

TUSCARORA TOWNSHIP
3546 S STRAITS HWY, INDIAN RIVER, MI 49749
SEPTEMBER 5, 2023 at 7:00 pm
REGULAR BOARD MEETING MINUTES

ITEM 1: CALL TO ORDER

The meeting was called to order with the pledge of allegiance by Supervisor Kramer at 7:00 pm.

ITEM 2: The supervisor led the board and public in reciting the Pledge of Allegiance.

ITEM 3: ROLL CALL

Present – Supervisor Kramer, Clerk Reidsma, Trustee Vance, Treasurer Dillaha, Trustee Pearson

Staff Present: Ron Odenwald

All present. Quorum present – yes

ITEM 4: BOARD MEMBER CONFLICT OF INTEREST STATEMENT

No conflict of interest offered.

ITEM 5: APPROVAL OF MEETING AGENDA

MOTION: Approve the Meeting Agenda.

Moved by Vance, seconded by Dillaha

MOTION CARRIED by unanimous vote.

ITEM 5a: Board approved request to insert John Wallace, County Commissioner, into Agenda.

Information: Apology offered for “Fake News” regarding Straits Hwy “bump-outs”.

ITEM 6: PUBLIC COMMENT ON AGENDA ITEMS

The floor was open for public comment at 7:03 pm. Closed at 7:11 pm.

D. Webb – Comments on Planning Commission consent agenda items

P. McGinnis – Comments on “Reward Resolution” agenda item

S. Snyder – Comments on “Parking Concept” agenda item

B. Henderson – Comments on Attorney “Legal agreement” agenda item

ITEM 7: APPROVAL OF CONSENT AGENDA

Consent agenda items include – Bills Report, Treasurer, Minutes, Correspondence, Reports by: Library, Police, DDA, Parks, Sewers, and Planning Commission, Airport, Assessor, and FOIA.

Board member request by Kramer & Pearson to move the following reports to main agenda: Minutes (8b) and Planning Commission (9f).

MOTION: Move to approve consent agenda items less items 8b and 9f.

Moved by Vance, seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

ITEM 8: OLD BUSINESS

ITEM 8a: PARKING CONCEPT

TUSCARORA TOWNSHIP
3546 S STRAITS HWY, INDIAN RIVER, MI 49749
SEPTEMBER 5, 2023 at 7:00 pm
REGULAR BOARD MEETING MINUTES

MOTION: Move to approve OHM Advisors to create (2) preliminary concept layouts for two potential parking lot locations (property paralleling Club Road and property adjacent to Chamber of Commerce) not to exceed \$4950.00.

Moved by Kramer, seconded by Dillaha.

MOTION CARRIED by unanimous roll call vote.

Discussion: There has been public discussion on the lack of parking. Kramer said the DDA was on-board with the concept. Once complete, there would be a Special Meeting to allow Township community input and to establish requirements (lighting, paved / unpaved, cost, next steps). There may be one or more viable concepts that ultimately get submitted to the Board.

ITEM 8b: MINUTES

MOTION: Move to approve the minutes with an August 1st correction to eliminate cost information associated with Sewer REU Criteria Sheet for “Telehealth Room” and “Residential Duplex”.

MOTION CARRIED by unanimous voice vote.

Discussion:

Cost associated with #REU’s on criteria sheet for different applications can vary

Minutes did not require the cost per REUs, just the number of REUs.

ITEM 9: NEW BUSINESS:

ITEM 9a: SOFTWARE REQUEST

MOTION: Move to approve the purchase of Miscellaneous Receivables BS&A software at a not to exceed initial cost of \$5000.00 using the Treasurer’s Budget GL #101-253-933, Software Maintenance Agreements).

Moved by Reidsma, seconded by Dillaha.

MOTION CARRIED by unanimous voice vote.

Discussion:

Miscellaneous Accounts Receivable software is required for managing a variety of customers, billing items, and fee invoices for the Cemetery, Airport, Trailer Park Permits, Food Truck Permits, Boat Launch fees w/QR code, Grants, Parks Access Fees, and Meeting Room fees, for example. Recurring invoices can be set-up as technical memory year after year, such as trailer park fees. Primary benefit will be office efficiency and quality for Auditors with “digital paper” trail from billing to receipt. .

ITEM 9b: LEGAL AGREEMENT

MOTION: Move to approve Matthew Cross as our Tuscarora Township Attorney with the law firm of Cummings, McClorey, Davis & Acho, P.L.C.

Moved by Kramer, seconded by Reidsma.

MOTION CARRIED by Roll Call vote 3-2 (Dillaha, Pearson voted no).

Discussion:

Matt Cross resigned from Plunkett Cooney to become a partner at Cummings, McClorey, Davis & Acho, P.L.C. Questions were raised and answered that we hired a company, not an individual (M. Cross interviewed for the Township position). Questions raised and answered concerning the need to put the

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Legal Services contract out for bid again. Kramer stated it was not necessary given the cost of services were within our policy range (services ranged from \$5k - \$25k), and sole source contracts are possible under appropriate circumstances. The contract cost for attorney fees did not change (\$200/hr).

ITEM 9c: CEMETERY FEES

MOTION: Move to approve Burial Plots fees from current, \$250 (res) / \$500 (non-res), to new, \$300 (res)/ \$600 (non-res) respectively and all published fees change from \$25 to \$30 / service (burial permit and / or Deed services for example). See attachment for summary and publishing on the website.

Moved by Reidma, seconded by Dillaha.

MOTION CARRIED by roll call 5-0.

Discussion:

Current fees for burial open /close have already been raised based upon the contractor's requirements. New fees based in part on a competitive analysis of other Township cemetery fees and our new fees represents a mid-point of the competitive range. See attachment for the updated summary published on the Township Cemetery website.

ITEM 9d: REWARD RESOLUTION

MOTION: Move to approve \$1000 reward for the apprehension and conviction of the suspects responsible for recent breaking & entering of multiple Township businesses on August 19th & 20th.

Moved by Kramer, seconded by Vance.

MOTION CARRIED by Roll Call vote 5-0.

Discussion:

Board of Trustees action intended to demonstrate that this behavior in this community is unacceptable, suspects will be apprehended, and prosecuted. Police Chief stated that this would be helpful, and a specific budget has not been determined at this point in time.

ITEM 9e: BUDGET ADJUSTMENTS

MOTION: Move to approve added Revenue of \$24000.00 to the Police Revenue Fund (207) under a Grants GL# TBD, and to approve Expense budget increases of \$8000.00 for each of the following accounts: Lodging (travel – 913), Wages (702), and Training (916).

Moved by Reidsma, seconded by Dillaha.

MOTION CARRIED by voice vote 5-0.

Discussion:

Police Chief Temple was able to obtain a \$24,000 Training Grant (MCOLES) to cover costs of Training, Wages, and Lodging for a new recruit - Dawson Brace, which must be added to the 2023-24 Budget. Financial impact to the existing budget are expected to be neutral.

MOTION: Move to approve the budget adjustment, not to exceed \$1000.00, for Tuscarora's shared expense, to participate in a County-wide early voting for the Presidential Primary.

Moved by Reidsma, seconded by Vance.

MOTION CARRIED by voice vote 5-0.

TUSCARORA TOWNSHIP
3546 S STRAITS HWY, INDIAN RIVER, MI 49749
SEPTEMBER 5, 2023 at 7:00 pm
REGULAR BOARD MEETING MINUTES

Discussion:

Early voting of (9) days prior to the first statewide or federal election in each even numbered year on a Tuesday must have (Saturday, Sunday, M-F, Saturday, Sunday) as voting days. Given the changing rules & regulations with the new law, Cheboygan County Townships and Cities have elected to have the County provide the Early Voting Site and Administration at the County Building. Each Township will support the effort with a yet to be determined cost & resources.

MOTION: Move to approve the budget adjustment of \$12,861.00 from the Planning Commission Department (GL# 101-701) to the Contingencies Budget (#101-209-941).

Moved by Reidsma, seconded by Pearson.

MOTION CARRIED by voice vote 5-0.

Discussion:

The Planning Commission budget had been placed on hold, by the Supervisor, as chief budget officer, in accordance with the Budget Appropriations Act. The Board did not need to vote on this issue.

The budget adjustment will remain in effect until Issues between the Board and the Planning Commission are resolved.

NEMCOG contracts will be honored and addressed by the Board to finalize the Master Plan and provide payment for services rendered.

According to the February 1970 Resolution that states in item (4), "All plans, regulations, and zoning activities of the Township Planning Commission shall be subject to the approval of the Township Board of Tuscarora Township, which approval shall be required before the same becomes effective".

ITEM 9f: PLANNING COMMISSION (pulled from Consent Agenda)

MOTION: Move to have the Board Repeal the 1970 Resolution that established the Planning Commission.

Moved by Pearson, seconded by Vance.

MOTION CARRIED by Roll call vote 4-1 (Kramer – no).

Discussion:

-- 1970 Resolution item-4 was reviewed: "All plans, regulations, regulations and zoning activities of the Township Planning Commission shall be subject to the approval of the Township Board, which approval shall be required before the same becomes effective."

-- 1970 Resolution item-5 was reviewed: "This resolution may be amended or repealed at any time by a majority vote of the entire membership of the Tuscarora Township Board".

-- The Planning Commission (PC) is the cause of strife between the Board, taxpayers, and the PC membership. They have caused unnecessary expense to the township and have become a burden to taxpayers.

-- The Planning Commission has shown no desire to comply or work with the TT Board for the PC's intended purpose – land use development – within the Township. They pursue their own agenda despite Resolution Item #4 and the fact that PC members are appointed by the Supervisor. They have received

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SEPTEMBER 5, 2023 at 7:00 pm
REGULAR BOARD MEETING MINUTES

a letter from the Township attorney that states that the township policies apply to them, but they continue to act without regard to these policies. The letter also states that failure to comply with those policies could serve as a basis for removal from the planning commission.

-- The PC pursues short term rental ordinance & regulation, inserts themselves into airport forestry operations, and provides input to the County on matters that should be addressed with the Board first.

-- They have publicly stated that they are an autonomous body, which they are not autonomous.

-- Their refusal to operate in accordance with Township policies, the Planning Commission resolution, and a disregard for previous Board direction to the PC has become a burden to the Taxpayers.

-- The Planning Commission has become a high-cost burden to the taxpayer, due to inefficient “mission creep” caused by their actions / inaction.

-- Planning Commissions are not a necessity. Only one other Township (Burt) in the county has a Planning Commission. So, the Board is **committed** to finalizing the 10-year Master Plan with NEMCOG without a PC.

-- Mediation between the Township, the Planning Commission, and the County was suggested to resolve our differences and re-set expectations.

-- Mediation requires the involved parties to agree upon a problem, but we do not agree, because they see the Board as the problem. Facts are facts (i.e. attorney opinions, the 1970 resolution, Board policies, Board direction), yet they refuse to acknowledge or abide by these facts within their appointed positions.

-- It was stated that they have become a shadow government.

-- PC members are not included equally in all the conversations or access to information. It isn't just a communications problem with the Board.

ITEM 10: PUBLIC COMMENT

Public comment began at 8:32 pm. Comments end 8:40 pm.

S. Snyder – Comments on Planning Commission mediation

B. Henderson – Comments on Waldon's parking lot opinions

D. Webb – Comments on the repeal of the Planning Commission (PC ordinance)

S. Shaum – Comments on Frontenac Blite

R. Grandy – Comments on need for Township Manager & Planning Committees own agenda

T. Goral – Comments on less Government is more.

ITEM 11: BOARD COMMENTS

Five board members commented.

ITEM 12: MOTION TO ADJOURN

Meeting adjourned at 8:58 pm.

Respectfully submitted by Jay Reidsma, Tuscarora Township Clerk