

**Charter Township of Elmwood  
Board Meeting  
January 11, 2010 in the Township Hall**

**Call to Order:**

**Supervisor Kelly** called the meeting to order at 7:04p.m.

**Pledge of Allegiance:**

**Supervisor Kelly** led the Pledge of Allegiance.

**Roll Call:**

**Present:** Jack Kelly, Connie Preston, Debbie Street, Terry Lautner, Dave Darga, Mary Barrows

**Excused:** Don Gallagher

**Declaration of Conflict of Interest:**

None stated

**Brief Public Comment:** Given By-  
**Bill Flynn** Census Jobs – Grand Traverse County  
**Stan Kouchnerkavich** 9690 E. Cherry Bend Rd

**Consent Calendar:**

**Department Reports:**

Treasurer  
Planning  
Zoning

**Minutes:**

Dec. 14, 2009

**Check Register:**

Dec. 15, 2009 thru Jan. 7, 2010

**Committee Reports**

Marina

2010 Regular Board Meeting Schedule  
Kal Excavating Pay Request #2

**MOTION BY TREASURER STREET, SECONDED BY TRUSTEE LAUTNER TO APPROVE THE  
CONSENT CALANDAR AS PRESENTED. MOTION PASSED 6-0 BY A VOICE VOTE.**

**Agenda Approval:**

**MOTION BY TRUSTEE BARROWS, SECONDED BY TREASURER STREET TO APPROVE THE  
AGENDA AS PRESENTED. MOTION PASSED 6-0 BY A VOICE VOTE.**

**Reports:**

**Supervisor Kelly** provided a written report and highlighted sections of it. He also responded to a question from Mr. Kouchnerkavich made during public comment regarding why the Twp. Board did not support the Septage Treatment investigation. Mr. Kelly explained that the Twp. Board took a stand against the investigation because it was improper for the DPW to have taken action without first consulting with the Townships involved. The DPW also did not identify the costs involved nor who would be paying for them and what the likely outcome would be should the investigation proceed.

**Supervisor Kelly** also advised that in the recent past there has been talk of combining the Parks & Recreation and Marina Committees. However after careful consideration he believes they should remain separate.

**Trustee Remarks:** None offered

**Other Officers Remarks/County Officials:**

**County Commissioner Jean Watkoski** submitted her written report to the Board and verbally highlighted certain sections.

**Clerk Preston** asked **Commissioner Watkoski** if the request for scanners by **IT Director Plamondon** had to do with the document imaging Laser Fiche software. She advised that Elmwood Township had spoken to the sales representative and was familiar with the program. She advised that the Township would be interested in buying a license to use it. **Supervisor Kelly** stated it would be a great benefit to the Township as well as the other Townships in the County. **Commissioner Watkoski** responded that she would clarify this with **Mr. Plamondon** and check into it further.

**Census Presentation:** Covered in the Public Comment section

**Deputy Fire Chief Gary Rushton** indicated they were putting together a brochure regarding what to do the first 48 hours after a fire.

**Building & Grounds Chuck Raney** advised that they been having trouble with the bubblers at the Marina and that they are being worked on. The marina is kept plowed during the winter in order to monitor the blubler systems. He also commented that the Township plows the Cedar Lake Launch for Fire Department water supply and for an Emergency entrance for Rescue onto the lake.

**Communications from the Clerk:** None

**Greilickville Harbor Park Task Force Update:**

**Clerk Preston** advised that the Task Force met last week and finalized issues and also advised they were still waiting to hear on the Rotary Grant DECISION REGARDING Pavilion #2 and the restrooms.

**Unfinished Business:** None

**New Business:**

**Leelanau Conservation District/Phragmites Control Presentation:**

**Dan Schillinger** provided written information and gave an overview to the Board. He provided them with a slideshow and DVD presentation as to the invasive shoreline plant known as Phragmites. He also answered questions from the public. The Conservation District provided a sample Phragmites control ordinance from Peninsula Township that helps provide access to affected properties.

**Proposed Rezoning of Properties from Residential 1 to Neighborhood Commercial:**

**Supervisor Kelly** explained the background process thus far regarding the proposed rezoning of properties including the Townships Old Fire Hall, West Bay Covenant Church, and 2 properties owned by Leelanau County due to Tax Reversion.

**Planning Director Trudy Galla** was present and advised the Board of the concerns at the County level. She advised that one of the properties was considered a Superfund Site (highly contaminated) by the EPA. She indicated that the County does not support the rezoning of their properties at this time and would like the Board to leave it zoned Residential (R-1) and revisit the idea in the future.

**MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE LAUTNER TO TABLE THE REZONING OF SEVERAL PROPERTIES FROM R-1 RESIDENTIAL TO NC-2 NEIGHBORHOOD COMMERCIAL. MOTION PASSED 4-2 BY A ROLL CALL VOTE WITH TRUSTEE DARGA AND SUPERVISOR KELLY VOTING NO.**

The Board discussed the rezoning further indicating that they were not aware of a Findings of Fact done on the properties to be rezoned. They also wanted Parcel numbers to be included in the documentation for future reference. Some Board members questioned the hurry in the rezoning of these properties. **Treasurer Street** requested that some of the Boards concerns be put in the minutes.

**MOTION BY TRUSTEE BARROWS, SECONDED BY TREASURER STREET TO REMAND THE PROPOSED REZONING BACK TO THE PLANNING COMMISSION FOR A FINDINGS OF FACT AND OTHER APPROPRIATE ACTIONS. MOTION PASSED 4-2 BY A ROLL CALL VOTE WITH TRUSTEE LAUTNER AND TRUSTEE DARGA VOTING NO.**

**Proposed Zoning Amendment to Allow Wineries as a Conditional Use in the Agricultural District:**

**Supervisor Kelly** stated he feels this proposed Amendment requires additional study as he is not comfortable with the language.

**Trustee Barrows** stated she believe Wineries is a right under the right to farm act however she would have to look it up to be sure. The PC had discussions regarding State Laws and Wineries.

**Clerk Preston and Trustee Darga** indicated the proposed text amendment was too broad.

**Trustee Barrows** responded by saying that this is why the PC defined Wineries as a Conditional Use.

**Supervisor Kelly** stated that it is wise to be cautious on this Proposed Text Amendment.

**Trustee Lautner** recommended that the Board hold a public hearing for input.

**MOTION BY SUPERVISOR KELLY, SECONDED BY TRUSTEE LAUTNER TO HOLD A PUBLIC HEARING ON FEBURARY 8, 2010 AT THE NEXT REGULAR BOARD MEETING ON THE PROPOSED WINERIES ORDINANCE. MOTION PASSED 6-0 BY A VOICE VOTE.**

**Planning Commission Proposed Bi-monthly Meeting Schedule:**

The Board had discussions regarding an every other month Planning Commission Meeting Schedule. No action was taken.

**Confirm Wage Freeze for all Staff Positions:**

**MOTION BY CLERK PRESTON, SECONDED BY TREASURER STREET TO MAINTAIN THE 2009 WAGES FOR ALL TOWNSHIP STAFF. MOTION PASSED 6-0 BY A VOICE VOTE.**

**Authorization for Supervisor to Sign Contract with Consumer's Energy for New Service at Greilickville Harbor Park:**

**Trustee Darga** advised he would like to see the original contract as this should have been addressed as a line item in the original bid.

**MOTION BY TREASURER STREET, SECONDED BY TRUSTEE BARROWS TO AUTHORIZE SUPERVISOR KELLY TO SIGN A CONTRACT WITH CONSUMER'S ENERGY TO INCLUDE THE REMOVAL OF EXISTING LIGHT POLES NOT TO EXCEED \$7000.00. MOTION PASSED 5-1 BY A ROLL CALL VOTE WITH TRUSTEE DARGA VOTING NO.**

**Marina Committee Recommendations:**

This was covered in the Supervisors report section.

**Authorization for Fire Chief Recruiting Funds:**

**MOTION BY CLERK PRESTON, SECONDED BY TREASURER STREET TO APPROVE UP TO \$1500.00 FOR FIRE CHIEF RECRUITMENT FUNDS AS NECESSARY. MOTION PASSED 6-0 BY A ROLL CALL VOTE.**

**Payment of Invoices:**

**MOTION BY TREASURER STREET, SECONDED BY TRUSTEE DARGA TO PAY THE INVOICES IN THE AMOUNT OF \$69,942.12. MOTION PASSED 6-0 BY A VOICE VOTE.**

**Extended Public Comment:** Given by-

**Don Barrows** 10351 High Meadows Ct.

**Tony Ansoerge** 10101 E. Carter Rd.

**Adjournment:**

Supervisor Kelly adjourned the meeting at 9:47p.m.