

GLEN ARBOR TOWNSHIP

P.O. Box 276 Glen Arbor, MI 49636
231-334-3539 ~~~ FAX 231-334-6370

John C Soderholm, Supervisor
Treasurer

Bonnie Quick, Clerk

Terry J Gretzema,

Kent Kelly, Trustee

Wm. Thompson, Trustee

Regular Meeting

April 21, 2009

Minutes (Meeting Tape Recorded)

Township Supervisor John Soderholm called the regular Board meeting to order at 7:30 PM, in the Glen Arbor Town Hall Meeting Room. All board members were present. The Pledge of Allegiance was recited.

The agenda was presented, reviewed and amended.

Motion Quick, second Gretzema approve collection 1% administration fee on tax fills. Kelly requests that next year this amount is reevaluated. Motion carried. Minutes of regular meeting 03/17/2009 (Kelly/Thompson), special meetings 3/19/09 (Quick/Kelly) and 3/28/09 (Thompson/Gretzema) approved as amended

Public Comment – Amy Peterson asks for clarification of 1% fee. Gretzema says the amount of fee if set and that the Township can either take it or not.

Leelanau County Sheriff report – Rocky Cadieux – March 09, 2 incidents in GA, 179 in Leelanau County.

Treasurer's Report - Total cash on hand as of 3/31/09, \$2,472,234.09. Final distribution with a 10% hold back is not complete. **Motion Kelly, second Quick to use two new banks, (Northwestern Savings and Bank of Northern Michigan) with CDARS (Certificate of Deposit Account Registry) capabilities. Motion carried. Motion Thompson, second Quick to add another for direct Garden donations. Motion carried.** Tax exemption donations still possible.

Bills – General Fund - \$ 17,842.63.

Emergency Services - \$120,073.80.

(not included in this figure is check # 8645 for \$250,000.00; a transfer of funds)

Debt Service – Fire Trucks \$114,437.07

Debt Service – Bond \$ 87,288.00

Motion Thompson, second Gretzema, to approve paying the General Fund bills. Motion carried. Motion Thompson, second Kelly to approve paying the ESAC bills. Motion carried. Motion Quick, second Gretzema, to approve paying the Debt Service – Fire Trucks bills. Motion carried. Motion Gretzema, second Quick to approve paying the Debt Service Bond bills. Motion carried.

Fire Chief Operations report – John Dodson. Annual meetings went well in Empire and Glen Arbor with a lot of conversation of the regional services, mergers, and other. Currently work with Cleveland Township. Physicals are an annual expense since 1987. #1 killer of firefighters is heart attacks, not buildings falling on them. 32 physicals, both fulltime and part time, were performed and 17 had category B ailments that can be corrected with diet/lifestyle changes. Two had category A and cannot participate; both are part time people. Staffing changes; may have a vacancy after voluntary resignation, plus a full time to part time change for one person, creating another vacancy. John Kenny and Dodson have been working on the boiler problem. Dodson presented a draft of his RFP proposal requests: A mandatory pre-bid conference with walk-through with engineers on May 12, 2009, and then receive sealed bids. Dodson gave an estimate near \$30,000.00 for replacement. Don Worsley will be hired as consultant. **Motion Kelly, second Quick to advertise for a design build of a heating system at the Public Safety Building and to engage consultant, Don Worsley at an hourly rate. Motion carried.**

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Agreement with North Flight to provide employer services for full time staff. An \$80,000.00 was originally quoted, and now it is \$13,000.00. **Motion Quick, support Thompson for Soderholm to sign amendment to original contract with cost savings for employer services. Motion carried.**

Emergency Services Advisory Commission. Chairman Andy DuPont summarized ESAC's meeting of April 15th.

Sewer Feasibility Committee Report – Frank Siepker and Don Matschke –Since the reporting at the annual meeting in March, Frank and Don have met with Gosling Czubak who provided a preliminary evaluation of a sanitary sewer system for \$6,330.00. The federal and state stimulus money timetable is too tight for us to utilize. An estimated need for 40 and 60 acres needed for project. Kelly says we can either plan or panic with this issue. 90% of these systems are, according to Czubak, are put in during time of crisis/immediate need. Glen Arbor is working within the 10% proactive approach.

Zoning Administrators Report – 1 Land Use Permits issued.

Correspondence was reviewed and accepted as presented

1. Susan Robinson comments re: M-22 detour and bridge
2. Charter Communications re: Restructuring
3. Leelanau County Chapter MTA minutes 3/26/09
4. Leelanau County Planning Notice of Meeting 4/21/09
5. Leelanau County Road Commission Act 51 report
6. Leelanau County Office of Emergency Management re: Public Officials Conference on April 22, 2009 for 4 hours.
7. Northwest Michigan Council of Governments Heritage Route Meeting 4/27/09
8. M-DNR approval of township Recreation Plan
9. MTA Spring District Meeting June 1, Cadillac
10. Par Plan News, Planning & Zoning News, Michigan Township News, Capitol Currents

Unfinished Business

1. Telephone System request for bids – tabled until next month.
2. Schedule joint meeting with Planning Commission – possible dates 4/28 at 7 p.m.
3. Richard Figura re:
 - a. Catherine Kegler
 - b. Mike Sutherland
 - c. Peninsula Pyrotechnics
4. Patty O'Donnell 5/7/09 at 10:00 a.m. regarding the trailways. At library at NPS.
5. Sign Ordinance Committee Report – Terry Gretzema. The committee has met 6 times. They propose 2 phases: Phase 1: Remedies for temporary vehicle signs and signage proliferation. The sign ordinance should be rescinded as a zoning ordinance and rewritten as a township ordinance (doesn't have to provide for grandfathering). A minimum grace period of 1 year for compliance. Phase 2: commercial district signage control and business finding (way-finding) signage (collaborating required with MDOT). **Motion Thompson, second Kelly to authorize legal council to respond to Sutherland's request to vacate an unnamed road-end between State and M-22, with a no-contest plea. Motion**

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carried. Governmental immunity may be an issue for the PyroTechnics law suit.

6. Sewer Committee Report – Frank Siepker and Don Matschke – see earlier

New Business

1. SRW Contracting Paving Bid – For repair in front of the garden. **Motion Thompson, second Quick to contract with SRW contracting for paving and stripping in front of garden area for \$3,698.00. Motion carried.** Project to be done in May.
2. Elmer's Paving Bid received but higher than SRW.
3. MTA Accounting & Payroll seminar 6/18/09, Gaylord – Quick approved to attend seminar.
4. Leelanau County Commission on Aging - **Motion Quick, second Thompson to reject new Request for Funding program as proposed by the Leelanau County Commission on Aging and for the County to retain responsibility. Motion carried.**
5. RFP – Restroom Maintenance – Soderholm drafted 2 separate proposals for RFP's. Bids are due by April 20th for restroom and May 15th for the Garden. Cleaning schedules depend on the resort seasons; daily in summer and 3 times a week for Spring and Fall. All cleanings shall be completed by 9 A.M.
6. RFP – Garden Maintenance – Weeding and trimming needs. **Motion Thompson, second Gretzema to proceed with publication of 2 RFP's in the Leelanau Enterprise. Ad will direct those interested in contacting office for specifics. Motion carried.**

Zoning & Planning Commission Report – Kelly reported on the regular meeting on the April 7th and the special hearing/public hearing on amendments to zoning ordinance. Little discussion or public comment at the special meeting.

Motion Quick, support Thompson to go into closed session to discuss legal opinion regarding Kegler claim against the Township at 9:25 p.m. Motion carried. Amy Hubbell from the Leelanau Enterprise questioned the closed session. Figura, legal council, clarified that the purpose of the closed is the answer question regarding the privileged communication between client and council. He proposes that this may be lengthy in nature.

Closed Session – Governmental immunity applies. Civil rights and trespassing issues are exemptions to this. This case does not fall under these. If documentation supports that the 50 ft. lot existed before the 1962 ordinance that would be foundation for Township further discussions. In addition, she has the right to go to Board of Appeals.

Motion Quick, support Thompson to go back in to Open Session at 9:46 p.m. Motion carried.

Motion Quick, second Kelly to have legal council draft a letter to Kegler recapping discussions; that the Township appears to have governmental immunity, that the 1962 ordinances cover the 50 foot issue, and that if her property's description cannot support a proper split, she can go to the Board of Appeals, and the disparity between us is based on a communication problem. Soderholm reported this to our insurance company and of the possibility of liability. **Motion carried.**

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Public Comment – Amy Peterson had comments covering restroom maintenance, garden waste, garden maintenance, sign ordinance with police-powers (self policing), do we need a public hearing?, movement of zoning ordinance to a Township ordinance. April 29th meeting at 5:30 p.m. will be a time to address the signage ordinance issues.

Board Comments – Kelly wants to clarify the Zoning Administrator's responsibility with regards to signage issues. What are his enforcement requirements? Kelly also insists that the Town Board needs to acknowledge to the Zoning Commission that the reason for moving the ordinance to under the Town Board's jurisdiction is not due to Zoning's lack of effort. Gretzema believes that there needs to be more information regarding the movement of the ordinance from one entity to the other.

Supervisor Comments – The Chamber of Commerce stuff is ordered and they will reimburse us; pamphlet racks. Memorial bench funding has been received. Bike racks may be donated by Boonedocks. Outside of kiosk; 3 surfaces, a walking map, a tack board, and an under glass area designed by Ted Peterson. Two areas to be lockable, the tack board will not. An estimate of \$1,500 for the hardware for the locked areas and installation.

Regular Board Meeting Adjourned at 10:14 p.m.

Call Election Commission to Order at 10:15 p.m.

Election Commission Appointment of workers for May 5, 2009 election; Annette Lewis, Don Miller and Dana Roman, Chairperson.

Motion Soderholm, second Gretzema to approve workers. Motion carried.

Election Commission adjourned at 10:16 p.m.

Dana Roman

Glen Arbor Township Deputy Clerk