

**Charter Township of Elmwood
Regular Board Meeting
August 10, 2009 in the Township Hall**

Call to Order:

Supervisor Kelly called the meeting to order at 7:03 p.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, Mary Barrows

Declaration of Conflict of Interest:

None stated

Public Hearing:

E. Avondale Lane, E. Pickwick Center, S. Paradise drive, and E. Claremont Drive SPECIAL ASSESSMENT DISTRICT Plans & Specifications:

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

Paul Singer (Maggie) 10095 E. Avondale Ln. OPPOSED to the SAD project as they already pay taxes for roads. They are already concerned about erosion issues and wanted to know if the paving would be done correctly to help with this concern.

Glen Swoveland 10050 E. Avondale Ln. OPPOSED the SAD project.

Bob Lober 10090 E. Pickwick SUPPORTED the SAD project and the cost of it.

John Riegling (Celia Reigling-trustee) 9980 E. Avondale Ln. SUPPORTED the SAD project.

Additional Staff & Resources:

Township Assessor Chris Krellewitz explained the creation of the Assessment Roll.

Leelanau County Road Commission Engineer Jim Johnson explained that minor erosion issues would be taken care of in the process, however, repaving is the main concern at this time. Other erosion issues could be worked on later. He indicated that if the resolution passed tonight, he expected the work on the project to begin this week.

Township Attorney Peter Wendling advised that this was a good opportunity for the residents and indicated that the SAD project, if passed, could be paid in whole, in part, or added to the tax bill.

Supervisor Kelly closed the Public Hearing at 7:37p.m. Opportunity to be heard was given to all.

Consent Calendar:

Department Reports:

Treasurer
Harbormaster

Minutes:

July, 13, 2009
July, 22, 2009

Check Register:

July 15 thru Aug. 7, 2009

MOTION BY TREASURER STREET SUPPORTED BY TRUSTEE LAUTNER TO APPROVE THE CONSENT CALENDAR AS PRESENTED. MOTION PASSED 7-0 BY A VOICE VOTE.

Agenda Approval:

MOTION BY TREASURER STREET SUPPORTED BY TRUSTEE LAUTNER TO APPROVE THE AGENDA FOR THE ELMWOOD TOWNSHIP BOARD MEETING AUGUST 10, 2009 AS AMENDED(move New Business item 11a and placing it after Item #5, also remove 9f). MOTION PASSED 7-0 BY A VOICE VOTE.

Public Hearing:

E. Avondale Lane, E. Pickwick Center, S. Paradise Drive, and E. Claremont Drive SPECIAL ASSESSMENT DISTRICT ROLL:

Supervisor Kelly opened the Public Hearing at 7:45p.m.

Paul Singer 10095 E. Avondale Ln. OPPOSED the assessment roll. He repeated his understanding of what Jim Johnson said, that after the repaving any erosion problems would be dealt with by the county road commission. He suggested changing the assessment to acreage not frontage.

Kevin Severt 9910 Avondale Ln. SUPPORTED the assessment and felt it was fair and appropriately divided up.

Bob Lober 10090 E. Pickwick asked if interest would be due if delinquent like the taxes? Supervisor Kelly stated yes.

Jim Johnson explained that when resurfacing, the road gets higher. The lawns build up over the years. The new paving will be tapered so the water will drain gradually and may solve some of the erosion issues.

Trustee Gallagher confirmed with Mr. Johnson that people can comment on erosion issues to the road commission.

Richard Bohn 9756 E. Avondale Ln. asked Mr. Johnson if the large dips from sewers and the mailboxes that are paved will be taken care of?

Mr. Johnson explained low spots and severe trenches will be filled with asphalt before paving and mailboxes may need asphalt in an attempt to make the transition, this will be determined by the grade involved.

Kevin Severt 9910 Avondale Ln. asked Mr. Johnson about speed limit signs.

Mr. Johnson advised 25mph speed limit signs would be placed at the beginning of the subdivision.

Supervisor Kelly closed the Public Hearing at 8:03p.m. Opportunity to be heard was given to all.

After a short recess, the meeting reconvened at 8:14p.m.

Brief Public comments:

There were no comments from the public.

Avondale Lane, Paradise Drive, Pickwick Center, and Claremont Drive Special Assessment District Resolutions:

Trustee Barrows recommended amending Resolution 13 of 2009 by inserting the words "owners of" after signed by in the first sentence of the first *WHEREAS* paragraph amended to read: *received petitions signed by owners of more than 50%...*

MOTION BY CLERK PRESTON SUPPORTED BY TRUSTEE DARGA TO APPROVE RESOLUTION 13 OF 2009 CREATING A SPECIAL ASSESSMENT DISTRICT TO REPAVE EAST AVONDALE LANE, SOUTH PARADISE DRIVE, EAST PICKWICK COURT, AND EAST CLAREMONT DRIVE WITH THE INSERTION OF "OWNERS OF" IN THE FIRST PARAGRAPH AFTER THE WORDS SIGNED BY... IN THE FIRST WHEREAS RECITAL. MOTION PASSED 7-0 WITH A ROLL CALL VOTE.

MOTION BY TREASURER STREET SUPPORTED BY TRUSTEE LAUTNER TO ADOPT RESOLUTION 14 OF 2009 CREATING A SPECIAL ASSESSMENT ROLL TO SPREAD THE COSTS OF REPAVING EAST AVONDALE LANE, SOUTH PARADISE DRIVE, EAST PICKWICK COURT, AND EAST CLAREMONT DRIVE.

MOTION PASSED 7-0 WITH A ROLL CALL VOTE.

Reports:

Supervisor Remarks:

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

Trustee Remarks:

Trustee Barrows thanked the Board and community for their patience during the last three months while she's been away assisting her husband with medical issues.

Other Officer remarks, County Officials:

Commissioner Jean Watkoski advised that the Health department is asking for additional funds of \$31,000.00. Benzie/Leelanau clean indoor air regulations have been discussed and she will be supportive of them. Campus Construction Committee has budgeted for grounds, paintings, and lobby décor at the Governmental Center. She also advised that interviews for a new County Administrator will be conducted from 1:00-5:00p.m tomorrow and that there were 4 excellent candidates.

Communications from the Clerk:

Clerk Preston gave the Board the second quarter revenue expenditure report and indicated that she would be available later for any questions pertaining to it.

Harbor Park Task Force update:

Clerk Preston indicated the Harbor Park plans were reviewed and are going out for bids in mid August. The contract should be awarded at the next regular board meeting on Sept. 14, 2009.

Fire Report:

Fire Chief Haring said they are ready for ISO (Insurance Services Office) testing and indicated water points, well sites, response time and employee training records will all be part of the testing which will occur the last week of September. He's hoping to have news regarding the tests by November. He also reported that there is no buyer for the old fire truck at this time.

Unfinished business:

None stated

New Business:

Marina Patio Change Orders:

MOTION BY TRUSTEE DARGA SUPPORTED BY TRUSTEE LAUTNER TO PAY \$7000.00 AS FINAL PAYMENT TO PENINSULA PAVERS FOR PAVINGS AND FOOTINGS. MOTION PASSED 6-1 BY A ROLL CALL VOTE WITH TRUSTEE GALLAGHER VOTING NO.

MOTION BY TRUSTEE DARGA SUPPORTED BY CLERK PRESTON TO PURCHASE THE UPGRADED FENCE FOR THE PATIO FOR \$2600.00 AND WORK DIRECTLY WITH PERFECT FENCE. MOTION PASSED 7-0 BY A ROLL CALL VOTE.

Marina Committee Appointments:

Supervisor Kelly appointed Diane Keelan and Dr. Jeff Shaw to the Marina Committee.

MOTION BY TREASURER STREET SUPPORTED BY TRUSTEE BARROWS TO APPROVE THE APPOINTMENT OF DIANE KEELAN TO THE MARINA COMMITTEE, APPOINTMENT TO EXPIRE MARCH 2010. MOTION PASSED 4-3 BY A ROLL CALL VOTE WITH TRUSTEES LAUTNER, GALLAGHER, AND DARGA VOTING NO.

MOTION BY TRUSTEE LAUTNER SUPPORTED BY TRUSTEE DARGA TO APPROVE THE APPOINTMENT OF DR. JEFF SHAW TO THE MARINA COMMITTEE, APPOINTMENT TO EXPIRE MARCH 2010. MOTION PASSED 7-0 BY A VOICE VOTE.

Greilickville Commercial Corridor Task Force Authorization:

MOTION BY TRUSTEE DARGA SUPPORTED BY TREASURER STREET TO ALLOW SUPERVISOR KELLY TO FORM A GREILICKVILLE COMMERCIAL CORRIDOR TASK FORCE AND BRING CANDIDATES TO THE BOARD FOR APPROVAL. MOTION PASSED 7-0 BY A VOICE VOTE.

Fire Chief Selection Process:

Chief Haring will be retiring in February 2010. Supervisor Kelly suggested that a pre-screening committee be formed to include the following: **Jim O'Rourke** (Public Safety Committee

member & past Twp. Trustee). **Noel Flohe** (Public Safety Committee member & past Twp. Supervisor), and **Chief Ray Haring**.

Trustee Darga recommended checking into MTA guidelines for the selection process.

West Bay Covenant Church Letter:

Supervisor Kelly read the letter received by the Township from West Bay Covenant Church regarding their interest in purchasing or leasing the Old Township Fire Department building. The Board's consensus was to keep the old fire station at this time as it is used for precinct 2 polling station during elections and also storage for old township records that require retention. The current township building does not have adequate space for such storage. It was also mentioned that the recycle station is located on that property as well.

Clerk Preston will notify West Bay Covenant Church that the Township Board is not interested in selling the Fire Station at this time.

Schedule Zoning Ordinance Work Session:

MOTION BY SUPERVISOR KELLY SUPPORTED BY TREASURER STREET TO SCHEDULE THE NEXT ZONING ORDINANCE WORK SESSION FOCUSING ON ARTICLES 3&5 ON MONDAY AUGUST 24, 2009 AT 7:00 p.m. IN THE TOWNSHIP HALL. MOTION PASSED 7-0 BY A VOICE VOTE.

Payment of Invoices:

MOTION BY TREASURER STREET SUPPORTED BY CLERK PRESTON TO PAY THE INVOICES IN THE AMOUNT OF \$121,222.98. MOTION PASSED 7-0 BY A VOICE VOTE.

Extended Public Comment:

Those offering Public Comments were: Don Barrows and Noel Flohe

Adjournment:

Supervisor Kelly adjourned the meeting at 9:42p.m.