**LELAND TOWNSHIP BOARD MEETING**

**Monday March 9, 2020– 7:00 p.m.**

**Leland Township Library Munnecke Room**

**203 E. Cedar Street, Leland, MI 49654**

**MINUTES**

**PRESENT:** Supervisor Susan Och, Treasurer Shirley Garthe, Trustee Michael Collins

**ABSENT:** ClerkLisa Brookfield, Trustee Tony Borden

**GUESTS:**  13

**CALL TO ORDER:** Ms. Och called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**APPROVAL OF AGENDA**: Ms. Och suggested that item #1, under Other/ Old Business, Procedure to appoint committee members be struck from the agenda.

ACTION: Ms. Garthe moved to approve the agenda as presented and amended; supported by Mr. Collins. Motion carried.

**DECLARATION OF POTENTIAL CONFLICTS OF INTEREST**: None

**APPROVAL OF MINUTES**

**February 10, 2020 (Board Meeting):** Ms. Garthe moved to approve the minutes of February 10, 2020; supported by Mr. Collins. Motion carried.

**February 11, 2020 (Sewer Budget Workshop):** Ms. Garthe moved to approve the minutes of February 11, 2020; supported by Ms. Och. Motion carried.

**February 13, 2020 (Special Workshop):** Mr. Collins moved to approve the minutes of February 13, 2020; supported by Ms. Garthe. Motion carried.

**February 17, 2020 (Parks & Rec, Budget Workshop):** Mr. Collins moved to approve the minutes of February 17, 2020; supported by Ms. Garthe. Motion carried.

**February 17, 2020 (Zoning, Assessor, Planning Budget Workshop):** Ms. Garthe moved to approve the minutes of February 17, 2020; supported by Mr. Collins. Motion carried.

**PUBLIC COMMENT**

Jim Ketzien – Mr. Kletzien provided a text of his comments:

My name is Jim Kletzien. That’s KLETZIEN. My wife Laurie and I have a home on North Twin Pines Drive. I provided public comment during the January board meeting along with my neighbor Robert Kerr and our environmental consultant Dr. Christopher Grobbel. But for some reason my comments were not recorded at all in the meeting minutes. So, I’m here once again to essentially reiterate what I stated during the January meeting. We the property owners on North Twin Pines Drive are very opposed to the proposed location of the massive drain field for the Sunset Shores septic system project that is now being led by the Township. Please understand that we are not opposed to the project. Just the location of the massive drain field for the 34 homes on Sunset Shores Drive. Like all of my neighbors, I am certainly in favor of protecting water quality. In fact, my wife and I are members and financial contributors to the Lake Leelanau Lake Association. We are also regular contributors to the Leelanau Conservancy and are perennial Sustainers Circle members of The Conservancy. So, it should be clear that we are not trying to do anything to hinder the noble efforts of various folks who have been trying to find a community septic solution for the homes on Sunset Shores. Although it’s worth noting that contrary to comments made publicly by certain individuals, there is absolutely no evidence that any of the septic systems currently operating on Sunset Shores are leaking into the lake. To the contrary, there is evidence that they are not leaking. This fact is from measurements taken recently by the Lake Association, as well as physical inspection of the shoreline by Dr. Grobbel last autumn for the presence of cladaphora. There wasn’t any. As I stated, we are not opposed to the project. Just the location of the massive drain field on the small parcel of Conservancy property above our homes. It is too close to the lake, too close to very substantial wetlands, and too close to our homes and wells. It is our strong opinion that there are far more suitable parcels of land that are not only much further from the lake and wetlands, but are also much closer to Sunset Shores Drive. To pump effluent more than a mile south to the Conservancy parcel above our properties on North Twin Pines Drive makes no sense. As Dr. Grobbel pointed out in his November 5th letter to the Township Supervisor, you, the applicant are required by law to perform a robust alternative properties analysis.\* It is to be systematic and documented. We have seen nothing to that effect and fully intend to ensure that it is performed as is required by law. Lastly, as has been pointed out by our attorney, the conservation easement that is legally tied to the ownership of the Conservancy land that is currently proposed for the massive septic drain field does not allow them to use it for the proposed purpose. Please know that we fully intend to ensure that The Conservancy takes that fact into careful consideration.

• (part 17 of the MI environmental code).

Steve Mikowski – Mr. Mikowski questioned the need for a community septic system at Sunset Shores. He also commented that the purported reason for needing a sewer system for Leland was to save Lake Leelanau. However, there are no lakeshore owners hooked up to the sewer system. He stated that the Conservancy should be concerned about preserving land.

Mr. Mikowski also presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance. This is his 283st request.

**REPORTS FROM BOARDS AND COMMISSIONS**

Fire & Rescue, Chief Dan Besson

A report was submitted to the Board prior to the meeting. Chief Besson reported on the amount of calls, training for personnel, participation in a preparedness drill sponsored by MABAS, and the collective bargaining agreement that was ratified between Leland Township and its’ full time firefighters.

Harbor Russell Dzuba

Mr. Dzuba was not at the meeting but reported to the Board on Harbor information prior to the meeting. Whether or not to dredge has yet to be assessed. A boat is needed to determine depths. The Harbor is free of ice and there has not been any ice damage. Mr. Dzuba is currently working to clean debris from the water. The water softener is leaking. An electrical inspection is coming up.

Sewer, Steve Patmore

A report from the Sewer Administrator and one from IAI were submitted to the Board prior to the meeting.

There was not a Sewer Commission meeting this month because of a lack of a quorum. The lagoon levels are good and testing of well and groundwater samples were good. There was a call out at St. Mary’s; one of the two pumps needs to be replaced. The Commission is working on the capital improvement plan to expand out another 5 years.

Parks & Rec, Susan Och

The 5 year plan was accepted by the State. The Commission has also been working on the budget.

Planning/Zoning, Tim Cypher

A report was distributed to Board members prior to the meeting. The Planning Commission will be meeting on March 11 to discuss short term rentals. No land use permits were issued in the month of February.

County Commission, Patricia Soutas-Little

Tomorrow’s County Commission meeting will have presentations from the Historical Society and Senior Services. The Early Childhood contract was passed with the Health Department and will go into effect on March 1.

Solid Waste Council - Interlocal Agreement for PA 69 of 2005 will be considered by the Board of Commissioners. A statement was added addressing a townships ability to offer curbside pickup. Nothing stated in this Agreement precludes a village/township from providing its own curbside recycling program in compliance with the Leelanau County Solid Waste Management Plan.

The Senior Services Millage Renewal is the agenda for approval at 0.3181, rather than 0.32 due to Headlee rollback.

**TREASURER’S REPORT**

Ms. Garthe reported on income and expenses for the last month. Taxes came in and it was a sewer billing month.

**ACTION:** Mr. Collins moved to approve the Treasurer’s report as presented; supported by Ms. Och. Motion carried.

**SUPERVISOR’S REPORT**

Ms. Och submitted a report to Board members prior to the meeting. Ms. Och reported on her research of answers to questions that came up about procedures for Board/Commissions, the treasurer serving on the Sewer Commission, and the possibility of a Board member who also serves on a commission voting twice on the same issue. She also reported on the Reynolds Street lawsuit, repair of the boat launch at Emelia’s Landing, the Hancock Field RFP, aconversation with Matt Ansorge from the Leelanau County Emergency Management, equipment being staged at the Hancock Field parking lot, the MDOT meeting on February 25 about the Narrows Bridge repair, the need for a rep on the ZBA, weddings on the Library lawn (not allowed), and work on the Asset Management Plan. Please see the report for details.

Ms. Och clarified the procedure for voting on appointments by Board members who also serve on commissions. A board member may vote on an appointment recommendation at the commission level and also vote on approving the recommendation at the Board level. However, a Board member may not vote on an issue as part of the Planning Commission and also vote on the same issue at the Zoning Board of Appeals. This is per the Michigan Township Association (MTA).

**ACTION ITEMS**

1. Consider Leelanau Soccer Club’s request to use Hancock Field for Spring/Fall youth soccer club – Lauren Connor

The Soccer supporters have talked with the baseball supporters about sharing Hancock Field. They have come up with a schedule that will work for both groups. The Public school soccer team has first right of scheduling. The soccer group has submitted a certificate of insurance but it is expiring soon. The new one will have to be submitted when the old one expires.

**ACTION:** Mr. Collins moved to approve the request of the Soccer Club to use Hancock Field for the Spring/Fall youth soccer club; supported by Ms. Garthe. Motion carried.

1. Consider use of Hancock Field baseball diamond for youth baseball club – Christian Doran

**ACTION:** Mr. Collins moved to approve the request of the baseball supporters to use Hancock Field for the Spring/Fall youth baseball groups; supported by Ms. Garthe. Motion carried.

1. Request for use of Hancock Field for 3V3 soccer tournament, Sunday, July 19th – Andre Masse 9-7

This event is a fundraiser for third world countries to supply people with insulin pumps. Every field will be used on that day besides the high school soccer field. Insurance for the event will be under the Leland School insurance.

**ACTION:** Mr. Collins moved approve the event 3V3 soccer event subject to typical protocols being followed and including submission of insurance; supported by Ms. Garthe. Motion carried.

1. Request for a removable outfield fence at Hancock Field.

There is an outfield chain link fence that obstructs the use of the field for soccer. Ms. Connor provided information about a portable fence that could be used for baseball and folded up for soccer. It would require that the existing chain link fence be removed except for the area in front of the scoreboard. There was discussion about how this would be accomplished. Ms. Och was concerned about the irrigation lines that go through the ball field. There was discussion about using an auger to put up the stakes or installing permanent sockets for the stakes. One person could put up the fence quickly if it is already on the field. Baseball would put it up and the soccer group would take it down. There was concern about leaving the fence on the field. There was also concern about the height of the fence and if it would violate fence height restrictions. Leland Schools has a grant to pay for it.

It was suggested that questions need to be answered before approval:

1. What are the performance characteristics of the portable fence?
2. The current fence needs to be measured.
3. The Zoning Commission needs to be consulted about any restrictions.
4. See if the proposed fence comes in the same size as the current fence.
5. See if there is someone who is using that type of fence that could comment on how it works for them.

**ACTION:** Mr. Collins moved to table the discussion until the April 13, 2020 meeting where the questions raised could be answered; supported by Ms. Garthe. Motion carried.

1. Leland Township Investment Policy R-20-05 Township Investment and Depository Designation Resolution – Treasurer Shirley Garthe.

This was discussed 2 months ago. A copy of the resolution was distributed to Board members. The auditor has looked at it and he said it was fine. It has been recommended by the MTA. Interest rates have gone down since this was first discussed.

**ACTION:** Ms. Garthe moved to approve the Leland Township Investment Policy R-20-05 township investment and depository designation resolution; supported by Mr. Collins.

ROLL CALL:

Supervisor Susan Och: Yes

Clerk Lisa Brookfield: Absent

Treasurer Shirley Garthe: Yes

Trustee Michael Collins: Yes

Trustee Tony Borden: Absent

Resolution was passed. 3-0. 2 absent

1. Reappoint Geno Miller to the Harbor Commission for a 3 year term expiring March 2023.

The Board has received a letter from Geno Miller regarding his desire to serve another term. Mr. Borden and Geoff Niessink have endorsed Mr. Miller’s reappointment.

**ACTION:** Mr. Collins moved to reappoint Geno Miller to the Harbor Commission for a 3 year term expiring March 2023; supported by Ms. Garthe. Motion carried.

1. Hire engineer to assess seawall at Leland Township Library

The current seawall is constructed of wood pilings and is about 40 years old. The Township is responsible for the grounds of the library. Ms. Och has been trying to find a contractor who will assess the condition of the wall and provide an estimate for its repair/replacement. Jim Tiffany is willing to take on the job. He did submit a proposal. He is currently out of town and will assess the wall’s condition for a fee of $1825.00 when he gets back. The Board discussed questions and concerns.

* Does the Historical Society have some responsibility for the keeping up of the grounds? Currently the Historical Society covers 1/4 of the snow removal. 1/4 of the proposed fee is $426.25.
* The millage and ballot language needs to be approved in April and an estimate of this expense is necessary for this.

**ACTION:** Ms. Och moved to approve the professional services agreement with Mr. Tiffany and Ms. Och will talk to the Historical Society about their part in this endeavor; supported by Ms. Garthe. Motion carried.

1. Election worker pay increase – Memo from Clerk

Ms. Brookfield has investigated pay rates of election workers in nearby townships. There has been no pay raises for election workers in Leland Township since 2005. Ms. Brookfield would like to raise the chairperson’s rate from $15 an hour to $18 an hour and raise the workers’ rate from $12 an hour to $15 an hour.

**ACTION:** Mr. Collins moved to approve the proposed pay rates effective April 1, 2020; supported by Ms. Garthe. Motion carried.

**OTHER/OLD BUSINESS**

1. ~~Procedure to appoint committee members.~~

**BILLS AND ACCOUNTS**

The bills and accounts list was distributed to Board members. There was nothing unusual for the month.

**ACTION:** Ms. Garthe moved for the payment of bills from February 11, 2020 to March 9, 2020; supported by Mr. Collins. Motion carried.

**CORRESPONDENCE**

* Merry Ball has submitted her resignation from the Zoning Board of Appeals.
* The village of Suttons Bay has sent a memo asking the Township to adopt a resolution to ask the governor of the State of Michigan to declare the Michigan shoreline a disaster area and seek assistance from Congress and the President of the United States

**PUBLIC COMMENT**

Keith Ashley – Mr. Ashley commented that he was opposed to the amount of the pay raise for the Harbor Master for last year and this year.

Jim Atkinson – Mr. Atkinson made comment on the Firefighters contract. He feels that they are not paid enough.

Steve Mikowski - Mr. Mikowski stated that he was opposed to the pay raise for the Harbor Master without a new job description describing duties that would warrant a pay raise. He felt the public should have been informed of the pay raise.

Mr. Mikowski also reiterated his concern about Ms. Brookfield being reappointed to the Sewer Commission. The Board responded that Ms. Brookfield is no longer on the Sewer Commission.

Mr. Mikowski commented that he felt fire and rescue expenses will be going up considerably and the Township should consider a new model for providing these services.

Mr. Collins and Chief Besson made comments about how the pay scale of the firefighters is complicated and “per hour” amounts do not reflect the full amount firefighters are paid.

**ADJOURNMENT**

**ACTION:** Ms. Garthe moved to adjourn the meeting; supported by Mr. Collins. Motion carried.

The meeting was adjourned at 8:55 p.m.

The next meeting is April 13, 2020.

Respectfully Submitted,

Cindy Kacin, Recording Secretary Date Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Susan Och, Leland Township Supervisor Lisa Brookfield, Township Clerk