

Saugatuck Township Board
Regular Meeting
May 13, 2020
Approved Minutes

Supervisor Osman Called the meeting to order at 6:00pm

Roll Call: All present

Zoom Instructions: Manager Graham gave Zoom instructions for public participation. All votes should be taken via roll call. Also please say your name before speaking. Mute yourself when you are not speaking. This meeting is being recorded. Please do not interrupt. If any public member is disruptive in a way that interferes with the board conducting their business, they will be blocked. Also highlighted that if there are any individuals that would like to participate, but need special accommodations, we will do our best to make those adjustments.

Approval of Agenda: *Helmrich moved to approve the agenda and to ratify the procedures for public participation and meeting conduct as described in the Notice of Public meeting via Video Conference.* Supported by Aldrich. Roll call vote: all yes. Approved 5-0.

Presentations:

Ryan Kilpatrick, the Executive Director of Housing Next, presented to the Township Board on alternative housing options for Saugatuck Township. Housing options discussed were more affordable and were less square footage than average new builds.

Elizabeth Estes, a local business owner and township resident, presented to the Township Board on the meetings being hosted by local stakeholders on the impacts of COVID-19 on local businesses. Website connected to this effort is saugatuckdouglastogether.com

Public Comment:

Dean Kapenga, County Commissioner - Per executive order 2020-77, counties have been tasked with creating a preparedness response and safety work plan. It will likely be approved tomorrow. Also tomorrow we are voting on the animal shelter. We are so fortunate to have Wishbone who is contracted to run the animal shelter. Will also be voting on purchasing equipment that allows for live streaming. Tax limitation committee is being formed.

Terri Schippa - commended the board for carrying out a professional meeting despite challenges associated with virtual meetings. Has three questions. 1- what is the standard fee for the Zoning Appeals Board. 2 - why were we charged an additional \$500 escrow deposit fee. 3 - will we be refunded that deposit.

Scott Wierenga- lives on Dugout Road. Is disappointed with the planning commissions pre-approval of the special approval use for the Van Horn project. Wrote a letter that is in the packet. Was outside with his wife last night and heard construction noises after 7pm. Belives that the agreement was for work to cease at 6pm. Took some video of the heavy equipment at work last night. Ask - if the SAU is formally granted, will there be strong ramifications laid out if any of the terms of the agreement are violated? Commended Elizabeth Estes on her work.

Laurie Goshorn- read her letter:
To All Concerned Community Members,

One of the main reasons for the recall of the former Saugatuck Township board was the lack of transparency. The feeling was that as a voting body, the choices being made were not good for Saugatuck Township. In a fairly large upset, the residents voiced their displeasure and voted in a new board.

Since life, business, and movement can't remain in a stalled position indefinitely, Zoom has proven to be a helpful tool. However, at the April 2020 meeting, the Planning Commission rushed a decision without engaging many of the crucial elements of having a team involved: fair, transparent, and in-depth discussion.

Primarily, the commission members disregarded the public comments. Only one member referred to them and a shockingly brief discussion ensued. We residents of the township take the time to provide concise and thought provoking commentary, only to have it disregarded. I understand that commissioners are not there—either by law or their own personal inclinations—to make anyone “feel heard”, but they are there as elected officials—by law—to take these comments into account.

Another great concern was I only saw a small handful of people on the screen. Many of the planning commission members had their video feed off. That makes it too easy to limit one's accountability. The governor's proclamation 2020-48 allows electronic conferencing, but forbids private communications between commission members via email, texts, and such during the meeting. No video feed, no transparency.

Finally, if there were members of the property owner VanHorn's legal team present, they were not identified for the public.

No critical decisions, ones that will forever change the uniquely beautiful, just and friendly place we live in should be made in the shadows of a poor video feed. There was no feeling of accountability, and none of you were listening to each other let alone the comments.

This is no way to make important decisions. You have a duty to be the voice for the whole community so that our collective vision for the area, as expressed in the Tri-Community Master Plan, holds fast. I don't think we want to become nothing but sprawling, unplanned development, and end up losing something irreplaceable.

Sincerely,

Laurie Goshorn

Stephen and Mary Alice Townsend

-also expressed concern that the video capacity of Zoom was not utilized by all commissioners. Also expressed concern that the decision of the planning commission did not include consideration of "changing the essential character" of the neighborhood. This is a requirement when approving a SAU.

Brett Paoget - is our township representative on the Michigan Township Association Board of Directors. Offered the board his assistance as needed.

Review of Invoices:

No questions or concerns from board members.

Aldrich moved to approve all bills and payroll in the amount of \$64,322.94 as presented.

Supported by Helmrich. Roll call vote: all yes. Approved 5-0.

Treasurers Report: Helmrich - General Fund bank balance is \$2.7M - Flat to March 31st. Budget v. actual through April is now \$371K positive about the same as last month; spending is running about 24% under budget while revenue is running 6% under budget with 2 months left in fiscal year. CD value is \$756K - down 1K from March. YTD FY2020 (through 4/30/20) - there remain no department level overages. In April, no notable expenditures to highlight. The county has just paid us for uncollected property taxes; we will keep \$50K for admin, cemetery, operations, and roads. The remainder goes to Fire District and Interurban. Need approval for disbursements of \$43K from board. Preparation for summer tax bills will begin in 2 weeks to be sent on July 1. Planning to use KCI services as we did for assessment notices. Budget neutral as we won't purchase postage paid envelopes, tax paper, or pay for any additional labor. Fund balance transfers to be made in May.

Approval of Minutes:

Aldrich moved to approve the minutes of the April 8, 2020 regular meeting as presented. Supported by Marcy. Roll call vote: all yes. Approved 5-0.

Correspondence:

Schippas

Bosgraaf

Mcllwaine and Co.

Osman - any questions or comments on the letters? Helmrich - I have a process question. When we receive correspondence addressed to the board is it acknowledged

some way or responded to? Is there a policy in place for this? Or is just simply accepted? Osman - generally it is accepted as information as we are not taking action steps. They are taken seriously. Graham - the board adopted Administrative Policy Handbook outlines this process. When letters are specifically addressed to the township board they are automatically included in the packet for the next regularly scheduled meeting. Osman - does believe that the Schippas do need answers to their questions. Graham - will respond to Schippas. Bigford- Graham could you respond to the Van Horn violations as well? Graham- has already responded to this. Osman and Graham will discuss further how to respond to letters in general at their next weekly meeting.

Proposed FY 2020-2021 Budget:

Osman - Graham has spend a great deal of time preparing the budget and has done a great job with it. Would like to see this accepted as the proposed/tentative budget so Graham can confidently go forward and prepare a final budget draft. Helmrich - how do we go about discussing items we would like to add to the budget while not increasing spending overall? Has submitted a list to Graham a list of things he would like considered to add. Graham - it would be helpful to have board guidance on the list submitted by Helmrich. Helmrich - discussed most needed additions including improvements to the township hall, tree planting, administrative support, a new shredder and BS&A training. Marcy - BS&A onsite training could not happen for some time due to Covid. Osman - Graham has already been given an aggressive list of goals and objectives and he is doing a great job with it, but adding more at this point does not make it easy for him to accomplish things. Perhaps this should wait till the board's next goals and objectives meeting. Graham - many of these items can be accomplished already within the current budget. Would like guidance on some of the more costly items and time consuming ones. Would need to have direction on where to cut money in the budget. BS&A training comes at an additional cost, its not in our package; they usually only do it for bigger groups. Thinks we should utilize low cost offsite training and phone call support. Helmrich - a step in the right direction would be to identify what training is needed and look at scheduling that training. Marcy- likes the ideas only if they do not increase spending. Here is my concern - our revenue is going to be lower this year due to Covid. Supports small improvements only if they do not increase spending overall. Helmrich - wants to point out that we are running under budget for expenses this year and there is a good chance we will next year as well. Wants to make sure that these priorities are on Graham's radar, understanding that they should happen without increasing overall spending. Last year we lowered salary spending by 27K last year. That was an 8% improvement. Marcy - we need to be cognizant of staff time. Osman we can't overload our Manager's capacity. Bigford - appreciates Jon's wishlist and him putting this together. Supports tree planting- its inexpensive and shows our commitment to being environmentally aware. A new shredder is necessary. We need new chairs. They are falling apart and do not support good posture or body alignment. Township hall improvements do not make sense to me. Every aspect of the

hall needs renovation. Small upgrades do not make sense as we need to look at this as a whole at some point. Believes website upgrades would be very expensive.

Administrative support - totally understands that idea, but there are many questions on that as our current support person has talked about cutting down on hours or retiring.

Marcy - down the road it would be great to find someone to do both the website and the administrative support. Aldrich- yes in the future it would be great to have an

administrative support person with really strong technology skills. Helmrich - Graham, has this discussion been helpful? Do you need any more direction? Graham - yes this

has been helpful. *Bigford moved to adopt the FY 2020-2021 proposed budget, as presented, as the tentative budget and direct the Township manager to schedule a public hearing to consider final budget adoption and the General Appropriations Act for FY 2020-2021 as part of the regularly scheduled meeting of the Township Board on June 10, 2020. Supported by Helmrich. Roll call vote: all yes. Approved 5-0.*

Short Term Rental Notice:

Helmrich- last month the board voted to direct staff to draft a short term rental notice that we could post on our website and FB during the Covid situation - just following up on that. Graham - staff has included language about short term rentals consistent with the governor's executive orders and how residents can report violations of those orders with the press releases that have been posted on the website, FB and sent out to residents via mail-chimp. This has also been shared with the local newspaper.

Tri-Community Joint Board/Council Meeting:

Helmrich - we had originally offered to the cities of Saugatuck and Douglas to hold this joint meeting either this Wednesday or last Wednesday, but due to Covid this is not happening. It has been suggested to hold the meeting via Zoom, but I do not think this is appropriate as it will be the first tri-community meeting. Likes the idea of conducting the meeting at the SCA outside in July. Marcy and Aldrich - both are unsure if they would feel comfortable attending at this point. Bigford - no objections. Osman - its a wait and see thing.

Master Plan Overview -

Graham - introduced Lynne Wells, the township's zoning administrator. She has spent significant time reviewing the Master Plan and has some summary comments and suggestions as well as possible next steps. Wells - The Master Plan really guides development. It was last updated 2016. Every 5 years, the state requires that the township review its master plan. Many townships review their Master Plans on an annual basis. The plan is really about quality of life and preserving small and rural town character. It also speaks to sustainable development. It is organized into topic areas and I have given my input and suggestions on those topic areas. Osman - the 5 year plan, as laid out in you Memo is excellent. Wells - I can speak to the short term items. First, code enforcement has been a priority. Code enforcement is labor intensive. It is activity that needs to be considered carefully. We have been doing a "base level" and

have had some success, but there are some repeat offenders. Does believe our residents should all abide by the same rules and enjoy the benefits of that with regards to code enforcement. Item B in short term steps - thinks there could be some streamlining in relation to costs to applicants and rules regarding minimum square footage could be considered. Minimum lots sizes and frontages could be looked at. How are we creating a business friendly environment from a zoning and use standpoint. We also may want to look at the various uses we allow in different districts. Item C - is a big supporter of the Blue Star Trail. People want to have choices about the way they move around. Where are we linking and connecting the trail? Item D - recommends utilizing Strong Towns education for Planning Commission and Board. In regards to the Medium Term steps- supports the idea of a tri-community quarterly planning meeting. Conducting a zoning ordinance audit - some of this needs some finessing. We could look at streamlining the entitlement/permitting process in the name of economic development. The rest is pretty self explanatory. Helmrich - wants to rave about this effort. This document is much needed and incredible. Would suggest adding a joint meeting between the township board and the planning commission annually. Would also like the idea of solar energy looked at at some point. Bigford - this was exciting to read. It was really fun to consider all of these suggestions. This fills in some of the gaps and holes in the plan. Thank you for all of you work on this. Marcy - thank you, this is great. Aldrich - Really enjoyed reading this. Is excited to implement some of these suggestions. Bigford moved to accept this as information and direct staff to share this memorandum and the board's comments with the Planning Commission for their confirmation, review, and comment as part of the 5 year master plan review process. Supported by Helmrich. Roll call vote: all yes. Approved 5-0.

Wellhead Protection Ordinance: Wells - there has been much work on this prior to my involvement. Has provided a very cursory review. Reviewed the version of the Groundwater Protection/Wellhead Protection Ordinance that is a general law ordinance that was adopted by the City of Saugatuck. The purpose of the General Law Ordinance is to regulate land uses and require certain processes be followed to minimize and mitigate any potential contamination of groundwater resources in areas proximate to wellheads. The City of Saugatuck ordinance, which is suggested as a model prohibits uses in the wellhead protection area. I have attached the map of this area for your information. The uses that would be prohibited are listed in the memo. Variances and grandfathering should be considered. Discussed next steps included in the memo. Osman - when Kal-Lake was putting the pressure on the tri communities to put together a wellhead protection ordinance they were in the process of applying for a grant and they needed at least one of the communities to have an ordinance. It was easy for Saugatuck to do this. It would be really appropriate to shelve this for 6-12 months. Ground water protection is very important but it just adds another layer of enforcement. Its a bigger deal for the township as we have rural, residential and businesses. Helmrich - thank you to Wells and Osman for your education on wellhead protection. Wells, what is your reaction if we do table this for 6 months? Wells - indifferent to the

idea. Does recognize that there are other pressing matters. Bigford - it is important work that needs to be done but we do have other pressing items. Osman - there are state laws that govern this. Marcy - differs to the subject matter experts. This is a complex issue. *Helmrich moved to table the consideration of a Wellhead Protection Ordinance to a future date to be determined by the board and staff. Supported by Marcy. Roll call vote: all yes. Approved 5-0.*

Assessing Services Agreements: Osman the contract we have with Appraisals Plus Group and Kyle Harris are expiring and Graham has negotiated a 2 year agreement with an addition that the assessor will attend the Board of Review meetings. He was able to keep the annual costs associated with these agreements the same as last year. Graham - Kyle Harris is a valued part of our team. Is happy to present this renewal. This is a 2 year agreement. It gives the contractor and us some stability. The assessor will also be contractually required to attend Board of Review meetings. Is happy that the costs will remain the same. *Aldrich moved to approve the adoption of the proposed Assessing Services Agreement with Appraisals Plus Group, LLC and the Employment Contract with Kyle Harris for the term of May 15, 2020 through May 14, 2022, as presented and authorize the Township Manager and Township Clerk to sign them as applicable. Supported by Marcy. Roll call vote: all yes. Approved 5-0.*

Employee Health Insurance Renewal: Osman- has reviewed this in detail. Continuing with our current plan design is appropriate. One of the draws for public servants is good insurance as the pay is not always that great. Graham - to continue with the current plan design, rates are expected to increase by 5.4% which would equate to an additional \$1,940.28 in annual premiums. Other options have been explored to reduce costs, but they would result in increased deductibles and coinsurance percentages. If the township was ever in a position that we needed to make a change, there are options available to us. *Aldrich moved to continue with the current plan designs and authorize the Township Manager to sign the necessary decision forms associated with renewing the Priority Health Plan, Medicare Advantage Plan, and Pediatric Dental Plan, as prepared by Lighthouse Group for FY 2020-2021. Supported by Marcy. Roll call vote: all yes. Approved 5-0*

Property, Liability, and Workers Compensation Insurance Renewals: Graham - wants to note that this proposal would keep the township with the current insurance provider, EMC Insurance Co., and continue the current level of coverage; however, rates are expected to increase by \$800, which is an annual increase of 7.7%. This is largely due to the Township's 194% loss ratio given past claims. We are a money loser for insurance companies. Is happy that they have stood behind us. Supports this renewal. Moved to continue with the current plan designs and authorize the Township Manager to sign the necessary decision forms associated with renewing the EMC Insurance Company property and liability insurance policy and Accident Fund workers compensations insurance policy as prepared by Buiten and Associates LLC for FY

2020-2021. Helmrich - are you pleased with our cyber security? Graham - the insurance company would cover us by covering cost of new equipment. *Helmrich moved to continue with the current plan designs and authorize the Township Manager to sign the necessary decision forms associated with renewing the EMC Insurance Company property and liability insurance policy and Accident Fund workers compensations insurance policy as prepared by Buiten and Associates LLC for FY 2020-2021. Supported by Marcy. Roll call vote: all yes. Approved 5-0.*

Request to Repurchase Cemetery Grave Plots: Osman - this is pretty routine. We have done this several times in the past year. *Aldrich moved to approve the repurchase of nine cemetery grave plots from Barbara Miles in the amount of \$120.00 per grave plot, which totals the cost of \$1080.00. Supported by Marcy. Roll call vote: all yes. Approved 5-0.*

May 2020 Budget Amendment Requests - No Wake Buoys: Graham - the township annually installs 4 no wake buoys in the Kalamazoo River. Based on conversations with the contractor who places the buoys, it appears that they need to be replaced. They will likely be 80% under water if used again. Staff requests the board to amend the budget to allow staff to move forward with the new equipment purchase. The cost is anticipated to be approximately \$1500. Alternatively, the board can look at no longer providing this service. Osman - we can simply transfer the money (\$1500) that was not used due to clean-up day being cancelled to pay for this. Aldrich - what is the life span of buoys? Griffin - I do not know off the top of my head Bigford - the clean up day benefits everyone, this benefits just a select few. We need to look at what other townships and municipalities are doing in these situations. I struggle with purchasing these and committing to providing this service annually. Graham - Saugatuck and Douglas have similar concerns but they do provide this service. Marcy - we need to consider erosion as well especially with the water levels being so high. Graham - one solution is to consider to create a special assessment district to fund this in the future. Aldrich - if we do not put them in is it enforceable? Graham - no. Helmrich - we are really different from the cities, they have docks and marinas. Would be interested in hearing how other townships on rivers or lakes are handling this. This would serve a small amount of people. Placement is going to be difficult due to the high water levels. What if we purchase these and then next year decide that we are no longer going to provide this service? Marcy- we could sell the buoys if needed. Graham - the buoys are GPS placed which saves installation and removal costs going forward. Marcy - my fear is that people will be going really fast in that area without buoys. Supports the idea of buying used buoys. Safety is a huge concern. Graham - has not looked at the liability to the township if the buoys are not placed. Marcy moved to approve the requested May 2020 Budget Amendments, as submitted, and authorize the Township Manager to proceed with purchasing new or used "no wake" buoy equipment. Motion dies on the table. *Bigford moved to table the issue of purchasing new buoy equipment to next month's meeting when information can be reviewed regarding what other townships do*

regarding buoy placement and the potential liability associated with not placing the buoys. Supported by Helmrich. Marcy: Memorial day weekend is coming soon, waiting a month may be too long. Roll call vote: Osman, Aldrich, Helmrich, Bigford - yes. Marcy - no. Approved 4-1.

Planning Commission: Helmich - met via Zoom on April 27 with public participation. There was only one agenda item which was the Van Horn application for the removal of the dugout sand from the waterskiing lake on the property. Public comment included 5-6 individuals opposing the application. The Planning Commission voted approval of the application with restrictions set on hours of operation and protection of the bike trail. The vote was 5-1. I had suggested tabling this and to wait for more information. The Planning Commission is not scheduled to meet in May. Has concern that when the Planning Commission is taking action on items they are not always spelling out findings of fact which commission members are required to do. In this case I do not think it was at all explained how this would be harmonious with the neighborhood.

Road Commission: Graham spoke with the road commission this week about the Riverside/Dugout Rd project. It's continuing to move forward.

Fire Board: Aldrich - Year to date call volume was down 17% compared to last year. With reduced traffic and people staying home it sure had an impact. You have to get back to April, 2013 to see call volume as low. The response time was low compared to previous years 4:25 for April, 5:19 for the year. April had only 17 priority 1 and 2 calls.

Motor Vehicle Incidents are again very low due to the Stay at Home executive order. There was one bizarre incident when a driver lost control of his truck and ended up in the Kalamazoo River when he tried to launch a boat. Douglas came in higher compared to the Township mainly due to one frequent caller.

Parks Commission: The parks commission has not met in several months. Several of the commissioners have been working hard to maintain the parks. The commission is looking at the locked donation box at the dog park as it appears to be getting a significant amount of use. Commission plans to meet in June.

Emergency Services Committee: Schippa- rep for the emergency services committee. Due to significant and unforeseen cost increases with AMR in December of 2019, we have been looking at contracting with other ambulance providers. If we did not pay the 195K the south half of the township would likely be serviced from an ambulance stationed at Family Fare on South

Washington or from Meijer on 16th Street. Life Ambulance was contacted. They agreed to rewrite their proposal for the Fennville Area Ambulance Service. The Emergency Services Committee had a meeting on May 7th to compare Life Ambulance to AMR. All of the communities agreed to go with Life Ambulance. Life Ambulance will work with us and increase the cost slowly. The cost per call is much lower. Please see the information sent to see the breakdown on the significant cost per call difference. Life does offer a Life Care Plus membership at a much lower than AMR (again see materials for details). Life provides options for elderly persons. Response times with Life Ambulance would also be shorter than AMR. Life is currently working on a contract to present. Hopefully that contract will be available for our next committee meeting on May 21st.

Open Board Report: Aldrich - is excited to hear more about pursuing items discussed in the Ryan Kilpatrick presentation. Bigford - one suggestion - does support the idea suggested by Laurie Goshorn of enabling the video during virtual meetings when connectivity allows for it. Helmrich - the MTA has invited us to submit a profile for their magazine on our township due in June. Is willing to draft this article. 350 words and photos included. Osman - often connectivity does not allow for video enabling. Some our other board and commission members also live in these areas with limited connectivity. Also encourages board members to ask to be recognized before speaking when using Zoom.

Managers Report: Spring clean up day was cancelled due to current public health concerns related to the Covid pandemic. Sundown Park remains closed due to the high water levels and the damage sustained to the drain. Have been working closely with the drain commissioners office and are working on a solution together. Last week the Michigan Supreme Court decided to hear the lawsuit between the township and the Saugatuck Dunes Costal Alliance. The townships legal team will prepare the necessary briefs. Please direct question on this topic to me. Code enforcement has been a struggle this year. We are going to work with one of our attorneys to look at next steps regarding enforcement matters. It is planned to review the fee and escrow policy at next months meeting if time allows. End of year budget amendments and transfer requests will also be brought before the board at the next meeting.

Public Comment: Tony Schippa- buoys are essential for safety. You must consider small boaters, people on water boards, people in canoes and in kayaks. They will be in danger without a no wake zone. Encourages the board to purchase the buoys.

Marcy moved to adjourn the meeting of May 13, 2020 at 9:33pm. Supported by Aldrich. Roll call vote: all yes. Approved 5-0.

Prepared by:
Abby Bigford
Township Clerk