

## Regular Board Meeting Minutes

7/20/2021

The meeting was called to order by Supervisor Laureto at 7:34 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. Chief Ferguson and 41 members of the public were also present. The Pledge of Allegiance was recited.

The agenda was presented and amended. **Motion J. Pepler, support D. Lewis, to approve the agenda as amended. Motion unanimously carried.**

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

Public Comment:

**Larry Widmayer** – Owner Glen Arbor Bed and Breakfast and he represents the Board of the Glen Lake Chamber of Commerce and their opposition to the proposed zoning amendment to allow single-family residential in the business district. The points he wanted to make have been presented to the GA Planning Commission and also the Leelanau Co. Planning Commission. He said, first, we recognize that the Sleeping Bear National Lakeshore has brought a lot of visitors and it has also caused a great limitation on the land available that could be used for future business development. Research has shown that walkable communities achieve success by having a diverse offering of businesses concentrated together and Glen Arbor risks losing its strong commercial presence if we start dividing the business district up between residential and business. We are concerned that there could be a conflict of attitude if you will between a single-family homeowner looking for quiet enjoyment and the businesses that thrive frankly on excitement and action. Commercial property is limited, and some properties are hard to develop but these properties can help existing businesses to expand, address potential future parking issues, or may be developed. We want to point out that the 2019 Master Plan said that to preserve adequate land that is well suited for business use it is important that the township keep existing lands zoned business whether they are presently used that way or not. The zoning ordinance permits dwelling units in the business district that can be multifamily or mixed use with residential above the 1<sup>st</sup> floor. We would like to also address an issue that the planning commission had brought up and that is the justification to include single-family residences by right throughout the Glen Arbor Business District as a necessity to aid lots that, by their size, have an unusual hardship for business construction due to well, septic and setback requirements. While the Planning Commission stated they believe a few lots have these specific hardships under the Master Plan, their wholesale solution results in changing the Master Plan through zoning-by modification, nullifying the intent of the Plan. The 2019 plan specifically states that the Plan, Future Land Use Map, and the Zoning Map are all designed to strengthen the function of Glen Arbor as a retail center for tourists. We acknowledge that the Master Plan is a plan, and we also acknowledge that there are exceptions that cannot meet the Plan's intent. But we do not believe that a wholesale change to the Plan is the solution. If anything, the Plan could be modified for the business district to allow justified hardship exemptions on a lot by lot, case by case basis. Many Township's/Cities have such modifications in their zoning plans. So, we oppose this as stated.

**Tina Mehren** – Ms. Mehren asked the board to provide comment or guidance on an issue that has to deal with the upcoming election in particular, but in general, she thinks it's an issue that we might like to hear from you on. She said that there has been a flurry of activity on the internet and social media. She said that certain staff members and board members have a role they are playing which she said is passive and creative activism on-line and that if one reads it, one could construe that it's an attempt to influence an election. She thinks that it is important that the board take up this issue and provide guidance or at least provide a sense for the community of what the board feels is appropriate or not with respect to that type of thing. She said she could provide specific examples.

Ms. Mehren's second comment related to item #9 on the agenda. She wanted to comment before that item comes up. Item 9 refers to an item potentially being posted on-line but does not specifically say what the item is. She said that all of the aspects of Brammer and what's on the ballot have been discussed prior to tonight and LOGA's concern is that anything that is posted could be construed to possibly have an influence on the election. She requested the Board take that into account as they contemplating item #9.

**Kathleen King-O'Brien** – Ms. O'Brien said that on June 22<sup>nd</sup> a complaint letter with regard to violations of conflict of interest was submitted to certain members of this Township Board as well as the Leelanau County Planning Commission and for the record I has received no response from anyone in the Township about that matter. She is aware of item #10 on the agenda that does concern some information. She said she is aware that there may have been a document prepared by the Township's Legal Counsel. She thinks that the Township voters, landowners and people who come to these meetings should have an opportunity to see that document before it is voted upon or discussed by the Township Board. She said that as an exemplar that perhaps the Township could consider following along the path that the County Planning Commission has done which is to provide an e-packet with staff notes and all attachments well in advance of the meeting. She said her concern is that if attorney-client privileged is what is being used for the reason not to provide that document my question becomes, and yes, I'm a lawyer and I'm trying to make this plain language for everyone in this room, my question becomes who is the client? The Township taxpayers pay for the Township Attorney so why would it not be an act of transparency for the Township to provide that information for everyone prior to this meeting. This is our only opportunity to bring it up before you bring it for a vote potentially. Also, I think the Township voters and landowners and people in this room have a right to know about the conflict matter. Ms. O'Brien said she would be more than willing to provide the document for anyone who is at this meeting who would like a copy of the document. There are some grave matters that are addressed there and, for the record, I am all about transparency, integrity, and the truth. That's not what I feel is happening at the Township Board level or the Township Planning Commission level and I really think that those matters need to be addressed. There are conflicts of interest, there is a statute, and it has been cited in my letter saying that failure to disclose a conflict of interest is, prima facie, defined to be that one can be removed from office for malfeasance. And perhaps the Board would do well to hold a public hearing about these matters so that everyone can know what goes on and it can become transparent. Ms. O'Brien also said that she's grateful that the Board segued item #2 off the agenda tonight. Regarding item #3, that the Board intends to put advertising out to find new members, in particular two members to the Planning Commission. But that also relates to who will become a member on the Zoning Board of Appeals because according to section 16 of our Zoning Ordinance the person who is on the ZBA must be a planning commission member. And presently we don't have that arrangement, so my suggestion might be is that we take the time to vet and provide and find proper members for the planning commission who might also serve well on the ZBA. Because under the ordinance language the person must have both planning and zoning experience. She suggested that that the Board consider appointing an interim member. She said that she is not aware if Mr. Plessner has zoning experience or not but if he did or if he was found to be suitable, he could be appointed as an interim member so that the Board could take the proper time to vet someone for this position. She thinks that it's very important for the Township to address the conflicts matter and to be transparent.

**Nancy Mueller** – Ms. Mueller said that regarding the Brammer property, prior to February, the meetings were audio meetings, and they were often hard to hear. Then, in February, a lot of people wrote letters and emails and also called in with public comments that they wanted to have some answers to. However, the board hastily voted in February in favor of the Brammer rezoning leaving residents with no answers. She said that we had asked for a 30-day extension but that was not even given a thought and you all voted for it and I don't know the reason? She said she's been thinking, why would the Board vote so quickly and why wouldn't they have waited 30 days so we could learn more about the project? So, it could be a win-win for everybody because it shouldn't just be a win for the developer and then the neighbors have the lose situation. She also said that there is a Crystal River Overlay that is coming and she thinks that it's the Glen Lake Crystal River Overlay that is going to be coming to the different townships. I was thinking this this the reason that the vote was put in so quickly, so that this Mill project is going to be grandfathered in and won't have to adhere to the new ordinances by the Glen Lake Watershed. I'd like you all to look out for the residents as well as the developers and give the residents a chance to be part of the discussion.

**Paul Holtrop** – Mr. Holtrop said he would like to talk more about conflict of interest and bring up a specific example that was in the letter that Ms. O'Brien sent to the Board. We have information that there is one member of the Township Board who owned a piece of property in the Township and that was then split into 2-3 lots which were more appropriate for residential lots. There is even some information that some assurances were given to owners of those lots that he could get zoning changes so that they would be allowed to have residences in that business district. Mr. Holtrop said he has nothing personally against him and that everybody has to make a living. He said he is not a legal expert, not a real-estate or zoning expert but that dude if that's not a conflict of interest he doesn't know what is. Mr. Holtrop asked the Board to address that conflict of interest now, preferably, because we've already had the Conflict-of-Interest period in the meeting and that was not raised. There are mechanisms for how that's supposed to be done. The person should recuse themselves and other Board Members discuss whether that's a Conflict of Interest. And I would like to respectfully request that that Conflict of Interest be dealt with now.

**Polly Jackson** – Ms. Jackson said she knoww Mr. Lewis is going to talk about the Heritage Trail update and that she's a sub-committee member on that and the word transparency was brought up by a couple of people tonight and it was a light in her head because something happened at that meeting relative to the transparency. She addressed Mr. Lewis saying, I don't know whether you heard that or not but it was brought up a couple of different ideas for the design. One of them was not voted on by the members because it would involve taking down trees on both sides of town. And after a storm no one wants to see that happen. She said that at the end of the meeting, we had the representative from TART there and when we were talking about the public meeting that's supposed to happen sometime in the summer when everyone is here, I asked the gentleman from Prien Newhof and said I think we need to talk about the trees. How many trees have you decided are going to come down? I was surprised and I haven't talked to the representative from TART but she said we don't want to talk about the trees that are coming down. Ms. Jackson said that's not right, I'm sorry, what we are talking about doing is changing the environment of our town. She said the people that do Town planning, the gentleman from University of Michigan, who did his thesis on Pick the Trail Path that you like and he came up with five of them. I had a lot of discussion with him. There is a tree calculator that you can measure the diameter of the tree and it will tell you the value of the tree and other things. What I would like to propose that we think about some of the funds that we have and, maybe those can be part of the funds we get from the COVID fund, to see that there is tree replacement in certain areas.

Minutes of the 6/15/21 Regular Board Meeting were presented and amended. **Motion D. Lewis, support J. Pepler, to approve the minutes of the 6/15/21 Regular Board Meeting as amended. Motion unanimously carried.**

**Treasurer's Report** – The total cash on hand by Fund as of 6/30/21 is:

General Fund	\$ 762,883.98	Park Debt Service Fund	\$ 115,956.31
Emergency Services Fund	\$ 2,868,406.89	Fisher Lake SAD Fund	\$ 52,149.44
GLFD Debt Service Fund	\$ 5,562.88	Tax Collection Fund	\$ 55,473.32

**Clerk's Report** – The Clerk reported that the Township audit is nearly complete and that the head auditor will review it at our August meeting. She also reported that, as of the Board Meeting date, the Clerk had mailed out 398 Absent Voter Ballot Applications, 224 applications have been received back, 224 Absent Voter ballots have been mailed out, and 134 have been returned. A quorum of the Election Commission met on July 9<sup>th</sup> and appointed the Chairpersons and Election Inspectors for the August 3<sup>rd</sup> election. The Election Commission will be holding the Public Accuracy Test on Thursday, 7/22 at 10:00am in the Township Hall. Also reported was that the Network Video Recorder purchased last month has been installed.

General Fund expenses for the period June 16 – July 16, 2021, were \$162,939.10 which included a reimbursement of a delinquent tax check that had been incorrectly deposited into the General Fund and also the first of two payments to the Leelanau Co. Road Commission for improvement to Port Oneida Road done in 2019. The June payroll was \$15,946.55. **Motion P. Laureto, support D. Lewis, to approve the payment of General Fund expenses and payroll. Motion unanimously carried.**

Clerk Laureto reported that the Emergency Services bills for June 9 – July 13, 2021, totaled \$84,952.43 and the payroll for June was \$92,857.70. **Motion P. Laureto, support J. Peppler, to approve payment of the Fire Department bills and payroll. Motion unanimously carried.**

Emergency Services Advisory Commission Report – P. Laureto said nothing to report beyond what will be covered in Chief Ferguson’s report.

Chief Ferguson reported that summertime is busy for the Fire Department, that for the month of June the department had 67 calls and as of today for July they are at 51 calls. Chief Ferguson said that a couple of months ago we had a fire at LeBear Resort and the cause is still under investigation. The Pancake Breakfast was held last Saturday and a little over 300 people in attendance. The Department is having an Open House at the Station this Saturday from 10:00am – 2:00pm. They will have Hot Dogs, tours of the trucks, games for kids, and other things. We are at the time of the year where we review the health care insurance for all the Fire Department Employees. We’ve met with a representative from the insurance company today and we are working on that.

**Zoning Administrators Report** – Submitted in writing

**Monthly Assessors Report** – Submitted in writing

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

#### **Unfinished Business**

1. Clerk Laureto received the Cemetery Ordinance and Bylaws back from the Township Attorney stating that the attorney felt it best that we use MCL numbers making this ordinance a Police Power or Township Ordinance. No other content of the ordinance was changed by the attorney. There were no changes to the bylaws. **Motion D. Lewis, second J. Peppler, to adopt Ordinance #4-2021 Glen Arbor Township Cemetery Ordinance and the accompanying bylaws. Voting aye: L. Houtteman, D. Lewis, P. Laureto, J. Peppler, and T. Laureto. Motion carried unanimously.**
  
2. D. Lewis presented an update on the Sleeping Bear Heritage Trail project. He presented some background information or history of the Trail going back to 2009. He summarized the work of the 2014 Transportation Subcommittee which was ultimately submitted to the Township Board. Then in 2016 the Township Board passed the information to the planning and zoning commission with the charge of continuing to move forward. In October 2017 the Township Board approved a professional feasibility study that provided more detailed information about the concept of the Heritage Trail and things that had to do with public safety, things that could be considered more as sidewalks and certain things to do with speed limits. In 2018 the proposal was sent to the Township Board. In the summer of 2020, the Township Board then signed a contract with the professional engineering firm of Prien & Newhof to move forward with preliminary trail design. We are also working with TART to ensure that design will qualify for available funding. The Board established a small subcommittee to work on this and about a year later that subcommittee was expanded to include a cross section of the community and function as a steering committee. There was a 3-hour meeting with the Steering Committee earlier this month in which many items were discussed. This allowed the engineer to continue to move forward. We are now at about 50% trail design, and we will soon be publishing a press release announcing our plan to hold a Public Information meeting on August 19, 2021 at 7:00 pm.

#### **New Business**

1. The Board addresses three resignations.
  - a. T. Laureto stated he needs board approval to accept the resignation of Pam Lysaght from the Planning Commission and the Zoning Board of Appeals. **John Peppler motioned to accept; D. Lewis seconded. Motion unanimously carried.**

- b. T. Laureto stated he needs board approval to accept the resignation of Bill Stege from the Planning Commission. **John Peppler motioned to accept; D. Lewis seconded. Motion unanimously carried.**
    - c. T. Laureto stated he needs board approval to accept the resignation of Renae Ihme from the Board of Review. **John Peppler motioned to accept; D. Lewis seconded. Motion unanimously carried.**
  2. T. Laureto requested that the Board approve publishing an advertisement to solicit persons interested in filling various committee openings. He stated that there are 2 openings on the Park Board, 5 on the new Cemetery Board, 2 on the Planning Commission, and 1 on the Board of Review. He said we will have a description for each of those positions, each position will require candidates to be an elector in Glen Arbor Township, and we will acknowledge every response that we receive. We hope to have this published in 2 – 3 weeks and then there will be a 30-day opening. **J. Peppler motioned, second P. Laureto, to allocate money for publishing the advertisement. Motion unanimously carried.**
  3. P. Laureto acknowledged that the Board has received a 5-year Plan proposal from the Ad Hoc Cemetery Committee. She stated that since we just approved the adoption of an ordinance to formally establish a Cemetery Board, and since we also need to solicit people for that Board, she thought it would be premature to discuss the proposed plan. P. Laureto said that members appointed to the Cemetery Board should likely bring this to the Township Board. **Motion P. Laureto, second D. Lewis to table the review of the Cemetery 5-year plan until the Board is established for the Cemetery. Motion unanimously carried.**
  4. T. Laureto updated the Board on the American Rescue Plan Act (ARPA) stating there is a larger amount of money that has been allocated for ARPA. Glen Arbor has been allocated \$89,910.00 which is roughly 110 dollars per person that was on the 2010 census. He stated that there are some limitations as to where it can be spent. The Townships first deadline is to respond that we will accept the money. It doesn't mean that we have to spend it but we have to submit the electronic application into the State Treasury who will oversee the program. The application deadline is July 27<sup>th</sup>. Projects that the funds are allocated toward must have begun after March 3, 2021, and end before December 31, 2024. With all bills being paid by sometime in 2026. One half of the money will be transferred to us in the 1<sup>st</sup> year and then the 2<sup>nd</sup> half would be transferred to us the next year. We will have to prove that all the money was spent appropriately, or they will be able to ding us for it. **Motion J. Peppler, second D. Lewis, to authorize the Township Supervisor to apply for the ARPA funds. Motion carried unanimously.**
  5. P. Laureto stated that yearly we have an HVAC technician service our furnaces, humidifier, and air conditioner. She explained that there are 3 furnaces in the basement: two for heating the hall and 1 for heating the office. She stated that they are all now 11 years old and past the useful life for some of the parts. All three furnaces need a new ignitor and flame sensor and furnace 2 also needs a new inducer. The quote for those repairs is \$870 dollars. We also need to order a stock of filters for the furnaces, humidifier, and air conditioner as they are all commercial grade. The total quote including the furnace repairs and a 2-year supply of filters is \$1279.00 dollars. **Motion D. Lewis, second L. Houtteman, to approve the quote as presented. Motion carried unanimously.**
  6. P. Laureto said that there is a tree, planted when then Township did the street scape, that is on the parkway in front of Thyme Inn. The tree has died. She asked for a quote on having the tree removed and the stump ground. **Motion T. Laureto, second L. Houtteman, to accept the quote for \$650.00 to remove the tree and grind the stump.** T. Laureto asked for discussion on if its location makes it the Township's responsibility to remove it or is it the property owner's responsibility. Peppler asked who paid to put it in. T. Laureto answered the Township. Question called. **Motion carried unanimously.**
  7. No Wake Zone sign for Fisher Lake. T. Laureto said that there is some frustration on the part of Fisher Lake residents because people unfamiliar with the Lake's rules go there and ski. It is very clear that there is an ordinance that is different from Glen Lake. The posted ordinance states that there is no fast boating from 6:30 pm to 10:00 am. The Fisher Lake residents have requested that we make the sign larger and

that we post signs saying quite zone. T. Laureto said that he pursued this with the DNR and the Leelanau County Sherriff. He learned that the DNR controls the entire lake including its signage. Both the DNR and the Sherriff who patrols the lake are satisfied with the posted signs and that they are sufficient. T. Laureto said he shared this information with the Fisher Lake association.

8. T. Laureto said that the Board members each received from legal counsel a review of the Planning Commission and Township Board's activities regarding the rezoning of the Brammer property. The 9-page report and its 37 pages of supporting documents describe the historical commercial use of the property, the Township's comprehensive compliance to all the legal requirements, the Township's response to all documents requested under FOIA, the Township's compliance with all the statutory requirements, other concerns that are relegated to the authorities separate of the Township's purview, and allegations of impropriety. T. Laureto asked the Township Board, in a discussion manner, what are some of your conclusions after reading this report.

P. Laureto said that council took quite a while to put together a fairly detailed document which I was pleased to see. I liked the format; it was easy to follow breaking down all of the different activities with supporting documentation for each. She said she was particularly pleased because the conclusions drawn were that the Planning Commission and the Township Board did follow all legal requirements correctly. She recalled that there had been some public input claiming that FOIA wasn't handled correctly, and she said that it was noted by council that all FOIA requests were done correctly. Council also noted that the Township choose not to charge all allowed fees, rather only nominal fees, due to the belief that the FOIA response was in the public good. Overall, she was pleased with the conclusions stating it was factual and straight-forward.

T. Laureto said he was pleased to find that all the steps were done appropriately and in a timely fashion, that we're not here to stall anything, that all the concerns that were voiced early on in this process were addressed. He is pleased that our zoning administrator did an exemplary job, that it was done with all due diligence and compliance with all the legal requirements. There is a point where it is noted that all the criticism is wholly unwarranted. It is also noted that people may not be familiar with the process. T. Laureto said he is proud of the staff and the Planning Commission and how they handled the rezoning issue.

J. Peppler agreed with the previous comments. He was glad to see that the Township Attorney did agree that the Planning Commission and that the Township Board has followed proper procedures and done everything in the proper order.

D. Lewis also was pleased with the report. He thought it was straight forward and easy to follow and that you don't need a law degree in order to understand what is being said. He said that there was no reason for him to repeat the comments that the rest of the Board Members have made but, moving forward he believes it's time to address Ms. Mehren's comments made during public comment. D, Lewis repeated what he believed to be Ms. Mehren's comments and asked her to clarify. Ms. Mehren responded that 1) with respect to guidance it was relative to activism on-line on the part of staff, and 2) in the agenda there is reference to posting the attorney's response on the website. And she stated that her comment was that in light of the referendum vote being two-weeks away that could be construed as interference in some way with the vote and wanted the Board to take that into account before taking action.

Mr. Lewis stated that the Board asked the attorney for this review 2 months ago and we just received it a few days ago. He said that tonight represents the first opportunity for this information to become public record. He feels that because the Board requested this from legal counsel that the board is the client. This is to help us do our jobs properly. He would like to see this document be made available to everyone instantly. It's our decision to decide whether we want to make this public. This is the first time since all of this Mill and Brammer Rezoning started that we can actually defend ourselves. We can answer questions and speak to this issue. He hopes everyone understands how difficult it is to be in front of the audience as compared to being the audience.

L. Houtteman said he feels the same way, that there is nothing in the document that he feels is incorrect, it's pretty straight forward, everything is spelled out, the timeline all seems to make sense. He believes it has been handled correctly.

Mr. Houtteman said that he wanted to know from Ms. Mehren what specifically was out there on social media? What was stated, what do you feel was biased or had a slant on one side or the other?

Ms. Mehren responded that in order to answer she would have to use names. She said that we have two staff members who are activist for the project on social media. Mrs. Thompson who is the deputy treasurer and the recording secretary for the Planning Commission is on Facebook pretty full-time and she has asked her in the public forum if it is appropriate for her as a staff member #1 and as a spouse of a Planning Commissioner whose very actions are being called into question with this referendum, is it appropriate that she is on-line? Her question to the Board is, is it appropriate for Mrs. Thompson to be an activist on-line? In a passive way, she is a friend of mine, but Michele Aucello also did postings in a passive way to raise awareness about the issue. My feeling is that there is a line, and, in my perspective, I don't think that it's appropriate for employees of this body and spouses of Board Members who are interested parties. Do you get what I'm saying? The referendum is calling into question some of the actions of the planning commission and so for that group to be politicking I think is inappropriate. She hopes that the Board can provide some guidance so the community will know if we think it appropriate.

Mr. Houtteman responded that he is not on Facebook. He said that he believes that anyone can advocate for what they feel. He said he would let people have their voice. He said he disagrees with Ms. Mehren and that it's their right to give their opinion.

P. Laureto said that the two individuals mentioned are employees, they are not elected officials, they can be employed at other places as well. We don't have control over that. We have hired each person as an employee. The State has even said that we as individuals are still taxpayers and this Board has chosen as individuals, to not be out there in that public social media forum, we are not trying to push one way or the other, we are very careful against doing that. But for private citizen employees, they are residents here, I don't have a problem with them speaking their mind.

T. Laureto said that regarding the Open Meetings Act, we are required not to discuss any business where the Board is going to make a decision unless we are in the public purview. We can't huddle 3 in a corner and pre-determine what we are going to vote on. So, we are very careful on not expressing our opinion, but we've been more restrictive than that. Mr. Laureto said that what he has observed, at least for myself, is that he's reserved my opinions. People come into the office and they want to know what this is all about. They want to know the background. I've tried to be as generic as possible. But I am allowed to express my opinion. It's been a horrible 3 months. When we have people getting smeared and it's impossible to rebut those lies out there because some journalist wants to sell newspapers it's difficult to rebut that stuff and it's painful. We are seeing people say, why should I be on this committee, if I'm going to be lampooned by some person who rights a letter supposedly representing a lot of people and claiming she wants transparency but she doesn't disclose who she is representing or how much she is getting paid to represent these people. We are being inundated with all this stuff making it very difficult to have a regular conversation. We've tried to toe the line. So, now we have a document, 9-page summary with all the supporting information documents that address all the issues that people have been asking for. It's protected by attorney-client privilege until we release it. What I'm asking is to vote whether we can release this to anybody who is curious to see what is going on. **Motion L. Houtteman, second D. Lewis, that we release the letter to the public and put it on the website. Motion carried unanimously.**

9. T. Laureto said he reviewed the June GA Planning Commission public hearing and meeting and the Leelanau County Planning Commission response which was on YouTube on the County's website. The LCPC had some recommendations that perhaps we should clear up the Conflicts of Interest issue

although some members commented that there was no compelling Conflicts of Interest. Supervisor Laureto said that in his opinion we should have a Findings of Fact on the Single-Family Residence in the Business District issue. He asked to hear from Board members on their thoughts but believes we should send the issue back to the Planning Commission to get more clarity. T. Laureto said he would put a motion on the floor so we could have discussion. **Motion T. Laureto, second J. Peppler, to send the rezoning amendment back to the planning commission to get more clarity with a finding of fact and also more clarity with regard to the Conflict of Interest.** T. Laureto opened up the floor for discussion.

P. Laureto briefly described the memorandum we received back from our attorney in which he indicated he needs another month to do a complete review of all issues. We would want a complete review from him. His recommendation, as we just had in our motion, was to look more diligently at the Conflict of Interest and also to have the amendment sent back to the Planning Commission. She said that from her perspective it is always very important to follow all the procedures correctly for the perception of transparency. And so, I'm happy with the motion.

D. Lewis said that he believes it's time to connect a few dots. He said that he believes that Ms. O'Brien said in the first public comment that she forwarded a letter to the Leelanau County Planning Commission and also that it was specifically sent to three members of the Township Board. Mr. Lewis said it was sent to the Supervisor, Clerk, and Treasurer and that Ms. O'Brien expressed that so far no one has replied back to her in response to the letter. He asked Ms. O'Brien if that is correct? Ms. O'Brien responded in the affirmative. Mr. Lewis asked Ms. O'Brien why she would send the document to three elected officials and not himself and Mr. Peppler? Ms. O'Brien responded it's in the letter. Mr. Lewis responded, "Which is"? Ms. O'Brien said because you and Mr. Peppler may have a conflict of interest? Mr. Lewis said whether we may or may not have a conflict of interest would you please educate me as how it is appropriate to submit this letter to three elected officials and not the other two officials? Mr. Lewis said it doesn't make any sense to him. Ms. O'Brien responded that it's not a legal requirement. Mr. Lewis said he didn't ask if it was a legal requirement. He asked Ms. O'Brien why that makes sense because he's asking her personally in this public forum. He said facts are facts, and transparency is transparency, any information is supposed to be public record or relevant to any of us in this room. Why would it not be sent to everybody?

Mr. Lewis said that secondly, woven into this is everything about conflict of interest. The instant we got that document as a Board we forwarded that to our legal counsel for response. As stated earlier, it takes some time for our counsel to provide the appropriate information for us to consider. He said he was pleased that we received a synopsis to reassure us that he will have his full response back to us for next month's meeting.

Thirdly, Mr. Lewis asked Mr. Holtrop if in the first round of public comment he was accusing him of conflict of interest without mentioning his name? Mr. Holtrop responded that that was not correct. He apologized to Mr. Holtrop for his misunderstanding and said it would be helpful if he just came right and said who he was talking about.

**L. Houtteman motioned, second D. Lewis, to make Mr. Figura's memo available to the public on the website.**

Clerk Laureto said we have a motion on the floor that has been seconded and that should be completed first. The Clerk read the first motion and Supervisor Laureto called the question. **Motion carried unanimously.**

Supervisor Laureto said that there is a second motion on the floor and asked Mr. Houtteman to repeat the motion. T. Laureto opened the floor for discussion and stated that this is a work in progress, that Mr. Figura gave us this preliminary information and he felt it would not be fair to Mr. Figura to put this on the website since it is unfinished.



Clerk Laureto said that she spoke with Mr. Figura regarding that very issue and he welcomed the Board, if they choose, to make the memo public.

Supervisor Laureto called the question. **Motion carried unanimously.**

Clerk Laureto said that another recommendation that was made by Counsel was for the Planning Commission to review their bylaws. **P. Laureto motioned, second J. Pepler, that the planning commission review their bylaws to get them into compliance especially with regard to conflict of interest and including a definition of conflict of interest, and that they take that up at their next meeting. Motion carried unanimously.**

**Park Board Report:** no report.

**Planning Commission Report:** J. Pepler reported that this is the 4<sup>th</sup> year that the planning commission has not met in July and August so there is no report.

**Public Comments:**

**Mary Frixen** – She has lived in Glen Arbor for a long time. She said that back in the 1980's she sat on the Township Board at a time very much like this, a highly controversial subject. Some of you were present and remember it vividly so she has a lot of empathy for what the board is going through tonight. She said she knows what it's like to be roasted and toasted by either side on a controversial issue. She has nothing to do with Facebook but knows there are lots of people who use it to keep in touch with family and friends. After she retired, she had the opportunity to substitute at Glen Lake Schools as a teacher and principle. She spent 3 days of a 5-day term of employment dealing with a young man who was suicidal because of being bullied on Facebook and other social media. That was some time ago and she believes it has become even worse now. She said she thinks it's great that the Board is meeting in the hall and is not jammed into that little meeting room. She requested that the board consider purchasing individual microphones for each member and consider speakers that are pointed toward the audience. She thanked the board for their service.

**John Volk** – He is a resident and registered voter. He asked if the upcoming referendum was an advisory referendum or is it binding. Mr. Pepler responded that it was binding. Mr. Volk continued by asking the board to post an Advertisement in the Leelanau Enterprise letting people know that if they want clarification of the recent controversy that pertains to the Boards actions that they can find it on the website. He believes that since so many people have been impugning the Boards motives and suggesting things, they should know what took place. He said that he couldn't help thinking of the constitution and the bill of rights. The right to confront your accusers. He said that there has been a lot of anonymous information slandered about and he still doesn't know who the officers of LOGA are. He found a website that identified a couple of administrators, but he doesn't know what that means. He would like to know more about the people involved in LOGA and if they're going to accuse people of something that they name them or confront them privately first. He believes that there is a cowardness out there and believes that people need to step up and identify who is speaking.

**Jeff Mueller** – His mother lives on Deer Trail west of Town. His uncle lives north of town where he would be directly impacted by the proposed Sleeping Bear Heritage Trail. He lives in Morristown New Jersey where he is on the economic development advisory board. He believes it is important to have economic development. You have to have economic development for jobs but it's how you develop. He has a couple of concerns. He spent last weekend driving through the Holland Tunnel, through lower Manhattan, and across the Brooklyn Bridge for a family activity. He believes that Glen Arbor is more unsafe right now at peak times than lower Manhattan. There is a lot of business activity at the recreational district, a lot of people crossing the street, there are people driving trucks with trailers through and he's looking at the budget and he sees 3.5 million between an emergency fund and a 700K liquid fund and he thinks we need to do some benchmarking. As of the 2010 census we have 850 people. 3.5 million over 850 people that's 4K per person. What type of investment does Glen Arbor need to make things safer? He believes everyone has their own views about where Glen Arbor is going but that everyone

wants people to be safe. He recommended stoplights or a round-about or some sort of traffic management system. Mr. Mueller said that people live in the residences that would be impacted by the trail depending upon where the trail is placed. If it is immediately on the roadside that's one path. If it's inset 30 – 40 feet it means a resident has to cross not only a trail but also deal with cyclists that go along the roadway. Who will be liable if there is a wreck? He acknowledged a person from the fire department present at the meeting and said he saw a bad bicycle wreck near Pierce-Stocking where the individual was being put into the ambulance. He speculated that he may have been hit by a car and thinks that as Glen Arbor grows, we need to do it the right way. He requested that we check with council as to who pays if someone hits someone on their driveway where it bisects the trail.

**Russel Meyer** – He does not want the trail going in front of his house. He said it's private property and he'll put up a fence and do anything to stop it.

**Nancy Mueller** – I want to talk about the Heritage trail because Glen Arbor really does have a terrible problem with the bicycles. She said that before we build more trail, we need to deal with what's going on in Glen Arbor. People run the stop sign when they're on their bike. We almost have to decide, do we want to make one side of the road just a bike trail and get rid of parked cars? Right now, little kids have nowhere to ride along roads and get out to the trail at Forest Haven. It's dangerous and now we are talking about adding more bike trail. Originally it was supposed to go up Northwood Drive but they squawked about it apparently and they don't want it on Northwood Drive. But that is a county road and it could go up Northwoods Drive and connect right there by the marina. And the trail is already in to go to the Homestead. So, it really could go up Northwoods Drive and not go up M-22. Ms. Mueller asked if people are indemnified, like homeowners if someone does have a wreck on a bike trail. Is the homeowner indemnified from the bike trail going across their property with an easement? Ms. Mueller said that as far as the trees coming down, Russel applied for a permit to widen his turn around because it's kind of hard for him to back up out of his driveway and get turned around. Robyn Schmidt with the DEQ, which is now EGLE, said absolutely not. He could not cut down one tree or widen his driveway in any way. But then they want to take down all these trees for a bike trail and he couldn't even make a turn around. I wish they would look at Northwoods Drive and I also wish that Glen Arbor would look at the situation right here in town which is critical.

**Russel Meyers** – You should see these people. They don't stop for stop signs. The police dept. could give out a lot of tickets by sitting there and watching those people riding their bikes and crossing the street without stopping.

**John Volk** – We live on Forest Haven Drive. We've had property there for 20 plus years and nobody even notified us that they intended to add a bike path. It can be problematic with large families yelling and screaming at one another and riding across the street. There are safety issues here. Another thing is young mothers walking with strollers down by the highway on the way into town. It's crazy. But also, to our friend from Morristown New Jersey, he needs to come here in February. You can shoot a cannon off and not hit anything. We are really talking about a six-week peak season and then probably four weeks on either side of that where you have bicycles and so forth. So, it's a really difficult problem but I think that just casting that off to the not-for-profit Heritage Trail group the community here needs to step in and be more active in managing.

**Harvey Warburton** – He is disappointed that the Township Board didn't pay more heed to the point that was raised by Tina which is possibly being seen as trying to influence a matter that's been put before the electorate. And everybody has their own opinions and their own reasons for voting yes or no on the referendum. Another point is that the Township's Attorney has concluded that it was handled properly as I understand it. That doesn't mean that's necessarily the end of the story. We all know that in many cases there are attorneys that argue this side and attorneys that argue the other side. And so, the Township is choosing to publicize the opinion of the attorney that is arguing this side which very well might be right. He said he doesn't have a clue personally, but he thinks that the point of getting involved in that way should be given more serious consideration. In that same vein, Tom, you know this because I've said it to you personally, I was really disappointed that the Zoning Administrator got involved in what looked like disrupting the process of collecting petition signatures for a matter to be put before the electors. He thinks that process is vital to all of us and it's really important. Mr. Warburton said it bothers him that the Township would authorize that kind of behavior, that this is far more subtle, but it still seems

to be along the same line. He asked the question, if the attorney had given a different verdict on the process and the way it was handled would you be posting it?

**Jeff Gietzen** – Eleven-year resident and eleven-year business owner. Specific to agenda item #3, he asked the Supervisor as a point of clarification, for the advertisement for the various positions. He said he is particularly interested, if I have the opportunity, in serving on the Planning Commission and was wondering when, if the advertisement comes out, will that be given a time frame that would allow those people to join the planning commission for the September meeting time frame? So, I want to know if you have the time table and will the advertisement speak to that.

**Paul Holtrop** – He's a founding member of LOGA, he's the treasurer of LOGA, and he makes no secret of that. He is on social media. He does not like personal attacks and in his comments whether on social media or in letters to the editors of publications, or letters to residents, he has not made personal attacks and he does not like making personal attacks of Township Officials. He said he understands that Board members have a tough job to do, and he understands that it's tough to defend yourselves. He said that Board members are public officials and when you make decisions the public has a right to disagree with those decisions. That should not be seen as a personal attack. He would love it that when he brings something up it is responded to not in a personal way but with facts. For example, the conflict-of-interest thing that was brought up. He did not name the Township Board Member because he did not want it to be a personal attack. He said that if he is wrong in what he said then tell him that he has the facts wrong. Show me I have the facts wrong. If I'm right in what I've said, then tell me why it is not a conflict of interest. It's not about personalities, it's about what has happened. He said we seem to have a problem with getting attorney's documents in. It takes a long time for them. Mr. Holtrop said that at a meeting 2-3 months ago he made a comment about the attorney because just the morning of that meeting, he had gotten in the ballot language. Mr. Holtrop said that did not give our organization time at all to respond to the ballot language and we had some complaints about it. And now tonight this attorney's report is accepted about the Township Boards actions regarding the Brammer rezoning. Thank you for putting it in the public record but I wish it would have been done a month ago. If you could get your attorney to be a little more prompt. I would like to remind you that you and the public are the boss of the attorney. This is the second time that I believe our organization has been disadvantaged because it took a long time to get the report back. We have no opportunity to respond to that report in a public meeting before the referendum which is two weeks from today. Speaking of facts, we have this referendum in two weeks and some facts I would love to see explained is 1) the Township Zoning Map as I looked last week shows the Mill property and the Brammer property as residential. It has shown that since 2007 when Township Board Minutes and Township Planning Commission minutes, Leelanau County Planning minutes and a public notice in the Leelanau Enterprise all show that the Mill was changed from recreational open space to residential zoning. And from 2007 until 2021 the zoning map shows that. He believes the zoning administrator's decision to ask the planning commission to approve a finding of fact that the mill was indeed zoned recreational is incorrect. His evidence for that was a so-called Scribner's error for which there is no hard evidence. Further evidence for that was based on phone calls to two individuals asking them to recall what happened 14 years ago. He thinks it's not a great thing for Township Government to be giving more credence to two phone calls about an incident that happened 14 years ago vs. events that are recorded in writing in Township minutes. Those are facts I would like to see responded to at some time. These are not personal attacks on the Zoning Administrator or the Board. He said he has legitimate questions about facts.

**Polly Jackson** – She agrees with Mr. Lewis's assessment of the due diligence which was done on the different committees and as a member of the SBHT subcommittee she received a lot of documents that went way back. She said there really was a lot of effort put into doing the right thing for the community. I don't know that our committee we can only put the information out there and get public opinion. I'm hoping that it's an opportunity for the public to see what this has been. She also spoke to the information that was sent to the Leelanau County Planning Commission about the November 5<sup>th</sup> meeting that was held when the GA Planning Commission approved that and it went up there to the Leelanau Planning Commission. Those minutes are available on their website, and she remembers because she's looked at them so often that it's on page 4 where Trudy Galla, Mr. Miller, and Mr. Nixon all made comments relative to that they can't decide this issue about the zoning because they had no record that the mill was zoned residential. As a matter of fact, it was on a document listed with all of what became Woodstone past parcel numbers that all those got reverted to R2 designation and it doesn't mention

the tax parcels of the mill specifically but it does give the address. There are a couple of hundred of those listed on a document and it's the 2<sup>nd</sup> from the bottom. So, what I see, it's my personal opinion, is that Mr. Cypher did a really good job of creative writing and the planning commission recommended that everything go back to the Leelanau Planning Commission. That information, they made that recommendation two weeks later on November 24<sup>th</sup>. And what happened is that we heard nothing until the vote was made on February 16<sup>th</sup>. But during that time, FOIA requests went out by an attorney for information and documentation which this board could never find. And we were told that you searched the attic and you worked hard. But Mr. Laureto, hard work doesn't cut it. You have to have documentation and findings of fact and I think that's the whole issue about the referendum. Ms. Jackson said show us the proof and we will believe you, but you just don't have a zoning administrator who wasn't even our zoning administrator at that time provide a creative writing spreadsheet. I'm sorry. The other thing is that relative to item #10, she asked for a copy of that review and Mr. Lewis made a comment and said that it doesn't say attorney-client privilege and I did receive an email from the Clerk which said that the privilege belongs to the Board and that it wasn't her decision to decide to waive that. Basically, if you had information that was going to go public, and your attorney said it's not attorney-client privilege I believe that should have been given to me. The other thing is that no one here is like taking major notes, and this is being recorded. She requests that this meeting be posted alongside the legal counsel review for item #9 and #10.

**Ken Jackson** – Mr. Jackson thanked the Board all for our service. He said he really appreciates our time. He said we've been talking about conflict of interest. He said when I'm done, the question is would anybody consider this conflict of interest? Or does it look like it might be a little bit suspect? So, we have one of our Board members, Mr. Peppler, who has a couple of lots that he has listed as commercial, divides them into two pieces and makes them not appropriate to be developed as a commercial lot because it's now not big enough. Those two lots are then advertised in an MLS listing with the wording fellow real-estate agent, if any of your buyers would like to build a cottage home on this property the sellers will cooperate and have the zoning changed from business to commercial residential. Now, I don't know how many real estate agents can get that promise done. It doesn't seem to me to be something that many could get accomplished. One of the salesmen used in that transaction was Renae Ihme representing the buyer. Secondly, the Fisher Lake Marina was sold to Mr. Allsworth, Mr. Ihme, and Mr. Anderson. It was the commercial property that Mr. Lewis still owns part of, he just mentioned that earlier, and then on a June 3<sup>rd</sup> motion, Mr. Peppler moved to allow single-family dwellings in the business district. That will affect that piece of property. So, we have a commissioner bringing up a piece of property that goes from commercial to residential which will become much, much, more valuable if this zoning change goes through. Now it may not be illegal, but it certainly looks like it's self-serving. When you're dividing property, selling property, giving assurances of getting the zoning changed and having pieces of commercial property that were essentially unusable except for multi-family dwellings which nobody wants to have multi-family dwellings in Glen Arbor and these people were supposed to be the saviors of saving Glen Arbor from multi-family dwellings. And now they're going to have residential building if this rezoning happens. Again, I'm not saying it's a conflict, it certainly appears to be a conflict and I welcome your comments.

**Becky Thatcher** – She resides and owns a business in town since 1983. She thinks she has really been out of touch. She really appreciated the timeline that Mr. Lewis had given on the Heritage Trail. She's not sure if it started in 2014 and asked Mr. Lewis if he could clarify how that was different than the original Heritage Trail? Mr. Lewis said the concept of the Heritage Trail started in 2009 and there was correspondence of Township officials showing that bike trails, bike paths, safety sidewalks, whatever you want to call them that involved Glen Arbor Township. Mr. Lewis said that to the best of his ability, all the records that we've been able to find show that that started in 2005-2006 where there is correspondence between Township Officials and other agencies that were proposing trails or things that involved transportation corridors in and out of Glen Arbor. Ms. Thatcher said she really appreciates the timeline because she was trying to remember. One thing she said she did remember is that communication around the issue was very good. There were a lot of forms and maps and a communications committee that took place here so that everybody knew what was going on. She thought that was very well done. She knows she has been wrapped up in other activities for the last 10 years. She feels like she's really been out of it. She hopes that we will consider a visual recording of the meetings that can be made available like a lot of the meetings in Traverse City and other places so that if we can't make a meeting or something or you want to catch up it can be viewed. She thinks that the Town will feel a lot more included in things if you could find room in that budget there for something like that type of system. She thinks that the community would feel much more a part

of things and that the communication could be better. One of the things that she does remember is when they were doing the final stages of the Heritage Trail plan there was a special session for a small group of business owners and residents in town and they said, here is proposition A and here is proposition B and which do you feel as business owners would be the safest route to take the trail around Glen Arbor? She said it was an excellent conversation that night. That the line of conversation was very thoughtful and very thorough. She thinks that led to the route going on Northwood Drive and said that even 20 years ago or more that stretch in front of the Totem Shop was potentially ripe with problems, that we've seen them and that is not a place where children should be riding bicycles. Further she said it was never intended to go there. All the people who wanted this Heritage Trail said because they wanted a safe place for their grandchildren to ride their bicycles and we heard that over and over as a justification for the expense, time, and troubles of putting that trail in. We decided that night to take people purposefully around town in a quieter, safer place, and that was the only 2 routes that they were able to come up with and we voted for the safer one. She cannot believe that she didn't know about this, that business people in town have not been included on this information and until there were surveyors out there putting tags on things and out there every day it was like what's going on? She said she couldn't believe that she never heard anything and asked to be include in things like this. When you don't hear anything then it feels like everything is being done by small groups behind closed doors. She hopes for better communications with the community.

#### **Board Member Comments:**

**John Peppler** – Mr. Peppler responded to Mr. Jackson's comments regarding the presumed fact that he believes that I split a piece of property into two 50' wide lots. The reality is that the property is part of the Sleeping Bear Beach subdivision. It was platted on July 25<sup>th</sup>, 1925. He said he is not that old, so he didn't split those into 50' wide lots back in that day. Mr. Peppler said that in all due reality, for me to assist someone, to help them get zoning changed is not unusual if you are the property owner. If a person wants to buy a piece of property and they want to buy the property subject to the change of the real estate zoning. That property owner must be involved as a co-associate with the person who wants to buy it. So, it is absolutely on the up and up, that's the reality. July 25, 1925, I don't think anybody was around here in that point in time. He thanked Mr. Jackson for bringing it up so we could get it straightened out so that historical perspective can be brought to the forefront.

**Don Lewis** – Mr. Lewis commented that because Mr. Jackson included him because of the transactions that took place on his property. He said he appreciated Mr. Jackson's comments and opinion, but he believes them to be inappropriate and misinformed. Mr. Lewis said, number one, that property has been zoned commercial or business since zoning was created in 1960. For 50 years since the original zoning ordinance was created until 2007 our pyramid type ordinance has always allowed single-family residential in every zoning category above itself including business or commercial. For those who want to do their due diligence, the Planning Commission in 2007, different board members, different regimes, different attitudes, etc., they decided that maybe it was a good idea to remove single-family residences from being allowed in the business district. That information is public record. Now we're in 2021 and for several years the planning commission and current members have questioned whether that should have ever been done. The minutes show that for several years the consensus seems to be that maybe it did not prove to be necessary, did not accomplish what they thought it would, and the facts over that time period would appear to indicate that it has caused more problems. He doesn't think that any of the people in the room know any of that history. The Planning Commission made a motion, a public hearing was held, and many of us hear listened to or participated in that process. You know that currently it had been recommended by that board, forwarded to the county, and was in front of us this evening where potentially we could have decided to vote yes or no on that requested text change in our zoning ordinance. We all saw what happened tonight, we have made a decision to send that back for further review. In terms of this, I couldn't agree more, that sometimes facts don't matter, truth doesn't matter because emotionally, perception matters just as much. So, we're talking about conflict of interest, and several people have talked about the perception of conflict of interest. I think we're going to delve into that in great detail, I think we are going to have much more definition. I know that speaking on behalf of this board, this board for the last several years has tirelessly tried to correct that lack of definition. To create definitions for all of the boards, to make sure that the job descriptions and the bylaws are very clear about what is a conflict of interest and what isn't a conflict of interest. Tonight, is an opportunity to admit that maybe we have gotten too casual, maybe we've gotten too comfortable, in just quickly going around the room and saying I don't have a conflict of interest and we move onto the next thing on the agenda. That's probably too casual in this day and age and all your manuals and statutes say that's not really a good way to conduct the public's business.

So, we are attempting to incorporate that, to improve ourself on that, to ask the community to understand and recognize, and support us when we're doing just that.

Mr. Jackson said this is about perception and appearance and with its timing in this issue and it's the fact that J.P. can influence zoning. Mr. Lewis continued saying, no he can't. J.P. clarified that. Sometimes there is tremendous confusion on the part of the public based on perception. That is not how zoning works. Mr. Lewis said he recognizes exactly everything you said which is perception. It's the possibility that somebody else's understanding of circumstances appears to be correct. But it is not correct when it comes to zoning. Mr. Lewis said that 50 years ago when he moved into this community and his friend Fred Ball and he bought the mill from the Longyears who had bought it from the Brammers, that they bought the mill contingent upon the mill being rezoned commercial. That's 1970. So we signed the purchase agreement and moved onto the property and we started tearing it apart and restoring it just on faith because we were told at that time by the owner, the Longyears, we were told by the members of the community, it was a long time ago and everything was done a lot more casual and a lot more simple, that the community was excited for us to buy the old mill, they were excited that it was going to go from being inactive to converted into something that would benefit the community and that we should feel assured that there would be no problem, that the community would decide to rezone it commercial. It took several months for all of that to happen. Now here we sit today talking about the Mill and what its zoned and what it was zoned 50 years ago. When this meeting is over, I'm going to go down and take that map off the wall and burn it because it's been hanging there since 2007 and it wasn't accurate then it is not accurate now. There is a three-ring binder in the office of the township that blows up every single piece of property individual by its property record number and it clearly shows that the mill has been recreational since Fred sold it to Kurus and Kurus had the zoning changed to recreational. The property tax records show that the zoning classification of that property have been resort open space or recreational in its entirety since that time. Mr. Lewis said he knows that there are people who don't believe that there are people who don't think that's true, how many times have we heard tonight that that's not true? I've heard contradictions where our zoning administrator has been accused of numerous things, creative writing, all this kind of stuff. He's not here now to defend himself. You have to understand, and if you care as much as I think you do, please take the time to do your homework, to fact check, to read those records. Some of the things we are making available to you this evening, and I take offense, as somebody asked the question if it appears to be in our favor then obviously, we want you to read it. And whoever said I wonder what you would have done if it hadn't been in your favor? Mr. Warburton said that was him. Mr. Lewis responded that he's not going to comment on that. He is offended by that. He told Mr. Warburton that he knows better that he has been involved in the community way too long, and has served this community in multiple capacities. He said he is embarrassed for Mr. Warburton that he would feel comfortable enough to make that kind of comment. Many in the audience said no, no. Ms. Mehren said to Mr. Lewis that he speaks tonight of a process. We're talking about whether or not Mr. Peppler's situation was self-serving and you said no, no, that couldn't happen because we must follow a process when indeed there was no process followed for the examination of the zoning of the mill when concerned neighbors came in good faith in October, November, December, January, February. I would go on, and on, each month, and what came up to us from the zoning administrator was all the records are there but there is a quote, unquote, Scribner's error. They surely couldn't have meant that. That to us does not sound like a process. That sounds to us like a zoning administrator with a predisposition to... Supervisor Laureto interrupted, saying OK Thank You. Ms. Mehren continued... to put forth a plan that's appealing to the Township in some way. Supervisor Laureto said OK thank you Tina. Ms. Mehren continued saying, we are specifically asking for the process that Mr. Lewis has brought up. Supervisor Laureto said this is Board Comment. Mr. Lewis said he couldn't appreciate that more. Hopefully the tape is going to show that's the position I've taken all night long. We obviously are always entitled to disagree on anything. That's the beauty of it. For my whole life everything I feel I've learned of value, I've learned from people who initially I disagreed with because it forced me to do more homework, it forced me to look at it from their position, it forced me to understand every single thing they were attempting to say. I'm sitting here today for no other reason than to represent that. All of us want a voice at the table. All of us want to participate in the process. All of us want the opportunity to express our opinion, or concerns, our observations. That's part of the reason it takes so long to get anything done. We don't make the laws; we try to follow the laws. We don't determine our proper procedure; we're governed by the statute and the way we are told we are to conduct our business. Mr. Lewis said he believes tonight has been a great night for all of us and he hopes it has been beneficial and worth every bodies time and effort. If not, then there's no reason for us to be here.

**Lee Houtteman** – no comment

**Pam Laureto** – In response to Becky's comment she said that the subcommittee purposely included a member of the business community. Part of that person's job is to bring information back to people that they would be interacting with. Members of the business community belong to the chamber and there is a forum and so nothing was trying to be hidden from you. Things have been in our minutes. We are doing a much better job with minutes than was done 2-1/2 years ago at having thorough minutes and all of that is posted in a timely fashion on the website. So, things are there for people to read. The point of having the upcoming informational meeting is to do exactly what you were asking, to bring people in, to get input from all people in the community. Some of the things that were brought up tonight should be brought up again at that meeting. We have chosen to do the meeting much, much earlier than is typically done when other communities are looking at trail systems. It is often done at 95% completion of the preliminary design, but we are doing it quite early so that there is plenty of community input. Additionally, Northwood Drive is not going to go away. I agree with you that there is a problem on M-22 going North. There is a public safety hazard and part of our job, like it or not, is to try to do what we can to work at public safety issues. So, getting people off the actual highway might be a benefit. And that's part of why we want to look at this and gather input from everyone.

Mr. Warburton asked to say something, and Supervisor Laureto invited him to do so. Mr. Warburton said that his only point was that in his opinion the Township Board should go out of its way to ensure they are not being seen as trying to influence the election. He said it is the Boards job to do what the people want, not to try and influence the people and tell them what they should do.

**Supervisor Comments:** Supervisor Laureto commented on the advertisement for Township vacancies. We will try to be comprehensive in describing what's needed. When we receive the applicant's information, we'll try to have a time table that will be timely and not open ended.

Regarding the documents we received from the attorney, both these items have been voted upon as a Board so now we've relinquished that attorney-township privilege. But until tonight that wasn't relinquished so we couldn't release that. It was for our consideration. We as a group didn't discuss it until tonight. So, there are procedures that get in the way and you may think that we have some devious motives there but we do not.

I'm glad to hear people talk about safety because we are on the same board as far as the safety issues. But the fact of the matter is that we have these two heritage trails that dump onto Forest Haven and pick up again at the Homestead and Glen Arbor is in between. We have to manage around it. Some of these things are out of our control. So, thank you for your attentiveness.

Motion J. Peppler, second D. Lewis, to adjourn the meeting. Meeting adjourned at 10:17 p.m.

Respectfully submitted,

Pam Laureto  
Township Clerk