

# Bear Creek Township Board Meeting

## January 8, 2020

- I. Called to order at 7:00 p.m.
- II. **Roll Call**
  - a. Golding, Hoffman, Nowland, Keiser, Kendziorski
  - b. Others Present: Al Welsheimer, Jim Kargol, Karla Buckmaster, Sheldon Buckmaster, Mitch Brown, Jason Peterman, Hattie Peterman
- III. **Pledge of Allegiance**
- IV. **Approval of Minutes**
  - a. Minutes from two meetings: Regular BCT Board Meeting on December 4, 2019 and Joint Meeting with Planning Commission on December 18, 2019.
    - i. **Motion** by Hoffman to approve both sets of minutes, 2<sup>nd</sup> by Nowland. **Unanimous**
- V. **Request from the Floor/Discussion**
- VI. **Approval of the Agenda**
- VII. **Unfinished Business**
  - a. **Roads- Report by Keiser**
    - i. For the Atkins Rd project, Keiser reported that the contract price was roughly \$318,000. The final billing was up to roughly \$450,000. Keiser attributed the increase in cost to the \$12,000 in change orders he requested, some additional gravel and paving. As far as the rest of the cost goes, the original bid was just an estimate, and it ended up being much more than what was originally estimated. When Keiser met with Brian and the staff at the Road Commission, they negotiated on a final bill of \$360,000. Until the repair is completed in the spring, we will be withholding the last 10% of payment (roughly \$32,000).
    - ii. Keiser also reported that the county is getting out of the road construction business for the most part. They will be taking on more of a maintenance role, doing projects such as seal coating and patching, and some small projects. They will not be taking on as many reconstruction projects.
    - iii. Keiser presented the 2020 Pasar Road Rating System Report prepared by Brian. This can be further discussed at budget meetings. Keiser feels the roads that should be a top priority for the year include: Pickerel Lake Rd from US 31 to Amacher Rd (that is a federal aid project), Atkins Rd from Division Rd to McDougal (that is a federal aid project), Howard Rd from the city limits to Lears Rd, Cedar Valley Rd from Atkins Rd to Greenwood Rd, Graham Rd and Cincinnati Point from Belmer Rd east- that would be a split cost with Little Traverse Twp. We also will have the normal costs to cover such as crack sealing and ultra-thins. If we have extra funds, we could consider Country Club Rd from Division Rd to Surrey Lane.
    - iv. Keiser reminded the board that our meeting with the Road Commission will be Monday, January 20<sup>th</sup> at 6:30p.m.
  - b. **Library Report**
    - i. There is no Library Report, because there was no December meeting.
  - c. **2020 Budget Dates**
    - i. Keiser reminded the Board that we have a meeting scheduled for Monday, January 13<sup>th</sup> at 3:30p.m. We will have a second budget meeting for follow-up on Monday, January 27<sup>th</sup> at 3:30p.m.
- VIII. **New Business**
  - a. **Master Plan**
    - i. Keiser noted that the Township Board and Planning Commission have been working on the Master Plan. The draft is ready to be released for public comment. Keiser explained the new Master Plan Future Land Use Map to the public present. Keiser reported that we will need to notify the surrounding units of government. The public comment period will be 63 days.
      - 1. **Motion** by Kendziorski to release the draft 2020 Master Plan for the 63-day public comment and review period as required by the Michigan Planning Enabling Act (Act 33 of 2008). 2<sup>nd</sup> by Hoffman. **Unanimous**
  - b. **Tannery Creek Flooding**

- i. Keiser explained that almost every year, the East Bay View Area gets flooded. It may happen again this spring with the high-water levels. There is a federal grant opportunity to get funding to upgrade the culvert under US 31 N at the Tannery Creek crossing. If the culvert is repaired, the water flow would hopefully correct itself. Tip of the Mitt Watershed is going to apply, but they need a letter of support from the township.

1. **Motion** by Hoffman to authorize the supervisor to send a letter from the township, supporting this grant opportunity to correct the flooding problem. 2<sup>nd</sup> by Nowland.

**Unanimous**

- ii. Karla Buckmaster noted that residential homes are flooded as well, and suggested adding that to the letter. She asked about the beaver dams and also asked if there are new owners at Chase Bank.
  1. Keiser noted that they got 13 beavers out of that area last year and that there are not new owners at Chase Bank.

**c. 2020 Appointments**

- i. Keiser listed the following board/committee members who are up for reappointment. All of these members wish to be reappointed.
  1. Cemetery Board- the opening is up in May, Joe Hoffman is willing to serve again.
  2. Construction Board of Appeals- George Ketchman (electrical), Gene Barnadyn (building), Al Welsheimer (fire safety), Connie Golding (secretary)
  3. Fire Dept Board- Dennis Keiser and Joe Hoffman
  4. Harbor Springs Area Sewage Disposal Authority- Dennis Keiser
  5. Library Committee- Connie Golding and Joe Hoffman (alternate). Emma Kendziorski volunteered to serve as alternate this year.
  6. Local Revenue Sharing Board- Dennis Keiser
  7. Parks & Recreation Committee- Don Nowland, David Farris, Dan Goldsmith, Bill Hanson (liaison- City of Petoskey-BCT)
  8. Planning Commission- Emma Kendziorski, Mitch Brown, Judy Mays
  9. SBCSDA- Steven Jones, Anita Stringer
- ii. **Motion** by Hoffman to appoint the individuals who have been presented to their respective boards, with Kendziorski to serve as the alternate for the Library Committee. 2<sup>nd</sup> by Golding.

**Unanimous**

**d. Bear River Water Trail Plan**

- i. Keiser received a proposal for a Bear River Water Trail Plan. There is a grant opportunity to make this happen, however, a local unit of government would have to be the applicant for this grant. Having a water trail plan would help promote recreation along the Bear River in Bear Creek Township. The grant is for \$6,600. Emily Meyerson is willing to head up the project, and Keiser would like to know if we are interested in having her present to the Parks and Recreation Committee. They are having a special meeting next week.
- ii. Karla Buckmaster asked how much the grant is for and asked if we would be responsible for this in the future.
  1. Keiser noted that we would only be responsible for the portion of the river that is in Bear Creek Township. Each unit of government is responsible for their own grant. The grant is for \$6,600.
- iii. The Board would like Emily Meyerson to come present to the Parks and Recreation Committee next week.

**e. Jones Landing**

- i. Keiser reported that on January 5<sup>th</sup>, a car ran off the end of Gruler Rd and hit the railing, light fixtures, and did damage to the grounds at Jones Landing. He contacted the insurance company and is in the process of getting the police report number. He is not sure if we will have to pay our deductible or not. The insurance will cover everything except landscaping. He wondered if we should contact a general contractor or contact individual businesses to get quotes on repairs.
  1. Kargol suggested that the road commission puts out a portable sign in the middle of the road that says "road ends". This could be a temporary solution for the future.

2. Golding suggested hiring Mitch Brown to oversee the repairs.
3. Jason Peterman asked if the insurance company would do the legwork to get quotes for repairs.
  - a. Keiser noted that we will have to get estimates, even if the insurance company is going to pay it.

**IX. Planning/Zoning Report- Report by Kendziorski**

- a. The Planning Commission heard four cases this month:
  - i. The first case was presented by Kristi Schuil, who requested a Special Use Permit for property located at 2800 E Mitchell Rd. This request was postponed by a unanimous vote.
    1. Keiser noted that as a township board, we need to clarify that these event spaces should be no more than 2400 sq. ft. total. This is not considering “usable space” only. The total building/structure/floor space should not exceed 2400 sq. ft. He also noted that if the barn/event space is less than 1000 ft from the neighboring residence, then music needs to be in a completely enclosed building. We need to establish a definition of “completely enclosed” so that we can know how to treat each case. Additionally, he would like to see a full-size set of plans for this case. Keiser went on to note that by description, when this case was presented, it was less than the required 20 acres. Since the Planning Commission meeting, this matter has been clarified, and the parcel is 20.02 acres. In March 2019, we approved a wine makers license for wine tasting at this property. There is another application in process for weddings and events, however, this application would not come before the board.
    2. Hoffman noted that the conservancy sent a letter regarding this property. He also noted that if/when Petoskey East goes in in the future, that would have a huge impact. He asked if the driveway has been approved by the Road Commission?
      - a. Kendziorski noted that the driveway has been approved for residential access.
    3. Karla Buckmaster asked why the case would move on to the county if the Bear Creek Township Planning Commission has not approved or denied it yet.
      - a. Keiser explained how the process works for cases moving through the Planning Commissions.
  - ii. The second case was presented by Donald Payzant, who requested a Special Use Permit for an Accessory Building as a Main Use at 3555 Traverse Heights Dr. This request was approved by a unanimous vote.
  - iii. The third case was presented by Jeff Petitt on behalf of Robert and Lisa Skop (also present), requesting a Site Plan Review and Amendment for property located at 2469 N US 31 Hwy (Forever Forward Hands, LLC.) This request was approved by a unanimous vote.
  - iv. The fourth case was presented by Tammy Doernenburg on behalf of Emmet County. They are presenting a PUD Residential Overlay and would like input regarding this text amendment. The Planning Commission recommended approval by a unanimous voice vote.
- b. Additionally, Bob Drost came before the Planning Commission seeking advice regarding his PUD on 2157 Howard Rd. He has had businesses approach him wanting to store things in his storage units, although originally, the PUD was for personal storage. He wanted to see if the Planning Commission would be open to something like this. He is planning to come before the Board officially in January.
- c. Kendziorski would like the board to consider meeting with the Planning Commission to ensure that we are providing the best service possible to our residents. Since she started on the Planning Commission, she noted that sometimes, the Planning Commission is unprepared for meetings. Lots of time is wasted during meetings because of this. If we were more efficient as a Planning Commission, we would not waste applicants’ time. Each commissioner should come to the meeting with the packet read and questions prepared. Commissioners should listen to one another and to the applicant to avoid asking the same question more than once. Additionally, she noted that sometimes, the Planning Commission can take on a negative tone, causing applicants to feel uncomfortable or targeted. As a board, we want the Planning Commission to represent the township in a positive and respectful way. She would like the

board to take positive action to ensure that the Planning Commission is functioning in the best way possible.

- i. Hoffman suggested someone could come in and give a presentation to the Planning Commission.
- ii. Keiser suggested there may be some educational opportunities for the Planning Commission to help with this.

**d. Motion** by Kendziorski to recommend approval of the Planning Commission Report with the additions of clarifying the ordinance to be 2400 sq. ft. for event barns/spaces and to clarify the definition of “completely enclosed”. 2<sup>nd</sup> by Golding. **Unanimous**

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

a. Did not meet last month, will meet next week.

**XI. Correspondence**

a. Keiser sent a letter to tribe regarding the potential marijuana establishment and the township’s stance. He also reminded the board that the Emmet County MTA Meeting is January 15<sup>th</sup> at 7p.m. Keiser explained that near Spring Lake Park, the township owns a piece of landlocked property. The stream runs between Round Lake and Spring Lake, but the beavers have dammed it up. This has caused the overflow of water to spread to Spring Lake Park and the township’s parcel. He has gotten permission from the conservancy to trap them and would like permission from the board to hire someone to do this.

- i. Nowland noted that this would cost us about \$40-50 apiece, for a total of \$400-500.

b. **Motion** by Hoffman to approve up to \$500 for beaver removal near Spring Lake Park. 2<sup>nd</sup> by Kendziorski. **Unanimous**

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

a. Welsheimer reported that they completed incident command training. The truck is back from repair and we will be using it more often. The newest truck will be in reserve. He reported 6 EMS calls and 31 fire calls. He has made over 130 9-1-1 address signs. In regards to the bad crash that happened this afternoon, he noted that a school bus was making a left onto Kemp Rd from 131. Two people driving behind the bus were looking at their GPS when their car hit the school bus. From the Preliminary Report, it looks as if both individuals in the car will be okay. The children on the school bus are okay. Welsheimer also reported a house fire on Cedar Valley Rd.

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

a. Kendziorski reported bills in the amount of \$92,908.33. She also noted that we started preparations for the March election! Absentee Ballot Applications have been mailed out and are already starting to come back in.

- i. **Motion** by Kendziorski to pay the bills in the amount of \$92,908.33. 2<sup>nd</sup> by Golding. **Unanimous**

b. Keiser noted that we will need to make a budget amendment for the Building and Grounds budget for \$7,500 and the Planning Commission budget for \$3,500. With the Citizen Planner classes and the extra Master Plan meetings, we will need more money in the Planning Commission budget.

- i. **Motion** by Kendziorski to amend the budget for the Building and Grounds by \$7,500 and the Planning Commission by \$3,500. 2<sup>nd</sup> by Nowland. **Unanimous**

**XIV. Treasurer’s Report- Report by Golding**

a. The Treasurer’s Report shows a balance of \$6,637,012.04 as of 1/3/20.

**XV. Building Department Report- Report by Golding**

a. Golding gave a building department report as of December 31, 2019.

**XVI. Sewer Business/Bills- Report by Keiser**

a. Bills were reported for the amount of \$73,285.85.

- i. **Motion** by Keiser to pay the sewer bills in the amount of \$73,285.85. 2<sup>nd</sup> by Kendziorski. **Unanimous**

b. In regards to sewer capacity, Keiser noted that other communities are willing to rent us 100,000-150,000 gallons. We are better off renting capacity from other communities until the plant gets to 90% capacity, then at that point we will have to help build the plant larger to meet future needs.

- c. Hoffman noted that when we did the Master Plan, we considered having a study done regarding the sewer. Should we start budgeting for that? He also noted that there is not a strong solution for sewer on the city side.
  - i. Keiser noted that we can start by updating the information we already have. The sewer authority got a grant to run a study. When that is complete, we will have a better idea about what shape our infrastructure is in.
- d. Karla Buckmaster noted her concern about raising the density on Pickerel Lake Rd. We changed the Master Plan to encourage developers to come in, yet we don't have enough sewer capacity as it is.
  - i. Keiser noted that when developments come in, they will have to build along the existing sewer line. We are not going to run a line out to them. If they need to, they would have to build a line. The developments will have to pay sewer at the same rate as everyone else. He also noted that if we do a study, it will be paid for out of the sewer account.

**XVII. Request from the Floor/Discussion**

- a. Karla Buckmaster asked about the absentee ballot applications for March.
  - i. Kendziorski confirmed that whether you vote absentee or in person, for the March Presidential Primary, you will have to choose a ballot style.

**XVIII. Adjournment:** Meeting adjourned at 8:35 p.m.

Respectfully submitted,

*Emma Kendziorski*

Emma Kendziorski  
Bear Creek Township Clerk