

# **Regular Meeting of the Crystal Lake Township Board**

1651 Frankfort Highway, Frankfort MI 49635

**August 21, 2024**

**Meeting was called to order** by Supervisor Amy Ferris at 6:00 p.m.

**Pledge of Allegiance** was recited.

**Roll Call:** Nielsen, Marble, Ferris, and VanMeter were present constituting a quorum. Northway arrived late at 6:10 p.m.

**Guests:** Cathy Wilkinson, Orlin Reed, Keelee Beaudet, Joshua Toms, Ellen Herscher, Joe Gentle, Brian Halliday, Commissioner Karen Cunningham, Fire Chief Michael Cederholm, and Deputy Clerk Sondra Halliday

## **Agenda**

**Ferris moved to accept the agenda as amended to include the removal of the second listing of Enforcement Officer Hire and the inclusion of resolutions for porch repair and office chair purchases under Buildings and Grounds. VanMeter supported. All ayes. Motion approved.**

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

## **Minutes**

**Ferris moved to accept the minutes of the July 17, 2024 Regular Board Meeting as presented. VanMeter supported. All ayes. Motion approved.**

**Ferris moved to accept the minutes of the July 22, 2024 Special Board Meeting as presented. Marble supported. All ayes. Motion approved.**

## **Correspondence**

Ferris mentioned she had a compilation of correspondence regarding Camp Nearby, and it was available if anyone wanted to review it.

## **County Commissioner Report**

Commissioner Cunningham's monthly report was available online. She highlighted several topics.

- Board of Commissioners was going over the 121-page County Master Plan and encouraging input from the public. The link to the report was available on the County website as well as the Township website.
- She stated that District 3 supported all the millages on the August ballot. The jail millage did not pass but will be on the November ballot for renewal with no increase.
- A request from Grow Benzie for \$10,000.00 was not approved by the Board of Commissioners.
- Meeting was held at Benzie Shores District Library with Representative John Roth.
- Benzie County was recommended to receive \$857,870 through the MITTEN grant program (a technology inclusive training grant program for education, broadband, etc.).

## **Fire and Rescue Department Report for July 2024**

- Report available online at Township website.
- Chief Cederholm gave update on a recent water emergency call.
- During August, Crystal Lake Township had 9 EMS calls and 7 fire calls.
- To date overall, 95 fire runs and 408 EMS runs for a total of 503 with 100% of calls made on time.
- Fire Advisory Board Meeting will be 6:00 p.m. on August 22, 2024.

**Public Comment:** There were no public comments.

## **Financials**

Marble noted the financial summaries were on the website. She said the Cemetery Fund line item, Grand Traverse Regional Community Foundation, had been corrected and made whole. Balance was \$28,702.21. Total equity in funds: General Fund \$974,765.65, Cemetery Fund \$383,902.23, Fire Fund \$220,235.35, and Road Fund \$527,951.78.

Approximately 100 property tax bills were returned due to incorrect addresses. An ad was placed in the Record Patriot to remind residents that taxes were due.

Marble shared the Township was one of the last townships in the area using QuickBooks. Nielsen asked if we should be using a different system, and she said BS&A was most often the software of choice; however, it's very expensive.

The auditor agreed to do an audit of the work Treasurer Marble completed since the fiscal year began.

**BY RESOLUTION—Marble moved that Crystal Lake Township approve up to an estimated \$2,000.00 for the UHY audit of Township accounts. Northway supported. Roll was called: VanMeter, yes; Marble, yes; Northway, yes; Nielsen, yes; Ferris, yes. Motion was approved.**

VanMeter presented the warrant report and amended it to include additional invoices for GFL and Foster Swift to the General Fund and a Crystal Clear Landscaping invoice to the Cemetery Fund. It was noted 76% of attorney costs was for the Kullenberg Case with the balance for other planning and zoning items.

**VanMeter moved to accept the warrant report as amended to include \$5,993.75 GFL invoice and \$10,720.28 July Foster Swift invoice for a General Fund total of \$35,321.62; to add \$2,828.57 Crystal Clear Landscaping invoice to Cemetery Fund for a total of \$3,109.49. Fire Fund total \$37,516.25. No Road Fund expenditures. Marble supported. Roll was called. Marble, yes; Nielsen, yes; Northway, yes; Ferris, yes; VanMeter, yes. Motion approved.**

## Committee Reports

### *Airport*

- Dave Spragens shared the CLT Airport Committee (Spragens, Marble, VanMeter) report including several recommendations. Supporting documents were included with the published report.
  - The Township cannot withdraw its membership from the Frankfort City-County Airport Authority (FCCAA) without going through a specific withdrawal process, so it was in the best interest of the Township to continue its membership. There may also be financial obligations if the Township withdrew.
  - If the FCCAA fails due to lack of operational funding, then probably the FAA and/or MDOT would step in, and there would be no local control. Recommendation was to continue CLT financial support of the FCCAA. It was noted the City of Frankfort was paying \$15,000 in financial support (per Council Member Brady Olsen), and the County had allocated the \$15,000 funding but not approved it yet.
  - After reviewing Section 3.17 of the CLT Code of Conduct, the Committee deemed it unnecessary to pursue changes to the FCCAA Bylaws regarding entity representation.
  - Per a March 7, 2024 attorney memo, it's not necessary to execute a Memorandum of Understanding (MOU) with the FCCAA because the terms and conditions of its membership were already laid out in the Articles and Bylaws. The Committee recommended no MOU, and if a joint MOU was suggested by the City of Frankfort or the County, CLT not opt in.
  - Some of the benefits of the airport to the community were noted and included Wings of Mercy, NMC Aviation School, Coast Guard emergencies, recreational charter flights, hanger rentals, aviation fuel, etc.
  - There were two resolutions the Committee brought to the Board—one regarding Board expectations of CLT representatives and one recommending a three-year financial commitment to the FCCAA.

A lengthy discussion ensued regarding the Committee's report and the two FCCAA related resolutions. Some of the comments are included below.

- Ferris took issue with the Committee report, particularly on page 3 where it stated, "Since CLT is going to remain part of the FCCAA..." when continued membership had not been discussed. Marble explained the reasons for the statement and apologized for assuming the Board would agree. Ferris said CLT hadn't even tried the process for withdrawal from the FCCAA. The Board was reminded that a conversation was had months ago between City Superintendent Josh Mills, Mayor JoAnn Holwerda, Northway, and Ferris during which it was stated CLT was not a member of the FCCAA and no one approached the City of Frankfort about the \$3,000 still owed.

Accountability and transparency of the FCCAA in the past has been a big problem. Although the Airport Manager and FCCAA Secretary were filled with new people, most of the other members of the FCCAA were the same, so was anything going to improve? Need to restructure with professionals who know what they're doing. Ferris supported the FCCAA and the airport but wanted to have more definitive reasons why CLT should continue to support it financially. If the FCCAA did lose control of the Airport to the FAA and/or MDOT, would there really be a problem or would it be advantageous? Ferris still believed any CLT representatives to the FCCAA would have sole allegiance to the FCCAA per its Bylaws. She wanted measurable objectives for the representatives, which could be outlined in a job description.

- Marble noted that it's in the best interest of CLT for it to continue membership in the FCCAA along with the necessary financial support. What the City of Frankfort and the County decided to do in regard to financial support of the FCCAA wasn't our decision. She wanted to give the FCCAA a chance to reach some of the sustainability goals presented by Airport Manager Popp. Marble suggested the FCCAA representatives wouldn't automatically turn over allegiance to the FCCAA but would keep the Township interests in mind as well. She agreed with Spragens that it would be a great idea to have a meeting of the three entities involved with the FCCAA. Questions and concerns could be addressed, so all could move forward. Marble offered to contact Tammy May to confirm whether she wanted to continue as one of the CLT representatives to the FCCAA.
- Spragens clarified information in the Committee's report by saying technically or legally the Township could withdraw from the FCCAA but practically, it can't. His opinion was the current FCCAA was going to be more transparent moving forward, the focus shouldn't be on the past. Spragens said that closing the airport wasn't totally impossible, but it wasn't likely the FAA would close it. It, instead, would run it, and local control would be lost. He suggested a one-year financial commitment versus the three-year commitment originally recommended by the Committee. He believed the three entities involved should meet and formulate an agreement.
- VanMeter said within the FCCAA budget for the current fiscal year were revenues expected from each of the three entities (\$15,000 each for a total of \$45,000). She referenced the attorney's opinion that a MOU wasn't necessary as the FCCAA Bylaws covered the membership question. VanMeter noted there were assurances or obligations tied to the state and federal grant monies accepted by the FCCAA that have to be fulfilled. She stated FCCAA goals for the future were shared by Airport Manager Popp and expenditures for the fiscal year were shown in the FCCAA budget. An invoice for CLT financial support in the amount of \$15,000 was received from the FCCAA.
- Northway asked for clarification on the resolution for financial support—whether a one-year or three-year proposal. He asked if the financial support decision could be delayed a month, so people involved could meet to discuss the issues.
- Nielsen supported CLT financial support of \$15,000 for one year and then revisit and review goals achieved.

**BY RESOLUTION—Marble moved the CLT Board affirm the recommendation of the CLT Airport Committee that representatives will attend FCCAA meetings and report back to the CLT Board. That one of the two representatives supply a copy of the FCCAA monthly meeting minutes to the CLT Board for inclusion in the CLT Board meeting packets. Additional notes and observations welcomed. Quarterly, one of the two representatives should provide a verbal report to the CLT Board. Special interest items should be brought to the CLT Board in a timely manner. VanMeter supported. Roll was called: Northway, yes; Nielsen, yes; VanMeter, yes; Marble, yes; Ferris, no. Motion approved.**

**BY RESOLUTION—Marble moved the CLT Board affirm the CLT Airport Committee’s recommendation to make a one-year, \$15,000.00 financial commitment in support of the FCCAA’s operational expenses for 2024-2025. VanMeter supported. Roll was called: VanMeter, yes; Marble, yes; Northway, yes; Nielsen, yes; Ferris, no. Motion approved.**

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

- Support Staffer Halliday shared the need for new signage at the cemeteries, replacing the old, brown, wooden ones. Payment for these would qualify under the METRO Act. He shared the METRO Act guidelines.

**BY RESOLUTION—Marble moved the CLT Board agree to purchase the new North Cemetery sign using Michigan METRO Act funds at a cost not to exceed \$6,000.00. VanMeter supported. Roll was called: Ferris, yes; Nielsen, yes; Northway, yes; VanMeter, yes; Marble, yes. Motion approved.**

- Halliday shared the railings and structural supports on the handicapped entrance ramp/porch area needed to be repaired and upgraded. Ferris suggested waiting until a redesign of the area could be obtained, so it was covered with a roof. Halliday explained that would be more of an architectural and engineering project.

**BY RESOLUTION—VanMeter moved the Crystal Lake Township Board agree to upgrade the appearance and structural integrity of the township covered porch area by replacing the porch railings and covering the vertical support posts with PVC at a cost not to exceed \$6,000.00. Nielsen supported. Roll was called: Nielsen, yes; VanMeter, yes; Northway, yes; Ferris, yes; Marble, yes. Motion approved.**

- Halliday shared the need to replace the worn-out Board chairs.

**BY RESOLUTION—Marble moved the Crystal Lake Township Board agree to purchase replacement office chairs at a cost not to exceed \$800.00. VanMeter supported. Roll was called: Ferris, yes; Nielsen, yes; Northway, yes; Marble, yes; VanMeter, yes. Motion approved.**

### **Elections**

- VanMeter shared CLT statistics for the August 6, 2024, State Primary Election—43 electors voted during early voting; 142 electors voted on Election Day, and 297 absentee ballots were returned

and tabulated; for a total of approximately 47 % of our registered voters. General Election in-person Early Voting will be October 26 through November 3, and November 5 is Election Day. VanMeter noted for the General Election, electors can vote multiple parties unlike the primary election by voting straight party ticket, split ticket, or mixed ticket. She also said you are not required to vote for every office or proposal. She encouraged electors to request absentee ballot, or take advantage of the Early Voting process as the ballot for November will be large plus there was apt to be a heavy turnout.

## ***Enforcement***

- Marble contacted the references of both William Kelly and Matt Stefanski in regard to the Enforcement Officer opening. Both candidates had very good referrals. It was suggested that both be hired with Kelly in a consultant, supervisory position and Stefanski as the local officer issuing citations and leading investigations.

**BY RESOLUTION—Ferris moved Crystal Lake Township temporarily split the job duties of the Ordinance Enforcement Officer position and a) hire William Kelly as lead Enforcement Officer with extensive training at \$70/hour to execute operations and supervise Matt Stefanski; b) hire Matt Stefanski at \$38.00/hour to be locally more available to investigate and execute citations. Marble supported. Roll was called: Marble, yes; Nielsen, yes; Ferris, yes; VanMeter, yes; Northway, yes. Motion approved.**

## ***Events***

- Ferris shared a handout regarding the Ragnar Relay Race.
- Northway said the Ironman 70.3 Triathlon will be the same route as last year. He stated this race is very well run and organized. The question will be whether it's held in Benzie County again next year.
- Ferris brought forth a template for the Board to peruse regarding an Outdoor Assembly Ordinance. She wanted it brought to attention because of the several private, special events including noise this summer.

## ***Millages***

- Ferris presented the L-4029 form. Marble stated the form wasn't something that needed to be voted upon. The Board already approved the millage rate.

**Ferris moved the Crystal Lake Township Board accept the L-4029 as presented and direct Ferris and VanMeter to sign and send it. Marble supported. All ayes. Motion approved.**

- Nielsen noted the local Road Committee will meet next week and would be driving through the Township this weekend, checking on the condition of the roads. He wanted the Road Committee formal report to be added to the September Board meeting agenda. Nielsen met with the Benzie County Road Commission regarding sealcoating.

## ***Planning and Zoning***

- Since Greg Wright nor Tom Kucera were in attendance, there was no discussion on the Short-term Rental Ordinance draft. Ferris said there was a Public Hearing on August 28 at 7:00 p.m. with the Planning Commission and the Crystal Lake Township Board. Marble suggested a compilation of Board comments on the STR Ordinance.

**Unfinished Business:** There was no unfinished business.

## **New Business**

- Ferris shared a sample Noise Ordinance for the Board to consider in the future.
- Ferris noted the Michigan Township Participating Plan Risk Reduction Grant Cycle opened August 1. The grant program offers funding for projects that prevent damage to member-owned property and third-party liability losses or damage. Possible projects included body cameras, security lighting, parking bollards, security cameras, etc.

## **Public Comment**

- Sondra Halliday noted that EV hours were the only thing not dictated by the legislature, so residents should contact their representatives regarding reduction of EV required hours.
- Sondra Halliday asked Dave Spragens about the secretary position for the FCCAA. She wanted to know if there had always been a secretary, who the outgoing secretary was, and the new secretary's name. Ferris and VanMeter offered names of some of the past FCCAA secretaries. VanMeter stated Mary Goethals was the outgoing secretary and she was the new secretary. VanMeter said she contacted the attorney for conflict-of-interest information and had taken the FCCAA minutes at one meeting voluntarily. Halliday felt that was a conflict of interest.
- Josh Toms introduced himself as a candidate for Crystal Lake Township Supervisor. He appreciated everyone who works at CLT.
- Ellen Herscher shared an update from the Watershed Association. Their goal was to continue keeping the water quality high in Crystal Lake. Swimmer's itch should be cleared by next year as the mergansers have been relocated. They were continuing to work on invasive milfoil and completed a treatment yesterday, using the minimum amount of chemicals possible.
- Joe Gentle inquired if the STR Ordinance was on the website; that was confirmed. He also asked how to find election results. Can look on the County Clerk's website or come to the hall and look at the tabulator totals tapes posted on the bulletin board. Ferris will work to get results put on the Township website.
- Abbie Ellsworth wondered about combining Early Voting sites in the County and asked if the Enforcement Officers would cover all ordinances. VanMeter explained the reasoning behind CLT going solo with EV. She noted CLT precincts all received good reports from the Board of Canvassers.
- Sondra Halliday also wondered if the Par Plan Risk Reduction Grant could be used to cover security lighting for the CLT parking lot with Cherry Capital Communications providing power.

## Board Comment

- Northway asked Nielsen who should be contacted regarding run off from the roads. Nielsen stated those questions should be directed to the Benzie County Road Commission.

### Meeting adjourned at 7:46 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