

MINUTES

1. Call to Order

2. Pledge of Allegiance

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present: Supervisor Jim Lautner, Treasurer Joan Gauthier, Clerk Shirley Mikowski, Trustee Steve Yoder and Trustee Pat Deering.

Guests present: Charlie Smith, Karen Smith, Judy Janosik, Brendan Mulane, Garth Greenan, Christina Deeren, Mary Taylor, Dale Gauthier, Rachel Barnard, Ed Nyberg, Steve Morgan, Mary O'Neill, Jon Zelinski, Chris Comeaux and Melinda Lautner.

3. Approval of Agenda

Motion by Joan Gauthier and seconded by Steve Yoder to approve the agenda with one addition under New Business: D. Lease Agreement. Motion carried 5-0.

4. Approval of Minutes

Motion by Steve Yoder and seconded by Joan Gauthier to approve the April 11, 2024 regular meeting minutes as written. Motion carried 5-0.

5. Leelanau County Road Commission Report

Brendan Mullane, Manager, of the Leelanau County Road Commission, presented the road commission's annual report for 2023 which included their budget and activities (report can be found @ leelanau.gov/solontwp.asp). Joan Gauthier asked why the roads in Glen Arbor are in better shape than Solon's. Mr. Mullane guessed it was due to Solon having a lot more country roads and they have more traffic. Mr. Mullane said he received a call regarding Perrins Landing, and according to Michigan law, a township can put a dock at the end of a county road (see attached). Jim Lautner said no one really knows who put the dock there and the previous Zoning Administrator checked into it and found that the township could not put a dock at the end of a county road. Mr. Mullane is going to check with the DNR. Mr. Mullane talked about Railroad Street and suggested the township decertify the road and make it into a driveway or alley. The fire department is on that road and it has been very dangerous for the fire trucks to pull out. The road could be blocked if it was decertified. The road could also be abandoned, but that is a long process. Mr. Mullane said the Road Commission is no longer doing 50% cost share in repairing roads. The road behind Bunting's is platted at fifteen feet wide so it is not a county road. The township nor the Road Commission are not responsible to repair that road. Mr. Mullane will reach out to Bunting's and give them the information he just gave to the board.

6. Public Comment

Jon Zelinski has property on Allgaier Road and had a Site Plan Review and requested to have the property rezoned back in 2022. The Future Land Use had the property zoned as Business-2 but the Planning Commission changed that when the township board did not adopt the proposed Landscape Ordinance. Mr. Zelinski has read the minutes and knows of any real contention for that property to be zoned Business-2 other than several neighbors are concerned with increased traffic. Mr. Zelinski asked that property be put back into consideration. Mr. Zelinski asked Brendan Mullane if there would be a problem with traffic if that were rezoned. Mr. Mullane explained there are restrictions to driveways. Jim Lautner said this would need to go before the Planning Commission.

7. Correspondence

- Long Lake Township sent notice of intent to prepare activity center sub plan.
- Almira Township sent notice of a Master Plan update for a public hearing.

8. Treasurer's Report/Authorization for Payment of Vouchers:

Joan Gauthier reported she deposited \$10,000.00 from the Parks Fund into a CD, an additional \$100,000.00 into a General Savings CD, an additional \$5,000.00 into the Fire Fund CD and \$5,000.00 into the Road Improvement Fund CD. Huntington Bank Checking \$28,954.93, ARPA Funds included in checking: \$12,085.33, Available in Checking Account: \$16,869.60, Huntington Bank General Savings \$233,528.25, Huntington Bank General Savings CD (Renewed @ 4.3%) \$104,469.95, Huntington Bank General Savings CD (@4.3%) \$100,000.00, Total General Savings \$437,998.20, Total Funds Available: \$454,867.80, Huntington Bank Road Improvement Fund (20249) \$10,385.36, Huntington Bank Road Improvement Fund CD (@ 4.3%) \$5,000.00, Total Road Improvement Fund \$15,385.36, Huntington Fire Fund Savings(2023) \$11,230.95, Huntington Bank Fire Fund CD (Renewed @ 4.2%) \$64,197.00, Huntington Bank Fire Fund CD (Renewed @ 4.3%) \$46,787.29, Total Fire Sinking \$122,215.24, Huntington Bank Sidewalk Fund (2036) \$11,624.99, Huntington Bank Sidewalk Fund (Renewed @ 4.3%) \$8,132.98, Total Sidewalk Fund \$19,757.97, Total other Township Funds Available: \$157,358.57. Total Current Assets: \$612,226.37, Non-Township Funds, Huntington Bank Cedar River Marina Project (7383) \$10,042.67, Huntington Bank Cedar River CD (Renewed @ 4.3) \$14,834.73, Total Cedar River \$24,877.40, Parks and Recreation \$3,428.95, Huntington Bank CD @ 4.3% \$10,000.00, Total Parks and Recreation Fund \$13,428.95. Voucher #'s 15420-15456 were submitted for payment. Motion by Shirley Mikowski and seconded by Steve Yoder to approve to accept the Treasurer's report and pay vouchers as presented. Motion carried 5-0.

9. Committee Reports:

Steve Yoder reported on the Planning Commission meeting held on Tuesday, May 7, 2024. All members and ten guests were present.

- Jon Zelinski was at the meeting and wanted to know why his property was taken out of Business-2 and gave a presentation. He was told it is up to the township board if they want to change it.
- The Master Plan has been completed so now it will be up to the township board to send it out and have a public hearing.

Mary Taylor reported the Parks and Recreation Committee met on Monday, April 30, 2024 at 6:00 P.M. at the Solon Township Hall. One member was absent. (A written report from Kelly Claar/Mary Taylor is attached.)

- Mary thanked Joan Gauthier for depositing \$10,000.00 of the Parks Fund into a CD.
- Mary also thanked the board for the ad that was placed for the Tai Chi classes. It has been the most successful ad yet.
- They had approximately 20 volunteers show up to clean the parks on May 4, 2024. Twelve of the volunteers were from the Tai Chi class. There was 30 yards of mulch spread on the playground. The bushes were trimmed in front of the township hall and they cleaned the Community Park of trash and small branches.
- The Rotary Grant will expire May 15, 2024. Mary Taylor needs the board to approve extending the grant for six months otherwise over \$3,000.00 will have to be returned to the Rotary. Motion by Joan Gauthier and seconded by Steve Yoder to approve to extend the Rotary Seed Grant for six months. Motion carried 5-0.
- Recommended having a gate installed at the playground. Jim Lautner recommended contacting Apple Fence.
- They are concerned about ticks around the ballfields. It was recommended to call Wheelock's. The board agreed Mary can go ahead and hire someone.
- The next meeting will be held on Tuesday, May 26, 2024 at 6:00 P.M. at the Solon Township Hall.

10. Unfinished Business

A. Township Hall/Repairs

1. Well/B&Z Well Drilling

Shirley Mikowski contacted B&Z Well Drilling about the sand found in the tanks in the women's bathroom. The proposal they gave the township to replace the pressure tank also included installing a screen to prevent the sand from coming in. The total cost would be \$2,983.53. Motion by Joan Gauthier and seconded by Steve Yoder to approve to accept the proposal from B&Z Well Drilling which includes the installation of a new pressure tank and screen at the township hall for the cost of \$2,983.53. Motion carried 5-0.

2. Wall Repair Quotes

Joan Gauthier contacted four contractors and received several quotes to repair the cement wall on the south side of the hall. There is more to repairing the wall than meets the eye. There could be internal and external damage done to the township hall if the job is not done correctly. It is possible the township hall wall could cave in which would be a huge liability issue. Joan will be checking with other contractors. Jim Fleis gave some suggestions on how to add railing by the wall.

3. Office Quotes

Steve Yoder received two quotes to put in offices in the township hall. Steve explained the proposals and they included remodeling the main restrooms. The board agreed not to have the main restrooms done at this time. Steve will have Leelanau Construction take the cost of the restrooms out and give a new bid.

B. Parks

1. Fence

Apple Fence Company removed the fence from the recycling site and installed 36 feet at the Solon Beach Park. There is some brush that needs to be cleaned up before they can install any more fence.

2. Bleachers

Steve Yoder picked up the bleachers from Extruded Aluminum Company. Steve ordered the bolts and will be working with Sarah Lautner and the volunteers to get them installed.

3. Vlack's Park

Mary Taylor said that David Bradshaw is donating black forest poles that are six feet tall and he wants to put two feet in the ground. A live stock gate that will close off the entrance will be purchased for \$800.00. Jim Lautner said there are other stores that a live stock gate could be purchased for a lot less cost which Mary will check into. There will be no need for fencing because the posts will be close to each other; help will be needed to dig the holes. A Knox box will need to be installed with chain that will cost approximately \$150.00 and a sign saying "Road Closed" will need to be purchased. The board agreed for the Parks Committee to move forward with the project.

4. Beach Park Road

Jim Lautner said the potholes at the Solon Beach Park have been filled by Dan Birchmeier, a homeowner on Sandbar Drive and Randy Herman.

5. Removal of Trees

Deering's removed the trees that were needed at the Solon Beach Park. A load of gravel has been dumped and Dale Gauthier, Brian Weber and Randy Herman will spread it.

C. Fire Department

1. Interlocal Agreement

The Cedar Area Fire & Rescue four township supervisors will be meeting to discuss the Interlocal Agreement on Thursday, May 16, 2024 at 5:30 P.M. at the Solon Township Hall.

Chris Comeaux gave the following report:

- The money borrowed from the Capital Fund has been paid back. Their goal is to have \$160,000.00 in the Contingency Fund which would give them six months of operating budget.
- The first union negotiation's meeting will be on June 4, 2024. Chris and Greg Julian from Kasson Township will be working with the union.
- It has been suggested to put in the Interlocal Agreement to give authority to the fire chief to hire part time personnel. The authority to hire full time personnel would remain with the fire board.
- Samuel Kelly has been hired as part time and the department will be sending him to school.
- Kasson Township is moving forward to building a new station.

D. Cedar River Project

1. Buoys

There was no report.

E. Drainage District

There was no update.

F. Cemetery

There was no update.

G. Bunting's/Road

See under 5. Leelanau County Road Commission Report.

H. Zoning Administrator

Christina Deeren, Interim Zoning Administrator, provided the township board with a proposal for cost of employment for the position of Zoning Administrator, Planner and Recording Secretary (see attached). The salary proposed is \$35,000.00 per year to be paid in monthly increments, and to be retroactive as of March 14, 2024. As Recording Secretary, \$100.00 per meeting minutes. The township will reimburse mileage and all costs associated with township expenses. The township will also provide a laptop which will remain township property. Motion by Shirley Mikowski and seconded by Steve Yoder to approve to hire Christina Deeren as the Solon Township Zoning Administrator for an annual salary of \$35,000.00 to be paid monthly and to retroact as of March 14, 2024, \$100.00 per diem as the Planning Commission Recording Secretary and a computer and printer will be provided. Motion carried 5-0.

I. ARPA Funds/\$12,085.33

Shirley Mikowski told the board that the ARPA Funds have to be allocated before the end of the year and recommended the funds be used for the township hall upcoming repairs. Motion by Shirley Mikowski and seconded by Joan Gauthier to approve to pay B&Z Well Drilling for the new pressure tank for the township hall from the ARPA Funds in the amount of \$2,983.53. Motion carried

11. New Business

A. Resolution/Street Closure/Cedar Chamber of Commerce (on hold)

B. Lease Agreement(s)/Cedar Chamber of Commerce (on Hold)

The township board discussed at length of whom the lease agreement was being approved for since there is now a Polka Fest Foundation and Cedar Chamber of Commerce is no longer running the Polka Fest. The board agreed that we should meet with both the board members from the Cedar Chamber of Commerce and the Polka Fest Committee before approving the resolution and the lease agreements. The meeting will be held on Wednesday, May 29, 2024 at 7:00 P.M. at the Solon Township Hall where there may be a quorum present, but no decisions will be made at that time.

C. Audit

Motion by Shirley Mikowski and supported by Joan Gauthier to approve to have Tobin and Company to do the Solon Township audit for the fiscal year ending March 31, 2024 for \$3,600.00 with out of pocket costs not to exceed \$100.00, plus an additional \$350.00 to prepare the F-65 and \$500.00 for the non-audit year. Motion carried 5-0.

D. Lease Agreement

Motion by Steve Yoder and seconded by Joan Gauthier to approve the Property Use Agreement for Sports League Activities for the Cedar Co-Ed Softball League with Cedar Rec LLC being the applicant for the use of the ball fields from June 4, 2024 – October 31, 2024. Motion carried 5-0.

12. Public Comment

Rachel Barnard with Heartwood Ciders, thanked the board for hiring Christina Deeren. It is great working with her.

Mary Taylor thanked the board for their ongoing support of the Parks Committee.

13. Announcement

There was none.

14. Adjournment

Motion by Joan Gauthier and seconded by Shirley Mikowski to adjourn the meeting. Motion carried 5-0.

The meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Shirley I. Mikowski
Solon Township Clerk

MICHIGAN LEGISLATURE

Michigan Compiled Laws Complete Through PA 35 of 2024

Senate adjourned until Thursday, April 25, 2024 10:00 AM

House adjourned until Thursday, April 25, 2024 12:00 PM

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MCL - Section 324.30111b

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Chapter 324

Act 451 of 1994

451-1994-III

451-1994-III-1

451-1994-III-1-INLAND-WATERS

451-1994-III-1-INLAND-WATERS-301

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NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT

(EXCERPT)

Act 451 of 1994

324.30111b Public road end; prohibited use; violation as misdemeanor; fine; civil action; definitions.

Sec. 30111b.

(1) A public road end shall not be used for any of the following unless a recorded deed, recorded easement, or other recorded dedication expressly provides otherwise:

(a) Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.

(b) Mooring or docking of a vessel between 12 midnight and sunrise.

(c) Any activity that obstructs ingress to or egress from the inland lake or stream.

(2) A public road end shall not be used for the construction, installation, maintenance, or use of a dock or wharf other than a single seasonal public dock or wharf that is authorized by the local unit of government, subject to any permit required under this part. This subsection does not prohibit any use that is expressly authorized by a recorded deed, recorded easement, or other recorded dedication.

This subsection does not permit any use that exceeds the uses authorized by a recorded deed, recorded easement, other recorded dedication, or a court order.

(3) A local unit of government may prohibit a use of a public road end if that use violates this section.

(4) A person who violates subsection (1) or (2) is guilty of a misdemeanor punishable by a fine of not more than \$500.00. Each 24-hour period in which a violation exists represents a separate violation of this section. A peace officer may issue an appearance ticket as authorized by sections 9c to 9g of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.9c to 764.9g, to a person who violates subsection (1) or (2).

(5) This section does not prohibit a person or agency from commencing a civil action for conduct that violates this section.

(6) As used in this section:

(a) "Local unit of government" means a township, city, or village in which the public road end is located.

(b) "Public road end" means the terminus at an inland lake or stream of a road that is lawfully open for use by the public.

History: Add. 2012, Act 56, Imd. Eff. Mar. 22, 2012 ;-- Am. 2014, Act 168, Imd. Eff. June 12, 2014

Popular Name: Act 451

Popular Name: NREPA

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Parks Committee Requests for Township Board

May 9, 2024

Old Business

The Solon Township Parks Committee requests an update on the status of the previous meetings' requests:

1. Last meeting was held 4/30, 1 member was absent. No public was present.
2. Would like to know the balance remaining on the GTB grant from the boat wash stations so we can accurately determine a project scope for way-finding signs near the boat launch on the cedar river, and spend the remaining funds.
3. Would like to know what the status is of the Solon Township Parks Ordinance.
4. Would like a copy of the softball league activities that they agreed to perform for the Township in exchange for an agreement for the 2024 season. Status of their agreement?
5. Last Month we proposed: Before the Township Board agrees to lease the Tennis Courts and baseball fields to the Polka Fest Foundation:
 1. Require a deposit of a dollar amount to be specified by the board. Returnable after a walk-through post event.
 2. Determine a fee for exclusive use of the fields; either 10% of the gross profits or another predetermined fee from the Board.
 3. Perform a walk-through inspection of the facilities before and after the event.
 4. Require that all maintenance actions be documented and approved by the board before implementation.

6. This month, we feel the need to stress the fact that the Polka Fest Foundation is the permit applicant for the Polka Fest. Any handshake or understood agreements between the Township and the Chamber are now null and void. Given the fact that this is a different applicant, all the forms will need to be renewed and a new precedent should be set regarding the exclusive use of public parks. There was a planned meeting between the Township Board and the Chamber that was supposed to be public, did that occur? Given the claims made by the new Polka Fest Foundation in the Leelanau Ticker, the Parks' Committee recommends the following:

-we would like to see documentation of the \$350,000 that the Chamber of Commerce donated to specifically the Parks program in Solon Township.

-While we understand the desire to meet a public need, we have many concerns regarding the public safety risk of having a dog daycare and Dock Diving competition in and around the polka fest. We recommend that the Township Board remind the Foundation as well as the public that dogs are prohibited in all Solon Township parks, with the exception of Vlack's Park. We recommend that the board prohibit this aspect of the proposed Polka Fest agreement. At the very least ensure that the dog event and dog day care be held outside of park property.

a. As a committee, we recommend the Township Board propose the following to the Polka Fest Foundation before issuing a permit for the Polka Fest:

1. \$1000.00 security Deposit to be returned after a satisfactory walk through, post event.

2. \$6300.00 fee for exclusive use of the tennis, pickleball & basketball courts, and softball field 2 and 3. This fee is \$300/day for 21 days and seems appropriate since the new approved rental fees for the Town Hall are \$250/day. We strongly recommend that there be no rental of the adult softball field, Field 1. If we are asking the league to volunteer to care for that field, it is inappropriate to allow another organization to use it and potentially cause harm to the facility.

3. There should be a pre-event walk through with a member of the Township Board and a post event walk through with a member of the Township Board.

The committee wants to stress that the Township has a tremendous responsibility to protect public safety and public resources of the Township in this case as well as helping to encourage visitors and increased traffic for Cedar businesses.

7. The items below were proposed at the last meeting: the parks committee would like to move forward with some of the items below and would like a response from the Board.

The Parks Committee has discussed a list of desired improvements for the Cedar Community Park based on Community Input. We recommend a project proposal to include the following items:

- a. A moveable gate at the playground to completely contain children.
- b. The Large fence at the adult Softball field needs dirt filled in or another solution to prevent balls from rolling underneath.
- c. Hire a contractor for insect control near the ball fields.
- d. We recommend at least 1 additional trash can near the ball fields during the high season.
- e. We recommend 2 additional porta potties for Solon Parks during the high season for a total of 7 (including the beach park).
- f. Installation of the new bleachers should have a determined project manager and a representative from the Township Board or their designee.
- g. New lightbulbs for the Adult League lights and repair scoreboard.
- h. Improved parking to include at least 2 ADA spaces and improved egress.
- i. A walking trail around the outside of the ball fields and leading toward the old dump area.
- j. Refurbish the tennis courts and build a cover over the top to include lighting.

8. Report of the Parks' Cleanup event: Approximately 20 participants with 12 from the Tai Chi classes. 30 yards of mulch was spread on the playground. The Community Park was cleared of trash and small branches that had fallen. A crew trimmed the bushes in front of the town hall. The immediate area was raked and new mulch was spread. There is a small dump pile next to the cage outside the

townhall that was picked up at Vlack's. The trash can placed by the playground is too small to deposit that trash. We need to know how the township would like it to be disposed? On Sunday the NMRC worked on cleaning up the beach park. The dock has been installed. Mr. Gauthier filled the potholes in the road with hot asphalt. Trees were identified and tagged for removal. The fence from the recycle center is in the process of being installed at that park.

9. Mary Taylor has an important request regarding the Rotary grant. The original grant expires on May 15. Mary would like to request a 6-month extension otherwise we will have to return a little over \$3,000 to the Rotary. The visioning and planning sessions portion of the grant was completed however, the Community Park plan and drawings were not completed. The Rotary will send Mary the paperwork for requesting the extension, but we will need the Board's approval.

10. Our next committee meeting will be on Tuesday May 28th at the Townhall at 6:00 pm. The public is welcome.

Respectfully submitted by Kelly Claar/Mary Taylor Solon Township Parks Co-Chairs

Christina Deeren
6591 E. Traverse Hwy.,
Traverse City, MI 49684
(906) 203-6219

April 1, 2024

Solon Township Board of Trustees,

Below is the proposal for cost for employment for the position of Zoning Administrator, Planner and Recording Secretary is as follows:

Yearly salary - \$35,000.00 to be paid in monthly increments and to be retroactive as of March 14, 2024.

1. Attendance at all Planning Commission meetings, assist Planning Commission on processing Master Plan (21 step process – currently in step 5).
2. Attendance at all Zoning Board of Appeals meetings.
3. Attendance at Township Board meetings as required.
4. Submit reports to Township Board, PC and ZBA.
5. Issuance and maintenance of Land Use Permits.
6. Process Special Use Permits.
7. Process ZBA Cases.
8. Site Inspections and final inspections.
9. Update Permit Fees – Not updated since 2014.
10. Processes Land Divisions and Land Combinations.
11. Create Violations Bureau.
12. Code Enforcement & Violations – Process and follow through with Attorneys at Court Level.
13. Update Blight Ordinance – Per Master Plan.
14. Update/Create Storm Water Ordinance.
15. Update forms for residents & create new forms as necessary.
16. Respond to Taxpayer questions via phone/email.
17. Maintain Zoning Ordinance and updates per the State of Michigan Zoning Enabling Act and other State adopted resolutions regarding zoning.

Recording Secretary:

To be paid \$100.00 per meeting minutes as currently paid

Reimbursements and Cost:

- Mileage to be paid at the Governmental rate for inspections and any travel in and outside of the township dealing with township related issues.
- The township will provide a laptop computer which will remain Township property.

- The township will reimburse for all cost associated with township expenses such as stamps, paper, envelopes, business cards, ect.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to be "C. M. [unclear]", with a long horizontal flourish extending to the right.