

**PENINSULA TOWNSHIP BOARD
REGULAR MEETING
July 12, 2016**

Meeting called to order at 7:00 p.m.

PRESENT: Correia, Hoffman, Avery, Rosi, Byron and Witkop

ALSO PRESENT: **Peter Wendling**, Township Attorney, **Michelle Reardon**, Director of Planning and Zoning and **Deb Hamilton**, Recording Secretary

ABSENT: Weatherholt (Excused)

CHANGES/ADDITIONS TO AGENDA

MOTION: Hoffman/Avery to approve agenda as presented.

Witkop said she provided a letter from a videographer. He would like to video the July 28, 2016 meeting. There was Board consensus to let him video tape that meeting or another if that meeting is cancelled. **Byron** asked about paving of the shoulders on Peninsula Drive. **Correia** said during Board Comments he will ask if the board had a chance to look at the area. **Byron** also asked about Kahn update. **Hoffman** said Todd Millar will be attending the August 9, 2016 meeting, requested a closed session and during the open session he asked the Board to appoint two Township Board members to attend the mediation. **Rosi** asked if Millar could come to a different meeting. **Hoffman** will contact Millar. **Witkop** asked to add Wilkinson Resignation letter as Business Item #3.

AMENDED MOTION: Hoffman/Avery to approve agenda as amended.

Roll Call Vote: Rosi-yes, Witkop-yes, Correia-yes, Hoffman-yes, Byron-yes and Avery-yes
PASSED UNAN

BRIEF CITIZEN COMMENTS (FOR ITEMS NOT ON THE AGENDA)

Vicky Shurly, Peninsula Community Library Director and Resident, introduced Gail Parsons, Director of Traverse Area District Library (TADL). *Gail Parsons, Director of TADL*, spoke about the county wide millage that supports six facilities. For more information visit TADL.org

Ross Childs, 6355 Franklin Woods Dr., read a letter that addressed a letter recently sent to voters by Dr. Dan Lathrop.

Marc Santucci, 11789 Center Rd., said when making zoning changes the Township needs to look at the impact of changing technology, changing life styles and changing economics. He is concerned about the changes to the definition of Bed and Breakfast Establishments. He asked the Board before making the changes to look at the purpose of zoning and then do no harm.

Louis Santucci, 12602 Center Rd., said he submitted a letter about Bed and Breakfasts to the Board today. The future of Michigan and specifically Old Mission Peninsula is agritourism. It is not just growing grapes and cherries but adding things like Airbnb to that business.

Jim Komendera, 4168 Rocky Shore Trail, passed out soil test done in 2013 on a Westwind Road property. Komendera said we do not know what is in the soil on The 81. He asked the Township to demand a soil test to be done before construction on The 81.

CONFLICT OF INTEREST

None

CONSENT AGENDA

1. Reports and Announcements (as provided in packet)
 - A. Officers – Clerk, Supervisor, Treasurer
 - B. Departmental – Planning Commission, Zoning Board of Appeals, Attorney, Engineer, Library, Fire Board, Park Commission and Township Deputy.
2. Correspondence (as provided in packet)
3. Edit List of Invoices and additions
4. Meeting Minutes
 - June 14, 2016 Regular Meeting
 - June 28 2016 2nd Regular Meeting
5. June 2016 Payroll

MOTION: Avery/Byron to accept the Consent Calendar Agenda as presented.

Roll Call Vote: Witkop-yes, Correia-yes, Hoffman-yes, Byron-yes, Avery-yes and Rosi-yes
PASSED UNAN

BUSINESS

1. Braemar Special Assessment District - Public Hearing

Wendling said the Public Hearing has been noticed. He recommends the public hearing be continued into the next month because of last minute issues. There were numerous informational meetings that occurred as to how this project would be put together including the retention of existing culverts under Peninsula Drive. **Wendling** said Mr. Cook, Road Commission, attended those meetings and was aware of the plans. Mr. Cook sent an email stating that he wants a different set of tubes put through Peninsula Drive. This needs to be addressed because it will change cost estimates. This is a Township function not a Road Commission function and there is an agreement with the Road Commission that they are going to participate in these SADs. The formula we agreed to is 11.5% on behalf of the Road Commission. The Township decides what plans to approve for the infrastructure that will result in the storm drainage system and its maintenance in the future. There is a provision if that Road Commission feels it is not being maintained and the Township Engineer disagrees the issue will go to third party engineer for decision. The culvert issue is not going to stop SAD but needs to be addressed. Tonight we will open the public hearing and then continue the public hearing at the next meeting and publish notice so the public is aware of the public hearing. Another issue the Township can begin discuss is what percentage should the Township contribute and initial funding. **Rosi** asked when the continuation of the public hearing will be. **Wendling** said he hoped sooner rather later. Notice should be in the paper and on the website although not required. **Rosi** asked how the calculation of the amount of water on the road and the Township responsibility. **Byron** asked what other township or county has done this and where and what problems and successes they have had. *Brian Boals, Township Engineering*, said regarding the allocation of cost. The Road Commission wants to use the State of Michigan drain district calculation procedure. They have put a spreadsheet together, ran numbers for hard surface and came up with 11.5% for the Road Commission. Boals said putting structures on the end of the existing culvert, head walls, drainage structures in place, regrade and reestablish the ditch that leads down to Peninsula Drive and put cobble stone in so it is armored for the future. We estimate the project to be \$186,000. They have been working on easements. **Byron** asked who is

responsible for the changes in culverts. **Wendling** said the existing culverts were the Road Commission responsibility. When the presentation was made it was clear these existing culverts would be used. The maintenance of those existing culverts would be part of the SAD. **Byron** asked why not requiring them to be corrected on the front end of project. **Wendling** said because engineering plan showed they did not need to be corrected. *Boals* said when maintained and debris removed those culverts can pass the flow. There is not a lot of development potential in the area. **Byron** asked why doing a SAD when all need is to be maintained and cleaned. **Wendling** said the alternative was the Road Commission saying it was not adequate and a drain district imposed. This is a citizen petition. If not done the Drain Commission would come in and take the control away from the Township. **Witkop** said it is clear that the problem is bigger than the Road Commission culverts. It is interesting that the Road Commission is bringing the culvert issue up now. It is great for them that these culverts could be replaced at the expense of the District. This is the Township's district and if our engineering thinks the current culverts will work we have the option to do that. *Boals* said we still need a permit from the Road Commission. **Avery** asked if the heaviest snow fall and spring thaw has been taken into consideration. *Boals* said yes and to address Byron's question. There is a similar situation in Sault St. Marie that he has been keeping his eye on but this situation it is not common. *Sally Akerley, Township Assessor*, said we have a strong percentage of owner approval, 78% by number of total parcels. She recommended the Board if they have questions or concerns to send them along to her and she will get the answers. **Byron** said need to do through job on drainage of new developments.

Correia opened the Public Hearing 8:06 p.m.

Joe Quandt, 412 S. Union and lives in Old Mission Estates, said this process started because his neighbors and he were concerned about having a County Drain imposed upon them. His neighbors and he overwhelmingly support this as a mechanism to deal with drain issues rather than having a County drain.

Kevin McElyea, County Drain Commissioner, said this is necessary. The residents and Township officials all requested to try this as a local project. He supports what the residents want. There are two County Drain Districts in Peninsula Township, one at the tip of Old Mission by Haserot Park and one at Timberlane Drive. Those have not been controversial and his 12 years as Drain Commissioner he has never to make assessments. He recently worked on Cass Road Drain District. He has currently secured six easements at the cost of \$1 each for Cass Road Drain District. His estimate of cost for Braemar was \$85,000 for drain and about \$12,000 for administration, design, easement costs. It should have been about a \$100,000 drain.

MOTION: Byron/Witkop to continue the Public Hearing at the August 9, 2016 Township Board meeting.

Roll Call Vote: Correia-yes, Hoffman-yes, Byron-yes, Avery-yes, Rosi-yes and Witkop-yes

PASSED UNAN

2. Policy & Procedures Page 2 – Changes (recommend re-adoption)

Hoffman explained changes to Policy & Procedures regarding Township Board meeting dates and times.

MOTION: Byron/Witkop to approve changes to times Section 2.5 of Policy & Procedures.

MOTION PASSED

3. Wilkinson Resignation Letter

Hoffman said she and Correia will be meeting with Sanders and Shipman of Park Commission and Wilkinson. Wilkinson is having trouble finding help and the distance traveled. **Witkop** said Wilkinson does a great job and

asked if some of his duties be done by someone else. **Hoffman** said it can be split out to a landscaping service and snow plowing service. **Byron** asked did we consider changing the contract with Wilkinson. **Hoffman** said we can talk to Wilkinson about that and please email her with any ideas.

CITIZEN COMMENT

None

BOARD COMMENTS

Avery said he felt the Fire Department's Fill the Boot Campaign was great. **Byron** said it was going on south of the Township. **Witkop** said the Fill the Boot campaign was for the Muscular Dystrophy Association. **Rosi** asked about Haserot Beach parking issues. **Correia** said the Park Commission will need to handle that.

Avery asked about Old Mooring place. **Reardon** said Tim Shriner of the DNR wants to get together with the Township this month. **Hoffman** said regarding meeting minutes. She feels the Recording secretaries are doing a good job.

Nancy R. Heller, 3091 Blue Water Rd., said she has no objection to the Fire Department collecting money but the citizens cannot collect because it goes against the ordinance. It needs to be a level playing field.

Rosi said the Bowers Harbor Park Expansion Committee has scheduled a public meeting for August 18, 2016.

Reardon said Jim Young requested a meeting when the The 81 PUD is the only topic. Dates Mr. Young suggested are August 17, 18, 19 or 22. Byron and Hoffman suggested the August 23 Township Board 2nd regular meeting. **Hoffman** asked about change in location for that meeting. **Reardon** said will be looking at other venues to accommodate a large number of people.

MOTION: Avery/Witkop to adjourn at 8:32 p.m.

MOTION PASSED

Respectfully Submitted,
Deb Hamilton, Recording Secretary

These minutes stand to be approved at the next meeting scheduled for August 9, 2016