

**TUSCARORA TOWNSHIP**  
**3546 S STRAITS HWY, INDIAN RIVER, MI 49749**  
**OCTOBER 8, 2024 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, Chris Green. All present. Quorum present – yes

**ITEM 4: BOARD MEMBER CONFLICT OF INTEREST STATEMENT**

No conflict of interest offered.

**ITEM 5: PUBLIC COMMENT ON AGENDA ITEMS**

The floor was open for public comment at 7:04 pm. Closed at 7:04 pm.

No Public Comments

**ITEM 6: APPROVAL OF CONSENT AGENDA**

Consent agenda items include – Bills Report, Sewer Project Bills ph1 & ph2, Treasurer Report, Minutes, Reports by: Police, DDA, Parks, and FOIA.

**MOTION:** Move to remove the sewer contractor bills from the consent agenda, creating item 8b.

Moved by Reidsma, seconded by Kramer.

MOTION CARRIED by unanimous voice vote.

**MOTION:** Move to approve consent agenda less Sewer Construction Bills.

Moved by Dillaha, seconded by Vance.

MOTION CARRIED by unanimous voice vote.

**ITEM 7: OLD BUSINESS**

**ITEM 7A: COMMERCE PARK WATER REQUEST**

**MOTION:** Move to approve the “water supply covenants and agreement” (per the contract attached in Board Packet) for MGD (Middle Ground Development), a non-resident Barn/Condominium at Commerce Park (parcel #16-162-030-300-001-17) with Clerk Reidsma to sign on behalf of the Board and Township.

Moved by Reidsma, seconded by Dillaha.

MOTION CARRIED by unanimous voice call vote.

Information: Deputy Supervisor Odenwald reviewed the Contract with the Attorney on behalf of the Township Board and the Township Attorney has reviewed the agreement. The contract provides water service to the Barn/Condos, under development, at Commerce Park from a Township well. Developer

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was not able to provide their own well due to restrictions placed on the property regarding an unknown underground fuel storage tank.

**MOTION:** Move to approve water usage rate of \$6.00 per 1000 gallons at Commerce Park to MGD (Middle Ground Development), (parcel #16-162-030-300-001-17) from the Township well (per the Board packet contract).

Moved by Reidsma, seconded by Vance.

MOTION CARRIED by unanimous voice vote.

Discussion: Deputy Supervisor Odenwald reviewed Commerce Park Water rate request on behalf of the Township and the Board and set the water rate per the Contract requirements. The agreement specifies that the rate be set based upon the average of Posen, Onaway, and Cheboygan city municipal rates.

**ITEM 7B: AIRPORT LEASES**

**MOTION:** Move to approve the airport leases.

Moved by Kramer seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

Information: The lease agreements (lease termination between Raymond P. Eaton, and the Township and the new lease between Howard W. Manson and the Township) were approved by Township attorney. The new lease applies to a tract of land, known as Lot 4 Airport Hangar Lease (Plot D). A date change to make the contract retroactive to October 1, 2024 was discussed. Lease agreement is included in the packet.

**ITEM 7C: COUNTY PLANNING COMMISSION PARKING LOT REQUIREMENTS & PEI AGREEMENT**

**MOTION:** Move to approve the County Commission Parking Lot Requirements as specified in Board Packet (i.e. the "Acceptance of Conditions" for authorization of a Martha Street Parking Lot by the Cheboygan County Planning and Zoning Department with the Township Board and to be signed by Clerk Reidsma).

Moved by Kramer, seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

Information: The updated requirements include the removal of a sidewalk along East side of Parking Lot, Privacy fence for the West side of lot (a recommendation), and a note added to the Grading Plan, as a 1<sup>st</sup> item in Grading Notes, indicating that a "Due Care Plan" and a "Construction Management Plan" shall be followed (additional details and marked prints in Board Packet). On October 2, 2024 the County Planning Commission approved the site plan for the new township parking lot with the conditions as documented in the County letter of October 4. At a prior Board meeting on August 13, 2024, the Board approved a contractual agreement with PEI (Performance Engineers, Inc.) to provide all preconstruction deliverables. The Board noted at the time that the Township can save considerable funds on parking lot by using the same contractors performing sewer construction work if bidding. This is a sole vendor agreement. Changes were made by the Township Attorney to include additional requirements on bidding to comply with Township bid policies (Chapter 4). Other safeguards include indemnification, and additional Board approvals on costs and bids.

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**MOTION:** Move to approve the PEI Engineering Services Proposal (agreement per board packet) and authorize Clerk to sign for the township.

Moved by Kramer, seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

Information: PEI will do the following with specifics included in the Board Packet: 1. Secure Permits and Due Care Plan. 2. Obtain Bids for Construction. 3. Construction Management. 4. Contaminated Soils Disposal. PEI scope of work included in this proposal is intended to manage the construction of the Martha Street Parking lot on behalf of Tuscarora Township. PEI has been made aware of the project budget and the fact that the site contains potentially contaminated soils, per the Due Care Plan provided to us for the DNR trail project. PEI acknowledges and agrees that the total project budget of \$200,000 will not be exceeded between PEI services and the cost of construction unless approved by the Township. Please note that the PEI will be acting as the Township's representative during the construction of the project. PEI will engage an environmental consultant to develop a Due Care Plan and will adhere to the protections contained in this due care plan. Also note that the schedule to complete this work is very aggressive and PEI will work diligently to achieve the goal of completing the parking lot this fall. Trustee Vance discussed this project has been in the Master Plan on-hold for years and that hazardous materials can be managed with a Due Care Plan. Kramer discussed changes made in PEI document presented to the Board.

**ITEM 8: NEW BUSINESS**

**ITEM 8A: SEWER CHANGE OF USE APPLICATIONS**

**MOTION:** Move to approve the new REUs for North Star Leasing of (5) additional per the Criteria Sheet supplied with Board Packet, which are paid prior to hook-up (applicant notifies board).

Moved by Kramer, seconded by Pearson (seconded the revised motion)

MOTION CARRIED by unanimous voice vote.

Information: North Star has 4 REUs on the property from the old motel. North Star will add 12 detached motel rooms. 8344 sq ft of retail, office space, and a club house with no food for the motel. According to the Criteria Sheet, the motel rooms would be assessed 4.8 REUs, retail would be 1.25 REUs, Clubhouse 1.5 REUs and 1 office REU for a total of 8.55 REUs rounded up to 9 REUs. Of the 9 REUs, 4 have already been assessed. It was discussed that Sewer professionals must inspect hook-up to assure proper system operation.

**MOTION:** Move to approve the new REUs for Inn Between Property Group of (8) additional REUs, per the Criteria Sheet supplied with Board Packet, which are paid prior to hook-up (applicant notifies board).

Moved by Kramer, seconded by Dilliha.

MOTION CARRIED by unanimous voice vote.

Information: In Between: Has 8 REUs, 7 for the existing restaurant with bar and 1 for the previous empty lot. No change in restaurant space which was previously assessed 7 REUs. Adding 8 condos and a retail

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area, according to the Criteria Sheet, 9 REUs are needed (8 for condos and 1 for retail space [rounded up to 1]. This is a total of 16 REUs of which 8 are already assessed (restaurant and previous vacant lot).

**ITEM 8B:**

**MOTION:** Move to approve the sewer contractor bills.

Moved by Reidsma, seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

Information: Elmer's bills totaled \$534,294.94, Matt's Underground bills totaled \$290,988.23, and Grand Traverse bills totaled \$115,433.05. These invoices will be paid by phase 1 &/or 2 bonds depending on work conducted.

**MOTION:** Move to approve the DDA bills.

Moved by Reidsma, seconded by Pearson.

MOTION CARRIED by unanimous voice vote.

Information: DDA submitted 5 check requests for a total of \$25,949.26, which had been previously approved by the DDA board.

**ITEM 9: PUBLIC COMMENT**

Public comment began at 7:33 pm. Comments end 7:38 pm.

S. Snyder – commented on Rail Trail history & prior work conducted given hazardous materials

**ITEM 10: BOARD COMMENTS**

Four board members commented.

**ITEM 11: MOTION TO ADJOURN**

Meeting adjourned at 7:51 pm.

Respectfully submitted by Jay Reidsma, Tuscarora Township Clerk