

Saugatuck Township Board
Regular Meeting
December 9, 2020
Approved Minutes

Supervisor Osman Called the meeting to order at 6:02pm

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. Please do not click on any links on Zoom.

Approval of Agenda: *Marcy 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.*

Public Comment:

Laurie Goshorn- 3512 64th Street- Sits on the Parks Commission. Believes that this board has an obligation to consider “measures to avoid, minimize or mitigate potential effects on the Traditional Cultural Property”. As a citizen, is asking the board to appoint a historic district committee, to appoint a committee to review/recommend a natural river or environmental area designation and to ask the planning commission to contextualize the language of Section 40-910(h)

Dan Kaywood - Spoke in support of the County Wide ORV ordinance. Believes we sent you a copy of the resolution in July. Would like to ask to have this on your agenda for next month.

Nicholas Wallace- Lives on Dugout Road. Grew up there. Urges the board to appoint a historic district committee and to appoint a committee to consider a natural river or environmental area designation. Offered his expertise in sitting on either of those committees. Explores a contextualization of the phrasing “In no event” in section 40-910(h)

Scott Beltman- Addressed the board in September and provided a ORV resolution at that time. Update since then- 20 townships have taken action on the resolution and 19 have approved it. Would like to see Saugatuck Township put this on the agenda for the January meeting. There is a good track record with this ordinance in other counties.

Cynthia McKean - read into record the letter that is part of this meeting’s packet in support of creating a Township Historic District Committee.

Bob Meyers - is available to the township as a source of information on the ORV ordinance from a Law Enforcement perspective.

Tracey Shafroth - Lives in Douglas. Supports the comments made by Nicolas, Laurie and Cynthia concerning the Harbor Mouth. In addition to the National Trust for Historic Preservation in 2007, there has been a lot of recognition of this landscape as a very pristine and special place. In 2011 the Cultural Landscape Foundation gave the "Landslide Award" to the Saugatuck Dunes. The Field Museum of Chicago awarded the Parker Gentry Award to the Potawatamie/Gun Lake tribe in 2019 for their work in the Great Lakes, including their work at the mouth of the Kalamazoo River. The Tribe has developed a model of conservation that is considered to be global in nature. The harbor has been recognized nationally and internationally. Please protect the harbor mouth.

James Cook - concurs with many of the comments that have already been made. It is encouraging that the idea of a Township Historic District is gaining support. Creation of such a commission is a reasonable step for the township on many levels.

Consideration of the rivermouth is the most immediately apparent, but there will likely be other candidates for historical site designation and we should be prepared to deal with them properly. The built environments of our towns and the natural lands, vistas, and historic and archeological sites of the Lake Michigan lakeshore and along the Kalamazoo River are irreplaceable assets. They are vital to the quality of the community's cultural life as well as to its economy. The Society asserts that any development that devalues the historic townscape, landscape, or view sheds, or diminishes our ability to understand or commemorate our varied history, should be considered a "taking" from the people of the region. The Society urges local, state, and federal governments to recognize the significance of these unique historic assets and to protect them from development or activities that would alter the area's character or appearance. The choices we make today have long-lasting repercussions by which history will judge us. We must act wisely and with commitment to provide future generations with a strong and meaningful heritage.

David Swan- is speaking on behalf of the neighbor group to the Pine Trails Camp and the VanHorn sand dune mining operation. This group is asking the board to ask the Planning Commission to contextualize the language in section 40-910(h) to clarify that "In no event" to include "never, and without exception including PUDs, SAUs, single family residences, sand dune mining operations, and any other action requiring a permit. Section 910(h) is not part of any current litigation nor was it considered with the North Shore of Saugatuck permit. Section 40-910(h) needs clarification to ensure that there is not another canal or chanel in the traditional cultural landscape.

Carl Gabriels- speaking on behalf of North Shores of Saugatuck. Urges to board to keep in mind the immense scope of what has been labeled as the TCP. It does not simply cover the first part of the river, the cove or the river mouth. This covers 20+ square miles. As a designation of the TCP, it already brings with it a number of restrictions and bureaucratic steps at anytime any federal action becomes necessary with any property owner or municipality within that TCP. Including if the Township would ever seek federal funding for any project or if any waterfront property owner needs a permit for putting a dock in, or if the Tri-community decides to dredge the river. All of these activities involve federal approval or federal funding and now there would be another step involved. As the township is considering any actions that put additional restrictions on the TCP keep in mind the large number of people that would be

burdened by those restrictions. Protecting historic property should be done properly and carefully as well.

Kathy Sturm- Letter read by trustee Aldrich - I have read letters regarding establishing a Historic District. While I agree, I feel that it is important to establish a committee and have the committee seek guidance and guidelines from appropriate state and national organizations. Then have that committee submit a formal proposal identifying several sites that are in need and want of preservation. This is not an offer from me to step forward and participate on said committee, simply voicing my concern. We have more endangered landscapes than architecture so it would be different that other historic districts.

Review of Invoices:

No questions or concerns from board members.

Aldrich moved to approve all bills and payroll in the amount of \$92,119.02 as presented. Supported by Helmrich . Discussion: none. Roll call vote: all yes. Approved 5-0.

Treasurers Report: Helmrich: General Fund bank balance=\$1.7M - Flat to last month. Total Revenue YTD is 20% below budget and YTD expenses are 24% below budget. In General Fund only, revenue is 7% below budget. Collecting Winter taxes for township funds will have a positive effect. There are no departmental overages. CD value= \$763K - flat to last month. CLASS account is at \$1,000,126; up \$70 from October. Winter tax bills all sent by December 1. Payments already being received through drop slot. Summer tax disbursements to approve: Payment #9 for \$89K total was made on 12/7/20. Need a vote. *Helmrich moved to approve Summer Tax Disbursement #9 in the amount of \$89K that was transacted on 12/7/20. Supported by Marcy. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Approval of Minutes:

Aldrich moved to approve the minutes of the November 11, 2020 regular meeting and the December 5, 2020 special meeting as presented. Supported by Helmrich. Discussion: none. Roll call vote: all yes. Approved 5-0.

Correspondence:

Cynthia McKean Letter

Michigan Historic Preservation Network Letter

Saugatuck Dunes Coastal Alliance Letter #1

Saugatuck Dunes Coastal Alliance Letter #2

Kalamazoo River Protection Association Letter

Larry Dickie Letter

Dave and Liz Engle Letter

Dugout Road Neighbors Letter

2021 Township Board Meeting Schedule:

Aldrich moved to approve Resolution No. 2020-15, a resolution setting the 2021 meeting schedule of the Saugatuck Township Board, and to confirm that regular meetings in 2021 will be held on the second Wednesday of every month. Supported by Bigford. Discussion: none. Roll call vote: all yes. Approved 5-0.

Poverty Exemption Guidelines: Osman- we adopt these guidelines every year so those living at or below the poverty level can be exempt from paying some or all of their property taxes. In the past we have always accepted the Federal Poverty Guidelines. *Helmrich moved to approve the adoption of Resolution No. 2020-15, a resolution to adopt poverty exemption income guidelines and asset test, and the updated poverty exemption application form, as presented. Supported by Bigford. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Updated COVID-19 Preparedness and Response Plan: Osman we have before us an updated plan that has been prepared for us by Manager Graham for us to consider. COVID is an ever-changing item. So Graham has thoughtfully prepared some amendments to our policy. *Aldrich moved to confirm the updated COVID-19 Preparedness and Response Plan, dated November 20, 2020, as presented by the Township Manager. Supported by: Marcy. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Resolution of Support – CZMP Grant Application: Osman - the Allegan County Road Commission is applying for a grant to manage the coastal erosion and is looking for our support. Graham - the Township continues to work closely with the Road Commission on short and long term solutions to Lakeshore Drive. The Road Commission is attempting to obtain funding to develop a Feasibility Study for the Managed Retreat of Lakeshore Drive from the Michigan Coastal Zone Management Program. The goal of this work is to provide justification for future construction grants such as FEMA's Building Resilient Infrastructure and Communities Program. Thanks the Road Commission for their work on this. The Township is not being asked to contribute financially; however, it is being asked to adopt a resolution of support of this grant and for some "in-kind" contributions like some staff time. *Bigford moved to approve adoption of Resolution No. 2020-16, a resolution supporting the Allegan County Road Commission's submission of coastal management grant application related to Lakeshore Drive in Saugatuck Township, as presented. Supported by Helmrich. Discussion: Helmrich thanked Graham for all of his work on this. Roll call vote: all yes. Approved 5-0.*

Invitation for Additional Comments on Section 106 Review - North Shores of Saugatuck Marina Development: Graham - The Township previously submitted comments on the North Shores project in a letter to the USACE dated February 28, 2020 per the USACE's request. Since February there have been two notable developments relating to the Section 106 review. In a memo dated June 23, 2020, the USACE expanded the "project area". The second notable development was that the National Park Service reversed the USACE's prior determination that the Kalamazoo River Mouth does not qualify for inclusion on the National Register of Historic Places. USACE is required to reevaluate the potential adverse effects of the proposed marina project, taking the larger project area and newly declared historic properties into account. To assist in that evaluation, USACE has invited additional comments from the Township. Helmrich - believes that how we handled the first request in the February 28, 2020 letter was

appropriate and that process went very smoothly. When a federal agency, and one as important as the USACE reaches out to a municipality for comment, it is imperative that we thoughtfully respond. Supports moving forward and taking action on this. What two trustees would be interested in participating in preparing comments with the manager? Osman - would there be additions to the first comments? Helmrich - this is a different question. It could possibly be more to the point. Osman - we could re-submit our original response. Helmrich - yes we could re-state our original statements and possibly add comments. Aldrich - Helmrich are you interested? I am willing to serve as well. Graham- in the past the Manager and legal counsel have prepared a draft and then the 2 person committee has reviewed/edited/given feedback. Graham- the entire board would not be able to review and comment unless we schedule a special meeting. *Marcy moved to authorize and direct the Township Manager, the Township Attorney, and Trustees Aldrich and Helmrich to prepare and submit additional written comments as part of the historic properties review for the North Shores marina project for submission to the U.S. Army Corps of Engineers. Supported by Aldrich. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Allegan County Resolution PA 660 of 2019 - Designated Assessor Appointment: Osman- this is a result of some assessing reforms that were done a couple of years ago in order to have more consistent assessing statements across the entire state. This is not asking the County to be our assessor. It puts into place a mechanism into place to address assessing that is out of compliance; the designated assessor can come in and offer assistance. Graham - Allegan County has appointed Matt Woolford to serve as the County's Designated Assessor per the Public Act 660. Allegan County is requesting that we enter into a proposed Interlocal Agreement and Designated Assessor Contract in the case services become required under the Act. This has been reviewed by legal counsel with no concerns. Helmrich - our own assessor, Kyle Harris is in support of this action. *Helmrich moved to enter into the proposed Interlocal Agreement and Designated Assessor Contract with Allegan County, and authorize the Township Clerk to sign the proposed agreement on behalf of the Township Board, as presented. Supported by Aldrich. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Board of Review Term Expiration Announcements: Osman Board of Review terms expire every year and appointments are made. Our policy is to publish the vacancies to determine if there is any interest outside of the current members prior to making appointments. Aldrich- are the current members interested in continuing? Graham- not sure. Will post notice and follow up with those individuals as well. *Bigford moved to acknowledge the aforementioned Board of Review term expirations and direct the Township Manager to post notice of the openings consistent with the Township's adopted appointment policy. Supported by Aldrich. Discussion: none. Roll call vote: all yes. Approved 5-0.*

Zoning Board of Appeals - Resignation and Vacancy Announcement: Osman- we did have a member resign due to relocating outside of the Township. Graham- we do have several alternates that have applied in the past that we could contact. Aldrich *moved to*

accept Mr. Mike O'Brien's resignation from the Zoning Board of Appeals and direct the Township Manager to post notice of the opening consistent with the Township's adopted appointment policy. Supported by Marcy. Discussion: none. Roll call vote: all yes. Approved 5-0.

Planning Commission: Helmrich - the Planning Commission did not meet in November but will meet on December 14. Much of the meeting will be centered on the ground water and well head protection ordinance. Last week Chairperson Israels and I attended an 8 hour session of the Michigan Association of Planners. The main focus was on equitable development and having equity and inclusion in ordinances. The joint meeting between the Township Board and the Planning Commission has been put off due to COVID, but as it has been a long time, believes we should consider doing it remotely.

Fire Board Report: November was above the average call volume, ytd call volume is 786, 13% down from last year. There were eight calls this past weekend in 23 hours. The type of calls are all in the normal range this month. EMS counts for 60% of the volume. Mid-month there was an uptick in Covid-19 calls. Township accounted for 40% of calls compared to 31% from Douglas and 29% from Saugatuck City. Chief Janik has been especially busy this month. He was asked to be part of the Allegan County Public health Covid-19 Community Vaccination task force. This task force is working diligently to be prepared for administering vaccinations when they become available to Allegan County.

Parks Commission: Graham - a report was shared with board members from Mr. Searing after the packet was published. Are there any questions? no.

Kalamazoo Lake Water and Sewer Authority: Osman have we received any reports regarding the master meter? Graham - no not yet. In last month's meeting you all discussed asking the Township representative on the Kal-Lake Board to submit quarterly reports to the Township. Would you all like for me to request this? Osman - a short written report would be helpful. Helmrich - agreed. Graham - will reach out to him.

Interurban Board - Please see Babinski's report in the packet.

Open Board Report: Helmrich - there has been significant increase in interest in a Historic District Committee. Possibly we could schedule a meeting in January to discuss this further or perhaps we could have 2 board members take this on. Encourages all to adhere to COVID precautions. Marcy - Also encourages people to follow the Governor's guidelines regarding COVID. Osman - thanked Graham for all of his detailed work. Bigford - there is significant increased interest in a Historic District. I believe it deserves our attention moving forward. Aldrich - agrees with the other comments. We do need to address the idea of a Historic District.

Managers Report: Graham - appreciates all of the support from the Board. Thanked the board for their participation in the strategic planning. There will be a report in January. The State remains in partial shut down so the Township Hall will also remain closed at this time. The Allegan County Health Department is seeking clinical and non-clinical volunteers to assist with COVID-19 vaccinations. Last week participated in a meeting with Dr. Bob Shushman from the MI Great Lakes Tech Institute. He gave an update on the Harbor Grant Project that the Township participated in. Work was delayed due to COVID, but 39 sediment samples have been collected and analyzed. A report should be completed and shared with all of you by the end of the year. Staff continues work on the insurance claim related to the bike trail board walk damage due to a car accident. Engineering projects- roadway asset management plan- our engineers are close to having a draft plan to share with us. Water and wastewater capital improvement projects and rates/connection fee review is also underway. Will be meeting with consultants with that project tomorrow. The consultants will present to the board regarding this subject in early 2021. For the January meeting our auditor will present our annual financial reports, a Township Board Goals annual report will be shared, there will be a draft action plan for the 2021 Township Board Goals, Cemetery ballot language, and Kalamazoo Lake Harbor Authority resolution and amendments, ZBA and Board of review appointments and discussion on road projects/road plan.

Public Comment: Daniel Defranco - did attend the Township Goal Setting meeting and wanted to commend everybody on their work. Spoke in favor of the Board looking into the creation of a Historic District Committee.

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

Prepared by:
Abby Bigford
Township Clerk