

**Charter Township of Elmwood
Regular Board Meeting
May 11, 2009 in the Township Hall**

Call to Order:

Supervisor Kelly called the meeting to order at 7:01p.m.

Pledge of Allegiance:

Supervisor Kelly led the Pledge of Allegiance.

Roll Call:

Present:

Jack Kelly, Connie Preston, Debbie Street, Terry Lautner, Don Gallagher, Dave Darga, and Mary Barrows.

Declaration of Conflict of Interest:

None stated.

Public Hearings:

E. Timberwoods Dr. Maintenance SAD Roll:

Clerk Preston provided background information concerning this SAD.

Supervisor Kelly opened the Public Hearing at 7:05p.m.

Doug Cole 11210 S. Cottonwood Dr. informed the Board that the E. Timberwoods Association Board has reviewed this and submitted the numbers. The same formula has been applied to this SAD as was applied to the road construction roll, so there is fairness in who pays for what. On the June agenda, we will be submitting some revisions for this particular maintenance agreement. The E. Timberwoods Association Board supports the role as presented.

Supervisor Kelly closed the Public Hearing at 7:08p.m.

Opportunity to be heard was given to all.

S. Blue Ridge Dr., S. Orchard Way, and E. Old Orchard Way Maintenance SAD Roll:

Supervisor Kelly opened the Public Hearing at 7:08p.m.

There was no comment from the public.

Supervisor Kelly closed the Public Hearing at 7:08p.m.

Opportunity to be heard was given to all.

Brief Public Comment:

Those offering comment were:

Sarah Bourgeois, Stan Kuchnerkavich, Tony Ansorge, and Eric Currin.

Consent Calendar:

Department Reports:

Treasurer

Zoning

Harbor Master

Minutes:

April 13, 2009

Marina Committee Minutes

Check Register:

April 15 through May 8, 2009

Motion by Trustee Lautner, supported by Trustee Gallagher to approve the Consent Calendar as presented. **Motion passed 7-0** by a voice vote.

Agenda Approval:

Motion by Treasurer Street, supported by Clerk Preston to approve the agenda as modified (add: 11l. Trustee Barrows, delete: 11a). **Motion passed 7-0** by a voice vote.

Reports:

Supervisor Remarks:

Supervisor Kelly submitted his written report and verbally highlighted certain sections.

Trustee Remarks:

Speaking as the Board Rep. to the Planning Commission, Trustee Barrows thanked Supervisor Kelly for providing the recent P.C. training session with Township Attorney Young.

Trustee Gallagher inquired about the meeting with the four other townships who own the septage treatment plant. Supervisor Kelly reported that Clerk Preston, Treasurer Street, Trustee Lautner, and himself attended the meeting along with board members from the other four townships. It was an informational session put on by the Grand Traverse County Board of Public Works. No formal decision was made.

Trustee Lautner stated that an article in the Record Eagle referred to a contract between Bay Harbor and the septage treatment plant. That contract has not been renewed as yet. This arrangement is a source of revenue for the septage treatment plant.

Other Officer Remarks:

None offered.

Communications from the Clerk:

None.

Harbor Task Force Update:

Deferred to New Business Harbor Task Force item.

Phragmites Presentation/Kay Charter, Saving Birds Thru Habitat:

Ms. Charter stated that phragmites is the most invasive wetland plant we have. There will be a public workshop at the Haggerty Center on Saturday, June 6th with two identical sessions from 9:00 to noon and 2:00 to 5:00. Reservations are required and may be made by calling the Watershed Center. A permit from the DEQ is needed to have these plants professionally eradicated with herbicides. Until August 15th, individuals can go together and obtain one permit as a group for \$75.00. Peninsula Township is already working on this problem.

Unfinished Business:

None.

New Business:

Insurance Renewal/Paul Olsen:

Mr. Olsen reported that the premium for the 2009-2010 insurance years is \$26,967.00. This represents an increase of \$757.00 which is due solely to the addition of the 2006 Dash Pumper fire truck. Mr. Olsen will contact Clerk Preston regarding the Ball Diamond #3 dugouts which are not currently on the insurance.

Motion by Trustee Lautner, supported by Trustee Darga to approve the insurance renewal amount of \$26,967.00 through the Municipal Underwriters of Michigan. **Motion passed 7-0** by a voice vote.

Greilickville Harbor Park Task Force Recommendations/2nd Pavilion Financing:

Klaus Heinert of Gosling Czubak distributed handouts to the Board members. He stated that the preliminary engineering plans are finished and that he is seeking authority to proceed to final engineering. MDOT has agreed to ROW encroachment as long as the surface is pervious. They have also given their ascent to driveway alignment and traffic calming. The round parking will be rotated to avoid moving the fire hydrant. As a courtesy, the park plans will go through the Planning Commission and to the ZBA for variances. The Rotary Charities grant request for funding for the restrooms in the second pavilion may be resubmitted. A bathroom for the first pavilion can be done as a result of a grant from the Kellogg Foundation which paid half of the township's matching contribution and half of the DNR contribution to Phase 1. The \$118,000 cost of the bathroom and the \$118,000 saved as result of the Kellogg grant are actually a wash. The public voted 2-1 for the circular parking plan and also supported having a second, smaller pavilion.

Supervisor Kelly read a letter from Mike Morris, Marina Committee rep. to the Harbor Park Task Force, in support of the Greilickville Harbor Plan.

Motion by Supervisor Kelly, supported by Trustee Barrows to authorize Klaus Heinert and the Greilickville Harbor Park Task Force to submit site plans to the Zoning Administrator, submit any required variances to the ZBA, to proceed with final engineering plans and to authorize the Task Force to proceed with budgetary plans incorporating the plans for restroom number 1.

Motion passed 7-0 by a roll call vote.

Motion by Trustee Darga, supported by Treasurer Street to have the township match of \$236,628 come out of the Marina Fund for a total project pre-bid cost of \$780,000. **Motion passed 7-0** by a roll call vote.

Hazard Mitigation Plan:

Tom Skrowronski, Director of 911 Services, Leelanau County provided to the Board a sample Hazard Mitigation Plan Resolution for their review. The plan is not responsive. It is a preventative plan. The work has all been done by the county, and there would be no cost to the township. The Board informed Mr. Skrowronski that they would like to look at the Hazard Mitigation Plan and the revised sample resolution. This item will be on the June 8th agenda for consideration.

Trustee Gallagher was excused at 8:56pm.

Draft Zoning Ordinance/Set Public Hearing:

Planning Coordinator Grobbel had distributed copies to the Board members of public comments received at both Planning Commission Public Hearings, as well as how the P.C. addressed these comments. He will report at the June meeting on the comments given by an informal citizens group at the two meetings at Norris School. The draft Zoning Ordinance received by the Board is on-line, and there are copies available in the township offices.

Motion by Supervisor Kelly, supported by Treasurer Street to set a Public Hearing on the draft Zoning Ordinance on Monday, June 22nd at Norris Elementary School starting at 6:00p.m.

Motion passed 6-0 by a voice vote.

Consideration of Planning Commission Ordinance:

Motion by Clerk Preston, supported by Trustee Barrows to adopt Resolution #6 of 2009, a resolution adopting Ordinance #2009-1, A Planning Commission Ordinance, as authorized by Public Act 33 of 2008, as amended. **Motion passed 6-0** by a roll call vote.

Banking Resolution for Bank of Northern Michigan:

Motion by Clerk Preston, supported by Treasurer Street to adopt Resolution #7 of 2009, authorizing the Treasurer to deposit funds with the Bank of Northern Michigan. **Motion passed 6-0** by a roll call vote.

E. Timberwoods Dr. Maintenance SAD Roll and S. Blue Ridge Lane, South Orchard Way, and E. Old Orchard Rd. Maintenance SAD Roll:

Trustee Barrows declared a conflict of interest on this item, as she has a financial interest.

Motion by Trustee Lautner, supported by Trustee Darga to adopt the E. Timberwoods Dr. Maintenance SAD roll and the S. Blue Ridge Lane, South Orchard Way, and E. Old Orchard Rd. Maintenance SAD roll. **Motion passed 5-0** by a roll call vote, with Trustee Barrows abstaining.

Marina Committee Recommendation/Dock Boxes:

Motion by Treasurer Street, supported by Trustee Darga to adopt the recommendation of the Marina Committee that all dock boxes must be triangular in shape and fit the triangular space on the finger pier. **Motion passed 5-1** by a voice vote, with Trustee Barrows voting NO.

Charter Internet/Telephone Offer:

Motion by Trustee Lautner, supported by Treasurer Street to authorize a three year contract with Charter Communications to provide phone and internet services to the Township Hall, Fire Department, and Marina. **Motion passed 6-0** by a voice vote.

Marina Fund Update:

Supervisor Kelly contacted Jason Fleming of the Mi. Dept. of Natural Resources regarding the township's ability to use Marina Funds to develop the Greilickville Harbor Park. Mr. Fleming responded with a letter dated May 7, 2009 stating that the DNR considers the use of current marina funds for matching an approved Mi. Natural Resources Trust Fund Grant for the development of the Greilickville Harbor Park to be appropriate. In a follow-up e-mail, Supervisor Kelly confirmed that in 2009 revenues from A & B dock are unrestricted and may be used by the Board, in its entirety, for any purposes deemed appropriate. In 2009, revenues from C dock are restricted and must be used for Greilickville Harbor & Park improvements only. The Marina Fund, however, needs to maintain a balance sufficient to address any repairs or improvements to the park and marina that may come up in the future. Supervisor Kelly was able to also confirm that the existing marina fund balance in its entirety is unrestricted. As such, the existing marina fund balance could be used by the township for whatever purposes deemed appropriate

Trustee Barrows Item:

Trustee Barrows brought to the Board's attention a Torch Lake Township resolution which allows for remote member participation. She will be absent for two meetings each of the Planning Commission and the Board due to her husband's medical treatment. At the end of discussion, it was felt that the logistics of participation by phone outweigh the benefits and that Trustee Barrows' attention should be devoted to her husband.

Payment of Invoices:

Motion by Trustee Lautner, supported by Trustee Barrows to pay the invoices in the amount of \$141,286.07. **Motion passed 6-0** by a voice vote.

Extended Public Comment:

Those offering comment were:
Eric Currin and Don Witkowski

Adjournment:

Supervisor Kelly adjourned the meeting at 9:56pm.

