautner said her recommendation would be to start the process because a delay might set unfair expectations that the issue could linger on. Popa said he still wanted to hear from Kasben about where he was at with building a new drain field. Chairman Noonan said it did not matter; that the County has been in contact for years and Kasben has given several different stories about his plans, but has done nothing. Noonan felt Kasben was hoping for an extension. Popa asked how long they would give Kasben to complete the new drain field. Noonan said six months; Bradley said until October 1st (2023). Discussion ensued regarding the wording for a recommendation and how much time should be granted to complete the drain field project

Chairman Noonan stated he wanted the motion to read, “I move to recommend to the County Board of Commissioners to revoke the license to Maple Valley Nursing Home of Maple City dated [...] for the nursing home sewage system located within the Myles Kimmerly Park property no later than [...]. Noonan wanted to strike, “and work with the nursing home to determine a date” because he said “we want to set the date.” Evans said the suggested motion was “just to get us through this meeting.” She said she would then send it to Counsel to come up with the correct wording for the County Board meeting.

Motion by Barrons to recommend to the Board of Commissioners to revoke the license to Maple Valley Nursing Home of Maple City, Incorporated, dated April 29, 2008, for the nursing home sewage system located within the Myles Kimmerly Park property and vacate the system no later than October 1, 2023. Seconded by Noonan.

Discussion – Popa reiterated he was not in favor of the motion because Kasben “was not here to defend it.” Godbout said, “I would like it to see the written specifics of the written notice of revocation because it needs to be in writing.”

Ayes – 7 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Walter)

No – 1 (Popa) Absent – 2 (Arens, Ross)

Motion Passes.

Capital Improvement Program (CIP) Submission:

Evans noted a table she created on Page 35 of the packet that lists, in ascending order (low to high,) CIP submissions by the Parks and Recreation Commission. Not yet included on the list was the gazebo refurbishment at Old Settlers Park with an estimate of \$40,000.00 for the project. Christensen inquired if the projects and corresponding dollar figures in the table supersede projects previously submitted. Godbout explained that the table reflects a submittal of cashflow for the next five years – “a revision to what you had.” He added that if one of these projects lines up with an existing project that is already in the CIP, “you are essentially just revising that.” He added, if it is a new project, then it is a new cash flow.

With regard to priority of the projects, Lautner said she has been pushing hard for the paved loop trail at Myles Kimmerly Park using ARP dollars. She added that if ARP dollars became available, it would open the door for other projects on the list.

Motion by Godbout that the Parks and Recreation Commission endorses the submission of the [listed] CIP items to the Planning Department for inclusion in this year’s CIP. Seconded by Lautner.

Discussion – None.

Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Grand Traverse Band of Ottawa and Chippewa Indians 2% Allocation Program Update:

Evans said Veronica Valley Park is the only park that has expressed an interest in resubmitting an allocation request for the Tribal 2% Allocation money. Evans said she added this topic to the agenda to inquire if the other parks committees had any interest in submitting a request. Lautner asked if eradication of the poison ivy at Old Settlers Park might be of interest to the Tribe. Bradley responded the project could be covered under maintenance for a few thousand dollars and suggested Lautner talk with Laurel Voran to confirm. At Chairman Noonan’s request, Bradley said he would talk with Voran.

Committee Reports and Recommendations

Myles Kimmerly Park Committee – Frerichs reported that the County Board of Commissioners approved the \$4,700.00 for the update of the Myles Kimmerly Park conceptual plan. He added that the committee’s next meeting is April 27 (2023) at 9:00 a.m. and at that meeting the plan is to prioritize and firm up where they want to place things prior to meeting with Gosling. Frerichs was unsure if Gosling’s start date was April 1st or May 1st, but he said the start date may have to be “backed off.”

Old Settlers Park Committee – Godbout reported that his committee met yesterday and reviewed the projects in the 2020-2024 Park master plan. He said the gazebo refurbishment as well as a few other projects will be added to the plan and processed for addition into the CIP.

Lautner discussed the Lanham donation and that the family gave permission to use the donation to purchase a ladybug bouncer. In addition, as an “Old Settler” of Kasson Township, the Lanham family would like to construct a fieldstone memorial bench, in the garden area near the chapel (similar to the Binsfeld bench that is in the park) in memory of John and Nancy Lanham. If available, the Lanhams would like to commission the same artist who created the Binsfeld memorial bench. Lautner said all costs would be paid by the Lanham family and that the family would donate rocks from their farm to use in the construction of the bench. The bench design is not consistent with other (purchased) benches in the park, and so the Lanhams are requesting permission for an exception to the design.

Motion by Lautner that the Parks and Recreation Commission recommend to the Board of Commissioners to allow the Lanham family to pay for and build a fieldstone bench in memory of John and Nancy Lanham [to be placed] in the chapel area of Old Settlers Park. Seconded by Noonan.

Discussion – Lautner added that the park would pick where the bench would be placed. Barrons inquired how many existing benches were in the park. Godbout said there are a number of wrought iron benches along the split rail fence. Chairman Noonan added that there was plenty of room for the Lanham memorial bench and that it would not overtake the park. Christensen inquired about who would manage the “nuts and bolts” of the project – insurance, bids, etc. Evans responded that (pending approval) the County Board Building & Grounds Committee would handle. Popa said that he supported the motion, but mentioned that he thought there was a standard set for benches in the parks. Evans said the County Board obtained an opinion from Counsel that there cannot be a formal donation policy and that each request will be reviewed on a case-by-case basis, so the County Board would have the opportunity to decide how to approve. Noonan said he was in favor of a uniform bench design for the parks, but he said there should be room for exceptions if it fits the esthetics of the park. Though not against the Lanham memorial bench, Walter thought it wise to see a picture of the bench design. Lautner assured the group the design was in good taste and befitting of the park and that it would be similar to the design of the Binsfeld memorial bench.

Ayes – 8 (Barrons, Christensen, Frerichs, Godbout, Lautner, Noonan, Popa, Walter)

No – 0 Absent – 2 (Arens, Ross)

Motion Passes.

Veronica Valley Park – Barrons reported that Heather Hettinger, Fisheries Biologist with the Michigan Department of Natural Resources, attended the Veronica Valley Park Committee meeting earlier today and that they had an extensive discussion on weeds management in the ponds. He said the committee decided to “pause” the contract with Savin Lake Services for chemical mitigation of pond weeds because Hettinger thought it would be more economical to self-manage the weeds and better to manage the invasive weeds through spot treatment versus spraying. He said Hettinger recommended going one more year without spraying to see how the weeds rebound, then make a decision next year (2024). He added that the committee plans to meet at the park on April 25 (2023) to discuss weed management in more depth. Barrons said they will continue to work with the Lake Leelanau Lake Association on invasive weeds mitigation and their concerns about Veronica Valley Park ponds being a possible source of invasive weed contamination.

Barrons reported that Al Zielinski, a friend of Don Clark, pulled out both beaver dams and Clark removed at least one beaver. Clark has said he thinks there is one more young beaver yet to be removed. Bradley reported that when he visited the park “last week,” water levels were normal and there were no new beaver dams.

Public Comment

Steve Stier, President, Leelanau County Historic Preservation Society (LCHPS). Stier said he was not surprised that the attorney said the County has no financial responsibility with regard to the Poor Farm Barn. He said he interprets the agreement differently, and will continue to interpret

it that way. He said his organization will continue to work with the architect because he felt the barn is a great amenity to the townships and county park system and that LCHPS will continue to move forward with or without funding assistance from the County.

Commissioner Comments:

None.

Chairperson Comments:

None.

Adjournment:

Chairman Noonan called for a motion to adjourn.

Motion by Walter to adjourn. Seconded by Christensen.

The meeting adjourned to the call of Chairman Noonan at 4:12 p.m.

Respectfully submitted:

Lori Eubanks, Recording Secretary