

Bear Creek Township Board Meeting
September 4, 2019

- I. Called to order at 7:00 p.m.
- II. **Roll Call**
 - a. Golding, Hoffman, Nowland, Kendziorski
 - b. Absent: Keiser
 - c. Others Present: Al Welsheimer, Joe Villemure, Adam Caron, Jim Kargol, Mitch Brown
- III. **Pledge of Allegiance**
- IV. **Motion** by Kendziorski that Joe Hoffman be the moderator for this meeting. 2nd by Nowland. **Unanimous**
- V. **Approval of Minutes**
 - a. Minutes from three meetings: Regular BCT Board Meeting on August 7, 2019, BCT Board Meeting Closed Session on August 7, 2019, and BCT Board/Planning Commission Joint Meeting on August 28, 2019.
 - b. **Motion** by Nowland to approve all sets of minutes, 2nd by Golding. **Unanimous**
- VI. **Request from the Floor/Discussion**
- VII. **Approval of the Agenda**
 - a. **Motion** by Golding to approve the agenda, 2nd by Nowland. **Unanimous**
- VIII. **Unfinished Business**
 - a. **Roads- Memo from Keiser, read by Hoffman**
 - i. Atkins Rd construction project is scheduled to start September 23, 2019 with paving October 7, 2019. This is about 30 days behind schedule, but Elmer's is confident they can finish the job before cold weather.
 - ii. This time of year we start to get rain and washouts of the new seeding. We should probably plan ahead for spring re-seeding.
 - iii. The Cedar Valley Rd job is out to bid now.
 - iv. The speed radar sign has been out on McDougal for about a month and is now on Howard Rd.
 - b. **Library Report**
 - i. No meeting this month.
 - c. **Blight- Report by Villemure**
 - i. Villemure gave report regarding six pending blight cases.
- IX. **New Business**
 - a. **2018-2019 Audit Report- Adam Caron**
 - i. The Independent Auditors' Report expresses a clean opinion for Bear Creek Township.
 - ii. Caron explained that BCT has three major funds and three non-major funds.
 - iii. At the end of the year, BCT had \$4.668 million in total assets. Of that, 96% is cash and investments and the other 4% is receivables. Total liabilities for the year were around \$34,000.
 - iv. Caron expressed that BCT has a very healthy fund balance. The total fund balance at the end of the year was \$4,622,981. This is a decrease from the prior year of about \$174,000, but this is due to the many capital improvements done this year.

- v. The total revenue for the year was \$2,258,867. In regards to the revenues and expenses, 90% of BCT revenue comes from property taxes and state revenue sharing, 7% is from licenses and permits, and 3% from other miscellaneous things. Total expenditures for the year amounted to \$2,432,956.
- vi. Caron explained that the Proprietary Funds include the BCT Sewer Fund and the Springvale-Bear Creek Sewage Disposal Authority. The BCT Sewer Fund total assets for the year were \$2,568,484 and the net position at the end of the year was \$2,466,378.
- vii. The net position for the fiduciary (tax collection) fund was \$1,031.
- viii. Caron reported that there was only one activity this year that went over budget, by 67,774. He also clarified that any individual item that costs over \$5,000 is considered a capital item.
- ix. At the end of the year, BCT had about \$4.5 million in the bank; \$3.9 million in investments. The 2018 state taxable value was \$437,357,599.
- x. Overall, BCT had a favorable variance of \$227,974.
- xi. **Motion** by Golding to accept the Rasmussen, Teller, O'Neil & Christman Bear Creek Township Emmet County, Michigan Financial Statements with Required Supplementary and Additional Information for the year ended March 31, 2019. 2nd by Kendziorski.

Unanimous

b. Tribal Lawsuit- Memo from Keiser, read by Hoffman

- i. On August 15th, Judge Mahoney ruled in the township's favor in this lawsuit. Because of this ruling, the 2nd part of the case will no longer have hearings. The Tribe has until September 16, 2019 to make an appeal.
- ii. The Bear Creek Township portion of the legal defense was \$44,762.13 from January 2016- August 2019.

c. Cemetery Board

- i. Dave Behling resigned from his position on the cemetery board. Attached is his letter of resignation.
- ii. **Motion** by Golding to accept his letter of resignation and for the clerk to send him a letter of appreciation on behalf of Bear Creek Township. 2nd by Nowland.

Unanimous

X. Planning/Zoning Report- Report by Kendziorski

- a. The Planning Commission heard two cases this month. The first was Walter D Kring, who requested a rezone of his property 2001 N US 31 Hwy from R-1 and B-1 to B-2. Additionally, he requested that the PUD overlay on both 2001 & 1911 N US 31 Hwy be removed. This request was approved by the Planning Commission by a unanimous vote.
- b. The second case was presented by Steve Shuman on behalf of Michael Topley. Topley is requesting a special use permit to build an accessory building as a main use on the corner parcel of Division and Country Club (this parcel does not have an address yet). This request was approved, with the following conditions: "no metal siding be used, to use shingle roofing, and to have 12' side walls with a 6x12 pitch. Additionally, leave the existing trees for screening as possible along Division and Country Club."
- c. The Planning Commission has three possible educational opportunities coming up. Members are going to different opportunities in order to gain a variety of knowledge as a whole.
- d. **Motion** by Nowland to accept the Planning Report and the Planning Commission's recommendations. 2nd by Golding.

Unanimous

XI. Fire Department- Report by Welsheimer

- a. The fire department did a pre-plan and drill at Bell Tire before they opened.
- b. Welsheimer reported 9 EMS and 27 fire calls. They also installed 42 smoke detectors and 8 carbon monoxide detectors. Additionally, they completed fire extinguisher training at REMAX office.
- c. Welsheimer also reported about the fire at Grand Ridge Dr yesterday- it was a small fire that was contained.

XII. Parks & Recreation Report- Report by Nowland

- a. The memorial bench was put in at Jones Landing Park. We received a letter of thanks in regards to this.
 - i. There is a step up for this new bench. Is there anything in the new memorial policy regarding handicap use for memorial benches?
- b. There is a board laying off the trail in Spring Lake Park. Hoffman is wondering if it has been repaired?
- c. Kargol reported that at Jones Landing, there is a bolt that sticks out from a metal plate on a hinge. It attaches the metal walkway to the wooden walkway, on the launch side.
 - i. This needs to be taken care of so that it doesn't catch on a boat, or truck tire, etc.

XIII. Correspondence

- a. MTA at Boyne Highlands- Managing your Township Team and Meeting your Township Needs
- b. MTA at the Bavarian Inn in Frankenmuth- Emergency Issues and Services
- c. Letter from Charter involving new rates
- d. Michigan Association of Township Supervisors Fall Education Conference in Boyne Highlands Resort

XIV. Clerk's Business/Bills- Report by Kendziorski

- a. Kendziorski reported bills in the amount of \$128,752.91. Additionally, the Emmet County Road Commission bill came in at \$208,940.92.
- b. In regards to the November election, the AV Applications have been mailed out, and roughly 260 have been returned. Kendziorski is also in the process of seeking out election inspectors.
- c. Lizzy Dufek has been hired as the new Deputy Clerk and has been doing a wonderful job. Dufek and Kendziorski have been attending as many trainings as possible to prepare for the November election.
- d. **Motion** by Kendziorski to pay the bills in the amount of \$128,752.91 and to pay the Emmet County Road Commission bill of \$208,940.92 2nd by Golding. **Unanimous**

XV. Treasurer's Report- Report by Golding

- a. The Treasurer's Report shows a balance of \$7,538,780.46 as of 8/31/19.

XVI. Building Department Report- Report by Golding

- a. Golding gave a building department report as of August 31, 2019.
- b. At the last meeting, the board heard a complaint from Jeff Milner regarding the BCT building inspector. At this meeting, the board agreed that the building inspector would write a letter of apology to Jeff Milner and White Pines Electric.
 - i. The building inspector did not write a letter of apology, but wrote another letter instead.
 - ii. Milner has not responded yet.
 - iii. Hoffman suggested a review of the Code of Ethics and that we prepare to call a special meeting for the board to discuss this with the building inspector.

- c. In regards to Forrest Friend, BCT sent a letter asking him to send an AG request and a building permit application.
 - i. After receiving a letter from the township attorney, he brought in an affidavit.
 - ii. Joel sent a follow up letter asking him to fill out the affidavit again and to specify what he is using the building for. Friend has until Sept 9th to return it.

XVII. Sewer Business/Bills- Memo from Keiser

- a. Bills were reported for the amount of \$77,161.84.
 - i. **Motion** by Golding to pay the sewer bills. 2nd by Kendziorski. **Unanimous**

XVIII. Request from the Floor/Discussion

XIX. Closed Session- to Discuss Land Purchase

- a. **Motion** by Nowland to go into closed session to discuss land purchase. 2nd by Golding.
 - i. Roll Call: Nowland, Hoffman, Kendziorski, Golding- **Yes**
 - ii. Absent: Keiser
 - iii. Time: 8:10 p.m.
- b. **Motion** by Kendziorski to come out of closed session. 2nd by Golding.
 - i. Roll Call: Hoffman, Kendziorski, Golding, Nowland- **Yes**
 - ii. Absent: Keiser
 - iii. Time: 8:21 p.m.

XX. Other Business

- XXI. Adjournment:** Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Emma Kendziorski

Emma Kendziorski,

Bear Creek Township Clerk