

Bear Creek Township Board Meeting
December 4, 2019

- I. Called to order at 7:00 p.m.
- II. **Roll Call**
 - a. Golding, Hoffman, Nowland, Keiser, Kendziorski
 - b. Others Present: Al Welsheimer, Mitch Brown, Tanya Gibbs, Allan Proctor, Jim Bransky, Karla Buckmaster, Sheldon Buckmaster
- III. **Pledge of Allegiance**
- IV. **Approval of Minutes**
 - a. Minutes from three meetings: Regular BCT Board Meeting on November 6, 2019, Election Commission Meeting of November 8, 2019, and Joint Meeting with Planning Commission on November 20, 2019.
 - b. **Motion** by Nowland to approve all sets of minutes, 2nd by Hoffman. **Unanimous**
- V. **Request from the Floor/Discussion**
 - a. Karla Buckmaster thanked the Board for providing the bearcreektownship.com website and asked if there is a place we post the agenda on the site.
 - i. Keiser clarified that currently, we do not post the agendas online.
 - b. Buckmaster thanked Kendziorski for writing thorough minutes.
- VI. **Approval of the Agenda**
- VII. **Unfinished Business**
 - a. **Roads- Report by Keiser**
 - i. Keiser reported that he met with Brian regarding the failure on Atkins Rd. They agreed that a “patch” is not the right solution, and would like to wait until spring. Currently, Brian is suggesting a three-way split of the cost, between the contractor, county and township. Keiser suggested we discuss this with the Road Commission Board at the January 20th meeting (at 6:30).
 - 1. Hoffman suggested leaving the base and adding a new covering on top.
 - b. **Library Report**
 - i. There is no Library Report.
- VIII. **New Business**
 - a. **GNI Phase 1 Liquor License**
 - i. Tanya Gibbs is the President of OEDMI. She is requesting approval of a different type of liquor license for the new Marriot hotel. In 2018, Bear Creek approved a sub-2 Resort License. There are four different types of Resort Licenses. Gibbs is requesting a sub-4 license for a Resort Economic Development project. The Tribe is requesting this because it is a more expedient route. Marriot prefers that when a hotel goes up, the licensing is ready to go, so the Tribe would like to get this license as soon as possible.
 - 1. Hoffman asked if Boston’s Pizza Restaurant will also need a change in licensure.
 - a. Gibbs stated that at this point, they will not.
 - 2. Hoffman asked if Bear Creek will still be inspecting this site.
 - a. Keiser clarified that we will.
 - ii. **Motion** by Hoffman to approve the sub-four liquor license for the Marriot on Tribal property located at 1866 Bear Cove Ln, with the stipulations in place from Joel. 2nd by Nowland. **Unanimous.**
 - iii. Gibbs also gave an update on Victory Square. Phase One is now complete, and they are hoping to possibly start Phase Two next year. They would like to use Market Tax Credit to put in some workforce housing there as well. Additionally, they would like to create a snowmobile trail in front by Lears Rd, with a loop to the region. It could be surfaced so that it could be used as a bike trail in the summer.
 - 1. Keiser asked if the development will need township sewer.

- a. Gibbs clarified that most likely, the sewer will be sent to Odawa Casino.
- iv. Hoffman asked about the “Lume Cannabis” building.
 - 1. Gibbs clarified that she only has authority over the redevelopment project.
- v. Nowland would like to see it in writing that they are planning to send the sewer from Victory Square over to Odawa Casino.

b. Road Name

- i. Keiser reported that we have a request for three road names in two different projects in the township. The first project is the condo development off Bellmer Rd that was approved for the Rose’s in 2018. The two proposed road names are the main road, to be called “Monarch Way” and the second interior road to be called “Orchis Trail”. Both the county and fire chief approve of these names.
 - 1. **Motion** by Hoffman to approve Monarch Way and Orchis Trail as new road names in our township. 2nd by Nowland. **Unanimous**
- ii. The second request is from Bob Drost and his development off Howard Rd. This was approved in 2018. The road name he is proposing is “Eugene Drive”, after his deceased father. Both the county and fire chief approve of this name.
 - 1. **Motion** by Golding to approve Eugene Drive as a new road name in our township. 2nd by Hoffman. **Unanimous**

c. K&M Tax Appeal

- i. Keiser reported that we may need to appraise the D&W Complex, which includes all the buildings and the gas station. Keiser would like to get approval to hire Andrea from Mike-Meyers firm to help us get an appraisal if needed. Joel is helping Keiser now, but if we cannot get a settlement agreement, we may have to contact Andrea soon.
- ii. **Motion** by Nowland to authorize the supervisor to hire Andrea from Mike-Meyers if needed for appraisal purposes. 2nd by Golding. **Unanimous**

d. 2020 Budget Dates

- i. We need to start planning budget dates for 2020. Keiser would like to do this sooner, rather than later, as it would be nice to familiarize Kendziorski with the process.
- ii. Date for first meeting: Monday, January 13, 2019 at 3:30pm.

IX. Planning/Zoning Report- Report by Kendziorski

- a. The Planning Commission heard three cases this month:
 - i. The first case was presented by Brian Stick on behalf of KOA, who requested a Special Use Permit/Site Plan amendment for a campground expansion on property located at 1800 N US 31 Hwy. This request was approved by a unanimous vote.
 - ii. The second case was presented by Jeff Suffolk, who requested a Special Use Permit for a Fitness& Recreational Sports Center on 1040 Cedar Valley Rd. The request was approved by a unanimous vote.
 - iii. The third case was presented by Tammy Doernenburg on behalf of the Emmet County Planning Commission. The County is requesting a recommendation for a text amendment for the Schedule of Regulations to allow for minimum floor area/lot width changes. The board recommended approval by a unanimous voice vote.
 - iv. **Motion** by Kendziorski to recommend approval of the Planning Commission Report. 2nd by Hoffman. **Unanimous**
- b. Keiser reported that he received a list of sites of Brownfield Developments from Tammy Doernenburg. She is requesting any others that we know of so she can add it to the list. Keiser brought up Flynn’s Pit and Paquette’s Center, although those have already been put on the list.
 - i. Nowland mentioned the old Festerling property.
 - ii. Buckmaster noted that when she attended the county meeting, the way she understood it was that the property needs to be for sale or the owner needs to be willing to sell. The

owner also needs to be aware that they can become responsible if a big issue is found on their property.

- c. Keiser noted that the county is currently considering proposed language for a Residential PUD Overlay. He wanted to clarify that a Residential PUD can allow for some commercial within it to service the people who live in that residential area. These would be small commercial businesses.

X. **Fire Department- Report by Welsheimer**

- a. Welsheimer reported that they inventoried all the equipment and did a new training this month. There were 4 EMS calls and 16 fire calls. He gave an update on the truck that was sent in to get the pump repaired. They are waiting for a part to come in. He also sent out an insert in the tax bill for the 911 emergency address signs. So far he has made 35 new signs.
- b. Keiser asked if we do any ice training.
 - i. Welsheimer clarified that our Fire Department doesn't do much of it. Springvale has an ice rescue training and we send a couple men from our Fire Department to their training.
- c. Hoffman is looking for some early photos of the Fire Department. The next time we do a newsletter, he would like to put an advertisement in there asking for these photos. We would return the photos after we made copies of them.
 - i. Keiser suggested that Mike Pater may have some.

XI. **Parks & Recreation Report- Report by Keiser**

- a. Keiser noted that the Parks and Recreation Committee met Monday night. The main topic of conversation for the committee at this time is the Recreation Plan, which expires at the end of the year. They are currently talking to Cari from Beckett and Rader, but her price is \$12,000, which is more than they were expecting.
- b. Nowland suggested getting an estimate from Networks Northwest and Gosling Czubak.

XII. **Correspondence**

- a. Keiser reported that we received a letter from the Department of Agriculture- State of Michigan, regarding a man with chickens on Skyline Dr. This is a Residential neighborhood. The Department noted that it was clean, but it is a category four site because it is within 200ft of another residence. Therefore, it is not acceptable under the GAAMPS. This letter from the Department is just a recommendation, not an enforcement. Keiser also noted that Skyline has a deed restriction against having chickens.
- b. Keiser researched the price of getting new tables for the hall. The standard plastic tables would cost \$350-500 apiece from Integrity. If we got the tables that fold (similar to the tables at Camp Petosega), they would be \$1500 apiece.
- c. Keiser noted that we got the newest addition of the Wallooner.
- d. Keiser noted that we got a letter from Charter about new add-ons that are available.
- e. Keiser announced that our annual MTA Emmet County Chapter meeting will be held on January 15, 2020 at 7pm at the Littlefield Township Fire Hall.
- f. Keiser noted that MTA is hosting a Board of Review training. Registration will close January 14th, and he is going to suggest that our Board of Review members attend.
- g. Keiser noted that he received a letter from the Department of Regulatory Affairs. Petoskey Brewing is planning to distill spirits.

XIII. **Clerk's Business/Bills- Report by Kendziorski**

- a. Kendziorski reported bills in the amount of \$259,852.46. This may seem high, but it is due to an Emmet County Road Commission bill in the amount of \$179,169.45. Kendziorski also reported that the AV Postcards that were mailed last week have been a success- so far we have a 6% increase in voters on the Permanent Absentee List, and this is just in the past week! This is also a way to "clean out" files. When we receive mail back from the post office for a voter, we can change their status to "verify".

- i. Karla Buckmaster noted that the amount of voters county-wide is not accurate. It is great that we are able to use this to “clean out” our files. When we enter in this information, how does it get to the county?
 - 1. Kendziorski noted that when we receive mail back as “undeliverable”, we change the voter’s status in “QVF”- the Qualified Voter File. This is a statewide program and the county has access to this program. However, when a voter is put on the “Cancellation Countdown”, when their countdown is up, it is the state’s QVF software that is supposed to cancel that person.
 - ii. Buckmaster asked if it will cost the Township more to have more Absentee Voters?
 - 1. Kendziorski noted that the election costs will most likely remain the same, but the allocation of funds will be different. If there are more absentee voters, there will be more postage, but that also means that election day will be less busy at the polling location, which means we can hire less workers.
 - iii. Buckmaster asked what the March election is for.
 - 1. Kendziorski clarified that the March election is the Presidential Primary.
 - iv. Buckmaster asked about registering with party affiliation.
 - 1. Kendziorski clarified that we do not register with party affiliation in the State of Michigan.
- b. Keiser noted that we will need to make a budget amendment for the Clerk’s Budget for \$11,000, the Deputy Clerk’s budget for \$2,500, and the Election budget for \$10,000. He noted that a typical election costs us \$7,500. When we were preparing for this November election, we only put \$5,000 in. We need to put in \$2,500 more to cover the November election and \$7,500 in in preparation for the March election. That would put the budget amendment for elections at \$10,000 total.
 - i. **Motion** by Keiser to amend the budget for the Clerk by \$11,000, Deputy Clerk by \$2,500, and Election by \$10,000. 2nd by Golding. **Unanimous**
 - c. **Motion** by Kendziorski to pay the bills in the amount of \$259,852.46. 2nd by Golding. **Unanimous**

XIV. Treasurer’s Report- Report by Golding

- a. The Treasurer’s Report shows a balance of \$6,535,608.38 as of 11/30/19.

XV. Building Department Report- Report by Golding

- a. Golding gave a building department report as of November 30, 2019.
- b. Keiser noted that a few weeks ago, an electrical sub-contractor came in to pull a service electrical permit for a new building that the tribe is building at 1345 US 31 N. This permit is for “Lume Cannabis”. Keiser has reached out to Joel regarding this matter, as well as MTA, the State of Michigan and the Federal Government, in order to better understand the law. It seems that enforcement is the issue. Keiser would like to get authorization from the board to write a letter (with Joel’s assistance) directly to the Tribe explaining our ordinances regarding marijuana. Keiser is also open to meeting with the Tribe if an opportunity presents itself.
- c. Keiser also noted that Wayne Sundstrom, the Bear Creek Township electrical inspector, told them that we would not issue permits because we typically do not do that for federal land. If they would like a permit from us, they would have to come before the Board.
- d. **Motion** by Hoffman authorizing Keiser to write a letter to the Tribe (with the assistance of Joel) explaining the township’s ordinances and things discussed at this Board meeting, and authorizing Keiser to meet with the Tribe if the opportunity arises. 2nd by Nowland. **Unanimous**

XVI. Sewer Business/Bills- Memo from Keiser

- a. Bills were reported for the amount of \$75,744.44.
 - i. **Motion** by Keiser to pay the sewer bills in the amount of \$75,744.44. 2nd by Kendziorski. **Unanimous**

- ii. Keiser reported that we are still working to wind down the Springvale Bear Creek Sewer Authority. He also noted that he got a preliminary call from the Bay View Association regarding their sewer. Their lift station is getting closer and closer to the water as water levels rise. They are considering the possibility of sending sewer our way and closing their lift station. This would cost them a substantial amount of money, as the Harbor Plant would need to be updated, but it is simply something they are considering.

XVII. Request from the Floor/Discussion

- a. Karla Buckmaster noted that the proposed 2020 budget for Emmet County was posted on their website. She stated that when something is voted on (such as EMGO) there should be a plan in place of where the money will come from to cover it, otherwise, money may be pulled from other departments.
- b. Keiser thanked Kendziorski, along with her Deputy Lizzy Dufek, Fire Chief Al Welsheimer, and Mitch Brown for their help remodeling the office.
- c. Buckmaster asked if we have a Township mailing list to mail out a notice of each meeting with an agenda and packet.
- d. Hoffman noted that he went to his first Cemetery Board meeting. He has a lot to learn, but is excited about all that they have going on. He noted that they talked about the possibility of “green burials” at their meeting.

XVIII. Adjournment: Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Emma Kendziorski

Emma Kendziorski,
Bear Creek Township Clerk