

**Bear Creek Township Board Meeting
December 2, 2020- ZOOM Meeting**

- I. Called to order at 7:00 p.m.
- II. **Roll Call**
 - a. Kendziorski explained that each board member will need to state where they are participating from in order to meet the new guidelines.
 - b. Keiser- (Bear Creek Township, Michigan), Golding- (Bear Creek Township, Michigan), Hoffman- (Bear Creek Township, MI), Urman- (Bear Creek Township, MI), Kendziorski- (Bear Creek Township, MI)
 - c. Others Present: Al Welsheimer, Mitch Brown, Jane McKenzie, Doug Coates, Bob Verschaeve, Toni Drier, Jim Kargol
- III. **Pledge of Allegiance**
- IV. **Adopt Electronic Meetings Procedures**
 - a. Keiser explained that the first order of business is to adopt the electronic meeting procedures. When the roll is called, each board member will need to state where they are located by city/township and state.
 - b. **Motion** by Hoffman to adopt the electronic meeting procedures. 2nd by Kendziorski. **Passed**
- V. **Approval of Minutes**
 - a. Minutes from one meeting: Regular BCT Board Meeting on November 4, 2020.
 - i. **Motion** by Golding to approve the minutes as presented. 2nd by Kendziorski. **Passed**
- VI. **Request from the Floor/Discussion**
- VII. **Approval of the Agenda**
 - a. Keiser asked to discuss the Maple Village Apt. Ordinance Amendment first since Jane McKenzie is present, followed by the sewer study, as Doug Coates and Bob Verschaeve are present.
 - i. **Motion** by Golding to approve the agenda as amended. 2nd by Kendziorski. **Passed**
 - b. **Maple Village Apt. Ordinance Amendment**
 - i. Keiser explained that last month, we met with Jane McKenzie regarding amending our ordinance for the Maple Village Apartments. This would extend the PILTs to 2040 at 5%. This would amend sections 5-7 of the ordinance. She also asked that the second ordinance for phase two be amended to extend to 2040 as well. The amendment would change the percentage to make both ordinances the same. We would amend sections 5, 8 and 9 of this ordinance. Jane came up with amendment language, and Joel Wurster and Keiser reviewed it. Jane has agreed to the updated language and will pay for publishing in the Petoskey News Review (which will cost around \$600-800). Hoffman agrees that this amendment is satisfactory.
 - ii. **Motion** by Golding to approve and adopt the presented amendments for Ordinances 40-20 and 41-20 for the Maple Village Apartments. 2nd by Kendziorski.
 1. Roll Call: Keiser, Hoffman, Urman, Golding, Kendziorski
 - a. Yes: Keiser, Hoffman, Urman, Golding, Kendziorski **Passed**
 - c. **Sewer Study Report- Gosling Czubak**
 - i. Bob Verschaeve from Gosling Czubak noted that in April, he came before the board to discuss the report they were to prepare for the township. They went through and looked through the flows coming through the system and made some projections based on projected growth. They tracked data from the township, Harbor Springs Sewer Authority, and projected possible developments. Most projected development is occurring on the north side. They split the study into the north and south side and noted the needs for each area. The south side is simple: there is plenty of capacity there. Verschaeve noted the new sewer connection down Howard Rd. He explained that future flows on the south side are projected to reach 50% of what we are contracted for with the City of Petoskey. In summary, there is enough capacity on the south side for future growth. In regards to the north side, the flows have been increasing there. Right now, the Harbor Springs plant is at about 65% capacity. Using projections for the future, the township will need 119% of the current allowable amount contracted with the Harbor Springs plant. Gosling Czubak also looked at the pump stations. Station 4 (located across from the Meijer gas station on 131) will need upgrades in the way of new pumps and controls. The station at Strathmore is in good condition. Bear Creek 1, the pump station by the lake near the end of Division Rd, has capacity but will need updates along the way. This station flows to the Harbor Springs plant, not to the City of Petoskey. Bear Creek 2, along the Hiawatha area, is the station that is pumping a lot into the system. This station needs to be addressed. There may be many sump pumps that are connected and shouldn't be.
 - ii. Keiser explained that we have 25% more flow than what we are billing customers for. Typically, you may have a small percentage over, but not this high.
 - iii. Verschaeve explained that the report also addressed treatment capacity. Coates will explain further.
 - iv. Doug Coates noted that when making projections on future flow needs, on the south system, they looked at infield growth in the existing service area and extensions of existing systems. They are looking at going further south down 131 to Intertown. One goal of going further to the south would be to add Maple Creek. They also

looked at land use and zoning when creating this report. Coates is confident that we have solid treatment capacity on the south side. On the north side, we are seeing new connections and growth. There are a few major developments possible, and those were factored into this report. Coates noted that our capacity with Harbor Springs was 250,000 gallons a day, but the township just rented more, so we now have 400,000 gallons a day. We currently use 260,000-300,000 gallons a day, but we are projected to need 500,000 gallons a day. Coates explained that in the current agreement, when the Harbor Springs plant reached 90% capacity, Bear Creek has to do this study. We are being proactive in doing this now to project future growth and needs. On the treatment side, we have several alternatives. Coates suggested making the components bigger to allow for more capacity (up to the potential 500,000 gallons we could need) and possibly making more components (which would be expensive, but cheaper than building a whole separate treatment unit). This could cost the township anywhere from \$1.4-3.1 million to achieve. The reason there is such a large range here is that it depends on how EGLE and regulators view our approach.

- v. Hoffman asked, on the treatment side, how many years out are we from needing to upgrade Harbor Springs?
- vi. Coates explained that almost three times as much water is going to that plant than we are billing customers for. He noted that through a SAW grant for Harbor Springs, they studied the sewer pipes using cameras. They did not notice any large leaks in the Bear Creek area. Most likely, many small leaks are contributing to the overage of flow.
- vii. Keiser explained that this spring, it came to his attention that Hearthside Grove had footing pumps in our system. At this point, they have all been disconnected, but that alone was 5 million gallons a year. He noted this to give an example of things that are contributing to an overage of flow.
- viii. Coates noted that we cannot pinpoint when Harbor Springs will need these updates. The flow rate has increased plenty over the last five years (due to high lake levels). If this continues, it could be in the 5-10 year range. However, there is no way to know for sure, as there are many factors that contribute to this.
- ix. Hoffman asked if Bear Creek 4 is something we need to upgrade and start budgeting for.
 - 1. Coates agreed. He noted that it was identified in the SAW grant that was completed for the township a few years ago, that this station was supposed to be updated in 2019.
- x. Keiser remarked that this was great information that was much needed. We can start to identify action items and get them into our budget. We also need to narrow down what this will cost, as there is a large range between \$1.4-3.1 million.
 - 1. Coates noted that the pump station upgrades can typically be accomplished in a year. The upgrades to a facility would be more of a 3 year project.
- xi. Keiser asked if we took the next step to start designing this now, do we have to act on it right away or would the design and costs be good for a number of years?
 - 1. Coates remarked that now the township has something to aim for. We are smarter about what we need and we can decide what assets we have (and what is their reasonable expected life) so when the need comes, we have built up funds to replace them.
- xii. Urman asked if we were to expand sewer to the Atkins Rd/McDougal Rd area, if that would flow to the City of Petoskey or to Harbor Springs. He wants to look to the future when planning this.
 - 1. Keiser noted that it would probably go to the city, but you would have to look at infrastructure if you get into that. This report does not cover that.
- xiii. **Motion** by Hoffman to accept the sewer study report by Gosling Czubak. 2nd by Urman. **Passed**

VIII. Unfinished Business

a. Howard Rd- Sewer Extension

- i. Keiser reported that our final bill from MDC is for \$49,087.74. This is roughly \$200 less than our quoted amount.

- ii. Bob Verschaeve explained that Gosling Czubak is finishing up the closing documents now.

- iii. **Motion** by Kendziorski to pay MDC Contracting \$49,087.74 for the remainder of the Howard Rd Sewer Extension project when closing documents are completed by the engineer. 2nd by Golding. **Passed**

b. Roads

- i. Keiser reported that normally, we would have PASAR ratings of our roads by this time, however, the road commission is behind due to COVID.

- ii. Hoffman noted that they did the crack sealing late this year. It didn't sink in and he is concerned that when the plow comes along, it will get scraped off.

- 1. Keiser agreed this will probably happen. We can bring this up when we go to the road commission in January.

c. Library Report- Memo from Golding

- i. Golding reported via memo that the library meeting went as normal. The Friends of the Library will be purchasing meals for the growing readers program. In November, they sold \$1,000 worth of used books. The

library is at 30% occupancy right now, and there are no inside meetings. They also went over the 2021 calendar as well as workplace safety.

d. Division Road Access

- i. Keiser reported no update.

e. US 31 Corridor Study

- i. Keiser reported that he had a meeting with Amanda Swiss, from the tribe, and Brian Gutowski to discuss expanding this study to include Division Rd. Amanda indicated that the tribe could help fund expanding the scope of the work. Keiser contacted OHM for an estimate on expanding our original contract.

f. Click Road Property

- i. Verschaeve explained that the soil borings are complete and it looks good enough to build on. He met with the health department and there is an acceptable area to build a septic system on. This would be a mounded system, as the water is within 4 ft of the ground. In regards to the railroad, they need to see a final plan. If it is only for an emergency vehicle situation, we can work with them, we just want to make sure the general public isn't using it. We will need to get a site plan and driveway design before we get anything final from the railroad. The takeaway from MDOT is that we can work with them, but there are many steps to take in that process. Verschaeve noted that the survey crew was out there, and he will need to meet with Denny and Al to get the exact parcel dimensions. When that is complete, we can get a certificate and the initial fieldwork will be done. We need that certificate to close on the property.

g. Security Cameras

- i. Keiser noted that there is nothing new to report. We will add this to next year's budget.

h. Liquor License Request

- i. Keiser explained that last month, we received a liquor license application from Petoskey Fieldhouse, located on the corner of Cedar Valley and Atkins Rd. At this point, we do not have any further information, so we will need to table this for this meeting.
- ii. **Motion** by Hoffman to table the liquor license request for Petoskey Fieldhouse. 2nd by Urman. **Passed**

IX. New Business

a. Wal-Mart Tax Appeal

- i. Keiser explained that Wal-Mart has appealed their 2020 assessment and has hired the same firm that represented other big box stores and Bay View. This firm seems to be very successful, so Keiser has instructed Andrea to settle to avoid further expenses. He explained that they reached an agreement of \$38/sq ft, which Keiser believes is fair. We are currently at \$50-52/square foot, and Wal-Marts across the state have settled for a range of \$22-41/sq ft. Andrea and Keiser worked together researching other Wal-Marts around the state. The best comparison to Petoskey was West Branch. Keiser had to act on this last week, so he is asking the board to ratify his decision to settle.
- ii. Golding noted that there would be a small summer tax refund, and the winter taxes would go down approximately \$3300, but these have not been collected yet.
- iii. **Motion** by Golding to ratify the decision to settle the Wal-Mart Tax Appeal at \$38/sq ft. 2nd by Hoffman. **Passed**

b. Planning Commission Board Appointment

- i. Keiser explained that Urman served as a chairman and member of the Planning Commission for many years. He now sits on the township board. Kendziorski is already appointed to be the board liaison for the Planning Commission through the end of the year. That being said, there is an opening on the Planning Commission. We have three applicants: Jim Kargol, Diane Lake and Jeff Cyphert. Keiser suggested waiting to make an appointment until the January meeting, when we will make other appointments as well. The board agreed.

c. Recreation Committee Board Appointment

- i. Keiser explained that Matt Koontz is resigning his position on the Parks and Recreation Committee at the end of this year. Maureen Doull has expressed an interest in this position. He suggested waiting until January to fill this position. The board agreed. Keiser also noted that the Parks and Recreation meeting is December 7th at 6pm via Zoom. He encouraged the board to attend, as Kendal Kinglesmith will be on to discuss the dog park.

d. 2021 Meeting Schedule

- i. Keiser shared the proposed 2021 meeting schedule. We will need to adopt this and post it in the paper by the end of the year. Keiser noted that we need to adjust the schedule to say "2021" and to change the recreation meeting start time to 6pm. Keiser also noted that the Planning Commission changed their start time to 6:30pm.
- ii. Kendziorski noted that the September 6, 2021 meeting for the Parks and Recreation Committee is Labor Day. Keiser suggested changing it to September 13, 2021.
- iii. **Motion** by Golding to adopt the proposed 2021 meeting schedule with the Parks and Recreation Committee meeting time to be at 6pm and the September Parks and Recreation meeting being moved to September 13, 2021. 2nd by Hoffman. **Passed**

e. **Employee Meeting- Date**

- i. Keiser explained that typically, we meet with our employees after the first of the year. However, we should meet now to plan ahead, as we will see some changes in the upcoming year. He would like to meet on December 16, 2020, starting at 3:30pm, with each employee individually. Each employee would have 15 minutes to share any needs they have with the board.

f. **Planning Commission Tablets**

- i. Keiser remarked that we will be meeting via Zoom for many months ahead. He would like to consider purchasing tablets for the Planning Commissioners, so they are all working from the same device. Kendziorski priced out the tablets at \$229 each (plus we would need to purchase a carrying case). Keiser also suggested purchasing one for the trustees, as Keiser, Kendziorski and Golding all have township laptops to use.
- ii. Hoffman asked if we can use money from the CARES Act for this.
- iii. Keiser noted that we will have to amend the budget for this.
- iv. Golding and Urman think this is a good idea. Urman asked if this will operate like an Apple device.
 1. Kendziorski explained that this is an android device, so the interface will look different than that of Apple, but it will function the same and still be user friendly. She would set up the tablets so that the front screen has the Zoom app and Mail app. Commissioners would be emailed their packet information (and given hard copies of the large site plans). They could use the tablets for Zoom and for their packets.
- v. Brown asked if the tablets would be used for zoom or for packets.
 1. Kendziorski was under the impression that they would be used for both. Keiser has used his computer for both in the past.
 2. Keiser suggested starting by using them for Zoom and going from there.
- vi. **Motion** by Golding to purchase 8 tablets for township use by the Planning Commissioners and trustees. 2nd by Urman. **Passed**

g. **COVID-19 Update**

- i. Keiser noted that we had an exposure to the virus in our office about 3 weeks ago. We worked at the office one at a time in order to “quarantine” while keeping the office open. This prompted us to look into remote work options. For \$50 per person, Common Angle installed software onto our computers to allow us to work from home. We can print to the office printers from home and access our documents and software from home. We also now have access to our voicemail from home. This option to work remotely will be used if someone is sick or was exposed to the virus, or if we are mandated to work remotely. Keiser noted that the office is currently closed to the public, but we are here and are available via phone, email, or mail. We can also meet with customers outside the building or they can use the drop box. Keiser noted that we will not be having a Christmas luncheon this year.
- ii. Kendziorski asked if we are paying employees for the time they are off due to sickness or quarantine, and for the shortened office hours (due to COVID). This would really only impact the four employees.
- iii. Keiser noted that Lizzy Coats, our secretary was gone for an addition 8 business days, because she was exposed to the virus a second time. She was able to work remotely for two of these days.
- iv. Hoffman would like to track the hours people are home due to the virus, rather than having an unlimited amount.
- v. It was noted that we could potentially receive CARES Act money for paying individuals for this time.
- vi. Keiser asked Kendziorski to track the hours we pay for individuals who are home due to the virus, an exposure, sickness, etc. who are being paid for that time off but who are not working remotely during that time.
- vii. **Motion** by Golding to pay employees their normal pay during times of quarantine, sickness, or shortened office hours due to COVID. 2nd by Urman. **Passed**

h. **Budget Workshop**

- i. Keiser noted that we will need to pick meeting dates for our budget workshop, and we can discuss it further in our January meeting.

i. **HSA**

- i. Keiser explained that years ago, we had Blue Cross Blue Shield. We switched to Priority Health with an HSA account. At the time, the federal guidelines for contribution was \$3,050, which is what the township put in. Since then, the federal guidelines have changed and it is \$3,550. Keiser suggested adopting the federal guidelines so that our contributions adjust with the guidelines year after year.
- ii. **Motion** by Golding to adopt the federal HSA guidelines for contributions and to adjust the township contribution to \$3,550 for 2021. 2nd by Kendziorski. **Passed**

j. **2021 Aerial Flight**

- i. Keiser explained that the county does a flyover every 5 years to update their aerial maps. For the past 2 or 3 times, the tribe has helped offset the cost, but cannot this year. The county is asking the units of government to contribute. Keiser explained that this is valuable information to Bear Creek that he uses often. He spoke with Mike Reeves and suggested that it be broken up by parcel or assessed value, so that each unit of government pays fairly. We do not have an amount yet for how much this would cost the township. The City of Petoskey has approved up to \$5000. Keiser explained that the 12 pixel pictures are covered by the state, but the 6 pixel pictures are what we need, and this is what we are paying the difference for. Keiser noted that our fiscal year starts April 1st, and although we could commit to an amount before then, we would not pay until after April 1st. The county would do this flyover either before the leaves come on or after they come off for a clearer picture.

k. Blight

- i. Keiser remarked that Joe Villemure submitted a blight report. There are two letters of complaint which reference three parcels: two Coveyou properties and the Knapp residence in the Howard Rd area. We will need to authorize Villemure to investigate these properties
- ii. **Motion** by Hoffman to open a blight case at the two Coveyou properties and the Knapp residence referenced in the letters of complaint and to send Villemure to investigate these properties. 2nd by Golding. **Passed**
- iii. Keiser noted that the house trailer that burned has now been cleaned up.

X. Planning/Zoning Report- Report by Kendziorski

- a. Keiser explained that the Sunrise case was withdrawn since the Planning Commission meeting. Regarding the Coveyou case, Greg Rd was not closed. The Road Commission held a public hearing on November 30, 2020 and made that decision. Next week, Keiser is meeting with Coveyou, MDOT, the Road Commission, and Tammy Doernenburg to discuss where this case is going. Additionally, there is a new twist to this case, as the Road Commission is suggesting turning that portion of Greg Rd into a seasonal road. There will be a public hearing at the Road Commission on December 30th to discuss turning that portion of Greg Rd into a seasonal road. Keiser would like more information as to how seasonal road status would affect this case.
- b. Hoffman asked if the road should stay the way it is. Keiser remarked that there are two houses on that road. If it becomes seasonal, you would not be able to get to these houses in the winter.
 - i. Urman asked if the county could legally make a road seasonal with homes on that road. What is there was a fire in the winter? How would emergency vehicles access the homes?
 - ii. Keiser noted that they can because those houses are not a primary residence. If they were a primary residence, then they could not legally make that road a seasonal road.
- c. Urman explained that the Planning Commission tabled the case because they had to wait to see what would happen with the road. If the road didn't close, the entire site plan may change.
- d. Keiser noted that no one considered the seasonal road option. When the Planning Commission tabled the case, it was to see if Greg Rd would stay open or if it would close.
- e. Hoffman asked if there is too much traffic on Greg Rd to make it seasonal.
 - i. Keiser is not sure how much traffic there is on that portion of Greg Rd, because everyone seems to have a different perspective on that. He also noted that we will need to look at the off-road ordinance to see where these ATVs are coming from and where they are going.
- f. Kendziorski noted that there were four cases for the Planning Commission this month. The first two were Sunrise Electronics and the David Coveyou case, both of which were already discussed. The third case was Craig Armstrong for Meijer, Inc for a Final PUD Amendment and Site Plan Review at 1201 Lears Rd. Meijer would like to build a small addition with a designated pickup parking area near the bottle returns side of the building. This case was approved. The fourth case was Walt and Tracy Schiemann for Prime Diesel for Site Plan Review Amendment at 2472 N US 31 Hwy. The applicant mildly modified the current site plan that was approved in 2019. This case was approved.
- g. **Motion** by Golding to accept the Planning Commission Report. 2nd by Urman. **Passed**

XI. Fire Department Report- Report by Welsheimer

- a. Welsheimer reported that they took inventory this month. There were 3 EMS calls and 23 fire calls. They installed 12 smoke detectors in 2 different houses. He got an email this week regarding our ISO (Insurance Service Organization) rating. Starting March 1, 2020, we went from a 5 to a 4 in our hydrant district, which puts us as the same as the City of Petoskey. That is a huge factor for our department. The future station at Click Rd will change our current rating of a 10 to a 6, because it will put us within the 5 road mile radius.
- b. Welsheimer noted that we had a water service man from the City of Petoskey come to the township and it was noted that we never installed a backflow preventor. We will need to put one on the main coming in. We have asked Ballards for a quote.
- c. Keiser noted that we have to do this, and are hoping to have it done by December 22nd, which is the requirement.

XII. Parks and Recreation Report

- a. Keiser noted that there was no November meeting. The committee is meeting December 7th via zoom.

XIII. Correspondence

- a. Keiser has nothing new to report.
- XIV. **Clerk's Business/Bills- Report by Kendziorski**
 - a. Kendziorski reported bills in the amount of \$79,250.22. She noted that the election has been wrapped up and we do not have a recount or an audit at this time in Bear Creek.
 - i. **Motion** by Kendziorski to pay the bills in the amount of \$79,250.22. 2nd by Hoffman. **Passed**
- XV. **Treasurer's Report- Report by Golding**
 - a. The Treasurer's Report shows a balance of \$6,940,710.29 as of 11/30/20. Golding noted that tax bills have been sent out, so we will be starting to get busy with that.
- XVI. **Building Department Report- Report by Golding**
 - a. Golding noted nothing new to report.
- XVII. **Sewer Business/Bills**
 - a. Keiser noted bills for the sewer authority in the amount of \$70,809.22.
 - i. **Motion** by Keiser to pay the sewer authority bills in the amount of \$70,809.22. 2nd by Kendziorski. **Passed**
 - b. Keiser noted bills for the township sewer in the amount of ~~\$15,117.84~~ \$90,055.06.
 - i. **Motion** by Keiser to pay the township sewer bills in the amount of ~~\$15,117.84~~ \$90,055.06. 2nd by Kendziorski. **Passed**
- XVIII. **Request from the Floor/Discussion**
- XIX. **Other Business**
 - a. Keiser noted that we have another pending tax appeal: the Martin Trust property. This is the buildable vacant lot at the Strathmore Development. It also includes the parking lot. Even though this lot is vacant, it is a difficult appraisal because of the consent judgement. Keiser received notice from Andrea today that an appraisal from IRR would cost \$3,900.
 - b. **Motion** by Golding to pay IRR in the amount of \$3,900 to do the appraisal on the Martin Trust Property. 2nd by Urman. **Passed**
- XX. **Public Comment**
 - a. Toni Drier noted that McKinley Township has had the same issue with crack sealing.
- XXI. **Adjournment:** 8:55 p.m.

Respectfully submitted,

Emma Kendziorski

Emma Kendziorski, Bear Creek Township Clerk