

Milton Township
Township Board
March 23, 2016
Special Meeting: Public Hearing - Maplehurst Property

Members present: Supervisor – L. Bary, Treasurer - L. Atkinson, Clerk S. Ball, and Trustee Pharo.

Members absent: Cole, excused.

Also present: Weinzapfel, Derman, Todd Vigland, and 21 audience members

Bary called the meeting to order at 7 pm and opened the public hearing.

The purpose of the meeting is to determine if the township should apply for a DNR acquisition grant to purchase the Maplehurst property. The Grand Traverse Regional Land Conservancy would raise the money for the purchase of the property, that isn't covered by the grant. They would remove the buildings and when it's done, they would turn the property over to the township at no cost. The future costs would be regarding the care and maintenance of the property.

Brett Pharo asked regarding the application. They are going to provide the funds for the purchase, but it doesn't say that GTRLC will handle all of the DNR Requirements that come with a DNR grant, such as demolition. Derman said it wouldn't be in the resolution. It's in the project summary. You can have them sign that. That indicates they will cover demolition and other short term steward needs as well as an endowment for the property. Pharo said it doesn't explicitly say that they will fund this. It says they will seek funding. Vigland said they do need to put together a partnership agreement which would include demolition. We can work together on this. Pharo said we should have this up front? Vigland said we can put this ahead of the grant. Vigland said the intent is to enter into an agreement with the township. Pharo said he is okay with doing maintenance because it is such a nice piece of property. Pharo stated that he'd requested a copy of the motion and he'd like it before he comes to the meeting and instead he got it tonight.

Bary said regarding area farms that border Maplhurst, it may be wise to put up a fence to avoid trespassers. That's something you'd need to factor into this.

Cal Nagy asked regarding the appraisal? Who did the appraisal? Vigland gave the name of the two professional appraisers. Does that coincide with area property values? He also inquired about lead on the property from a shooting range used for many years. There will be an environmental Yes. Regarding the building clean up, there was a shooting range on that property. If this is a public place, we know what happened with Elk Rapids, what will happen with the clean-up from this shooting range. We don't know how much lead is in there. Who is responsible for that lead? Vigland said that's good info for the environmental assessment that we are having done. We will take it into consideration. There are laws regarding abandoned orchard clean up. There is an abandoned orchard on the property. This will also affect the local clean up. There is

no one to police local orchards. Who will take care of that? Vigland said that will be discussed during the environmental clean-up. That's a part of the due diligence that comes along with the property. Regarding the mineral rights? Who retains those? Bargy said we would get 50%. We are going to negotiate that. Was that considered in the appraisal? Yes. At the end who will own the property? Will Milton be allowed to sell it? If we own it, it must go to a vote of the people to in order to sell it. Vigland said the DNR grant won't allow the property to be sold, unless the purchase cost has been reimbursed. As an adjoining property owner, trespassing is a huge issue with me. No one will do a thing about it. He adjoins a township property in Whitewater that was gifted by the conservancy.

Jeremiah Steffen: What does the demolition cost cover? Everything? The lodge, the ski towers, the buildings...everything.

Dan Marker: What is the purpose of acquiring the land? We have a lot of ill maintained property? Bargy said the goal is to preserve open space.

Cal Nagy: It's a natural lake, but it has been dammed up.

Jeff Nagy: He has concerns about the fish in the lake. If you let the public in there, that will destroy that lake by overfishing unless it's catch and release. With the DNR grant, who owns the lake? Milton Township.

Joyce Grammar: How many tax dollars will come off the tax rolls between Maplehurst and the lakefront property: \$32K? Liz doesn't have the beach front property number. She will get that after the meeting since this is a discussion on Maplehurst.

Ron Boals: Regarding the survey, he has a question about the grant and how it's all funded. Bargy explained the funding and how it works. The conservancy won't actually be purchasing it. Vigland explained that the conservancy would be prepared to buy it and then sell it back to the township. What is the benefit of going through the conservancy? They are funding the other 30%. Given the way the question is phrased, my assumption is that the conservancy is picking up the entire cost. Given that, I have to look at the results of the survey and if they are accurate. I don't think this survey is a mandate by any means.

Steve Langusch: We are presenting this as hiking trails and hunting and fishing? How can you have those trail activities and hunting? This doesn't seem well thought out. What if there is a drowning there? What about the demolition and if we run into asbestos and lead. How do we control the public for neighboring property owners so it doesn't become a total "free for all?" My other concern is the mineral rights? How active are those wells and will they end up becoming disposal wells?

If the grant is not approved, what then? Then we would not pursue the purchase.

Tom Paradis: Has anyone spoke to Lawrence about this? Yes. Through the realtor. He hasn't signed the option yet, but negotiation continues, said Vigland. We don't know if he will actually sell it. The grant cycle happens once per year. We can always try for the grant. When is the

deadline? If the board applies for the grant tonight, the grant needs to be in by April 1. We'd like to get the option signed soon so we can do all of the other due diligence that's necessary. If this goes through, who will police this and how? Bargy said most likely DNR officers. It would be the same as if it's state property or county park property. Vigland said Maplehurst will be a township park and be included in their park plan. Bargy said if we are using public money, it's hard to limit how people can use it. Regarding adjoining property owners, what I hear is that the township will be responsible for a fence? Lon said he'd like to see a deer fence put down the lines.

Dean Veliquette: I see the walking trail near the property line. What about spraying and other farm activities? Even if it doesn't cost the township a penny to get into this, I would caution the township because of the liability. Just the maintenance costs alone could be staggering. What and how will you maintain this? Everyone is dreaming about what this will do for them, but like buying a car, it will be great for one reason or another and most of them are in conflict with each other. The township will be the police officer on this.

Neil Warner: In maintaining the soccer fields and the park across the street, how is that paid for? It is budgeted out of the general fund? Has there been major conflict with these areas? No. I'm supporting this. I agree that some of these concerns are important, especially the shooting range. I see land eaten up in the GT/Acme area. Once it's gone, it's gone. In maintaining the current park and trails, is the DNR involved in any actions here? Bargy said no.

Tom Paradis: Asked regarding the survey. I paid my property tax bill on line with the township, but I never got the survey by mail. I took survey online. How do you know where the results are coming from without any identification? We were tracking the IP addresses. Only one allowed per IP address. Did you know where they were coming from? Yes. By your IP address. So we don't know for sure if they are residents that did the survey. Liz said we got so many letters of support that the results seem to be reasonable.

Steve Langusch: We've heard from neighbors who have assumed that the conservancy was going to come in and the township would come behind. Milton township is funding 70% what do we need the conservancy for? This is going through without thought. No one has any idea about how this will be controlled. We haven't put much thought into what to do with it. Why aren't some of these facts put in here and then see what kind of reaction we get from the public. Bargy stated that the conservancy is doing the application and we are signing it because local units of government are the only one who can apply for it. They will buy the property now. It and it will take a year to get the money from the grant. This money will be used to reimburse them and the match will come from what we get from the trust fund, nothing from the tax dollars. He doesn't feel that we have hard facts and we should put it on the ballot for a vote.

Dan Marker asked regarding the DNR requirements: Bargy said the biggest one will be the demolition of the building. They are pretty hands off. Pharo said they have specifications that must be done.

Bob Milliner: Asked regarding the strings attached from the DNR. Pharo said what buildings/ where/how will they be used. Vigland said generally you are held to what you say you will do in

the application. They expect a management plan will be done on the property. If you propose something and then do something that's in opposition to what you proposed, there might be some issues with the DNR. If you can justify the change to the DNR, they will negotiate with you.

Bargy clarified that we are deciding if we should apply for the grant.

Jeff Nagy asked regarding the increase in liability insurance. We need to discuss this with our insurance company. Bargy said premiums have pretty much stayed the same. S. Ball said with the water, there are guidelines you have to follow. There needs to be signage posted and life rings available. Just like you see in other public swimming areas. It's a matter of allowing public access to the water for those of us who don't live on the water or don't provide the public access.

Bargy said regarding motorized boats, we could implement non-motorized usage only. This is our preference. Vigland said if you can provide justification as to why you don't want motorized, you can request it not be allowed. Vigland said trust fund monies are used for different uses. A lot of money goes to the state itself. The DNR can apply to the trust fund to acquire land. They do acquire land for ATV trails, or improve existing land to provide land for that use. It's not required in every project that they do. The township could apply and propose that this be non-motorized and get approved.

Lynn Warner said she would like to think about the big picture. Most of us live here because we appreciate the openness. Think about us not getting this property and having it become a gigantic housing development. This is something we cannot replace. I see the school kids using this for environmental studies. Long term, environmentally, we need this. There isn't much open space left. I would appreciate being able to use that property. We have a lot of concerns here, but working together, we can make it happen to keep it as a legacy.

Dean Veliquette: If we stop development on that property, it will just go elsewhere.

Skip Bryant asked regarding the application: The Water's Edge property we had to do surveys and all that. We don't have an option on Maplehurst. There has been a survey, and appraisals and another after the grant is given, with the way this project went, will there still be opportunities to change the scope of the project? 400 acres is a monster size of a park. This has come up quickly. Could things be removed from the project? Change borders? Bargy said we don't have a purchase agreement with Lawrence Cohn yet. We had to make the application a year ago and we didn't have a purchase agreement until August on the Bigelow property. This is just to make the application. We can back out if we decide to do so. Are you allowed to amend the plan during the process? Bargy said there is no development plan. This is just to purchase. We will put together a plan to develop it. We give them general ideas and then follow it up later with the final plan.

Bob Millner: Regarding the natural resources trust fund, it's in different categories, the area we are applying to, is it specific for land acquisition, what is your confidence level that we will get this? Vigland said he's been surer about other properties. It's very competitive. They have priorities that they want to fund. I'd think this one will score high, but not as high as others. There is only a certain amount of money available, there is a lot of competition for it, whether or

not we apply for it. It will go somewhere. They get requests for 3X the amount of money that they have for these grants.

Cal Nagy: Regarding the history, this country was founded on the fact that citizens can own property. Now we have government agencies buying up land. What are we to do when it's all taken up by government properties?

Rich Swift: He feels that the board and the conservancy is trying to push this through. Bargy and Atkinson said township residents have been asked.

Neil Warner said he's all for private ownership of land, but public ownership does help preserve the land and watershed. The goal is to maintain a healthy environment.

Bargy said if we own it, we have say in how you will be protected. If it goes private, you don't have a say in how it will be protected. A lot of this is unknown. If we don't get the funding from the grant, it's a moot point, and we don't move forward. Do we try to get the money or not. And if we do, then the questions addressed tonight can be taken care of.

Skip Bryant said he's in favor of the application. Once the application comes back, we can make a better decision on how to approach the development of this property.

Bargy said he would be in favor of seeing how the whole township feels by putting this on the ballot.

Cal Nagy said he approached the other township and asked them to put something in their township newsletters to respect property owners and they told me no. I'm not in favor of this board proceeding with the grant. I don't want this hassle that I already have in Whitewater Twp.

Those speaking in opposition:

Joyce Grammar: She is against buying this property due to the tragedies that have happened there.

Ron Boals: I don't feel that I should have to pay for other people's recreation. Where ever the money comes from, I don't feel that it's right.

Bargy said he got two letters in opposition.

Mark White: 90% of us have been all over this property. The one who will benefit the most from this is Lawrence Cohn. The majority of the land is not buildable. The area is great to have, but Cohn will be the big winner here, rather than everyone in the township.

Tom Paradis: As an adjoining property owner, he's not in favor of this

The following spoke in opposition: Jeff Nagy; Cal Nagy; Rich Swift; Dan Marker; Sally Nagy; Ron Grammer; Jason Taylor; Jeremiah Steffen; Trudy Culimore, Jim Veliquette; Denise Nagy;

All those speaking in favor:
Neil Warner

Lynn Warner; Skip Bryant in favor of the application; Terri Armstrong; Bob Milner; Leah Nicholson; Rich Hanna Christy Altonen; Bill Hefferan supports that the township follow the master plan. Chris Weinzapfel also supports the master plan.

Public Hearing Closed at 8:35 pm

Begin Board Deliberations:
Ten Minute Recess at 8:35

Board began discussions at 8:45:

Bargy said he would like to go forward with the application and go forward with putting it on the ballot.

Pharo said he's not opposed to the application, but he'd like to see more information on keeping and maintaining it. State funds are state funds. I'm not in favor of the township putting money into this.

Atkinson said a vote of the people is a good idea and she supports submitting the application.

S. Ball: She's in favor of going forward with the application. There are a lot of questions that need to be answered. I wouldn't consider anything further without it going on the ballot and letting the township residents have a voice. There are many in favor and there are many opposed. Everyone has a voice and a right to have their voice heard. With as many opinions as we've had tonight, it's important that we have meetings for the public moving forward. We must make sure they are properly advertised and see how things are progressing. Public education is very important.

Motion to approve Resolution 2016-13 to support the application for grant with the stipulation that the final decision for purchase will be placed on the ballot by L. Atkinson. Second by S.

Ball:

Roll Call: L. Atkinson – Yes; B. Pharo – Yes; S. Ball – Yes; and L. Bargy – Yes.

Motion carried 4-0

Absent – Cole. Resolution declared adopted.

Meeting adjourned by order of the chair at 8:50 pm.

Respectfully submitted,

Sandra Ball
Milton Township Clerk