

Saugatuck Township Board Approved Minutes
March 11, 2020 Regular Meeting

Supervisor Osman called the meeting to order at 6:00pm
All board members present
Pledge of Allegiance was recited

Presentations: Dean Kapenga - Allegan County Commissioner. Is here to give an update on the progress on the goals that the commissioners have identified. We have about 300 fees in the County. We had not looked at them for 10 years. We are losing money. We created a new matrix for the fees. Tribal agreement. Instead of the tribe paying taxes, they give the county 2% of their slot earnings from the casino. This does not cover the non gaming land they are buying. We wanted to make sure that if PILT is not paying for it; the taxpayers will not have to cover it. We are working on an agreement and it is going well. We hope to have the agreement complete by the end of this year. The new jail houses about 320 people. About 225 of those beds are currently filled. There was a 20 year bond on the jail, the commissioners would like to have it paid off in 10 years. We have set up a structure to do that. Indigent Defense - when the poor can't pay for an attorney, one is provided for them. An actual indigent defense group has been established with Allegan and Vanburen Counties. It is running efficiently and they are doing a great job. We have 2 properties The paper mill in Otsego - there was a mess there to clean up. We got a buyer to come in with a new vision for the property. He is in the last stages of cleanup. 277 North Street in Allegan - Mental Health used to be in there. The property is for sale and the asking price has been reduced recently by 100K. Courthouse square planning- we are trying to get as much as we can out of that place. We are trying to keep it up. We are moving and improving the entrance to the courthouse, making changes in expectation of adding a 3rd circuit court judge and adding holding cells. We set millages for the county. Law Enforcement, Transportation, Mental Health and the Conservation district are all asking for additional funds. We are looking at trying to run a Headley reset. Friends of the Blue Star Trail- Jim Searing gave a brief introduction. Jack Eisinger - presented some history up to this point on the trail and presented a map outlining the Friends plan to further/connect the trail and 3 other maps that show the details of the possible new trail construction. Reviewed all of the details of the possible new construction routes. The Friends of the Blue Star Trail are still 100% committed to this project. The township is not being asked for any funds for trail construction.

Public Comments

None

Approval of the Agenda

Bigford - would like to add to the agenda. Add the approval of the February 12 special meeting minutes to agenda item 9. Sorry this was not added earlier. It was an oversight on my part. Helmrich - would like to move 12 F to after 15 so the committee reports can take place before the closed session and those presenter do not have to wait. *Bigford moved to approve the agenda as amended. Supported by Marcy. Discussion: none. Approved 5-0.*

Review of Invoices

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Graham - wants to draw attention to page 10. The February attorney fees that are are just short of 5K . This was higher as our attorney prepared for our closed session on February 12 and was present for that meeting. Also our legal counsel helped draft our letter to the Army Corp of Engineers. *Bigford moved to approve all bills and payroll in the amount of \$51,335.83 as presented. Supported by Aldrich. Discussion: none. Approved 5-0.*

Treasurer's Report

General fund bank balance = 2.8M - up 140K from February due to property tax revenue increase. Budget v. Actual through February is now over 400K positive; spending is running about 17% under budget while revenue is running 6% over budget. CD value = \$754 - flat to February. YTD FY2020 (through 2/29/20). Notable items: 25K in planning commission fees received for marijuana businesses - 3 times budgeted revenue; no unusual expenses, and no budget overage at any department level. Property taxes settlement with county on March 17th. Property taxes settlement with county on March 17th. Board approval of February 26th tax disbursement -- 1.468M Pre-approval for March 13 and 27 payments which should total less than 500K. *Hemrich moved to approve the February 26th tax disbursement totaling \$1.468M and to preapprove March 13th and 27th tax disbursements that shall total less than 500K. Supported by Marcy. Discussion: none. Approved 5-0.*

Approval of Minutes

Helmrich moved to approve the minutes from the February 12, 2020 regular meeting as presented. Supported by Aldrich. Discussion: none. Approved 5-0.

Helmrich moved to approve the minutes from the February 12, 2020 special board meeting as presented. Supported by Aldrich. Discussion: none. Approved 5-0.

Correspondence

- J. Searing letter - supporting Roy McIlwaine to be appointed to the recycling committee
- S. Bosgraaf letter - regarding the Fire District review
- C. Gabrielse letter- regarding the Fire District review
- R.J. Peterson letter- consolidated government
- R. Beebe - regarding the Blue Star Trail
- C. Smith - supporting an ordinance to prohibit the discharge of firearms in residential areas

Intergovernmental Recycling Committee Appointments

Osman - we have 3 openings and 5 applicants.

Mark Epstein - applicant - worked for about 20 years in an international shredding company that did shredding for large and small businesses as an account manager. Is very interested in recycling in general.

Patrick Stewart - applicant - background is specialty chemicals for 40 years. Experience with technical subjects. The business he founded was active in reducing waste. Experience with government environmental issues. Our situation is complex. All stakeholders must be part of this process. We need to establish a method to communicate with the community regarding

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what materials are recyclable. This is a complex problem and he is very interested in serving. Is an alternate on the zoning board of appeals for the township.

Aldrich - Daniel Defranco could not be here tonight, but he wanted it communicated that he is very interested in serving on this committee.

Osman - we did receive a letter from Roy McIlwaine who could not be here tonight applying for the position and we did receive a letter of support for McIlwaine from Jim Searing. We also have a student applicant - Hannah Huggett

Aldrich - I was here when Huggett dropped off her application. She is very enthusiastic. It would be great to involve some young people on this project. Bigford had suggested that she could be added as a youth member in addition to our 3 members.

Bigford - Huggett is fantastic. She is a dynamic individual. She runs the recycling program for Tulip Time. She is very involved in social activism and the environment. Hopes that the committee would allow a junior member.

Marcy - could Huggett be a regular member?

Graham - the only rules we need to follow are the ones outlined in the resolution from the city of Saugatuck. Aldrich - Stewart and Epstein have so much to offer in the way of experience. Defranco has applied several times to different boards/commissions/committees and really wants to serve the township. Supports these 3 individuals and would like to see Huggett as a junior member.

- All board members discussed the township recommending to the Intergovernmental Recycling Committee that they accept Huggett as a junior member.

Graham - we have the outline. We were asked to participate in a committee that we did not form. Would be hesitant to go outside of the guidelines that were provided in the resolution.

Bigford - believes the concept of youth development would be supported.

Osman - believes we should appoint Huggett as a student member subject to approval by the committee.

Bigford - McIlwaine has the support of Searing and is very active in the township and passionate about this issue. He is familiar with the township systems and players.

Aldrich moved to appoint Patrick Stewart to the Ad Hoc Intergovernmental Recycling Committee. Supported by Bigford. Discussion: None. Approved 5-0.

Aldrich moved to appoint Mark Epstein to the Ad Hoc Intergovernmental Recycling Committee. Supported by Marcy. Discussion: none. Approved 5-0.

Marcy moved to appoint Daniel Defranco to the Ad Hoc Intergovernmental Recycling Committee. Supported by Aldrich. Discussion: None. Approved 5-0

Marcy moved to appoint Hannah Huggett to the Ad Hoc Intergovernmental Recycling Committee as a junior member subject to the approval of the Committee. Supported by Helmrich. Discussion: none. Approved 5-0

Administrative Policy Handbook

Marcy would like to see some language change on page 12 of the handbook. Would like it to read that the "Township Manager shall prepare a proposed agenda in conjunction with the Township Clerk" We have had problems in the past and we need to have policies in place in the event that someone else needed to take over.

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Graham- wants clarification on the process proposed.

Helmrich - everyone needs to be able to add to the agenda. Does agree with Marcy that we need to chose the right words and also not be too restrictive

Graham - understands the desire of the board to include all board input into the agenda.

Believes that this is what this lays out. For example, I send out the agenda to the board a week before they are released to the public for board input/additions/changes. My recommendation is to approve what is laid out here.

Bigford - I think that as long as the board receives a draft agenda a week before it is published and has the chance to make changes/alterations and that there is no barrier for any board member to add to the agenda, then I don't have an issue with it

Osman - we can make changes to the agenda at the meeting as well

Helmrich - it seems like this should include something that states that the draft agenda is offered in advance for comment/input to the members of the board.

Bigford - if it was added that a first draft is sent to the board members a week before sending it out to the public, would that be agreeable?

Helmrich/Marcy - yes

Bigford - Graham, does that make sense to you?

Graham - yes

Helmrich - moving on to other comments... page 55 under property maintenance. Believes there should be stronger language about preparing and maintaining a maintenance schedule.

Graham - The biggest piece of feedback that I have received from the attorney after he went over this last month is that policies are a great tool to move the township forward but policies can be adopted prematurely. If you put a policy in place and you are not immediately following it can put the township at greater risk than having no policy at all. I agree that we need a maintenance schedule. Is hesitant because we are not at a point to put that together right now. This is a living document; the goal over time is to always add to them, change them and make them better.

Marcy - it does say here that the manager is responsible for repairs and improvements.

Helmrich - the last bullet point could read "other as determined by the Township Board including but not limited to: supplies, maintenance of equipment and I.T. operations" Page 60 regarding the appointment procedure. Under number 3 would like it to be added that applicants will be informed of the receipt of their application from the township and also be made aware of the scheduled meeting where the board intends to make the appointment.

Marcy - do you want to be more specific and talk about inviting the applicants to speak?

Osman - thinks that adding that the applicants will be made aware of the meeting date when the board intends to make the appointment is sufficient.

Aldrich - we should tell applicants about the opportunity to speak

Helmrich moved to table the approval of the adoption of the Administrative Policy Handbook to the April meeting where an edited version will be presented. Supported by Aldrich. Discussion: none. Approved 5-0.

Financial Policy Handbook

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Helmrich - I have question on page 76. Under the heading "Designation of Budget Officer" The township supervisor plays a significant role in this process; a statutory role.

Graham - if I am the one taking the lead on the budget process then it would make sense for you all to designate me as the budget officer. Of course it will be in conjunction with the supervisor. This reflects how the process works. All of my responsibilities are delegated by the board.

Osman - as supervisor, I think the language is appropriate. I am comfortable with the way it is.

Bigford/Marcy/Osman - are all ok with the wording as it is.

Helmrich - moving on to page 84. Under Reporting: possibly remove analysis. Well maybe it is ok.

Graham - you are already following the policy.

Helmrich - on page 93 - accounts payable reads the township clerk is responsible for processing all accounts payable. I do disbursements and the trailer park payments.

Graham - I took the bulk of this language from the MTA's suggested policy.

Helmrich - it's just not true. Both the Clerk and I do aspects of accounts payable. I just do not want us to be in violation.

Graham - I'm happy to look into this further

Helmrich - page 96 - does it need to be added that we take credit card payments on the website and not over the phone? Also we only accept exact amount cash payments. I don't know if we need to be that specific.

Graham - there are rare occasions that we do take Credit Card payment in office. Once we have a policy in place we need to stick to it.

Marcy moved to approve the adoption of the updated Financial Policy Handbook as presented. Supported by Bigford. Discussion: None. Approved 5-0

Conditional Rezoning Agreement and Ordinance Language (Aaron Smith, 3577 64th St.)

Osman - I understand that the board previously approved the ordinance for medical marijuana only. Mr. Smith is pursuing adult-use marijuana sales as well, which requires the conditional rezoning agreement to be amended.

Graham - Mr. Smith is here today if the board has any questions for him. The board approved a conditional rezoning request for Aaron Smith at the July 3 meeting. On August 7, the board approved formal ordinance language that codified the conditional rezoning of that property. One of the conditions of this rezoning was that the property would be used for medical marijuana provisioning purposes. Adult use requires the conditional rezoning agreement to be amended. An updated agreement was brought before the Planning Commission of February 24. It was recommended that the Township Board approve the conditional rezoning request. If approved by the board, the next step in this process is to have the board approve formal ordinance language that codifies the conditional rezoning of this property. I recommend that you do this via 2 separate motions.

Helmrich moved to approve the adoption of the updated conditional rezoning agreement for 3577 64th St. and authorize the Township Supervisor and Township Clerk to sign it, as presented. Supported by Aldrich. Discussion: none. Roll call vote: All yes. Approved 5-0.

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Marcy moved to approve Ordinance No. 2020-03 an ordinance to amend the conditional rezoning agreement tied to the property at 3577 64th Avenue, as presented. Supported by Bigford. Discussion: none. Roll call vote: all yes. Approved 5-0

Poverty Exemption Guidelines

Osman - we have been offered a couple of different options. I think it is probably safest to go with the federal guidelines.

Graham - that is best practice, it is what the City of Saugatuck just did, it is what is being recommended by staff and it is what is outlined in the resolution. You do all have the option to make adjustments going forward. Supervisor Osman and I were at an MTA training a few weeks back and they recommended going with the federal poverty exemption guidelines. This is coming in a little late due to staff turnover.

Helmrich - even though this is a little late, we were operating under the federal guidelines that had been put in place by our former assessor, Sherry Mason

Aldrich moved to approve the adoption of Resolution No. 2020-07, a resolution to adopt poverty exemption income guidelines and asset test, and the updated poverty exemption application form, as presented. Supported by Helmrich. Discussion: none. Roll call vote: all yes. Approved 5-0.

2020 Dust Control Work Orders

Graham - this is housekeeping or a technicality. Dust control is a smaller scale project than larger scale road projects. This is consistent with past dust control done in the township. Dust control often corresponds with roadside mowing. The township does coordinate our own roadside mowing. We are then reimbursed at the Allegan County Commission's rate; that gives us more flexibility with the timing and supervision of the work being done.

Helmrich - it reads 2019 Dust Control Program on page 120. Is that a typo? And wanted to clarify that what we are voting on today are just these 4 applications.

Graham - yes that appears to be a typo. Yes just the 4 application sites.

Bigford moved to approve the 2020 dust control work orders, as presented, and authorize the Township Supervisor and Township Clerk to sign and return them to the Allegan County Road Commission. Supported by Marcy. Discussion: none. Approved 5-0.

March 2020 Budget Amendment Requests

Graham - I have been spending significant time developing the FY 2020-2021 budget. We are using this year's budget as an evaluation tool. These are "housekeeping" amendments based on actual expenses and intended to prevent departmental overages between now and the end of FY 2019-2020. No additional appropriations are being requested, these amendments move previously appropriated sums to different departments. One example of this is that we previously employed a full time assessor so originally money was placed in a salary line. Now we do pay some of that as a salary to our assessor, but the bulk of that goes to the consulting firm who we receive assessing services from. At the end of the day, I am not asking for any more or any less money. The net is zero. This is done to prevent any overages moving forward

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and to clean up the current budget. Reviewed some of the larger requested amendments on page 122 of the packet.

Bigford moved to approve the requested March 2020 Budget Amendments as submitted. Supported by Helmrich. Discussion: none. Approved 5-0.

Tri-Community Joint Council/Board Meeting

Helmrich - what I would like for us to do tonight is to pick two days in May that I can propose to the two city counsels to meet. Once we have a date set we will work on location and an agenda items. This is a first attempt to broaden tri-community collaboration. Some possible topics: affordable housing, short term rentals, and the Blue Star Corridor. All the board members discussed possible dates and chose May 6 or May 21 as the second choice.

Planning Commission

Four speakers on the Van Horn project with its water feature and excavated sand. Two public hearings on Rezoning and Siote Plan Review for the Marijuana retail business on Blue Star at 64th (Aaron Smith). Both Passed with conditions. Public hearing on the Van Horn Special Approval Use application to allow for sand mining on the property on 135th Ave. Tabled pending more detailed information from applicant and review by Township legal counsel. Eight more public comments all on the Van Horn project and all were very much against it. Next Planning Commission meeting is Monday, March 23.

Road Commission

We are going ahead with resurfacing the small portion of Park Street that is within the township in partnership with the City of Saugatuck. This will be approximately 5K.

Interurban

Board members approved the submission of our FY 2019 audit. A copy of the audit is at the township hall for public review. We broke our January 2018 high passenger count by 42 passengers. We had a total of 3541 riders. Friday, May 8 will be our 40th Anniversary Celebration for the transit. Ideas for giveaways are in the making. Attached are the 2020 scheduled current hours of operation. Jake Engel, Act of Kindness day took place February 6. An anonymous donor paid for anyone that rode that day. We had 142 people that day. Submitted by Lori Babinski, Saugatuck Township Representative.

Fire Board

Aldrich - I was unable to attend the meeting. But, they sent me some stats. There were 53 calls in February. That was a 15% decrease compared to last year. EMS accounts for 64% and Motor Vehicle incidents were down due to favorable weather this year.

Parks Commission

Searing - we finally got that tree down by the church. Some windy days had slowed this project. The stump needs to be ground. I believe he is planning on doing this tomorrow. Tomorrow Laurie and I are meeting with man that is interested in replacing the roof at the pavillion at River

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Bluff Park. Has been in contact with Jon Vanderbeek who offered to help plant trees in our parks.

Kalamazoo Lake Water and Sewer Authority

Mike McGuigan- water is good. The last meeting was February 18. We have completed the bylaws consolidation for the three communities and it is currently being reviewed by an attorney. There have been some employee issues. Darryl asked me to sit in on some interviews for the position of water plant operator. We came up with 3 candidates who are being drug tested and background checked. We discussed the current sand mining project in the township and the medical marijuana grow facility. That facility will not actually be zero discharge. Next scheduled meeting is this coming Monday.

Emergency Services

Graham - the next meeting is tomorrow evening. AMR presented the proposed contract for next year and it did increase the significant increase that we have discussed before. We are waiting on a recommendation for the Emergency Services Committee.

Open Board Report

Marcy - yesterday's election went very smoothly especially considering that there were multiple ballot styles. There were many young people that came to vote.

Helmrich - is anyone going to the MTA Conference in Traverse City? No one from the board is planning on going this year. There are year round trainings from the MTA available. Graham - this conference may be cancelled due to current public health concerns. Helmrich - was able to go last week to the Michigan Association of Planners half day training at Grand Valley. It was very worthwhile. Would like Ryan Kilpatrick to give his presentation on tiny houses to the township board. Did meet with the Gun Lake Investments people and gave them a tour of the township. They could be partners in the future in development.

Aldrich - thanked the board and Graham for all of the support and help during her husbands illness.

Osman - I think it is time for us to educate our constituents about how little of their tax bill money goes to the township. Taxpayers pay more to the Interurban.

Manager's Report

Graham - did work with legal counsel to draft a letter to the Army Corps of Engineers regarding the proposed marina basin. The letter was reviewed by the two board members that were selected at the previous meeting. It was submitted by the February 28 deadline. Lakeshore Drive - a lane with a weight restriction was able to be opened. The Allegan Co. Road Commission deserves much credit for this. Sundown park is still closed. We need to be safe. There is not a high traffic volume there. Has had communication with the offices of several of our legislators since the township board adopted the resolution in January identifying this as a major concern. Senator Gary Peterson's office is working on an E.R.O.S.I.O.N act that would make low to now interest loans available to local governments. Is continuing to have conversations with property owners about long term routes in conjunction with our engineer

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Dana Burd and Craig Atwood from the road commission. Budget Process - intends to have a proposed draft at the April board meeting. Needs time to work on the budget. This is a top priority. Other items will need to be put on the back burner for the short term. The township's computer server crashed yesterday. It was able to be patched by our IT provider. They have recommended a replacement. Our current server is about 10 years old. It will cost approximately 10K. Goal is to have quotes at the April meeting. Covid-19 concerns - is tracking this at a state level. Questions and concerns need to be directed to the Allegan County Health Department. Lynne Wells - our Zoning Administrator is going through a tough family situation. Thinks it is important to acknowledge her. She is an important member of our team.

Graham - requested that if the board wishes to conduct his performance review, that it would be done in closed session.

Helmrich moved to go into closed session pursuant to Michigan Open Meetings Act public act 267 of 1978 15.268 section 8a to discuss the annual personnel evaluation for the township manager. Supported by Bigford. Discussion: none. Roll call vote: All yes. Approved 5-0.

Meeting entered into closed session at 8:15pm.

Meeting came out of closed session at 8:58pm.

Bigford moved to approve the board compiled performance evaluation of Manager Graham presented at tonight's meeting and authorize the supervisor to sign it. Supported by Helmrich. Discussion: None. Approved 5-0.

Bigford moved to increase Manager Graham's salary 5% retroactive to January 1, 2020, to increase Manager Graham's salary 5% July 1, 2020 contingent upon continued positive job performance as identified by the township board, to grant Manager Graham a COLA increase July 1, 2020, to amend Manager Graham's employment contract to include 3 weeks of paid vacation and to increase severance pay to 4 months. Supported by Marcy. Discussion: None. Roll call vote: all yes. Approved 5-0.

Marcy moved to adjourn the meeting. Supported by Bigford. Discussion: none. Approved 5-0.

Meeting adjourned 9:14pm

Minutes prepared by Abby Bigford - Township Clerk

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