

# Regular Meeting of the Crystal Lake Township Board

1651 Frankfort Highway, Frankfort MI 49635

**May 16, 2023**

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

**Pledge of Allegiance** was recited.

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

**Guests:** Elizabeth Guzman-Shrake, Jill Marble, Al Popp, Johnna Bridges, Commissioner Karen Cunningham, Fire Chief Mike Cederholm, Deputy Clerk Sondra Halliday.

## **Adoption of Agenda:**

- Ferris moved to accept the agenda as amended to include parking lot and lighting under Buildings and Grounds; Under Unfinished Business an update on issues regarding Broadway, Vine, and Linden; and the operating millage fraction reduction should be underlined because treasurer did submit a downloadable document. Northway supported. All ayes. Motion passed.

**Conflicts of Interest:** There were no conflicts of interest declared.

## **Minutes:**

- April 18, 2023, Regular Board Meeting

### Amendments to 04.18.23 Minutes:

- Page 2, Public Comment, “Sondra asked for a majority Board vote in the future for decisions affecting township”
- Page 3, Clerk’s Report, remove MCL references statement
- Page 3, Clerk’s Report, add “Discussion of who pays late payment penalties on credit card and that the credit card finally appeared that day”
- Page 3, Financials, add “Ferris questioned treasurer whether report reflected monies collected or expected to be collected; whether “taxes” included all fees too—how monies collected are reported.”
- Page 3, Financials, add “Ferris wanted to make sure it was a Board decision regarding what ARPA funds would be used for if not for county broadband (no one responded). Treasurer said it can be used for anything in general government.”
- Page 3, Airport, add “Issues with camera and internet reported, so flight data is not verifiable.”
- Page 3, Fire and Rescue, add 2023-24, so we know we’re referring to that specific Fire Fund Budget.

- Page 5, Policy and Procedure, add: Ferris shared Chapter 5 “and asked Board members to come back to the next meeting with feedback. Popp and Nielsen said clerk was not ready to consider it, we should hold off a couple months.”
- Page 5, Roads, add “Nielsen brought up wish for larger parking lot and better lighting.”
- Page 5, Unfinished Business, add “Ferris asked if any document existed saying sales tax could not be legally reimbursed.”
- Page 6, Public Comments, add “Brian Halliday thought it was reckless to hold our taxpayer’s money without a plan.”

Ferris moved to accept the minutes of the April 18, 2023, Regular Board Meeting as amended—upon verification of the amendments by VanMeter or Halliday. Northway supported. Ferris, Nielsen, Northway, VanMeter; ayes. Popp opposed. Minutes accepted as amended.

### **County Commissioner Karen Cunningham’s Report:**

- At May 9 BoC meeting, discussion of strategies and goals for next year.
- If there’s a millage issue on a ballot regarding how voters want the money spent, it cannot be bundled with other millages. Discussion to continue.
- BoC discussion on resetting Headlee. It was noted that Headlee figures have varied over the years. Popp stated there is still a need for Headlee as our taxable values continue to increase. Nielsen asked if any municipality in the state of Michigan has ever voted to repeal Headlee.
- BoC is discussing a pilot program for infants in the workplace at the county level. Not a nursery; child is with the employee. There has to be a backup plan for care if there’s disruption in the workplace.
- Public hearing in Frankfort on May 18, 5:00 p.m. regarding golf cart ordinance.
- During the Frankfort City Council meeting, Fire Chief Cederholm received the highest award from the U.S. Coast Guard for his team leadership and responsibilities.
- Per Frankfort City Council, the unnamed alley located adjacent to Grove Place affordable housing will be named “Jay’s Place” in honor of the hard work and dedication of Jay White.

### **Correspondence:**

- Ferris shared correspondence from Benzie County Land Bank Authority Chairman Michelle Thompson regarding grants available for renovation of existing buildings to further the development of affordable housing. Ferris found it difficult to get more information and was told there may not be any funding left for this year. Something to keep in mind for the future.
- Correspondence was shared from Networks Northwest Community Planner Stephanie Marchbanks regarding draft of Benzie County’s Natural Hazard Mitigation Plan. The Township’s review of the draft plan is a Federal Emergency Management Agency requirement to be eligible for federally funded pre-disaster hazard mitigation grant opportunities for five years. There is a public hearing on the draft plan scheduled for May 23.
- Nielsen shared that he received an email from the Road Commission regarding correspondence from Amy Schindler about potholes on Marquette Court. Discussion followed concerning improvement options for the Marquette Court/M-22 intersection. After conversation between Road Commission members, Nielsen, and Al Popp, they concluded a 20-foot, asphalt approach or

apron at Esplanade Court, Marquette Court, and Birchwood Terrace off M-22 should be researched. Ferris instructed Nielsen to follow up and report back to the Board.

**Public Comment:**

- Jill Marble commented the Benzie County Road Commission has been doing an excellent job.

**Guests:**

- Fire Chief Cederholm shared the Frankfort Fire and Rescue Department report for April 2023 including personal safety tips. He said attendance increased for training. Working on preventative equipment maintenance. In April, CLT had 5 fire runs and 10 EMS. Year-to-date total number of calls is 290. McBain Fire Department will purchase four, 4500-pound air bottles, which Frankfort no longer uses.
- On Wednesday, May 24, 2023, at 10:00 a.m. there will be a media event at the Fire Station highlighting the new drone. Initial training for drone has been completed, so there will be a demonstration and information shared with the media. Chief noted the various uses of the drone in assisting law enforcement officers and the fire department.
- Fire Chief discussed the fire call this morning in Crystal Township involving a travel trailer. There were many trailers and campers on the property sharing extension cords with propane tanks used for heat. He said property appears to be very unsafe and a potential fire hazard.

**Clerk's Report:**

- VanMeter shared the warrant report. Ferris questioned why Sue Sullivan was receiving a reimbursement that was over two years old. It went against Township policy, which allows reimbursements within 60 days of the expenditure. She asked if it was based on personality and not rules. Popp felt this was a special circumstance, and it would be a gesture of goodwill to reimburse Sullivan. Nielsen noted it was unfortunate that we were paying something that was so old. Ferris amended the warrant report to include KCI's postage for the newsletter in the amount of \$793.64.

VanMeter made the motion to accept the Warrant Report as amended to include the KCI estimated postage of \$793.64 for newsletter, adjusting the General Fund total to \$4,560.60. Popp supported. Roll was called. VanMeter, yes; Northway, yes; Popp, yes; Nielsen, yes; Ferris, no. Motion was approved.

- Popp presented a resolution to update Intuit QuickBooks Desktop Pro to 2023 version and assign Clerk custody of username and password. She noted the sales tax would be refunded following purchase. Ferris had questions about QuickBooks costs per month and the different categories shown on the cash activity report. Popp clarified the figures.

Popp moved the Crystal Lake Township Board assign the Clerk the task of managing the Intuit account including custody of the Intuit username and password. The annual subscription cost of \$549.99 will be electronically withdrawn from the General Fund Imprest Clearing checking account. Nielsen supported. Roll was called. Ferris, no; Nielsen, yes; Northway, yes; VanMeter, yes; Popp, yes. Motion was approved.

- VanMeter gave an update on elections, noting the passage of the 2022-2 Promote the Vote Initiative brought several changes to the election process. The biggest change was the right to vote

in statewide and federal elections in person at an early voting site for nine consecutive days prior to Election Day. The Initiative also allows jurisdictions the opportunity to offer early voting in non-statewide elections. CLT has a road millage election slated for November 7, 2023. Tentative plans include offering early, in-person voting for nine consecutive days as a “rehearsal” for the 2024 state and federal elections. The Bureau of Elections is working hard to get the new software and procedures in place. The polls will be open from 8:00 a.m. to 5:00 p.m. for each day of early voting, with a minimum of 8 election inspectors covering the walk-in precinct and the Absentee Voter Counting Board. Estimated costs for each election have not been figured, but extra funds were included in the 2023-2024 General Fund budget. Noted additional election inspectors needed.

### **Financials:**

- Popp presented the financial reports for April 2023.
- Popp shared the Management Representation Letter from Baird, Cotter and Bishop, P.C. regarding the May 8 and 9, 2023 audit for fiscal year 2022-23. Ferris noted that #28 under Government helped some in the understanding of what’s actual income, or money in hand, and what’s just predicted or expected. Popp said the Statement of Net Assets report should clarify things as well.

### **COMMITTEE REPORTS**

#### **Airport:**

- Popp presented the Frankfort City-County Airport Authority Report. Ferris asked what the FCCAA’s fiscal year was. Popp noted it was June 1 through May 31. Courtesy car is still in for repairs.

#### **Buildings and Grounds:**

- Sondra Halliday gave a brief report in the absence of Brian Halliday. The Meeting Owl Pro video sharing/recording device was up and running. Cleanup Day went very well. Construction waste materials weren’t usually accepted, but several brought such items. Brian and Ferris assisted the area high school students with the cleaning of the Township cemeteries. It was great to interact with the students.
- Nielsen discussed the need for improved parking lot spacing and lighting, hoping it would be in place for the November 2023 election. Sometimes people have to park on the road in the dark when attending evening meetings. It was suggested additional parking spaces could be added if the lot was expanded to the east. Popp noted it is a public safety concern. Ferris and Northway would like to have a whole site plan developed. Discussion on necessity of inclusion of building expansion plan with parking and lighting improvements.

Nielsen made a motion to direct the Buildings and Grounds Committee to develop a plan for expanded parking and additional lighting by the June Board meeting. Popp supported. Ayes—Nielsen, Northway, Popp, VanMeter. Nay—Ferris. Motion approved.

#### **Information Technology:**

- Nielsen asked if the purchase of the new server would eliminate the spam correspondence received in our Township emails. That is the purpose of the new server.

- VanMeter asked about the statement on the server informational page, which allowed the elimination of desktop computers at the Township Hall. Township-owned laptops would be used remotely at home and in the office. VanMeter and Ferris were assured their Township desktop computers could be kept. Elimination of desk top computers is allowed but not mandated.

Ferris moved the Crystal Lake Township Board approve the purchase and installation of a Dell Core Server including cabinet, wiring, MS Server software, deployment and user training at a cost not to exceed \$7,000. VanMeter supported. Roll was called. All ayes. Motion was approved.

#### **Newsletter:**

- Ferris shared draft of Township newsletter. Several offered corrections. Clerk will work with Supervisor to clean up the last section. Brian wanted to include the name of the YouTube channel, so people could look it up more easily. Ellen Herscher wanted to include a reminder to boat owners about rinsing off boats before going into the water. VanMeter queried the necessity for half page on fireworks. Nielsen wondered about shortening the zoning paragraph. Ferris will check with Kucera about editing the zoning section. Consensus was given to Ferris to rewrite the final copy, with submission within the June 5-16 timeframe. Popp wanted final copy sent to her, and she will download and send with everything else.

Ferris moved to have the newsletter printed in color at an extra cost of \$160. VanMeter supported. Roll was called. All ayes. Motion was approved.

#### **Zoning:**

- Ferris noted Kucera would like to retire as Township zoning administrator. She offered the possibility of several municipalities joining together to hire one zoning administrator as qualified zoning administrators are very difficult to find. The idea would be to hire one person to oversee zoning, and each township would hire a “worker bee” to work under the head zoning administrator. Nielsen suggested Frankfort City Superintendent Josh Mills since he already acts as zoning administrator for several municipalities. Ferris said the discussion focused on jointly financing the hire. Popp didn’t agree the Township should go together with other municipalities and said a contract was needed. Township needs to advertise for the position. Popp will not agree to pursue the possible joint effort and can’t see it working at all. Nielsen said we should get input from Kucera.

#### **Unfinished Business:**

- Nielsen gave update on issues concerning Vine, Linden, and Broadway. He reminded the rest of the Board that it promised the taxpayers concerned that the Township would work on the issue and it should be included on each month’s agenda, showing we still have it before us. Nielsen was directed by the Board to talk with Kucera about doing another survey of the area. Kucera found the company that did the survey, and they gave him a quote of \$1200 to \$1500 to remark the survey with monuments. Ferris asked if the Board already voted on the survey and installation of monuments, but Nielsen didn’t believe so. VanMeter reviewed February 2023 minutes, which said “property markers have been removed, so a survey will have to be done to reestablish the markers. Discussion on what type of markers could be placed for permanence.”

Johnna Bridges, who lives on Linden, said there was a survey done last year, and markers were still on Linden and Broadway—temporary, survey stakes with tape and nothing fancy or tall or permanent. Ferris noted monuments should be more substantial, so they may be seen easily by enforcement officers.

Ferris suggested Nielsen develop a resolution. Johnna noted most often back lotters proactively placed directional signs for Linden, so that people would stay in the correct area but were asked to remove them by the front lotters. Ferris suggested Nielsen connect with Kucera and come up with an appropriate monument and estimated cost. Nielsen said will cost \$1200 to \$1500 just to reestablish the markers, and it doesn't include the cost of the new monuments. Ferris questioned whether the Board should have input on the type of monument chosen. Popp trusted Nielsen and Kucera would choose proper monuments. Nielsen made a motion to move forward with the surveying and re-establishment of property markers at a cost of \$1200 to \$1500, but withdrew his original motion to increase the estimated cost to \$2000.

Nielsen moved to authorize Kucera to move forward with surveying and re-establishment of property markers at Vine, Linden, and Broadway including placement of permanent, small, above ground, clearly visible markers, up to a cost of \$2,000. Popp supported. Roll was called: Northway, yes; Popp, yes; Ferris, no; VanMeter, yes; Nielsen, yes. Motion approved.

#### **New Business:**

- Ferris shared the RAGNAR Race is scheduled for September. Township doesn't have any responsibilities regarding the race.
- Ferris wanted to pursue the issue of dangerous buildings in the Township. She noted the Board passed a draft ordinance relating to dangerous buildings including resolutions to amend the draft ordinance but never voted on the amended ordinance. Ferris would like to pursue this and ask the attorney to draw up a document, so Township could legally place a lien against someone if they have unpaid property taxes. Nielsen said a property lien might be the only way to deal with blight and dilapidated buildings and agreed the attorney should be contacted. Popp suggested Ferris speak with Michelle Thompson for further information as well.
- Ferris also asked for Board's permission to contact the attorney about abandoning cemetery burial rights. According to the Township ordinance, if burial plots are purchased and abandoned for 40 years, a series of contact steps may be pursued. If no contact is made, the Township retakes ownership and plots may be resold. Ferris was given verbal permission by the Board to contact the attorney. Popp requested Ferris include the Board in the correspondence with the attorney. She referenced a Township policy, which states that when a Board member contacts the attorney, the rest of the Board should be included. Ferris stated the attorney will only correspond with the clerk and supervisor.

#### **Operating Millage fraction reduction:**

Popp noted there was a misunderstanding at the previous meeting with how millages work. She reminded the Board it voted to have an operating millage of 0.5000 for the 2023-24 fiscal year. Next year, the millage rate may be increased to the maximum amount. Ferris would like that statement in

writing because she asked the County and didn't get an answer. Popp received the information from County Treasurer Michelle Thompson. Ferris stated Chief Deputy Treasurer Kelly Long told her the original millage is given to the Township by a special allocation board. Popp said Township determines its own operating millage and wondered if Ferris was referring to the state level. Ferris checked with the attorney, but he had no answer.

Ferris referenced the 2023 Millage Reduction Fraction Computation report (L-4028) and wondered why other townships had different millages. Popp said every year the assessor and equalizer receive the notice, which determines the inflation rate multiplier. It's one of the factors in determining our millage rate. Ferris clarified that the Equalization Department determines what the Headlee reduction fraction is and not our millage rate.

Popp shared the millage rate for last year was 0.6795, and this year it's going to be 0.6415 using the factors. Because Headlee is in place, our tax rate decreased about 7% when our property tax values increased as much. Ferris asked how the inflation factor fits into the equation because the tax values are up when they're supposed to be countermanded by the Headlee. Popp said report would give all factors and figures needed. Popp recommended the Board take the MTA budget workshop for a better understanding.

Ferris referenced the report Popp provided on township millages and taxable values (information from 1996 through 2023). It gave the operating millage figures, but it didn't give a related revenue figure. Popp suggested to multiply by the taxable value. Discussion followed.

Ferris stated the 0.5000 millage rate revenue (about \$108,000) will not even cover salaries, but Popp reminded her the PTAF covers the salaries of the treasurer, assessor, and the Board of Review. Popp noted each year the Township had an increase in the General Fund balance of approximately \$50,000 to \$60,000, which is too much income from the millage.

Ferris said the Township gets revenue from several different sources such as investments and license fees, cemetery plot sales, etc. She noted the millage revenue information should have been available at the March budget hearing. Popp said the figures were updated from a budget document of a couple years ago and were available online. Ferris shared the Fire Fund millage revenue will be \$140,662, and the Road Fund millage will bring in \$198,000. Nielsen agreed the Board needs to be aware of the amount of income from 1 mill. Ferris will find out the process for increasing the millage rate and will contact Michelle Thompson.

**Public Comment:**

Jill Marble asked Popp if the Board could raise the millage without the issue going before the people for a vote. Popp noted again that she was told by Michelle Thompson the Board could increase it.

Marble asked VanMeter how many election workers are in the precinct when fully staffed on Election Day. VanMeter said a minimum of nine election inspectors between the Absentee Voter Counting Board and the walk-in precinct plus four electors in booths. VanMeter noted the Township precinct layout and space aren't in compliance. Marble stated when and if the building is changed, election needs and compliance are extremely important and should be taken into account. VanMeter said the Township should have handicapped accessibility both entering and exiting the polls. Marble wanted the importance of the issue on record.

Elizabeth Guzman-Shrake also supported the need for building and parking lot expansion. As a member of the Absentee Voter Counting Board, she experienced the cramped space for processing ballots. Agreed we do need increased parking, but it made sense to devise a comprehensive plan for the building and parking lot.

Johnna Bridges wondered if the Township could take the responsibility for trimming of bushes on Vine, Linden, and Broadway, so it's easier to walk to the lakeshore.

Sondra Halliday asked VanMeter if CLT election results would ever be invalidated because our precinct space isn't in compliance. VanMeter stated previous County Clerk Dawn Olney said we should do the best we can with our space but noted we have to limit the number of voters who are in the room at one time.

Elizabeth Guzman-Shrake also commented on the space limitation for poll watchers and challengers beyond the election inspectors and voters. VanMeter invited everyone including Board members to observe an election, so they can see the process and its limitations. Nielsen noted there are voting limitations in every precinct in the country; it's not a perfect system and never will be.

**Board Comment:**

Ferris noted there was an upcoming seminar through the MTA on procedures for contacting your attorney. Ferris also reminded the Board the completion of job descriptions and chapters four through eight of the Township policy and procedure manual is still needed.

**Meeting adjourned at 8:52 p.m.**

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

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Amy Ferris, Supervisor

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Date

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Judy VanMeter, Clerk

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Date