

Regular Board Meeting Minutes

4/20/2021

The meeting was called to order by Supervisor Laureto at 7:30 PM. The meeting was held in-person in the Glen Arbor Township Hall.

Roll Call – L. Houtteman, P. Laureto, T. Laureto, D. Lewis, and J. Pepler were present. Four members of the public were also present. The Pledge of Allegiance was recited.

The agenda was presented. **Motion Lewis, support Houtteman, to approve the agenda as presented. Motion unanimously carried.**

All board members stated they had no conflict of interest with any items on the agenda.

Public Comment: Paul Holthrop asked why the meeting was held in person and he asked everyone to wear their mask properly. He also spoke about the proposed ballot language for the August 3rd referendum and asked why it appeared on the agenda only 8 hours ago. He read a statement from Kathleen O'Brien which said that the proposed ballot language is very different from the local proposal petition language and objected to some of the proposed language and asked the board to consider using the petition language.

Minutes of the 3/16/21 Public Budget Hearing were presented. **Motion Lewis, support Pepler, to approve the minutes of the 3/16/21 Public Budget Hearing. Motion unanimously carried.**

Minutes of the 3/16/21 Regular Board Meeting were presented. **Motion Pepler, support Houtteman, to approve the minutes of the 3/16/21 Regular Board Meeting. Motion unanimously carried.**

Minutes of the 3/30/21 Special Board Meeting were presented. **Motion T. Laureto, support Lewis, to approve the minutes of the 3/30/21 Special Board Meeting. Motion unanimously carried.**

Treasurer's Report – The total cash on hand by Fund as of 3/31/21 is:

General Fund	\$ 881,921.94	Park Debt Service Fund	\$119,976.54
Emergency Services Fund	\$2,928,679.38	Fisher Lake SAD Fund	\$ 54,545.42
GLFD Debt Service Fund	\$ 105,652.81	Tax Collection Fund	\$ 9,210.88

Clerk's Report – The General Fund expenses for the period March 31 – April 20, 2021 were \$26,769.97 and the March Payroll was \$14,849.60. **Motion P. Laureto, support Pepler, to approve the payment of General Fund expenses and payroll. Motion unanimously carried.** The Clerk also reported that the Park Debt Service interest payment of \$4,029.00 is due May 1st and also due May 1st is the principal and interest payment for the Public Safety Building which is \$99,892.50. **Motion P. Laureto, support T. Laureto, to pay the two debt service bills. Motion unanimously carried.**

P. Laureto reported that ESAC had reviewed emergency services monthly expenses and payroll and recommended their payment to the Township Board. The emergency services bills for March 30 – April 14, 2021 which included the final truck payment of \$80,362.46 were \$193,953.54 and the March payroll was \$104,169.16. **Motion Pepler, support T. Lewis, to approve the payment of Emergency Services expenses and payroll. Motion unanimously carried.**

Emergency Services Advisory Commission Report – In DePuy's absence P. Laureto reminded the Board that Dr. Smith from Munson Community Health had presented the concept of a Community Paramedic Program to ESAC. At last week's meeting, ESAC voted to endorse the concept of the Community Paramedic Program with the idea that Chief Ferguson would explore this as part of his 5-year plan.

Fire Chief Operations Report – In Chief Ferguson's absence P. Laureto reported that written and physical agility testing and interviews with 2 candidates were completed last week and both candidates did well. The position has been offered to one of the candidates who has accepted and will begin employment on May 4th which will bring the department back to full staffing before the busy summer season. Chief Ferguson has submitted about \$40,000 of expenses to the new Fire Billing Service. There was a normal number of calls for the month. The department has been consistently going to the Glen Lake School for ALS intercepts and that program is going well. Chief Ferguson has also been meeting monthly with the ISO consultant.

Zoning Administrators Report – Submitted in writing

Monthly Assessors Report – Submitted in writing

Correspondence – The March correspondence is available in the Township Office for review.

Unfinished Business

1. Clerk Laureto said all board members received a letter from a resident which pointed out that there was misleading language in the Minutes from the March 12, 2021 Special Meeting where a non-electric sign was discussed. P. Laureto agreed with the suggested correction and asked for a motion to “**Authorize the Clerk to correct the approved minutes of 3/12/2021 to read ‘It was suggested that the sign should be 4’ X 3’...’ and that those corrected minutes be reposted on the Website and distributed to all Board members.’**” T. Laureto made the motion with support by Lewis. **Motion carried unanimously.**
2. Clerk Laureto reminded the Board that last month she reviewed the Cybersecurity recommendations made by our IT company and indicated she would also review the County’s IT policies and put together an Information Technology Resources and Electronic Mail Policy for Glen Arbor Township. Glen Arbor’s attorney has reviewed the policy and made suggestions which have been incorporated. **Motion P. Laureto, support Lewis, to adopt the Information Technology Resources and Electronic Mail Policy. Motion carried unanimously.**
3. Clerk Laureto reported that from the Park and Recreation Bylaws discussion and information received at last month’s meeting, she learned that a corresponding Ordinance to make the Park Board official was needed. The Park and Recreation Board Ordinance and Bylaws go together and there is a lot of repetition between them. Laureto said the Ordinance allows the Park Board to establish as many citizen committees as they need to help with the work of the Park. The citizen committees will report to the Park Board and the Park Board will report to the Township Board. **Motion P. Laureto, support Pepler, to adopt Ordinance #3-2021 to Establish the Park and Recreation Board.** Discussion ensued. Pepler asked if this ordinance could be used as a template for the Cemetery Committee and P. Laureto said she believe so. T. Laureto said that he was new and talked with Park Board members about having more of a relaxed committee but that he was proven wrong. He said that he is glad we formalized the Park Board so that there is an organized way for them to get their recommendations to the Township Board. **Motion carried unanimously.**
4. Clerk Laureto reported that the Park and Recreation Board Bylaws are set up following the ordinance, but they give more specific guidance and outline both operational and fiscal responsibilities for the board. **Motion P. Laureto, second Lewis, to adopt the Park and Recreation Board Bylaws. Motion carried unanimously.**
5. Clerk Laureto said that last month we agreed to have an annual report published on our website by the end of April. Supervisor Laureto produced an outline of items and she filled in the details. A draft copy was provided for Board member review and discussion. Board members were asked to have any corrections or additions to the Clerk by Tuesday 4/27/21.

New Business

1. Supervisor Laureto updated the Board on communication he has had with representatives of American Tower stating that they are looking to extend their lease. He produced a spreadsheet of projected revenue and reviewed it with the Board stating that the tower currently generates revenue of \$60,000 per year. American Tower wants to extend the lease agreement to 2067. There is a one-time lease signing bonus offer. Laureto said he will review all of this with the Township’s Attorney. The discussion was tabled for 30 days.
2. Supervisor Laureto said that Chief Ferguson’s contract requires an annual objective and subjective performance review with input from 5 Township Board members, 7 ESAC members, the Empire Township Supervisor, and the 3 Lieutenants. He reported that the evaluations were very favorable, that he met with Chief Ferguson to review the evaluations and talk about challenges he had over the last year. The major challenge faced by Chief Ferguson over the last year was COVID-19. Laureto said that Ferguson rose to the occasion. There were a lot of man hours and expenses related to the pandemic that needed to be managed. He had the challenge of managing the scheduling while being down one employee due to retirement and having one employee gone on national guard duty for 3 months. Laureto also review Ferguson’s accomplishments saying that he displayed leadership during COVID-19, he addressed the needed repairs of the equipment stating that all inspections and maintenance are now current, that he maintains rigorous safety and training regimes, that ESAC is very happy with his

performance. Additionally, Ferguson maintains good moral among the employees as evidenced by very low employee turn-over. Laureto said that he is happy to report that we have a very competent Fire Chief that is well respected in the Township and County. **Motion T. Laureto, support Lewis, to increase Chief Ferguson's wage to \$92,500.** Discussion ensued. **Roll call vote. Voting aye: P. Laureto, T. Laureto, D. Lewis, J. Pepler; voting nay: L. Houtteman. Motion carried 4:1.**

3. Clerk Laureto said that Race Day Events has asked if the Township will let them hold their annual June 19th Summer Solstice Race and that she is bringing that question to the board. Board members said with COVID-19 it is too soon to allow such events with the large number of participants it attracts.
4. T. Laureto said that P. Laureto was the Township Board Liaison to the former park commission and that he is nominating her to continue in that role. **Motion T. Laureto, support Lewis, to appoint P. Laureto as Township Board liaison to the Park and Recreation Board. Motion unanimously carried.**
5. Supervisor Laureto said that our counsel has prepared ballot language for the August 3rd rezoning referendum. The Township Board must approve the wording so that it can be sent to the County Clerk, certified, and ballots printed. The wording was transmitted to us earlier today and all Board members received a copy. **Tom Laureto motioned to approve the August 3rd ballot wording to read: "A rezoning request was approved by the Glen Arbor Township Board on February 16, 2021, to amend the Official zoning Map of Glen Arbor Township and which rezoned 1.07 acres of property located on M-22 North of Crystal View Road owned by Charles and Emily Booth and formerly known as the Brammer Property, Section 23, T29N, R14W, tax number is 45-006-123-010-00, from Residential 2 to Recreational. Shall this rezoning be approved?" Secinded by J. Pepler.** Discussion ensued. Clerk Laureto addressed Mr. Holtrop's public comment of why the ballot language is different from the proposal language stating that the language is determined by the Township Board and it must be written as a question that can be answered with a yes or a no. She explained that counsel returned the wording today and so it was added to the agenda. Houtteman said that only having the language for 8 hours was a problem especially since the meeting was not able to be held by ZOOM. Houtteman wanted the Township attorney to go on record and state that the wording is fair and legally sufficient and that it meets zoning requirements. Supervisor Laureto responded that it is implied as he is an accomplished attorney. Pepler said that the wording must be a yes or no question and that the proposed wording clearly meets that requirement. Lewis said that the language is nothing but factual statements. Houtteman argued he did not like the language. Clerk Laureto reread the proposed ballot language and asked Houtteman what part of it is factually incorrect. Lewis responded it is 100% factually correct and he believe it contains all the information that is normally required. Houtteman said that because it states the Township Board approved the rezoning that some people might agree on that ground alone and he said it should be stated why this is an issue being voted on. Lewis pointed out that it's a referendum vote and the nature of a referendum is that some people don't agree with the board's decision. Twice Treasurer Houtteman stated he believed there would be a lawsuit over this. **Roll Call Vote to approve the ballot language as written. Voting aye: P. Laureto, T. Laureto, D. Lewis, J. Pepler; voting nay: L. Houtteman. Motion carried 4:1.**

Park Board Report: none

Planning Commission Report: J. Pepler reported that due to COVID related changes that occurred the day before their meeting and which affected the way meetings should be held their meeting was cancelled.

Public Comments:

Larry Ayote asked if the ballot language can change to remove the Booth and Brammer names.

Paul Holtrop thanked Clerk Laureto for her work on the petitions and for being straightforward and honest with him. He stated that he would have liked the LOGA attorney to have had more time to look at the ballot language and prepare comments. He said there are concerns that the language is prejudicial and the language on the ballot is much different than on the referendum proposal.

Joe Gilroy from the Leelanau Enterprise asked if there is a way to word the ballot language without stating that the Board approved it?

Board Member Comments:

John Pepler commented on the Glen Arbor Cemetery stating that he will be meeting with Tom Ulrich later this week to figure out a way that the downed trees from the 2015 storm can be cleaned up. Also, they will work on figuring out a

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Pam Laureto, Clerk

Lee Houtteman, Treasurer

Donald Lewis, Trustee

John Pepler, Trustee

specific easement route so that the Township can access the cemetery. Part of discussion will be making the access route ADA accessible.

Pam Laureto addressed the reasons for tonight's meeting being held in person stating that the State Government did not renew Open Meeting Act changes to allow for ZOOM only meetings. In person meetings are now allowed with as many people as can be accommodated with 6' social distancing. If the County enacts a State of Emergency at their meeting tonight as expected, then we may be able to return to Zoom until that order expires.

She informed the Board that the Township's yearly audit will begin on May 24th with most of the work being completed by the 2nd week in June.

Lee Houtteman said he will be looking for fact patterns in rezoning referendum wording.

Don Lewis said that there has only been one time in the history of Glen Arbor when there has been a referendum to challenge a decision the Town Board made regarding zoning and that was back in 1987 and involved the Homestead Golf Course.

Lewis said the language that is put on a petition does not necessarily mirror the language that is necessary on a ballot. We recently had a petition and ballot language to change the Park Commission to a Park Board. He recommended that Mr. Houtteman could look at both of those.

Supervisor Comments:

Supervisor Laureto said that Townships are in a unique position to be the closest to the citizens which is a good thing. It also makes the Township Board vulnerable because we can be questioned on any item and we are obligated to hear people and try to answer as best we can. If we were a city of a village there would have been greater restrictions on whether a referendum like this could even go forward. So, we are facing the obstacles of a small township. It does not help when people are questioning motives, saying there is bias or that language is prejudicial. It seems that we are doing a good faith step with the best diligence we can. We are not trained attorneys, so we defer to our attorney, the County and the State and their deadlines. We are working within that framework. We are being as objective as possible. It does not help the situation when people raise the idea of lawsuits and other threats and ugly language appears in the newspaper when describing events. There is no basis for attacking people's reputations and it certainly especially unseemly for a small township where we are very close to our residents and we are working hard to serve our residents. To start ascribing suspicious motives to the people here is unseemly. He is hoping that we can proceed forward to this election in a more civil manner as he thinks there are people who are getting hurt.

J. Pepler motioned to adjourn the meeting, seconded by Lewis. Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Pam Laureto
Township Clerk