

Bear Creek Township Board Meeting December 1, 2021

- I. Called to order at 7:00 p.m.
- II. **Roll Call:** Keiser, Hoffman, Golding, Radatovich, Urman
 - a. Others Present: Al Welsheimer, Mitch Brown, Ethel Larson, Russel LaBeau, Doug Coates, Karla Buckmaster, Sheldon Buckmaster, Val Meyerson, Martha Lancaster, Nisa Kessler
- III. **Pledge of Allegiance**
- IV. **Approval of Minutes:** Regular meeting of Nov 3, 2021, special meeting of Nov 16, 2021 and closed session of Nov 16, 2021.

Motion by Hoffman to approve the minutes as presented. 2nd by Golding.

Passed

- V. **Request from the Floor/Discussion**
- VI. **Approval of the Agenda**
- VII. **Unfinished Business**

- a. **Roads**

Keiser explained that all of our roads are complete and paid for. We came in under budget for the year; we budgeted \$925,000 and spent approximately \$884,000 on roads this year. The annual Bear Creek meeting with the road commission is scheduled for January 24th at 6:30pm. Keiser noted that every year, we have to close down Bellmer Rd during frost, because that road has deteriorated. This would be a very difficult road to repair, because we would need an easement from the property owner to do so. There are springs to the east and a swamp to the west, so the road would have to be dug out, matted, and add a lot of piping. In total, it would probably cost about \$500,000 to fix that road properly. Brian Gutowski sent out an RFP for engineering services for the gravel portion of this road, and there were four proposals: Huron Engineering for \$11,950, Gordie Frasier for \$21,310, Gosling Czubak for \$39,000, and OHM for \$59,750. At this time, these estimates are for informational purposes only. Lastly, Jim Wilhelm has been talking to Keiser about reducing the speed on E Mitchell to 35mph from Skyline through Bill's Farm Market area.

- b. **Library Report**

Golding attended the Nov 21st library meeting. The minutes, bills, treasurer's report, and financials were approved. Candy Cane Village was cancelled due to COVID, and letters were sent out for a fundraiser. There will be a New Year's Eve event outside held between 6-8pm, with a campfire and smores. The library board approved the policy updates. Hoffman also attended the meeting. Val Meyerson shared an update about the services the library has been providing. She noted that they have a new outreach service to deliver books to inmates at the county jail. They are continuing to deliver books to senior citizens at apartment complexes. They will also be starting a mail service to deliver books to the homebound. This service will be funded through the friends of the library. In addition, the library currently serves 55 K-3 grade students for tutoring. They are hoping to add an additional tutor to service the 10 kids on the waitlist. Lastly, they have added little free libraries at local coffee shops downtown.

- c. **Division Road Ending**

Keiser noted that the survey has not been completed yet at the end of Division Rd.

- d. **2022 Meeting Schedule**

Keiser shared the 2022 meeting schedule, which is ready to be adopted.

Motion by Radatovich to adopt the 2022 meeting schedule for Bear Creek Township. 2nd by Urman.

Passed

- VIII. **New Business**

- a. **Gosling Czubak- Doug Coates**

Keiser explained that last summer, we hired Gosling Czubak to look at pump station two. Doug Coates, from Gosling Czubak, is present to share a report on the findings. Coates shared that pump station two is one of two primary pumps that move the north part of the township sewer. There is one common force main that the township installed in 2011. This redirects sewage flow to the Harbor Springs Sewer Authority. The flows have been increasing at pump station two from the growth in the township and high water tables. We have record high water tables, with an annual average flow of 100,000 gallons a day in 2020 and 150,000 in 2021. We are now at about 130,000 gallons per day. The station is overwhelmed, due to the increased base flow, plus the occurrence of flash flood rain events. Gosling Czubak has been looking at the flow analysis and treatment capacity that would impact those pump stations. In the long run, they determined that the township will need 500,000 gallons per day in total treatment. Right now, the township has 400,000 gallons per day capacity. At this time, we have clear flow, commonly known as infiltration, which is increasing our numbers. If we do not take care of some of the infiltration issues, even the 500,000 gallons a day will not be enough. We need to handle the projected growth as well as infiltration and inflow. Gosling Czubak has two options prepared for the township. The first option would be to maximize the pump station with high horse power motors. This option would cost the township about \$126,000. The second option would be to replace the pumps so that they could handle the infiltration (if we were not to remove it). This would cost the township \$250,000. Coates recommends doing both if possible. The first step would be to correct the station and eliminate the infiltration. When Gosling Czubak camera-ed the pipes, they identified 102 defects in the system, which includes cracks, leaks, separated joints, etc. There are 21 high priority defects identified. There are 1-2 large defects, but most of them are small contributors. They believe we can alleviate the pump station in the short term, and then come up with a 3-5 year plan to get rid of infiltration.

- i. Keiser feels that we need to work to reduce infiltration. Last year when the high water happened, many peoples' basements got flooded, and they installed sump pumps to pump out the water into the sewer system. This is illegal and against our ordinance, as well as the state of MI laws. You cannot put clear water through a sanitary system. We need to correct that issue because it is contributing to our high numbers and we are treating this clean stormwater. It is important that we keep infiltration to a minimum and keep our numbers down, because when the plant gets to 90% capacity, we will need to help expand the plant, which will be a multi-million dollar project.
 - a. Coates noted that as a township, we can fix the infiltration in the pipes we have control over, but it is difficult to enforce sump pumps even though the township has an ordinance. It would require inspecting property. However, we can do smoke testing that would help discover where this is happening. They put a smoke bomb in the sewer system and if there is a footing drain or yard drain, you will see smoke popping up. This may be a strategy we can implement to help discover where this is happening. We can also start with educating the public on this issue.
- ii. Hoffman asked where we could start with the smoke testing. He asked about the life expectancy of the pumps.
 - a. Coates noted that we have a map of the defect areas as well as an idea of where the water table is high. There are some suspect areas to go on. All of the components of the station have a life expectancy of 30 years. The pump has two parts: the pump and the motor. In choosing option one, you would just replace the motor and upgrade the electric to go with it. Option two would be to upgrade the entire pump station.
- iii. Keiser asked about our next steps and concentrating on the 102 defect areas. Would they have to open dig under the roads?
 - a. Coates noted that we have a list of the defects and we can prioritize which ones to start with, based on our budget. They can put together a package to put out to bid. As far as digging goes, there are some areas that you could just line the pipes. However, there are other areas that the pipe itself needs to be repaired. In those cases, you would have to dig down to the pipe.
- iv. Urman would like to pursue option two and feels it would be a good investment for the future. He would also like to work on the infiltration issues.
 - a. Coates noted that option two would increase the capacity to the whole pump station. You would still be sending all that infiltration to be treated. This is all about timing the anticipated growth. Gosling Czubak factored in projected growth, as well as presold capacity. If the township upgraded the motors in the station now, it would give us time to work on the infiltration issues.
 - b. Keiser noted that the current pump station is only 10 years old, and the pumps still have 10-20 years worth of life left. If we were to replace them now, by the time we would need that level of capacity, those pumps would be worn out.
- v. Coates noted that a project like this is an eligible use of ARPA funds. There also may be more infrastructure funding coming.
 - a. Keiser would like to see the township leverage this money through grants and low interest loans. However, often times, grants are based on the median income of the area, which is high.
- vi. Keiser asked about the sewer rates.
 - a. Coates noted that part of the SAW grant was to look at the rates and charges. There was a discussion at the Harbor Springs Sewer Authority about their bond which is complete in 2023. The idea was to have the communities continue to give their bond payment amount, and that would be used to fund repairs and capital projects. That was a suggestion, but it has not gone further than that. We will need to look at our rate structure again.
- vii. Keiser shared an update on the Maple Creek sewer study. This project is moving along well and all records have been obtained. The conceptual plans are being developed.
 - a. Coates shared that they have been working on material pricing, and Bear Creek can pursue a conversation with our township attorney if we would like to set up a special assessment district.

b. Boat Wash- Jones Landing Proposal

Keiser explained that the Walloon Lake Association has been working to get a boat wash at Jones Landing. They have received a grant to pay for the engineering study, but it would have to come through the township. Gosling Czubak has given us an estimate of \$9,550 to engineer the boat wash. If we pay for the study, the Walloon Lake Association will reimburse the township. This will be a wet system. Urman does not think it will work to have a boat wash there, however, we can have Gosling Czubak look to see if it is feasible. Coates noted that it will be a tight fit, but part of the design process is looking at the turn radius.

Motion by Hoffman to hire Gosling Czubak to engineer a boat wash at Jones Landing for the amount of \$9,550, to be reimbursed by the Walloon Lake Association. 2nd by Radatovich. **Passed**

c. FEET Presentation- Martha Lancaster

Martha Lancaster is representing FEET (Friends Enhancing Emmet Transit), which is a local advocacy group. The county commissioners are considering a proposal to create the Emmet Transit Authority. We are one of very few counties without a county wide transit system and it is viable in small rural counties. Human Service Agencies have noted that lack of public transit is a major issue. There have been various efforts over time to convince the county to move forward with this proposal. In 2019, Emmet County approved EMGO to provide three routes within the county. It was the intention of the county that this be a

demonstration project. If EMGO showed a need, it would be a bridge to a more comprehensive transit system. The EMGO system was achieving its rider numbers, however, Emmet County stopped the project. The Petoskey Regional Chamber of Commerce feels that transit is key to a vibrant community. FEET is a 14 person work group that has met twice a month for six months. They have heard from transit experts and have developed this proposal, which shows the research to support developing a transit authority. This transit authority would then go on to develop a transportation system. This unique board would have a majority of its members made up of county commissioners. There would also be a seat for townships, cities, villages, and the tribe. The Emmet Transit Authority, if established, would have its own staff and budget. Most of the transit services will be in this area, where the population is growing. The FEET group has a commitment to provide county wide services. Most transit authorities apply to MDOT for funding. MDOT will provide half of the funding, and the remainder would come from a millage. The work group has done some preliminary budgeting and believes 0.3 mills would be enough, which would be about \$25-50 per year per resident. Emmet County has heard the presentation from FEET in June and individual commissioners have been studying it. Mike Reeves is working on some additional research as well. Lancaster is hoping that Bear Creek will write a letter of support for the proposed Emmet Transit Authority. All county commissioners recognize the need for transit in Emmet County, but not all of them feel there is a need for a transit authority.

- i. Hoffman asked if there was a way to form an authority that does not have taxing ability. He would like to be able to do this without a millage, and is concerned that the rural residents will not be served the same as the rest of the county.
 - a. Lancaster noted that the need is for a scheduled, predictable system. Most of the county could be serviced robustly. EMGO was funded by the county general fund but that cannot keep happening. The millage is essential to this project for long term sustainable funding.
- ii. Karla Buckmaster requested that her entire statement be recorded in the township minutes. Her statement is as follows: “Learn from the past! Yes, Emmet County’s transit venture with EMGO was a learning situation. We taxpayers learned that MANY of the Emmet County residents do NOT benefit from the over ½ million tax dollars (local, state and federal) paid each year of operation, so over a million dollars spent in EMGO’s two years of existence. We learned that of the overall counted number of riders for EMGO, that number was made up of only a FEW individual riders. To increase ridership numbers, many EMGO vouchers were given to riders by entities which themselves already were receiving our tax dollars; like the library and the college. I’m not certain those donations of taxpayer dollars even should happen legally. Even fall color tour rides were encouraged to raise numbers of riders. Riders were counted in a convoluted way; saying one rider was counted as a new rider for every stop which that one rider made, whether that rider paid additional fares for each of those counted stops or not. So, overall manipulated rider numbers were not actual, and truthfully did not achieve its ridership objectives, even before COVID. We learned that the bus schedules were ridiculous for most county people working reasonable jobs. With our tax dollars already paying for school bus transportation, Straits Regional Ride, and Friendship Center transportation, we learned when EMGO ceased, then existing school busing, Straits Regional Ride, and Friendship Center transit continued just fine, as usual. And, what did the tribe do with their own busing, while never providing funding (the tribe pays no taxes) toward EMGO as they had stated they would do? We learned through stories, plus I have multiple pictures, of as many as three EMGO buses, at the same time, just PARKED in the parking lots of Walmart, Lowes, on the waterfront with no one in it, and even just parked in the parking lot of this very Bear Creek Township hall! The “transit work study group” proposes hours and services similar to EMGO, so no one can expect any more. The urban areas of Petoskey and Harbor Springs are highly represented within “the promoters and transit work group” promoting an authority because those community people want the entire county to pay for their own communities’ transit benefits. Perhaps an authority needs to be created only between Petoskey and Harbor Springs since those are the two entities that received benefit through EMGO. Then, the rest of the underserved residents/taxpayers of the county would not need to pay taxes for a service they do not receive. Learn from the past to prepare for the future! Do not support any Emmet Transportation Authority which would suck millage money from the ENTIRE county, but would NOT service the ENTIRE county. Karla Buckmaster, Bear Creek Township.”
 - a. Lancaster replied that there is no way to keep track of the number of individual riders. This is proposed as a county wide service.
- iii. Val Meyerson noted that the Friends of the Library funded ride tickets that were given out. People were very grateful for the bus system and were appreciative of the tickets.
- iv. Keiser would like to wait to hear from the county and to see what Mike Reeves has found out.

d. 2022 Appointments

Keiser shared the list of appointments that expire at the end of 2021. His recommendation for the Board of Appeals is to go from a three member board to a five member board, and to appoint Sean Meyer, Al Welsheimer, Ken Cooper, Chip Ironside, and Steve Boettger. For Planning Commission, Larry Olliffe will be retiring, and Keiser recommended Denny Gunderson as a replacement. For the parks and recreation committee, Keiser recommended reappointing Jerry Bush and Joe Villemure.

Motion by Golding to appoint the following individuals to the respective boards: Sean Meyer, Al Welsheimer, Ken Cooper, Chip Ironside, and Steve Boettger to the Construction Board of Appeals; Gerald Bush and Joe Villemure to the Parks and Recreation Committee; and Denny Gunderson to the Planning Commission. 2nd by Hoffman.

Passed

Keiser noted that the following board members sit on these respective committees: Denny Keiser and Joe Hoffman on fire board, Denny Keiser on the HSASDA, Connie Golding on the library committee (Emma Radatovich as alternate), Denny Keiser on the local revenue sharing board, Tom Urman on the Parks and Recreation committee, and Emma Radatovich on the Planning Commission.

Motion by Golding to appoint the following board members to their respective committees: Dennis Keiser and Joe Hoffman to fire board, Dennis Keiser to HSASDA, Connie Golding to library committee (Emma Radatovich as alternate), Dennis Keiser to local revenue sharing board, Tom Urman to Parks and Recreation, and Emma Radatovich to Planning Commission. 2nd by Hoffman. **Passed**

e. Investment Advisor Agreement

Golding share that ONIMCO is our investment agency with Darwin Hesselink doing our investing. There is a \$1200 fee for him to renew our services for the following year. He does a great job and follows up with Golding at least once a month.

Motion by Hoffman to pay \$1200 to Darwin Hesselink for the investment services from 11/1/21-10/31/22 and to approve signature of the investment advisor agreement. 2nd by Radatovich. **Passed**

f. Property Maintenance Position

Radatovich shared that over the years, we have used All Seasons Maintenance for the maintenance of our township hall and parks. We are currently paying roughly \$60,000 per year for these services. Five years ago, that cost was approximately \$40,000. As the township and parks grow, this job has become more demanding. Keiser and Radatovich have met with representatives from Resort Township to discuss the idea of a shared property maintenance manager. This person would be responsible for taking care of all township parks and properties in Resort and Bear Creek Township. If we were to pursue this, it is likely that we would hire an additional, second person for the summer months. Radatovich is asking the board if this is something they would like to pursue. She shared a draft job description. If this is something the board would like to pursue, we will hold a joint meeting with Resort on January 12th at 7pm to discuss this possibility.

- i. Hoffman is in support of the idea, but feels we need to have a backup plan if this person were to be sick.
- ii. Keiser noted that we will need to have this person trained to have the licensing for fertilizing. He would like the parks and recreation committee to look at this proposal as well. He feels we should have our meeting with Resort.
- iii. Urman is in agreement but feels strongly that Bear Creek should have their own employee, rather than sharing with Resort. We are busy and growing and will need our own property maintenance person.
- iv. Hoffman feels we will not need an exclusive Bear Creek employee for a few years, until we have our new fire hall.

In addition, Radatovich noted that Resort Township spreads their own salt. When pursuing this idea for Bear Creek, she discovered that Bear Creek pays approximately \$2,000 per year to salt the parking lot and shovel the sidewalks. This would be a nice winter job for our property maintenance person, but to start us off, this year, Byran Conklin has offered to do it. Meyer Ace Hardware quoted us a battery snowblower for \$699 and a stainless steel salt spreader for \$399. We could start there and order our own salt. This would be a gradual approach to doing our own property maintenance.

Motion by Hoffman to purchase a snowblower for \$699 and salt spreader \$399 from Meyer Ace Hardware. 2nd by Golding.

NOTE: Tom Urman stepped out of the meeting for a moment and was absent for the vote.

Passed

g. Stanley Steamer

Keiser shared that there is a musty smell in the office and the ducts need to be cleaned. Stanley Steamer gave an estimate of \$2077 to clean the ducts. We also asked for a quote to clean the carpets. The cost for the carpets would be \$1488. This would include the hallways and board room.

Motion by Golding to hire Stanley Steamer to clean the air ducts for \$2077. 2nd by Radatovich.

Passed

The board would like to have all the carpets cleaned, including the offices. Keiser will get a new quote from them.

IX. Planning/Zoning Report

Radatovich explained that the first case was for Manthei Development Corp. The Planning Commission unanimously approved a preliminary and final PUD-RO for this site, which would include half the sites to begin as home sites, and half the sites to start as RV sites, to be converted to home sites within 8 years. The housing would be marketed for workforce laborers, and would be cheaper for those in the workforce. The RVs will act as a subsidy which will allow the home sites to be \$200 less per month.

- i. Urman would like to add a campfire cutoff time. He asked if there is a way to add the first right of refusal into the PUD to keep these homes workforce dedicated.

Motion by Radatovich to recommend approval of the Manthei Development Corp. case, with the additional requirement that the campfire cutoff time be 10pm. 2nd by Hoffman.

Passed

The second case, for Krist Oil, was postponed by the applicant and was not discussed. The third case, O'Reilly Auto Parts on US 131, was postponed to allow for the applicant to correct several concerns. The primary concern of the Planning Commission was access to and movement within the lot. There was also a fourth, unofficial case, for 1727 Anderson Rd, Petoskey ENT. The applicant needed to come back in for site plan amendment after cutting down all the trees on the front of the lot. The new site plan shows the four trees required by the ordinance. Although the Planning Commission encouraged the applicant to plant more, only four are required by the ordinance.

Motion by Radatovich to accept the Planning Commission report. 2nd by Golding.

Passed

X. Fire Department Report- Report by Welsheimer

Welsheimer noted that the fire department did CEUs for EMS and also completed inventory. There were 2 EMS and 26 fire calls. The fire dept. participated in the Santa Parade in downtown Petoskey. There was a fire in Bay View this past week that was fully engulfed in flames. This is a total loss that will be investigated with the insurance company. Welsheimer noted that this looks suspicious as no one has been living there since the beginning of the month. There was also a fire at Hearthside Grove in the clubhouse, caused by two Segway batteries. The sprinkler system activated and the only damage was to the corner of the office. Lastly, Welsheimer shared a new application/fee schedule for fire sprinkler/suppression system and for fire alarm/detection system. He has been doing this review for free but would like to formalize it as part of the building process. This would go into effect the first of the year.

Motion by Hoffman to approve the fire sprinkler/suppression system permit application/fees and fire alarm/detection system permit application/fees. 2nd by Golding.

Passed

XI. Parks and Recreation Report

The Parks and Recreation Committee did not meet in November.

XII. Correspondence

Keiser noted that our township attorney raised his fee to \$220/hour.

XIII. Clerk's Business/Bills- Report by Radatovich

Radatovich reported bills in the amount of \$213,326.22.

- i. **Motion** by Radatovich to pay the bills in the amount of \$213,326.22. 2nd by Golding.

Passed

XIV. Treasurer's Report- Report by Golding

The Treasurer's Report shows a balance of \$8,501,470.22 as of 11/30/21.

XV. Building Department Report

Golding gave out building dept reports through 11/30/21.

XVI. Sewer Business/Bills

Keiser shared a memo from Gosling Czubak noting that there is capacity for Krist Gas Station if they should decide to apply.

There is one sewer service application for this month, for a pavilion at 2034 Bluestem Dr. This would be for a total of 0.5 REUs.

- i. **Motion** by Radatovich to approve the sewer service application for 0.5 REUs for 2034 Bluestem Dr, Lot 254. 2nd by Golding.

Passed

Keiser reported bills for the township sewer in the amount of \$73,730.18.

- i. **Motion** by Keiser to pay the township sewer bills in the amount of \$73,730.18. 2nd by Radatovich.

Passed

Keiser noted that Scott Anderson, the manager of the sewer authority is retiring at the end of the month.

XVII. Request from the Floor/Discussion:

Karla Buckmaster asked about the two options for the boat wash. Is there a financial advantage in the long run to one system over the other?

- i. Keiser noted that the Walloon Lake Association will pay for the infrastructure, but the township will pay for the maintenance. The dry system isn't proven to work and is extremely loud. To be considerate to the neighbors, the dry system was not considered. That is why we are pursuing the wet system.

XVIII. Other Business: None

XIX. Adjournment: 9:23p.m.

Respectfully submitted,

Emma Radatovich

Emma Radatovich, Bear Creek Township Clerk