LELAND TOWNSHIP BOARD MEETING
Monday January 13, 2020—7:00 p.m.
Leland Township Library Munnecke Room
203 E. Cedar Street, Leland, MI 49654

MINUTES
PRESENT: Clerk Lisa Brookfield, Treasurer Shirley Garthe, Trustee Michael Collins, Trustee Tony Borden.
ABSENT: Supervisor Susan Och
GUESTS: 14
CALL TO ORDER: Ms. Brookfield called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.
ACTION: Mr. Borden moved to have Ms. Brookfield chair the meeting in the absence of Supervisor Och; supported by Ms. Garthe. Motion carried.
APPROVAL OF AGENDA: Mr. Collins moved to approve the agenda as presented; supported by Ms. Garthe. Motion carried.
DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None
APPROVAL OF MINUTES
December 9, 2019 (Regular Meeting): Ms. Garthe moved to approve the minutes of December 9, 2019; supported by Mr. Collins. Motion carried.
PUBLIC COMMENT
Dan Korson — Mr. Korson commented on his support for the appointment of Tim Cypher for the open Zoning Administrator position.
Robert Kerr — Mr. Kerr has a home on Twin Pines. He commented on his objections to the drain field project on Sunset Shores. The engineering of the effluent drainage field is incorrect. The figures for the volumes of effluent generated are incorrect. The proposed drain field is the wrong size. The proposed location for the drain field is a hazard for those living on Twin Pines. Mr. Borden asked for Mr. Kerr’s contact information so his concerns could be further discussed.
Christopher Groebel — Mr. Groebel also made comments about the drain field project on Sunset Shores. He stated that it needs a conceptual review by the Benzie Leelanau Health Department and an alternative analysis in order to get a permit. He would like to have discussions with the Sunset Shores project committee about these concerns.
Steve Mikowski — Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance. This is his 281st request. Mr. Mikowski also commented of the appointment of Lisa Brookfield to the Sewer Commission. The recommendation for appointment should have come to the Board for approval. In addition, having Board members on the Sewer Commission allows those members to vote on some issues twice. The original design of the Sewer Commission called for only one member from the Board serve also on the Sewer Commission.
Ms. Brookfield noted that Board approval for her appointment to the Sewer Commission was not on this meeting’s agenda due to an oversight and will be on the February agenda. Mr. Kletzing – Mr. Kletzing expressed his concern for the Sunset Shores project. He is opposed to the location of the drain field and he isn’t convinced that effluent from riparian properties are leaking into lake that would warrant a community drain field. Whitefield Township was used as an example during discussions about a community drain field for Sunset Shores. Currently, Whitefield Township is having problems concerning the transfer ownership of the drain field.

REPORTS FROM BOARDS AND COMMISSIONS

Fire & Rescue – Dan Besson

A report was distributed to the Board members prior to the meeting. Mr. Besson reported on the number of calls and training opportunities. They have been working on budget and proposals.

Harbor

Mr. Borden reported on the meeting from last Friday. Mr. Dzuba has not been running circulators as much. They are working on a contingency plan in the event of higher water levels. There is about 14-15 inches between the current water level and the Harbor building.

Sewer - Steve Patmore

A report was distributed to Board members and is on file at the Leland Township office. The sewer department has been busy with repairs. Mr. Patmore described the repairs that are being done. Mr. Borden asked about the phosphorous levels and Mr. Patmore explained the data. The Commission is putting together a contingency plan in the event of higher water levels.

Parks & Rec

No report. The Supervisor’s report has some information about the Parks & Rec Commission.

Planning/Zoning

Mr. Collins reported on the Planning Commission’s discussion of short term rentals and a police power ordinance. He reported on the perspectives considered. A sample zoning ordinance was asked for to discuss at the February meeting.

Mr. Korson report on the ongoing discussion of the master plan. A survey was done. Census data is needed. A zoning administrator is needed in this discussion. The Commission will need to look at the budget concerning ZA hours.

County Commission

Patricia Soutas-Little is ill. Her report will be emailed to Board members.
TREASURER’S REPORT

Ms. Garth reported on income and expenses for the last month. It was not a sewer billing month. It was a busy month for taking in taxes.

ACTION: Mr. Collins moved to approve the Treasurer’s Report as presented; supported by Mr. Borden. Motion carried.

SUPERVISOR’S REPORT

Ms. Och distributed her report to Board members prior to the meeting.

ACTION ITEMS

1. **Recommendation from the ZA Hiring Committee to rehire Timothy Cypher as Leland Township-Zoning Administrator effective immediately through the fiscal year ending March 31, 2021.**
   
The Hiring committee was Lisa Brookfield, Keith Ashley, and Kathy Dawkins. Ads for this position were placed in the Enterprise, Record Eagle, the Ticker, Monster, and it was posted on the website. There were 5 responses that were considerations but their bids for salary were more than what the Township was willing to pay for someone who would need training. Their recommendation for the position is Tim Cypher. Mr. Cypher presented a draft contract. The township contract is still in revision. Mr. Ashley submitted a letter of support for Tim Cypher which Ms. Brookfield read aloud. A discussion ensued with questions from Mr. Collins and clarifications from Mr. Cypher. Mr. Collins stated that some of the things asked for from Mr. Cypher have not been provided as of yet. Mr. Cypher also clarified his concerns about the conflict of interest clause.

   Approval of the recommendation of Tim Cypher for the Zoning Administrator position was tabled. Mr. Borden will have a discussion with Mr. Cypher to work out the contract details and then there will be a Board workshop

2. **Leland Township Library snow removal – Mark Morton**
   
The firefighters have been removing the snow from the library grounds. This has not been working out because the Fire Department is not always available when the snow needs to be removed. Their equipment is not conducive to removing the snow on the circle. Mr. Morton would like to hire someone who has experience with snow removal and can do it in timely manner. Perhaps The Old Art Building and the Fishtown Preservation Society could partner with the library and split the cost. Mr. Morton will get some quotes for snow removal prior to the Budget Workshop on January 28, 2020.

3. **Resolutions for collecting summer school taxes in 2020**
   
   A. **ACTION:** Mr. Collins moved to adopt Resolution R-20-01 to collect summer school taxes for Leland Public School; supported by Ms. Garthe.
ROLL CALL:
Supervisor Susan Och: Absent
Clerk Lisa Brookfield: Yes
Treasurer Shirley Garthe: Yes
Trustee Michael Collins: Yes
Trustee Tony Borden: Yes

Resolution was passed 4-0. 1 absent.

B. ACTION: Mr. Collins moved to adopt Resolution R-20-02 to collect summer school taxes for Suttsons Bay Public School; supported by Ms. Garthe.

ROLL CALL:
Supervisor Susan Och: Absent
Clerk Lisa Brookfield: Yes
Treasurer Shirley Garthe: Yes
Trustee Michael Collins: Yes
Trustee Tony Borden: Yes

Resolution was passed. 4-0. 1 absent

C. ACTION: Mr. Collins moved to adopt Resolution R-20-03 to collect summer school taxes for the Traverse Bay Intermediate School District; supported by Ms. Garthe.

ROLL CALL:
Supervisor Susan Och: Absent
Clerk Lisa Brookfield: Yes
Treasurer Shirley Garthe: Yes
Trustee Michael Collins: Yes
Trustee Tony Borden: Yes

Resolution was passed. 4-0. 1 absent

4. Contract with Larry Sullivan for Planning Services for 2020
There are no changes from last year’s contract. Mr. Sullivan has served as the ZA when conflicts come up where the ZA needs to be recused. There were concerns expressed on how the substitution could be done more cost effectively, on the held harmless language in the contract, billing procedures, and professional liability insurance. The contract needs to be reviewed and possibly revised. Any comments about the contract should be emailed to Lisa Brookfield.
Approval of the contract was tabled for further review and a workshop.

5. Resolution R-20-04 to hold an Annual Meeting March 28, 2020 at 10:00 AM

ACTION: Ms. Brookfield moved to adopt Resolution R-20-04 to hold an Annual Meeting on March 28, 2020 at 10 a.m.; supported by Ms. Garthe.

ROLL CALL:
Supervisor Susan Och: Absent
Clerk Lisa Brookfield: Yes
Treasurer Shirley Garthe: Yes
Trustee Michael Collins: Yes
Trustee Tony Borden: Yes

Resolution was passed. 4-0. 1 absent
6. **Resolution R-20-05 Township Investment and Depository Designation Resolution**  
Copies of the current policy were distributed to the Board. The Board also received samples of investment policies from the MTA. The Board reviewed comments from Mr. Parker about this issue. Ms. Garthe distributed a document with the plusses of changing to a bank of her choice. Mr. Parker has suggested that the auditor take a look at all this information.  
**ACTION:** Mr. Borden moved to authorize the Treasurer, Ms. Garthe to get a quote from the auditor for reviewing the MTA samples, our current policy, and the concerns raised; supported by Ms. Garthe. Motion carried.

**ROLL CALL:**  
- Supervisor Susan Och: Absent  
- Clerk Lisa Brookfield: Yes  
- Treasurer Shirley Garthe: Yes  
- Trustee Michael Collins: Yes  
- Trustee Tony Borden: Yes  

Resolution was passed. 4-0. 1 absent.

**OTHER/OLD BUSINESS** - None

**BILLS AND ACCOUNTS**  
The bills and accounts list was distributed to Board members. There was nothing unusual for the month.  
**ACTION:** Ms. Brookfield moved for payment of bills from 12-10-2019 to 1-13-2020; supported by Ms. Garthe. Motion carried.

**CORRESPONDENCE**  
A document of Expiring Board and Commission terms was distributed to the Board members. Some dates may be inaccurate because a new member may have been appointed before a term expired. Ms. Brookfield will check the minutes and revise the document as needed.

**BOARD COMMENT** - None

**PUBLIC COMMENT**  
**Dan Korson** – Mr. Korson questioned the current investment policy in terms of it being the Treasurer’s discretion to choose an appropriate bank.  
**Steve Mikowski** - Mr. Mikowski commented that if the Board has to consistently hire people to review the policies, then the people we have elected are inept. Every vote of the township board has the same value.

**ADJOURNMENT**  
**ACTION:** Ms. Garthe moved to adjourn the meeting at 8:52 p.m.; supported by Mr. Collins. Motion carried.  
The next meeting is February 10, 2020.  
Respectfully Submitted,  
Cindy Kacin, Recording Secretary

Date Approved: ______________________

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Susan Och, Leland Township Supervisor  Lisa Brookfield, Township Clerk

Board Meeting, 1-13-2020