

Regular Meeting of the Crystal Lake Township Board

1651 Frankfort Highway, Frankfort MI 49635

March 19, 2024

Meeting was called to order by Supervisor Ferris at 7:00 p.m.

Pledge of Allegiance was recited.

Roll Call: Ferris, Northway, Popp, and VanMeter were present, constituting a quorum. Nielsen was absent.

Guests: Zoning Administrator Tom Kucera, Al Popp, Leroy Reed, County Commissioner Karen Cunningham, Cathy Wilkinson, Greg Wright, Martha Papineau, Connie Learnihan, Brenda Sue Webber, Ruth Paris, Deputy Supervisor Jill Marble, Dave Egeler, Tim Paris, Orlin Reed, Tammy Mitchell, Elaine Walton, Bob Long, Steve C., Keelee B., Joshua Toms, Fred McGill

Agenda:

Ferris moved to accept the agenda as amended with the changes listed below. VanMeter supported. All ayes. Motion approved.

- Ferris amended under Financials, add “Removal from bank accounts” resolution.
- Ferris amended to include “Wage Resolution for Deputies” under budget, 13.2.
- Popp amended to move her resignation letter from correspondence to after warrant report.
- VanMeter amended to add “Clerical Staff Assistant Resolution” under Elections.
- VanMeter amended to add “Cherry Capital Connections contracts” under Legal.

Conflicts of Interest:

No conflicts of interest were declared.

Minutes:

February 13, 2024, Public Budget Meeting

Ferris moved to accept the minutes of the February 13, 2024 Public Budget Meeting as presented. Northway supported. All ayes. Motion approved.

February 13, 2024, Regular Board Meeting

Ferris moved to accept the minutes of the February 13, 2024, Regular Board Meeting as amended, after review of audio by Clerk: page 3, ‘Carland said their electric vehicle...’ (addition of ‘said’); page 7, under Budget, ‘Ferris said at least an hour for each of the foundations’ (not functions). Northway supported. All ayes. Motion approved.

March 8, 2024, Special Board Meeting, Open Session

Ferris moved to accept the open session minutes of the March 8, 2024 Special Board Meeting as amended: correction of meeting date in footer. Popp supported. All ayes. Minutes were approved as amended.

March 8, 2024, Special Board Meeting, Closed Session

Ferris moved to accept the closed session minutes of the March 8, 2024 Special Board Meeting as presented. Northway supported. All ayes. Minutes were approved.

Correspondence:

- From UHY Advisors (accounting firm) regarding ARPA funds reporting.
- GFL Environmental contract for 2024 Township cleanup dates.
- Benzie County, 19th Circuit Court, Notice to Appear—Kullenberg Case.
- Pinkerton thank you note to Ferris regarding cemetery administration.
- S. Halliday correspondence on dysfunction of Township Board.
- Nelson family correspondence regarding cemetery administration issues with Ferris.
- M. Short correspondence regarding cemetery administration issues with Ferris.
- S. Halliday letter regarding favorable cemetery administration with Ferris.
- Popp resignation letter (email).
- Long correspondence regarding cemetery administration issues with Nelson.

Stacy Pasche, Benzie Shores District Library:

- The budget hearing will be May 29, 2024, at 9:00 a.m. All welcome to attend.
- New craft and hobby database that can be accessed with library card.
- Upcoming programs: 'Legend of the Michigan Dogman', April 4, at 7:00 p.m. and 'Picking with the Champ', presented by Morel Mushroom Hunter Anthony Williams, Thursday, April 18, at 1:30 p.m. Early registration was highly recommended.
- Julie Morris, Children's Librarian retired, and her replacement will start on April 29.
- Highest circulating library of our size in the State of Michigan.
- Musical garden dedication will be June 22. Time TBD. Donations from the Hagen family.
- A spring 2024, statistical graph of library card holders by municipality was shared. About 75% of CLT residents have a library card.

County Commissioner Karen Cunningham's Report:

Commissioner Cunningham shared her monthly report. She updated to include:

- BoC only had one meeting in March due to absences and spring break. Next meeting will be April 9, 2024. Agenda will be available Friday afternoon.

- At BoC meeting on March 12, 2024, accepted all recycling contracts. The Frankfort location may be moved.
- Forming Ad Hoc Committee to discuss Headlee Amendment. Interviews and appointments happening soon.
- IT person for County has been approved. Counties, hospitals, and schools are at high risk for compromised security.
- Open house for new gym on lower level of Sheriff Department held. Beautiful facility.
- Study session talked about balance of ARPA funds, roughly \$42,000. Various childcare representatives presented proposals including the schools. Cunningham anticipated the issue will be on the April 9 BoC agenda. \$800,000 in state funds was granted for childcare in three counties, one of which is Benzie.
- Networks Northwest working with the BoC to update the County's Master Plan. Cunningham asked the Board to review and share any comments they have. Master plan was broadening to include items that have not been addressed before.
- Cunningham wanted to confirm the Township cleanup day location was at Graceland Fruit, so she could make the City of Frankfort aware.

Fire and First Responders Report:

- Ferris shared the contracts for Fire Department Services and Medical First Response Services were revised slightly, and the cost was lower than expected. Ferris shared the contracts needed to be signed.

Ferris moved to accept the 12-month Contract for Fire Department Services between the City of Frankfort and Crystal Lake Township in the amount of \$108,082.00 to be paid in quarterly installments beginning April 1, 2024. VanMeter supported. Roll call: Northway, yes; Popp, yes; Ferris, yes; VanMeter, yes. Motion was approved.

Ferris moved to approve the 12-month Contract for Medical First Response Services between the City of Frankfort and Crystal Lake Township in the amount of \$40,403.00 to be paid in quarterly installments beginning April 1, 2024, and is not refundable. Popp supported. Roll call: Popp, yes; Northway, yes; VanMeter, yes; Ferris, yes. Motion was approved.

- In his absence, Ferris shared Fire Chief Cederholm's written report and said it was available on the Township website.

Public Comment:

- David Egeler, candidate for Benzie County Probate Judge, who was currently the assistant district attorney, noted probate judge duties were multi-faceted to include probate, district, family, landlord/tenant, and small claims courts. He wanted to bring back sobriety court, allowing people with addiction problems to get very structured ways of working out issues. Current sobriety court is in Manistee. He wants to make the courts more modernized and go paperless. David said his website was www.egeler4judge.com.

- Martha Papineau asked if there was going to be anything done with Township blight issues. She noted areas on Carlson and Airport Roads as well as M-115 near the gateway arch into Frankfort.
- Connie Learnihan asked if the township had a blight ordinance. Ferris confirmed. It was noted the ordinances were under attorney review for enforcement language and the addition of definitive corrective actions. Ferris shared there were past comments from the Board stating cleaning up the blight was discriminatory and was gentrification. Learnihan felt no one was accepting responsibility in moving forward, and wanted to know what she could expect from the Board.
- Sue Webber shared the seven, used travel trailers and piles of debris on the property were not just blight but a hazard. She knew some cleanup was done in the past, but trash and debris had doubled. The ordinance needed to be enforced and, if a public complaint was necessary, then that could be done. Do not need this mess with summer season coming soon.
- Joshua Toms agreed with Sue Webber and said the blight problem brought him to the meeting. This did not happen overnight. There were chemicals, volatiles and other combustibles on the property. He felt it was an obligation of the people of this community to help, as it was obvious their socio-economic situation appeared to support the need. There should be money in the Township budget to assist. He would be glad to help physically, and noted a heartfelt and accommodating manner would be better than legal proceedings. He asked if we really needed another committee or was there some sort of general allowance to streamline rather than go through red tape.
- Leroy Reed shared the property was divided among family members into four parcels. A friend of the owner has a garbage service and dumps on the property daily. Leroy was on the property last year and had a buyer for the property, but another individual interfered with that sale. This interference prevented a cleanup that would have been already started.
- Ruth Paris knew the owner and also wanted to see the offer of heartfelt help. She suggested building him a home through Habitat for Humanity. Threats of legal action would not address the issue.
- Northway suggested a committee be formed to develop solutions to the blight issues. He noted it was a sensitive subject but something needed to be done.
- Ferris asked Popp and VanMeter if they had any comments. They did not at the time.
- Tom Kucera shared the Township attempted several years ago to bring together the County, Sheriff Department, Health and Building Departments, the prosecuting attorney, and even Benzie Area Christian Neighbors. Building Department toured the property but won't issue any citations. The Health Department has red tagged the property but will not enforce. He appreciated everyone's comments and the eagerness of the public in attendance. It will take a strong leader to initiate and write letters on this issue. Kucera shared he will not go into property without police support. The property has been used as a dump for decades and most likely there is hazardous waste on the site. He supported some type of steering committee. The ordinances currently were

not strong. It will cost a lot of money to clean up and wondered from what source. Kucera noted the cleanup cost was more than the property was worth.

- Ferris shared there was huge support when the property was cleaned up before, which the township funded. There have been talks with property owner to move to a safer place. Ferris recommended taxpayers get a petition and bring it to the Board.
- Tim Paris asked Egeler if the Board could issue a cease-and-desist order to stop the hauling of garbage. Ferris asked him to put that in writing to the Board.
- Ferris asked if the audience felt their concerns were heard. Papineau said it had been brought up before, and it just got swept under the rug. Papineau also addressed the Airport and Carlson Road properties and felt something should be done before those areas become as bad as the property by the Gateway.
- RE: Rommell property—Tammy Mitchell knew the family and agreed it's not a safe place to enter.

Financials:

- Popp presented the monthly Financial Reports. There was no discussion.

Popp moved the Board accept the Post-Audit Payroll Expenditures for February 2024 in the amount of \$26,203.57. VanMeter supported. Roll call: Ferris, yes; Northway, yes; Popp, yes; VanMeter, yes. Motion was approved.

Warrant Report:

VanMeter presented the warrant report for approval, as amended, to include the General Fund total of \$7,458.64, the Cemetery Fund total of \$860.04, and the Fire Fund total of \$29,378.76. Popp supported. Roll call: Popp, yes; Ferris, yes; VanMeter, yes; Northway, yes. Motion was approved.

Budget:

- Ferris discussed budget amendments needed and asked if the checks that were printed for this month were included in QuickBooks. Ferris found slight overruns in the General Fund budget and questioned whether amendments should be done now, or at a quick Special Meeting. Board agreed by consensus to schedule a special meeting.

Popp moved the Crystal Lake Township Board authorize removal of Brooke Trentham-Popp, former Township Treasurer, from all Township bank and depository accounts, effective March 20, 2024, and all other signing persons remain the same. Seconded by VanMeter. Roll call: Ferris, yes; Northway, yes; VanMeter, yes; Popp, yes. Motion was approved.

Treasurer Resignation

- Ferris shared that an email was received on Wednesday, March 13, 2024 from Treasurer Popp stating she would be resigning from her position as Treasurer and CLT Frankfort City-County Airport Authority representative, effective immediately. She was hired as the new Airport Manager and thanked the residents of Crystal Lake Township for the wonderful opportunity to serve them and wished everyone the best going forward. Ferris explained the resignation did not take effect until the Board voted to accept it.

Ferris moved the Crystal Lake Township Board accept the resignation of Treasurer Popp. Northway supported. Roll call: Ferris, yes; Northway, yes; VanMeter, yes. Motion was approved.

- Ferris shared that Brooke was very smart and very good with numbers. She had done many extra things for the community and gone the extra mile. Ferris thanked her for her service and wished her good luck.

Note: As the Treasurer's resignation was accepted by the Board, former Treasurer Popp left the meeting. A quorum was still met with three voting Board members remaining.

Committee Reports

Airport:

Ferris asked if anyone had questions about the airport. There were none.

Budget:

- Ferris presented budgets for the General Fund, Cemetery Fund, Road Fund, Fire Fund as well as the General Appropriations Act. Ferris read portions of the Appropriations Act. Ferris shared the Budget totals for 2024-25 fiscal year:
 - General Fund - \$447,100.00
 - Cemetery Fund - \$71,350.00
 - First Responders - \$135,000.00
 - Road Fund - \$25,000.00
- VanMeter corrected under "estimated revenues" the amount to be shown as 0.5000 mil and the millage rate be shown as 1.000 mil. She questioned where the Fire and First Responder expenditures figure came from. When added together the amount was \$148,485. Ferris and Marble explained there were leftover funds that will be carried forward. VanMeter amended Section 12, first sentence, as follows: "fiscal officer" instead of "financial officer."

Ferris moved the Crystal Lake Township Board adopt the 2024-25 General Appropriations Act and Budget Resolution, with the four budgets, as amended. Northway supported. Roll call: Northway, yes; Ferris, yes; VanMeter, yes. Motion was accepted.

- Ferris shared the deputies and support staff wage resolution was an adjustment in salaries to keep the amount in line with other similar positions.

Ferris moved the Crystal Lake Township Board accept, as of April 1, 2024, the hourly wage of \$20.00/hour for Deputy Supervisor, Deputy Treasurer, and Support Staff (B&G/IT). VanMeter supported. Roll call: VanMeter, yes; Ferris, yes, Northway, yes. Motion was approved.

Cemetery:

Ferris discussed the hiring of the Groundskeeper, Sexton, and Foundation Installer for the cemeteries. The current Sexton was raising rates by \$100.00 per burial. Ferris shared the Township developed and published an updated job description/contract and advertised for the job. The only applicant was Robert Wilkinson.

Ferris moved the Crystal Lake Township Board approve both the hire of Robert Wilkinson as the Sexton and Foundation Installer, under terms in contracts, and adopt the 2024-2026 Sexton burial fees at Crystal Lake cemeteries East and North. VanMeter supported. Roll call: Northway, yes; VanMeter, yes; Ferris, yes. Motion carried.

Ferris shared the job description of the groundskeeper and the three packets from interested parties. Ferris shared the township had been paying \$19,400.00/year for groundskeeping. The bids received, for the three-year contract, included Crystal Clear Landscaping and Lawn Maintenance at \$19,800.00/year, Hospenthal Outdoor Service, LLC. at \$24,000.00/year, and Zach's Lawn Maintenance at \$25,233.95/year.

Ferris moved the Crystal Lake Township Board authorize the hire of Crystal Clear Landscaping and Lawn Maintenance at \$19,800.00 per year (3-year contract) and the hourly rate per schedule for non-contractual tasks included with their proposal. Northway supported. Roll call: Ferris, yes; VanMeter, yes; Northway, yes. Motion approved.

Ferris shared a resolution/contract for the Cemetery Administrator position. Ferris said she had been working as Administrator for over 12 years and had never been compensated. Ferris felt the Cemetery Administrator should be compensated at a rate of \$14,000 per year. Without compensation, Ferris will no longer be performing this task and, by default, it will fall on the Clerk.

Several in the audience commented out of order, and Ferris informed them they would have to wait until the Public Comment time. Members of the audience strongly disagreed because the discussion of Cemetery Administrator brought them to the meeting. Complaints about incorrect burials of their family members were aired. Ferris pointed out their burials were handled through Jowett Family Funeral Home. Ferris noted she was enforcing the rules contained in the Cemetery Ordinance that had full approval of the Crystal Lake Township Board.

Ferris moved the Crystal Lake Township Board approve the hire of Ferris as the Cemetery Administrator for CLT Cemeteries East and North for an annual salary of \$14,000.00, effective April 1, 2024, with a 2-week notice of termination by either party if either is dissatisfied. Northway supported. Motion was tabled.

VanMeter had difficulty approving any dollar amount for compensation of the Cemetery Administrator position without quantification of duties and time spent. Kucera did not believe Ferris could vote and would need to recuse herself. Ferris shared MTA lawyer information, but it did not specify rules on voting. Northway felt the Board should confirm before bringing it to a vote. Motion was tabled until the next meeting.

Ferris shared documents showing her responses to the letters from individuals who were unhappy with Ferris' cemetery administration. The responses showed she was patient, polite, and regretted the mistakes that happened.

Cleanup Days:

Ferris shared dates and location of CLT cleanup days had changed to Saturdays, May 11, 2024 and August 10, 2024 at the Main Street location of Graceland Fruit. The location changed because CLT was informed a completed application was required for the FAA and MDOT, including a 90-day advance clause.

Ferris moved that in 2024, with Brian and Sondra Halliday in charge of operations, the revised dates for Cleanup Days were changed to May 11, 2024, and August 10, 2024, at the Graceland Fruit parking lot. Northway supported. Roll call: VanMeter, yes; Ferris, yes; Northway, yes. Motion carried.

Elections:

- VanMeter shared CLT had 38% voter turnout for the February Presidential Primary.
- Several new Election Inspectors were trained, and CLT has a pool of 25 Election Inspectors from which to choose.
- County Board of Canvassers approved CLT election results.
- There will be a FEAS school millage renewal election on May 7. Absentee applications were sent, and ballots will be sent a week from Friday.
- There was a lot of concern regarding the cost and low turnout for the nine-day, early voting (EV) period. CLT had 42 electors vote during the EV period, and the countywide (13 townships) turnout totaled 484. County Clerk Tammy Bowers checked the feasibility of a countywide site, but nothing was available. For the August and November elections some townships will be grouping together but, due to various reasons, CLT decided to continue EV independently.
- The Primary Election will be August 6, 2024, with EV July 27 through August 4, 2024.
- The General Election is November 5, 2024, with EV October 26 through November 3, 2024.

- The Election Commission will meet Friday, April 5, 2024, at 10:00 a.m., to perform public accuracy testing of our machines and to approve Election Inspectors for the May 7 election.
- Leroy Reed asked why Crystal Lake Elementary could not be used. VanMeter reiterated the County Clerk had not found a suitable site. Papineau asked if there was only one ballot item for the May election. VanMeter said yes, explained the school would reimburse the cost for the special election, and there will be no EV period because it was optional.

Ferris noted the Clerical Assistant will assist the Clerk with duties beyond those of Election Inspector.

VanMeter moved the Crystal Lake Township Board agree to hire Cathy Wilkinson as a part-time Clerical Staff Assistant at an hourly rate of \$20.00, reporting to the Clerk, effective March 19, 2024. Northway supported. Roll call: Ferris, yes; Northway, yes; VanMeter, yes. Motion approved.

Legal:

The Board received an analysis from the Township attorney about the relationship between the Frankfort City-County Airport Authority (FCCAA) and the Township and concerns regarding employment of Township officials for both entities. The report, subject to attorney-client privilege, was mistakenly shared on the CLT website and then removed. Ferris asked the Board to decide what it considered privileged correspondence.

VanMeter questioned when the Township would get the signed contracts returned from Cherry Capital Connections. Tim Maylone of Cherry Capital Connections told Ferris he would get the contracts to the Township soon. The Township had been waiting since October 2023.

Planning and Zoning:

- Kucera shared his report. An application was received for a RV park and campground on the former the Herban Farm property. The review process will start with the Planning Commission, which meets the fourth Wednesday of every month at 7:00 p.m. The property is currently zoned rural preservation 2.5, and campgrounds are a permitted special land use.
- The Planning Commission reached general consensus on language for a Short-term Rental Ordinance. Once completed, it will be sent to the attorney for preliminary review. After legal review, the PC will forward the ordinance to the Board for the process of public hearings and approval because it is a police ordinance.
- City of Frankfort, Village of Elberta, and Lake Township have all adopted short-term rental ordinances. Benzonia was just beginning the process of a short-term rental ordinance adoption.

Unfinished Business:

- **ARPA Funds:** VanMeter shared the report on ARPA fund expenditures cannot be submitted until after April 1, 2024. She referenced the correspondence received from auditing firm and wondered if the firm would complete the report for the Township.

New Business:

- Ferris shared Benzie County Emergency Manager Rebecca Huber’s correspondence regarding the updated, 5-year mitigation plan. Ferris explained the Township needed to adopt the plan because if there was a natural disaster, CLT would be eligible for FEMA funds.

Ferris moved the Crystal Lake Township Board adopt the 2023 Benzie County Natural Hazard Mitigation Five-year Update Plan as an official plan of CLT. Northway supported. Roll call: VanMeter, yes; Northway, yes; Ferris, yes. All ayes. Motion approved.

- Ferris discussed the procedure going forward to fill the Treasurer position for the remainder of the term. Ferris shared the Board did not need to advertise but could appoint someone right away. The Board had 45 days to fill the position before the County would hold a special election at the Township’s expense. VanMeter said the Township should advertise for the position. A consensus decision was made to advertise for two weeks in The Record Patriot. Ferris and VanMeter will work together on the advertisement. The ad will also include the need for a CLT representative to the FCCAA.

Public Comment:

There were no public comments.

Board Comment:

- VanMeter thanked Brooke Popp for her many years of service as Township Treasurer, noting her organizational skills and financial expertise brought the Township to a higher standard. She personally appreciated her help and support and wished her well as she pursues the new job of Airport Manager.
- VanMeter also noted she works another full-time job besides working as Township Clerk. VanMeter commented boundaries were returning to keep the two jobs as separate as possible. Township communications received Monday through Thursday will not be answered until after 5:00 p.m.

Meeting adjourned at 8:58 p.m.

Judy VanMeter, Clerk and Sondra Halliday, Deputy Clerk, reporting.

Amy Ferris, Supervisor

Date

Judy VanMeter, Clerk

Date