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Bear Creek Township Board Meeting
August 3, 2022

Called to order at 7:00 p.m.

Roll Call: Keiser, Hoffman, Radatovich, Golding
Urman entered at 7:02pm

Pledge of Allegiance

Approval of Minutes: Regular mtg of July 6, 2022, closed session of July 6, 2022, special meeting of July 20, 2022, and election commission meeting of August 2, 2022.

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

Passed

Request from the Floor/Discussion: None

Approval of the Agenda

Urman entered at 7:02pm

Unfinished Business

Roads

Keiser explained that dust control is scheduled for next week. All road projects are finished for the year other than shoulder work and road painting. There is a shortage of paint contractors. Division Rd from the highway to Atkins is scheduled to be redone next year. For the portion from the highway to Mitchell, they are requesting to do the construction at night, due to the heavy volume of traffic. People do live on that stretch of road, but it would only be for about 2-4 nights. Radatovich noted that it would negatively impact more people to have it done during the daytime. The board agreed to allow them to do the construction at night.

Keiser shared that the road commission is requesting that we move the annual meeting from January to the end of October/beginning of November. However, this is right during the November election. Keiser noted that we could meet Thursday, November 10th, as it would be after the election. We would get the pasar ratings earlier and the annual report would be an estimate. The road commission would also give their presentation to MTA in October to tie it together. The reasoning given from the road commission for this change is to get our roads out to bid earlier. Charlevoix and Cheboygan get their projects out a few months before we do, and so the contractors aren't as hungry for work by the time they get to our projects. If we submit our projects earlier, we may have better availability and pricing. Mark Hoffman noted that this will also help the engineers. It will give them more time to design the roads, and also will allow them to take pictures before the snow hits the roads. The board agreed to meet with the road commission on November 10th.

Library Report

Radatovich shared that she attended the July library meeting in person. Andrea Jacobs gave a housing presentation. The Friends of the Library hosted their summer book sale and are working on their October fundraising event. The director shared a report. The staff has been taking a "Writing on the Web" class and will be rewriting the library web pages. The Library app is launching soon. A Holocaust exhibit will be coming to the library in January 2023. In addition, the board discussed zoom access to the public and their capital improvement plan.

Val Meyerson, the library director, shared that the library board is also working on their 2023 budget, as well as a 2022 budget amendment. They are reviewing their capital improvement plan to look at some of the issues at the library and Carnegie building. She would like to address "a lot of incorrect info" in last month's approved minutes. She sent some corrections to the board via email. She wanted to clarify that the library did not march with the LGBTQ alliance. The alliance started the march at the library as part of a kick off for the community reads program. She noted that she was dismayed at some of the comments. One comment in particular that she would like to address is "one by Mr. Hoffman stating the Carnegie programs of transgender men menstruating". Meyerson noted that that is 100% false. That is not a program they have done in the past or discussed doing for the future. Meyerson also remarked that Ms. Lively made comments of a transgender person reading to kids. Meyerson stated that they have never had that at the library. She also wanted to clarify that the library float in the parade was a space theme, not an LGBTQ theme. Meyerson noted that the library does not in a roundabout way pay her salary. The library pays her salary directly through tax dollars, partially funded by Bear Creek residents through a voted millage. These are clarifications she wanted to make and she felt "quite dismayed at some of the comments made by Mr. Hoffman." She was "dismayed at the misinformation that was put in the minutes to inflame residents".

Joe Hoffman displayed an article from the Petoskey News Review, which discussed the LGBTQ parade. Hoffman explained that the article quoted Meyerson as saying "we will be marching alongside them". Hoffman noted that the library is giving away free copies of the community reads books, and would like to know who bought the books, flags, and t-shirts (for the community reads kickoff). In regards to the comments made last month about "transgender men menstruating", Hoffman stated that on Dec 6, 2021, there was an event at the Carnegie called Pandora's Box, which was advertised on the library's website. The website said "There will be blood". This

program was a watch and discuss documentary about menstrual inequality and period poverty. As it was advertised on the library website, there was a trailer available to watch. Hoffman watched the video from the library website and noted that in the video there is a gentlemen talking about transgender men who are menstruating.

Meyerson noted that the movie was about equality of having period products available across the world. It was not a conference, but a movie premiere.

Hoffman feels this is more of a health department issue, rather than a library issue. He agrees that it may be an issue, but what is the library's concern with this?

Meyerson noted that it is their mission to educate residents and felt this program was educational for people in the community.

Hoffman made remarks about the salary. He agrees that Meyerson's salary comes from the library. What he is questioning is the time Meyerson spent going up to the high school for the anti-defamation league.

Meyerson explained that the anti-defamation league is a group working against hate. They did a program and kids in high school can work to get a designation. Petoskey was awarded this designation, and at the time, the anti-defamation league executive director was in Petoskey doing the antisemitism program. Meyerson accompanied the executive director to the high school to present the designation award.

Hoffman asked if Meyerson used a vacation day or if her time was paid.

Meyerson said that she was up to the high school for about a half hour. The library works with the high school and they are there many times as part of community outreach.

Hoffman noted that he read the municipal league rules regarding minutes, and at this point, we cannot change last month's minutes. In addition, public who speak at a meeting have a first amendment right to do so. Keiser noted that the minutes have already been approved. Meyerson noted that she wanted an opportunity to get in the minutes tonight to correct what was said last month.

Click Rd Property

Keiser noted that we met with Elaine Keiser, who gave us an update on her work, and she has been paid. She is on hold until we meet with Fred Campbell for a design build concept. Fred will be giving us a plan based on the drawing Radatovich made along with an estimated cost. We will call a board meeting when there is information for review. Fred recently designed a fire hall for Blair Township, and the residents will be voting in November for an extra millage. The trees at the Click Rd property are doing well. The fire department has been watering them.

Maple Creek Sewer Study

Keiser met with Gosling Czubak, the Health Dept and Mika Meyers as well as the members of Maple Creek. This was a panel discussion with questions about timing, cost, payment, etc. We will not proceed until we hear from their board as to whether they want a special assessment district or not. The Health Dept originally said that if the septic systems failed there, they would not issue another permit. Now, after talking to their attorney, they agreed they would issue a permit for a mound system (which would cost about \$25,000-30,000). If the majority want to tap in, we can set up a special assessment district. If this happened, we would bond it out and it would go on their tax rolls (so it would be put in at their expense).

Road Names- Manthei Development

The new proposed road names for the Manthei Development are Pine Pond Blvd, Pond North, Pond West, and Storage Rd. The top portion will remain Commerce Ct. Typically, private roads are called lane or boulevard. Google would bring you through Fochtman Industrial Park to these drives. The fire chief has approved of these names. The board agrees to add "lane" to the last three names.

Motion by Hoffman to approve the following road names for the Manthei Development: Pine Pond Blvd, Pond North Ln, Pond West Ln, and Storage Ln. 2nd by Urman. **Passed**

Spring Lake Park

Keiser shared that Spring Lake Park is finally open and working. The well issue has been fixed. K&L Plumbing has replaced the piping and put a new filter in. They still have to come put in a sample tap. We knew there were 42 sprinkler heads plugged from sand, and Tony Hoffman from 5H came and replaced 48 heads, and flushed the system. He did move a few heads due to tree location. Keiser is suggesting turning over the sprinkler system to 5H to maintain. K&J Septic serviced the port a potties while the bathrooms were closed. Hoffman suggested that we revisit the amount of parking in the park. Keiser noted that we will be getting a proposal to upgrade the park, and we can discuss parking then. Cindy Okerlund will be doing another bike group on August 11th. She will have her volunteers park across the street at the trails council, but would like for the kids and parents to park at the park.

New Business

Blight Ordinance- Review

Keiser noted that Urman had asked for us to review the blight ordinance. The way the ordinance stands currently, (and has been for 30 or so years), the board needs two separate letters of complaint from different households. When the board receives two letters, then we send the blight officer out. There is a case currently on Mishe Mokwa that has one letter, but we have not received a second.

Urman noted that people are very hesitant to put their name on a letter. He is suggesting that if someone calls and makes a complaint that we could send Villemure (blight officer) out to look at the property, and then issue a blight letter if needed. Keiser noted that Villemure will not feel comfortable walking on someone's property without those letters of complaint.

Radatovich noted that having a two letter requirement is good to protect the township from getting involved in neighborly disputes. If there was just a one letter requirement, or a phone call, it could just turn into one neighbor upset at another. Urman feels that there are some cases that are definitely blight and Villemure may be able to drive by and see that. The neighbor may not want to put their name on the letter.

Hoffman asked what other townships do for blight. Keiser noted that some have a property maintenance code. Blight is a problem that is hard to enforce. The property we are discussing tonight is certainly blighted, but we are waiting for a second letter to get it cleaned up. Our attorneys have recommended the two letter requirement in the past. We could look at contracting with the sheriff's office or consider a property maintenance code. We need to have a system that is fair and catches all blight. Someone would have to patrol all roads in order to catch it all.

Urman noted that if a taxpayer calls in, we could send the blight officer out and he could determine if it was blight or a neighborly dispute. Keiser noted that Villemure doesn't feel comfortable going out without two letters. Radatovich remarked that our attorneys have always recommended two letters.

Hoffman noted that it is a fine line. There is some enforcement that is needed. Villemure has done a great job, and there are very few people who can do what he does. Keiser noted that we are not going to send anyone out without letters to support them. The last time we reviewed this ordinance, we amended the treatment of household garbage. The way it stands now, we can go out without letters if there is household garbage left for more than 7 days.

Golding feels we should leave the ordinance as it is. If a second person complains, it is confirmation that something needs to be done about a property. Urman feels that people may not want to put their name on blight letters. Keiser feels we should keep the ordinance as is. Radatovich agrees.

Karla Buckmaster suggested that there should be a job description for the blight officer. If we are sending someone for enforcement, the township should provide a uniform, possibly a bright color. Keiser noted that the township provides name tags. He also uses a car magnet when he goes out. The township also provides jackets for the wintertime that say Bear Creek.

Jim Kargol suggested that a board member write the second blight letter. Keiser noted that per the ordinance, a board member cannot write a letter.

Don Nowland asked if the names of those who write letters are protected under FOIA. Keiser noted that yes, someone could FOIA for the letters/names of those who wrote the letters.

Harbor Springs Sewer Authority- Repair

Keiser shared that during the SAW grant inventory of the condition of the sewer lines, the main line between #8 and #21 was reported to be in bad condition. The authority has put out an RFP and selected a contractor. Based on our contract, we are responsible for our portion, which is \$295,816.24. Does the board want to pay for this now or use ARPA funds? Radatovich noted that if we do not use ARPA for this project, then we can use it for another sewer project. Urman noted that we could wait to see what other funding is coming. Keiser noted that many jurisdictions are waiting to see if another infrastructure bill is coming.

Motion by Hoffman to spend \$295,816.24 to repair the sewer line for the Harbor Springs Sewer Authority for the main line between lift station #8 and #21, paid out of the Bear Creek sewer fund. 2nd by Golding. **Passed**

Metro Act- New Application

Keiser noted that we received an application from Everstream GLC Holdings Company LLC to run a cable in the Lears Rd, Howard Rd, Intertown Rd and US 131 area. This would be for the Meijer store.

Motion by Urman to approve the metro act application for Everstream GLC Holdings Company LLC, to authorize the supervisor to sign the contract after the township attorney's review. 2nd by Golding. **Passed**

Planning and Zoning Report

Radatovich gave a Planning Commission report. The first case, Case PPUDP22-02 Coseo Properties, Inc for a PLANNED UNIT DEVELOPMENT- RESIDENTIAL OVERLAY at 2287 Anderson Rd and 2404 US 131 Hwy was approved. Keiser noted that after the Planning Commission meeting, it came to light that the road commission will not approve of the sight distance on Anderson Rd. Keiser suggested that the board send it back to the planning commission. The developer can possibly get an easement from a neighboring property owner. Urman feels that the developer should revisit the setbacks and get 50ft on the east boundary line. Perhaps they could have 9.5ft parking rather than 10ft and have a bigger setback. The density is fine, but he would like to see that corridor protected. Hoffman agrees that a 20ft setback is very small. Jim Kargol noted that the setback isn't as crucial when there is a large road right of way.

Motion by Hoffman to table Case PPUDP22-02 and send it back to the Bear Creek Township Planning Commission for review of the driveway access. 2nd by Urman. **Passed**

Radatovich shared that on August 11th, MSU Extensions will be hosting a joint training opportunity at city hall. The parking lot at Kring's was administratively approved. The domestic farm standards were discussed and the Planning Commission decided to leave it.

Fire Department Report- Memo from Welsheimer

Welsheimer's memo reported the following training: an EV training in Gaylord, a pump relay training with ladder, and a water rescue at Round Lake. They had 4 EMS calls and 36 fire calls, and installed 8 smoke detectors.

Parks and Recreation Report

Keiser explained that the recreation meeting was canceled for August, and they will meet again after Labor Day. They will be starting to discuss the water trail, and we will be seeing a proposal for the Spring Lake Park upgrades.

Correspondence

Keiser noted that he received a letter from the Walloon Lake Association. They are asking that if they find invasive species on our property, that they could eradicate it. The treatment would be about 24 hours and then people could swim again. We can make a condition that we have prior notice, so that we will know if we need to close the park. The board agreed. Mark Hoffman noted that their next scheduled spray date was August 8th, but he was unsure if they were going to do that or not.

Clerk's Business/Bills- Report by Radatovich

Radatovich reported bills in the amount of \$327,592.21

Motion by Radatovich to pay the bills in the amount of \$327,592.21. 2nd by Golding. **Passed**

Radatovich shared that we will need to make an amendment to the Parks and Recreation budget for \$66,300. This primarily is to cover the overage with the Spring Lake Park repairs and new well, but also covers a line item that was mis-budgeted.

Motion by Radatovich to amend the parks and recreation budget for \$66,300. 2nd by Golding. **Passed**

Radatovich shared that the election went well. Precinct 1 had a 36.6% voter turnout and Precinct 2 had a 35.62% voter turnout, which is up slightly from the 2018 August primary. There will be about a three-week break, and then she and Coats will start preparing for the November election.

In addition, Radatovich noted that she has been looking at the possibility of ordering some of the 4-in-1 voting booths (that accommodate four people, standing). It would be nice to have a mix of these booths, plus the sitting booths, to meet a better booth to voter ratio. The board agreed to order four of these booths, two for each precinct, at a cost of \$775.00 each.

Treasurer's Report- Report by Golding

The Treasurer's Report shows a balance of \$10,055,131.92 as of 7/31/22. We will need to move to add the clerk to the St. Francis Credit Union accounts.

Motion by Golding to add Emma Radatovich, clerk, as a signer to the St. Francis Credit Union accounts. 2nd by Urman. **Passed**

Building Department Report

Building dept reports were shared through 7/31/22. Golding noted that the building department is very busy. In addition, she noted that we are having a change in our revenue sharing amount this year.

Sewer Business/Bills

Keiser reported bills for the township sewer in the amount of \$79,947.07.

Motion by Keiser to pay the township sewer bills in the amount of \$79,947.07. 2nd by Radatovich. **Passed**

Keiser noted that the approvals are complete for the Atkins Rd project. The City of Petoskey will be writing a letter stating that they will be able to accept the flow. The Manthei development is moving forward and is being reviewed by the state. Hearthside is adding 81 lots. There was an AT&T cable found going through a sewer pipe near Fochtman Industrial Park. We are waiting to receive our proposal for

lift station #2. In addition, there are projects on the other side of town. We have the proposed project on Anderson Rd. There are also two other developers in very preliminary stages looking at that area. Those would go to lift station #4. We contracted with Gosling Czubak to see what needs to be done to lift station #4. When we had the sewer study done for the Atkins Rd project, the contractor said that the best time for these studies is in the spring. We will need to do a similar study for the other end of town, and HRC sent us a proposal to do that this year for \$40,000. However, we will probably wait until spring for that study. That will tell us if there are any bottlenecks in the city.

Request from the Floor/Discussion:

Jim Kargol asked if the materials for the new fire hall will be publicly posted. Keiser noted that they will be public once we have a formal plan.

Joe Hoffman remarked that it is a service that our fire department provides to install smoke detectors for those who cannot install them. This is a great service to the community.

Craig Lively made a public comment about the library. He explained that a couple weeks ago, he became aware of some books and a book package that was endorsed by the library that had some pretty graphic books in it. He read 10-12 pages and had to put it down. As a taxpayer, he wants to discuss the expenditure of funds. The library is a resource for the community, but he wants to discuss what the library should be focusing on. He stated that “sex is not something the Library should be instructing the public on” and noted that there are probably things worse in that book than the portion he read. He stated that what he is seeing is “a reprogramming of our children” and he does “not think that that is a place for the library to be”. In regards to the film Hoffman was discussing earlier, Lively remarked that when they had film strip in school, they had to have their parents permission. Now, “we have explicit things being sent home to children not necessarily with parent’s permission”. He asked why their taxpayer dollars are “going to the sexual reprogramming of children in our community”. He is requesting that the Bear Creek Township board seriously consider defunding our portion of the library.

Keiser noted that the Bear Creek Township residents voted for the millage two years ago, and it will come back to be voted on again and at that point, the people of Bear Creek can vote it up or down. He noted that there was a library millage elsewhere in Michigan that failed, but that is not necessarily a “defund”.

Tom Gietzen expressed concerns about the library. He has a background of living in the City of Petoskey. He was on city council for 12 years and on the library board for 3 years. He helped rewrite the city charter. He has been seeing newsletters from the library and hearing from his grandkids as to what they are being exposed to. He noted that at the time he was on the library board, “the library director was gay, but we did not have to deal with this stuff.” He feels that schools and the library have become a “center of indoctrination, not education”. He noted that “if they want to get involved with the LGBTQ community, I can come up with several other agendas” but feels it is not the library’s business to get involved with agendas.

Val Meyerson remarked that the public library is here to support everybody in the community. If there is programming someone would like the library to host, she noted that they can discuss that. She asked that individuals bring their concerns to the library board or to her directly. She would like to look at what the library is doing with an honest eye and see how they can serve everyone in the community.

Other Business: None

Adjournment: 8:52p.m.

Respectfully submitted,

Emma Radatovich

Emma Radatovich, Bear Creek Township Clerk