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**Bear Creek Township Board Meeting  
July 6, 2022**

Called to order at 7:00 p.m.

**Roll Call:** Keiser, Hoffman, Urman, Radatovich, Golding

**Pledge of Allegiance**

**Approval of Minutes:** Regular mtg of June 1, 2022, special mtgs of June 15 and 24, 2022, both closed session minutes of June 15, 2022, and election commission mtg of July 6, 2022.

**Motion** by Hoffman to approve the minutes as presented. 2<sup>nd</sup> by Golding.

**Passed**

**Request from the Floor/Discussion:** None

**Approval of the Agenda**

Keiser would like to add blight under new business.

**Unfinished Business**

Roads

Keiser shared that dust control has been difficult, since we have had to wait for other townships to join in. We are hoping to have dust control applied for the third and final time at the end of July or early August. So far we have had it applied twice, the week after memorial day, and about a week ago. Yesterday, Keiser received estimates and everything is 30-50% higher. The original estimate for Atkins Rd was around \$263,000. Tri-County came in at \$263,764.40 for a 2023 project. Elmer's came in around \$348,000 to complete the project this year and Reith Riley came in at \$388,000 for this year as well. Our choice is to either sign a contract for Tri-County for next year or move forward this year. The catch with signing for next year is that we don't know where the pricing will go for next year.

Hoffman asked about the difference in pricing. Keiser noted that this year the pricing is higher because they would be fitting the project into their schedule this year. Radatovich feels it makes sense to sign the contract with Tri-County to do the project next year.

Keiser noted that we did not do Krause Rd this year, so we will have to look at it again next year. Fochtman Industrial Park will need to be done next year as well.

Urman agrees that we should move forward with Atkins for next year through Tri-County. He asked about gravel along the road edges. Keiser noted that the road commission did some on Cedar Valley this year. The road commission claims they don't have enough help to do that. Urman asked about the ditching along River Rd. He is planning to contact the road commission about that.

Library Report

Radatovich shared a report from the library meeting. All financials and minutes were approved. The Friends of the Library had a good turnout for their summer celebration. They are preparing for a big book sale at the end of July. The Friends is also planning their "Night at the Library" fundraiser on October 7<sup>th</sup>. The Carnegie programs are going well- they hosted one at the end of June about the families of Walloon. The Director gave her report. She is working with the Library of Michigan for digital preservation. The Act Against Anti-Semitism program was well attended and they are hoping to do another set of programming next year. The Community Reads program starts June 28<sup>th</sup>. The library marched with the LGBTQ alliance for their parade and also in the 4<sup>th</sup> of July parade. Tutoring will begin in July. The building committee also gave a report. They are hoping to get bids out at the end of summer to be able to start work next year.

Urman noted that he received two calls of complaint from Bear Creek residents regarding the library marching in the alliance parade. Urman remarked that to his understanding, the money for activities like this comes from the Friends of the Library, not taxpayer dollars. In two years, the library millage will be up for reelection.

Radatovich noted that we also received a letter of complaint from a couple in Bear Creek about the same issue.

Karla Buckmaster asked if we can find out where the Friends of the Library money is spent. Radatovich noted that she is not sure if that information is public. Hoffman noted that the Friends of the Library doesn't have that much money. The library building itself and the newsletter is funded using library public funds. For example, he noted that when the library director visited the high school anti-defamation group, she was paid her salary, which is from public funds (taxpayer dollars). In addition, while the Friends of the Library may pay for some of the books, they are not paying for the lighting within the library building. He noted that the Friends of the Library is also not paying for the "Carnegie programs of can transgender men menstruate". Urman agreed, that in a roundabout way, the library is paying for the director's wages. Keiser noted that the people who donate to Friends of the Library think that they are purchasing books. If the Friends of the Library spends the money on the alliance parade, then the library has to use their public funds for the books.

Donna Lively explained that there is a transgender person that has been reading to the little kids “for years”. She received information that the library was in support of the alliance parade, they were not just using it as advertisement for the library. She asked what can be done at a township level. She asked who the library answers to. Keiser noted that the only thing to be done at this level is for our voters to vote the library millage in or out. The library answers to city council. Golding noted that there is also a library board.

Urman noted that it used to be that the township paid for the residents library cards (rather than the millage). What was the cost for that? Keiser noted that it was cheaper for the township to pay per library card than it is for the millage. Karla Buckmaster clarified that there was a referendum so it had to be placed on the ballot. The librarian at the time collected enough signatures to get the millage on the ballot.

Golding noted that people with concerns should go to the library board meetings and speak up.

#### Click Rd Property

Keiser shared the Wetland Determination Report for the Click Rd property. No wetlands were found on the property.

#### Maple Creek Sewer Study

Keiser will be meeting with the residents of the Maple Creek subdivision on July 21<sup>st</sup> to discuss the possibilities of a special assessment district. Our engineer, special assessment attorney, and the health department will all be present. If over 51% of the residents file a petition, then we can set up the district. The right thing would be for this area to have sewer, as they have already had a few failures up there.

#### Land Bank

Keiser noted that we closed on the Lears Rd property on July 5<sup>th</sup>. At some point, this will be a good location for public utilities.

#### **New Business**

##### Road Names- Manthei Development

Keiser shared three proposed road names for the Manthei Development: Pine Pond Blvd, Pine Pond North, and Pine Pond West. The main road already has a name on it: Commerce Ct. We found out that there is one address on Commerce Ct, for a vacant piece of property. The fence in the area will also have to come out. The fire chief has concerns with the road names, at it is confusing in case of an emergency. Keiser suggested we table this discussion for tonight and try to come up with some better names.

**Motion** by Urman to table the discussion of road names for the Manthei Development, 2<sup>nd</sup> by Hoffman.

**Passed**

##### Beckett & Raeder- Proposal

Keiser shared that a few years ago, we started to set up a water trail for the Bear River, in regards to our property on the corner of Click and McDougal. At the time, we met with the state of MI, Melrose Township, and the City of Petoskey, all who have land along the Bear River, and all have agreed to the water trail. The thought would be to get a grant to put in some pit toilets and parking. This would be for non-motorized boats. Keiser shared a proposal from Beckett & Raeder to work with the recreation committee to get a grant to establish a launch on the corner of McDougal and Click Rd.

**Motion** by Urman to approve the proposal to hire Beckett & Raeder to work with the recreation committee to help write a grant for the potential launch at Click and McDougal Rd for the cost of \$7,500. 2<sup>nd</sup> by Hoffman.

**Passed**

##### Spring Lake Park

Keiser shared that the well is out at Spring Lake Park, and Luttrell has been digging. They should be finished up by tomorrow. Keiser is trying to coordinate with K&L to put in new valves and filters. Due to the parts being on back order, this will probably not be done until the end of next week.

Hoffman asked when we are planning to start using ARPA funding. Radatovich noted that we have until the end of 2024 to allocate the money and it must be spent by 2026. We also have a parks and recreation sinking fund.

##### Audit- 2021-2022

Keiser noted that the auditors will be at the township the week of July 18<sup>th</sup> for the 21-22 audit.

##### Cell Tower Proposal

Keiser shared a solicitation for a cell tower to be installed on our property here at the township hall. It would be about an 80x80ft area. The township would receive about \$850 a month or a one-time payment of approximately \$100,000. Hoffman noted that if we were to pursue this, Joel would help us draft the documents. We would need to be able to use our property for easements for utilities. He doesn't think we have enough property for this use. Urman doesn't think we should pursue this. The board agreed not to pursue the cell tower proposal.

##### Blight

Keiser shared a blight letter for 117 Mishe Mokwa Dr. This is the same property we have had a blight issue before. There are boat trailers, junk, and mulch in the road right of way. For the most part, everything is on the property (only the mulch is in the right of way). The residents in the area are not happy, as this is ongoing. This is the third time we have had blight at this residence in the last few years. **Motion** by Hoffman to authorize a blight case at 117 Mishe Mokwa after we receive the second complaint letter. 2<sup>nd</sup> by Urman. **Passed**

### **Planning and Zoning Report**

Radatovich gave a Planning Commission report. The first case, Case PSUP22-08 for Traven Michaels, was withdrawn by the applicant. The second case, Case PSUP22-015 Henry LeGrand, for a special use permit for an accessory building exception, was approved. In addition, the Planning Commission received some information about domestic farm standards for next month. If the board has any input or comments, please send it to Tammy Doernenburg.

Karla Buckmaster asked about the second driveway. Radatovich noted that there is only one legal driveway approved by the road commission.

**Motion** by Hoffman to approve the Planning Commission Report. 2<sup>nd</sup> by Golding.

**Passed**

### **Fire Department Report- Memo from Welsheimer**

Welsheimer's memo reported the following training: a house burn on Howard Rd, a vehicle extraction, and a Great Lakes Energy safety training. The fire dept took place in the Petoskey Public Safety Open House with fire extinguisher training. They had 3 EMS and 21 fire calls.

### **Parks and Recreation Report**

Keiser explained that the boat wash at Jones Landing has had 69 users. There was an incident there over the weekend where a trash can burned up. It was likely accidental and we have ordered a new trash can. The recreation committee will be meeting July 11<sup>th</sup>.

### **Correspondence**

Keiser noted that the quarterly MTA meeting is July 20<sup>th</sup> at 6pm. Petoskey Harbor Springs Area Community Foundation invited us to an event on August 4<sup>th</sup>. MTA is hosting a Planning Commission training on August 16<sup>th</sup> in Mount Pleasant.

### **Clerk's Business/Bills- Report by Radatovich**

Radatovich reported bills in the amount of \$254,186.89.

**Motion** by Radatovich to pay the bills in the amount of \$254,186.89. 2<sup>nd</sup> by Urman.

**Passed**

Radatovich shared that we received the invoice from Elaine Keiser for her April services. The amount is for \$16,625.00. We will need board approval to pay this bill.

Urman suggested that the small committee go back to Elaine to see where to go from here.

**Motion** by Hoffman to pay Elaine Keiser in the amount of \$16,625.00 for her April 2022 services. 2<sup>nd</sup> by Urman.

**Discussion on the Motion**

Radatovich noted that we have already paid Elaine around \$13,700. She would rather get estimates from our design builders first before we decide if we want to pursue any more with Elaine.

Keiser noted that he never met with Elaine. Every time Elaine met with Al, Joe, and Tom, we were charged. Then in April, we saw the plans she had created. Let's wait to pay the bill until we meet with Elaine.

Hoffman withdrew his motion. Urman withdrew his second.

**Motion Failed**

The Board agreed to set up a meeting with Elaine Keiser.

Preparations are well underway for the August election. We have over 1300 absentee ballots out and over 300 that have already come back. Radatovich shared statewide statistics for this election compared to 2018.

### **Treasurer's Report- Report by Golding**

The Treasurer's Report shows a balance of \$9,507,184.71 as of 6/30/22.

### **Building Department Report**

Building dept reports were shared through 6/30/22.

Keiser shared that Bryan Conklin, building inspector, is asking the board that they consider allowing Ken Cooper to help Bryan with site plan review. Cooper is a retired plan reviewer from Emmet County and would charge \$50/hour. This would primarily be to help with the Atkins Rd development. It will be about 6 hours a week through August.

**Motion** by Radatovich to approve paying Ken Cooper \$50/hour to help the building department with site plan review. 2<sup>nd</sup> by Golding.

**Passed**

#### **Sewer Business/Bills**

Keiser reported bills for the township sewer in the amount of \$69,453.51.

**Motion** by Keiser to pay the township sewer bills in the amount of \$69,453.51. 2<sup>nd</sup> by Radatovich.

**Passed**

#### **Request from the Floor/Discussion:**

Karla Buckmaster asked if the insurance would cover the trash can. Keiser noted that we have a \$1,000 deductible. Buckmaster complimented Radatovich on the site plan she made for the new fire hall.

#### **Closed Session- Pending Litigation:**

**Motion** by Hoffman that the township board go into closed session to consult with its attorneys regarding trial or settlement strategy in connection with the pending litigation in the Michigan Court of Claims involving the Marijuana Regulatory Agency (MRA), as discussion in open session would have a detrimental financial effect on the litigation or settlement position of the township. [MCL 15.268 (e)]. 2<sup>nd</sup> by Radatovich.

Roll Call: Golding, Urman, Hoffman, Keiser, Radatovich

Yes: Golding, Urman, Hoffman, Keiser, Radatovich

Time: 8:34pm

**Passed**

**Motion** by Hoffman to come out of closed session. 2<sup>nd</sup> by Radatovich.

Roll Call: Urman, Hoffman, Keiser, Radatovich, Golding

Yes: Urman, Hoffman, Keiser, Radatovich, Golding

Time: 8:52pm

**Passed**

**Other Business:** None

**Adjournment:** 8:52p.m.

Respectfully submitted,

*Emma Radatovich*

Emma Radatovich, Bear Creek Township Clerk