

PENINSULA TOWNSHIP  
Regular Town Board Meeting  
August 28, 2018, 7:00 pm

Transcribed Meeting Minutes

Supervisor: I would like to call the meeting to Order at 7:00 p.m. would everyone please rise for the Pledge of Allegiance.

Pledge

Rob: Roll call please Joanne.

Joanne: Dave?

Dave: Here

Joanne: Warren?

Warren: Here

Joanne: Brad?

Brad: Present

Joanne: Rob?

Rob: Here

Joanne: Myself, here. Marge?

Marge: Here

Joanne: Isiah?

Isiah: Here

Rob: Okay, we have a full board. Citizen comments, if there is anyone that would like to make a comment now would be an appropriate time. Kurt, yeah, put your name and address for the recording.

Kurt Peterson, 1365 Buchan Dr., Very quickly, I know we are being asked to support an Iron Man Triathlon next August and I just want to say that I am in support of this. I seen that there is a letter in the packet from a resident that does not feel this is appropriate for us here. This is a great event for our Peninsula because here's an event that is not about beer or wine it's about healthy recreation, family recreation, kids, men, woman of all ages and it's something that show cases our Township to people that are respectful of the environment. They are honest, reliable,

educated people. Our Township is expanding about 1.2% a year so we are going to get about sixty-two people moving to our Township every year. What kind of people do we want to get to move here? These are the kinds of people we want to move to our Township. That is all. Thank you.

Rob: Thank you. Anyone else care to make a comment? Approval of the Agenda, do we have any changes or additions to this evening's agenda? I would entertain a motion to approve as presented.

Marge: So moved.

Brad: Second.

Rob: We have a motion and support, all those in favor signify by saying "I".

Board: All I's

Rob: Opposed? Okay, conflict of interest with anyone this evening?

Board: None

Rob: Consent Agenda, any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion. Meeting Minutes Approval August 14, 2018 Regular Town Board meeting, Reports and announcements as provided in packet, Correspondence, List of Invoices recommended approval, additional invoice for Business Item number eight in packet addition. Is there anyone in the audience that would like any of those items to be taken off the one sent agenda and be placed anywhere else on the agenda? Anyone on the Board?

Marge: We did not get the minutes in the packet for the August 14<sup>th</sup>.

Joanne: The minutes are missing from the packet.

Rob: The minutes are missing?

Joanne: Yeah

Rob: We will put them in the next packet then Joanne?

Joanne: Yup.

Rob: Okay, so then I would entertain a motion approve.

Isiah: I would move to approve the Consent Agenda as amended.

Brad: Second.

Rob: We have a motion and support, further discussion? Roll call please Joanne.

Joanne: Warren?

Warren: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yep.

Joanne: Myself, yes, Isiah?

Isiah: Yes.

Joanne: Marge?

Marge: Yes.

Rob: And Dave?

Joanne: Dave?

Dave: Yes.

Rob: Okay.

Laughter

Rob: Approved. Business the first item of business tonight is to approve purchase of new computer equipment for Planner and Zoning Administrator, Brad.

Brad: This is just a formality this is something that was budgeted with our with then, prior Planner and for Christina so that's why the amended package has the equipment that they have asked for is going to allow them to have much more efficient with their work duties so I recommend that the Board approve what is being proposed.

Rob: Okay, I would entertain a motion or is there any further discussion?

Joanne: I would move that we approve new purchase computer equipment for the Planner and Zoning Administrator.

Brad: I will seconded that.

Rob: We have a motion and support, further discussion? Roll call, please

Joanne: Rob?

Rob: Yeah.

Joanne: Brad?

Brad: Yes.

Joanne: Warren?

Warren: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Marge?

Marge: Yes.

Joanne: Myself, yes.

Rob: Thank you. Okay, item number 2 approve the Fire Department Application and Plan for ALS upgrade, Chief Gilstorff.

Gilstorff: Good evening board. First, I would like to say good job to my guys last night who responded to over 30 runs for trees, and they worked very, very hard to clear runs and passages to keep the Township residents safe. We are going after the ALS so right now I am in the process of getting a packet together to send to the State to get approval. This is a conditional approval which is under the Bennett Bill which basically allows us to upgrade our services from basic life support to advance life support depending on the staffing that we have for the day. We will always have an ambulance available it will just depend on the staffing on whether we have a paramedic or basic EMT will determine which kind of service we provide that day. Part of the application process is a letter from the Township Board backing the plan. You have the letter that I am preparing to send to the State in your packet. I gave it to Jo to put in the packet. Is it there in the packet Jo?

Joanne: Yes, it is.

Gilstorff: There are three phases to this which is on the second page on the letter; To Whom It May Concern basically the front page outlines the requirements that are posted in the application that we have to fulfill. The plan is basically to obtain

the licensure, schedule our paramedics appropriately which we already have them. The three that we have just hired are on different shifts so we have them covering each day. Eventually working towards 24/7 coverage. The reason we are going under the Bennett Bill is because I think we have enough paramedics right now with seven of us but there could be a gap. In order to alleviate the possibility of getting into trouble with the State and not complying with their rules we need to go under the Bennett Bill initially. As you will see in the second part of the process, we will look to hire more people and bring in more part-time paramedics in order to facilitate our ability to have a paramedic every day, 365 days a year 24 hours a day, once we do that, we will reapply with the State to go full blown ALS. The Bennett Bill only allows a two-year window we can reapply after two years if we have to and not fulfilled the staffing requirements and ask for two more years. It's kind of difficult to do but I firmly believe that if we go through this process and we add the two additional to three optimal full-time paramedics in April of the next budget that we will have no problem complying to fully stay on this for a year. So, what I am asking tonight is for the Township Board, and I gave Jo a draft of the letter that I need, I believe she has typed it up so it is there for you to see. So basically, you are saying that you agree with the plan and you know we are doing this. This is a requirement for the application process from the State.

Rob: Any questions of Fred?

Brad: None.

Rob: Alright, we would entertain a motion for approval of the plan as presented by Fred.

Isiah: So, moved, and thank you for knowing how to navigate through this process and thanks to the department for their hard work last night.

Joanne: I seconded it.

Rob: We have a motion and support, further discussion? All those in favor signify by saying "I".

Board: All I's.

Rob: Opposed? Okay, we have some...

Gilstorff; I also wanted to mention that there was some, just to go back to this for a second. The paperwork that is being turned in a meeting on September 21<sup>st</sup> so when they have that meeting September 21<sup>st</sup>, if they approve it, we will probably have a State Inspector will come out. So, our trucks will be already to go. So, if they come out and approve it away, we go. You also had in your packet an approval for a sprinkler system down for Station #2 which is a requirement as you know we are trying to get people in their 24/7 overnight. Right now, the building will not allow that so we keep them there until eleven o'clock at night. So,

the building is unstaffed for eight hours currently. So, I am working towards the process of getting the sprinkler system in there and getting everything up to code so we will have no issues what's so ever. Unfortunately, some things have popped up that I have to get more information about and more quotes and cost for so I have a total package. I didn't want to waste your time tonight approving that when we have all these other things that are tied to it. It has to be a monitored system which means a fire alarm plus we want to also add hardware for a total package so it is safety of the guys. Which would all be monitored so if we are not there and something happens, they call us (911). Which would be the last thing that I would want to happen but it is all a part of the code. So, we will be moving forward with that like I said I am doing a little more research getting information to get us to that point. I don't have a time frame for that but we are working hard to get us there.

Rob: I think the important thing is when we do put somebody there 24/7, we either by construction code had to add thick walls or some other conditions or put the sprinkler system in. Since we have City water down there the sprinkler made sense and then as we had prices going on that what we found we have to have a security system monitor it and we are going to hard wire in these smoke detectors also. That's what we will be bringing back to you.

Gilstorff: Once we are done that building won't have any issues. As you guys know the building was not set up to occupy this way so we have to follow the codes and make sure we are providing the best safety for the firefighters.

Rob: We do have a person down there. How many hours are they?

Gilstorff: They are down there 16 hours a day from seven a.m. until eleven p.m. at night. I have already seen a reduction in response time. Remember back a few months ago when I was telling you about the nine-minute response time? We are starting to trim that so once they are more, I would suspect two to three minutes.

Rob: Okay.

Gilstorff: Just to mention publicly our Open House on September 8<sup>th</sup>, from 10-2, we will have lots of things for kids to do. We are going also going to have a blood bank for anyone who wants to donate blood. Please come down there, there is a great shortage in Michigan. It is also going to have them there doing that for us. It will be a good time to come in and see what has been done with the Fire Station. It looks really, really good and the guys have been working hard. There is a lot more we have to do but baby steps and one step at a time so thank you.

Rob: Okay, thank you Fred. Okay Item d. approve cable funds to match the TC track grant.

Joanne: Number. C.

Brad: Item C.

Rob: Oh, oh, I'm sorry. (laughter) – sorry Doug.

Doug: I don't want to go up there anyway.

Laughter

Rob: That's what I get with the thunder and lighting, I am trying to move fast through here.

Dave: Do we have to take any action on the sprinkler system?

Rob: No, not yet, we have to get another bid.

Dave: We have two bids here, we have to get another bid?

Rob: We only had one bid, so we need to get more bids.

Dave: That's fine.

Rob: I'm sorry. Okay, Approve Resolution pertaining to new Sanitary Septic System on Lots 1-6 Mari Vineyard Residence and Surrounding Properties. This project was already passed before we took office. There was only one more thing to do with the cluster sewer system and as a Township we do not want to take it by law the State ask if we want to take it and maintain it or give it to the Developer and the owners. Obviously, we would want the owners to take all liability and responsibility. So, we were waiting for one document which apparently has been approved. Jennifer's approved it and Greg has approved so there's a Resolution in the packet if there isn't any question or discussion to allow that to happen.

Isiah: If everybody else is ready I would move that we approve the un-numbered Resolution to allow Mari Vineyards property owner's association and Croft LLC to take control of their septic system.

Warren: Support.

Rob: We have a motion and support for the Resolution, any further discussion?

Brad: None.

Rob: Roll call please Joanne.

Joanne: Marge?

Marge: Yes.

Joanne: Myself, yes. Rob?

Rob: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Warren?

Warren: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Isiah?

Isiah: Yes.

Rob: I believe that it is Doug right, the one Resolution?

Doug: Yes, thanks so much for your consideration. Good night everyone.

Brad: Yes, thank you.

Rob: Okay, item d, approve use of Cable Funds for required match to the TC track Grant. If you remember we got the \$25,000.00 grant to help with the trail system over at Bower's Harbor when we applied for this we initially thought this could be a match for the Trust Fund grant but because of the terms of the contract we also have to put in \$25,000.00 as a match. So I think when Gordon applied for the grant we had a trail system from the parking lot up into Bower's Harbor Park, we approved everything but we did not transfer the money so Marge flagged it and the Treasurer's Office stated that we would take it out of the Enterprise Fund (Cable).

Brad: Correct.

Rob: To match that grant for Bower's Harbor. Are there any questions on that?

Isiah: Has no objections to this proposal provided that our Treasurer and Deputy Treasurer are supportive.

Brad: We are supportive, yeah.

Rob: So we need a motion to transfer \$25,000.00 out of the Enterprise fund, cable fund, to the.....

Brad: Park Commission.

Isiah: Park Commission, so moved.

Warren: Support, and thank you Gordon for getting us this, this is fantastic.

Brad: Good.

Rob: So we have a motion and support, better roll call that,

Joanne: Brad?

Brad: Yes.

Joanne: Isiah?

Isiah: Yes.

Joanne: Rob?

Rob: Yup.

Joanne: David?

David: Yes.

Joanne: Marge?

Marge: Yes.

Joanne: Myself, yes.

Rob: Okay, thank you. Item e, update on McKenna Contract, Randy.

Randy: If you recall in the last meeting this matter was brought up and it was referred to for review provided for additional information with regard as to how we got to the point where we are. I believe we are okay with the Attorney now so this matter is back on for consideration. As you know we have been working on this for some time. We did this afternoon receive a draft, a third draft from McKenna. What we need to do going forward I believe is to have this essentially go back to the rewrite committee have them essentially ensure that everything that was provided to McKenna over the last year or so is in this current draft. Then we can move on with a final deliverable from them that will include a new PDF version as well as word version so we can do our own edits and our own refinements as we carry this forward. There are also some other issues in there in regard to the map, the zoning maps some changes will need to be made to that as well. So, I believe we are ready for more consideration.

Rob: Okay, I guess that is the report. I am kind of thinking once we get, the rewrite committee is going to take a look at it we would have a joint meeting with the Planning Commission and the Township Board. Randy

you are now in charge of this whole thing, and great job in dealing with McKenna or Patrick Sloan. You are the guy in charge so please work with probably Isaiah and the Planning Commission and us when we are ready to have that joint meeting.

Randy: Okay.

Rob: Everyone in consensus with that?

Isiah: Yeah.

Brad: Yes.

Isiah: I would say I think one of your biggest strengths on this project just from the interviews that you have done with us just be figuring out not just how to evaluate the language but how to handle the whole process of moving this between the rewrite committee and then get on the Planning Commission and then the Board onto the same page in a timely fashion.

Randy: There's a lot to unpack in this.

Isiah: I am looking to forward to your help with it.

Randy: It's going to be a little bit but I am sure we can get there and I am sure that we can have some clarity to what is being, what's changing and what's staying the same. Maybe what issues to set aside until the Master Plan is updated and steps forward jointly with the Board and the Planning Commission.

Rob: Okay, thank you. Item f approve the annual monitoring PDR contract.

Rob: When our PDR Conservation Easements ours we have a few American Farmland Trust, State and Conservancy that we monitor and last year we agreed to allow Christina and Sally to visit those sites and monitor and then they put the report out. Some of the reports have to be in very quickly. I think the American Farmland Trust fiscal year is different than the other ones, but it could be a different easement that I am thinking of. They are willing to do this again this year for the same price, the same proposal that is in front of us. It is up to the Board what do you want to do?

Joanne: I think that this proposal is for about five thousand dollars, and I have some concerns with it because at that amount we really should be getting three bids out. On anything over a thousand dollars, we also have a situation where we've just hired a person part-time, Scott Rokos, to assist the Assessor in doing field work because she is overloaded and now, we are going to award a contract to the Assessor to do more work. I have a problem with that because that does not seem to make logical sense. The

other side of the coin is that we have the second person involved with this proposal has just come off of a serious injury and do we really want that individual to be out in the field by herself monitoring these sites. I find that might not be the most prudent thing to do as well so it might be appropriate for us to do this year to actually advertise this and put this out for bid. So that we are not putting undo pressure on our Assessor for time limitations and for health reasons for our Zoning Administrator. That is just one perspective.

Rob: Well we don't bid out a thousand it is ten thousand by our policy that we bid. We did go through this process before the only other people who are actually qualified or been doing the easements were from Grand Traverse Land Conservancy and they do Acmes and the price that they were charging I think was almost double or three times but if it is the feeling of the Board, but we will have to move on this relatively quickly because some of those have to be in before the end of the year not like ours, but some at the beginning. Christina is here and she could talk about her physical ability. What we did is major upgrades for Sally and that is why we hired that extra person and gave him specific things on a contractual basis, but whatever the Board wants to do.

Brad: I think what Jo says has some wisdom to it Rob from the standpoint that we know we have it's a capacity issue. I think that maybe we need to take a little extra time sorry to say but to study the capacity issue we have. If the solution is to have other entities provide a bid than that is it. Or we find a way to alleviate the concern about our capacity issues then that is find that as well.

Rob: Here is what is going to happen the guy is going to come in and he is going to go into her office, and Sally's and take their time doing that work but I would entertain a motion then to direct the Clerk to go out for bids and then we can come back and make a decision.

Isiah: I have a different idea. I would recommend that the Board approve funding this and it may be more appropriate for the Personnel Committee, and it sounds like you guys have a divide as the officers of the Board but if you talk to staff and it's the feeling of the committee that we can manage around our time constraints and around the injury. I would recommend that the Board as a whole approve the expenditure and that you guys talk it over.

Warren: Conditional approval of the Sub-Committee.

Isiah: Yeah. I would approve the expenditure conditional approval. I would move that we approve the expenditure conditional to the approval of the Personnel Committee.

Joanne: But you are the Personnel Committee now.

Rob: The whole Board is the Personnel Committee now so.

Isiah: To the approval of the three-member former Personal Committee. You guys have a lot more insight into how the office operates on a day to day basis certainly more than Warren and I do and probably than Dave, Warren and I do.

Warren: I like the idea of a conditional approval, I think it's important though before any approval that there is conversation with the people who would actually doing the work to see if they would be willing. I am also not opposed to seeing other bids to see if they changed but we do need to do this quickly.

Rob: That is why I think it would be appropriate to, I support your putting this out for bids for.

Isiah: I didn't know if we had time. I just do not want to delay the process.

Rob: Chips fall where they do.

Isiah: Okay.

Joanne: I also think that in the interest in protecting Christina that she has a release that allows her to be fully involved in her work. Right now, we only have a partial from her physician for partial days' work. I think that you really need to be considerate and protective of her in terms of sending her out in the field and she'll be by herself. Yes, she will have a cell phone but she just sustained a serious injury and I think that we really need to pay attention to that.

Rob: We'll we can get into that but she goes out every day in the field and does that but let's get a motion to authorize the Clerk to go out for bids.

Marge: How long, how long will this bid process take?

Rob: I would say we have to do this in a couple of weeks to get one I know that there is one early one at least. I know there's one early one and it might be a.

Joanne: October 1<sup>st</sup>.

Rob: Yeah

Joanne: October 1<sup>st</sup>.

Isiah: I recommend that we go through a full bid process that we look at, Grand Traverse Regional Land Conservancy as a second bid and to see what they can do for us. I know that the cost is higher but from the standpoint of a land owner that has properties under the Township's PDR and a few under the Conservancy's it may be helpful if you are working from the same team when you are doing it annual monitoring on all of them.

Rob: Well we have to get them done so.

Isiah: Yep.

Meihn; Can I just through one thing in from the sidelines that my concern is the timing, the approval and then the work. Well I know that Mr. Supervisor has indicated that things will fall where they fall, I am not so sure that is comfort so I would just like to throw out to you there a form of what Isaiah indicated which would be to form a committee of three people. That three people would interview the two individuals to find out if they can do the job. Temporarily approve the five thousand to do that and if they determine that they are not able to do that then it goes out for bids. But at least gives you the flexibility to get moving on this yet this week.

Rob: With all due respect, the last time we bid that the Conservancy was the only one and I think their bid was three times that.

Meihn: I am not sure I am saying that correctly, I am just saying that you give three of you people to form a committee. Make a motion to form that committee. Those three people, you contingently approve the five thousand to be used for the two people and that committee would make the determination whether the two people can do that job and are ready to that job and are willing to do it. If they're are not then that committee goes directly to the Clerk to go out to get bids. But at least you get the best of both worlds and you get the opportunity to have it resolved this week as opposed to waiting two weeks for bids and then deciding how that goes.

Rob: I think with all due respect, I think that we just go out for bids. Put it in the paper and then we will make a decision as a Board.

Brad: Plus, we will be meeting on a more frequent basis as a Board as we go through the Personal Handbook so that will allow us or rather afford us the opportunity Rob to discuss it in a greater frequency than our usual two a month meeting.

Warren: I move the Clerk put out a bid for a secondary bid.

Marge: Time, time frame?

Isiah: Tomorrow.

Warren: Time is of the essence, I think. We bid the next two weeks.

Joanne: Tomorrow.

Isiah: Tomorrow, twenty-four hours.

Warren: As soon as possible.

Isiah: Yeah.

Marge: I don't think as soon as possible is enough.

Warren: So, I said within two weeks.

Marge: Okay.

Rob: Do we have support?

Brad: Support.

Rob: I have a motion and support, to ask the Clerk to go out for bids for the PDR monitoring in the next two weeks. All those in favor signify by saying "I".

Board: All "I's".

Rob: Opposed? Okay, we have the Personal Handbook, what we would like to do is set a date that we all can meet and kind of talking we've given it to all of the employees and invite everyone in to that meeting kind of make it a big circle is what I am envisioning and sit down just start getting into it. So, if we have objections how do we deal with them and obviously and then. So at the end of the day the Township Board will have to make a decisions but we just find out where everyone's is coming from. But what about next Tuesday, is that a good night? At seven p.m.?

Brad: That's fine.

Warren: Okay.

Rob: Alright, next Tuesday at seven p.m. Okay, the next item we will actually be going into closed session. We need an update on lawsuits the Bower Harbor's Vineyard and Personal issues. So we would entertain a motion to move into closed session.

Isiah: So, moved.

Dave: So, moved, support.

Rob: We have a motion and support. You both moved?

Dave: I will support. Support it.

Marge: Mr. Chairman, before you do that did you want to go through the rest of it if someone wanted to leave?

Rob: Oh, we may be a while if anybody would want to do citizens comment before we go into closed session?

Back ground voice – not identified – "I'll wait."

Rob: Okay.

Bob Bolek, 7398 Peninsula Drive, on the Fire Department if we are going ALS on our ambulance service will that be at both stations and then will that also eliminate double dispatch? Right now, we get Peninsula Township and we also get North Flight.

Rob: Fred, do you want to answer or do want me to?

Fred: ALS will upgrade one ambulance initially and then eventually once we get the staffing down the road you will not see North Flight, we will be taking care of it all.

Bob: Spend timing down on my end?

Fred: Right because we will have the staffing down there. They can start the care but you getting our fire department taking care of you instead you're not having outside entity you won't get charged.

Bob: We get double charged so we need to get rid of the double dispatch.

Fred: The only time we will be using North Flight is in a situation where our ambulance is already transferring someone and our basic ambulance goes and it's in another ALS run. We are probably at a ninety-five percent, ninety-six percent of our runs but there will be that time where we will have use of a them and their resources and other places as well.

Bob: Thank you that is what I wanted to know.

Rob: Okay, any other public comment? Alright, we have a motion and support to go into closed session roll call please Joanne.

Joanne: Dave?

Dave: Yes.

Joanne: Warren?

Warren: Yes.

Joanne: Brad?

Brad: Yes.

Joanne: Rob?

Rob: Yes.

Joanne: Myself, yes, Marge?

Marge: Yes.

Joanne: Isiah?

Isiah: Yes.

Rob: Do you want to go downstairs rather than try to walk through the rain.

Meihn: Yes, sure.

Isiah: Makes my yes become a lot more enthusiastic if we go downstairs.

Rob: Laughter, alright.

Board departs for the basement to closed session meeting. Meeting minutes from closed session were taken by the Clerk and are not a part of this transcribed document. Time of departure: 7:33 p.m.

Board returns from closed session at: 8:20 p.m.

Rob: Request a motion to go back into open session.

Warren: So, moved.

Isiah: Support.

Rob: Roll call please Joanne.

Joanne: Isiah?

Isiah: Yes.

Joanne: Marge?

Marge: Yes.

Joanne: Myself, yes, Rob?

Rob: Yep.

Brad: Yes.

Joanne: Warren?

Joanne: Brad.

Warren: Yes.

Joanne: Yes.

Dave: Yes.

Rob: I would say that next Tuesday would be the fourth for that meeting is that.

Brad: That's fine for me.

Rob: Everybody okay with that? Okay, Susan gave me the thing to fill it in. So, if I don't do that I am in trouble. Coming out of closed session any motions? I believe that we were going to talk about Bower's Harbor if so, I do have a conflict of interest and I would ask to be removed.

Brad: You recuse?

Rob: Yeah.

Warren: I move to recuse Rob to go sit in the audience for the Bower Harbor's vote.

Isiah: Support.

Rob: We have a motion and support all those in favor signify by saying "I".

Board: All "I's".

Rob removes himself from the board and takes a seat in the audience.

Joanne: Okay, Is there a motion for the Bower's Harbor Vineyards moratorium?

Dave: I am at a disadvantage. I do not have a copy of the motion of our July 24<sup>th</sup> meeting. I have my scribble version but I can go through it again. Would you happen to have a copy of the minutes of the July 24<sup>th</sup> meeting handy for that motion there?

Brad: Not on us.

Marge: Would it be the same motion as the last time with a change of the dates.

Warren: Correct, yes.

Marge: What would be the dates?

Dave: Can we amend that motion of July 24<sup>th</sup> and extend the, wait just a second here. Again, I am working off of my notes I apologize I do not have the final copy that I submitted to the Clerk because it was my motion. It was a motion made on July 24<sup>th</sup> to impose a moratorium through midnight on August the 25<sup>th</sup> as you recall it goes on through it and read it if you want me to but all the conditions would be the same. The conditions were mainly the certificate of occupancy to be issued full compliance with the current SUP 32 as amended in 2010 including the submission of the special use permit application to the Planner and then going on to say at the end of this period the Township Board will assess the progress of the affirmation of contingencies to make a decision of continuation. Any violation that should arise at any time during the moratorium then the Township Board will convene as soon as possible to convenient a time to review the violations and decide upon the next steps. Again, I am paraphrasing.

Marge: I think there was another one that says a break time between the normal hours of operation and.

Dave: That's correct. That's correct. You are correct.

Marge: And then the evening dining.

Dave: There were two additional ones Marge. The statement that the functions of the wine tasting and the dining in the vines were not to be concurrent events and the other one was that activities wherein wine tasting is not the primary function of the event are not allowed during the period. It's all a part of the motion that I submitted to the Clerk. My question tonight Jo would be could we really amend that motion from our last meeting?

Brad: I was able to bring it up Jo would it suffice without dragging this on if I were to read it and then we will have to insert the dates. Does that sound reasonable to everybody?

Warren: That sounds reasonable.

Brad: Let me go forward then. Let the record show that the motion is to impose a moratorium starting, and we will insert the date.

Dave: The next scheduled event is September the 14<sup>th</sup>.

Brad: Okay.

Warren: Why don't we just use today's date to cover everything?

Brad: Alright, so Let the record show today's date.

Joanne: August 28<sup>th</sup>.

Brad: Yeah, and ending on midnight on September.

Dave: 29<sup>th</sup> is the last scheduled event in September, Saturday.

Brad: Alright.

Joanne: So, it would end on September 29<sup>th</sup>.

Brad: At midnight.

Joanne: That is thirty-one days.

Brad: On enforcement of zoning and SUP violations of Bowers Harbor Vineyard of use of its pavilion facility for dining in the vine's dinner events. This moratorium is contingent upon compliance with the following conditions:

Condition one: Certificate of Occupancy will be issued for the pavilion by applicable entities from Grand Traverse County within this period.

Number two, BHV is in full compliance with all other requirements of SUP 32, as amended in 2010.

Number three, Activities at BHV, wherein wine tasting is not the primary function, will not be held during the moratorium period.

Number four, Functions of wine tasting and dining in the vines are to be separate functions and will not be held concurrently. Goes on to say in next paragraph; At the end of the moratorium period, the Township Board will assess the progress of the aforementioned conditions and will make a decision on the continuation of the moratorium along with any appropriate actions at that time. Next paragraph;

If any violations should arise at any time during the moratorium period, then the Township Board will convene at the earliest permissible day and time to review the violations and decide the next steps regarding the moratorium and/or actions to be taken at that time as necessitated by any such non-compliance or violations. At this point is when we would then put it up for a motion. I believe the motion has been made and a second so now is when we would do a roll call on this motion.

Joanne: Okay, but first are, we can, is there any further discussion?

Brad: Yeah, that's fair.

Christina: Did anyone make a second on this?

Warren: No.

Joanne: No, we haven't made the motion yet.

Brad: Okay, then I stand corrected.

Isiah: I would move that we approve the motion as presented by Treasurer Bickle.

Dave: Support.

Joanne: Okay, any discussion?

Warren: None.

Joanne: I have a question has Bower's Harbor Vineyard complied with all of the conditions under the Special Use Permit No. 32 as amended in 2010, um Randy?

Randy: I can't answer that.

Brad: I think the only one that could help us would be Greg Meihn but he's left.

Joanne: Or Gordon.

Warren: I thought we answered that downstairs. Greg, to my knowledge Greg stated that they had not had any violations.

Dave: I could tell you from the Enforcement position that there have been no violations. They are in compliance.

Joanne: Okay.

Dave: From what I can see on the calendar and I continue to monitor their operation on a frequent basis.

Joanne: There are a considerable number of conditions under which SUP No. 32 as amended in 2010 was granted and that is what I am asking are they in compliance with those because that was a part of the agreement.

Dave: To the best of my knowledge the area that they were not in compliance had to do with the requirement that the actual seating of the people involved with the dining in the vines was between the vines. As you recall they went to a tent which again was a problem and what they are doing again by this action is letting them use the pavilion for the actual dining event.

Joanne: Okay.

Dave: The events where wine tasting was subsidiary or secondary, pints and pooches and yoga in the vines, water coloring in the vines those events that were on the calendar that had been going on up and through I believe it was mid or late June. The events are off the calendar and not being held.

Joanne: Okay. Everybody satisfied with that response?

Brad: Yes, at this point

Joanne: Anyone call for question?

Isiah: We already have a motion and a second on the table.

Joanne: Okay.

Brad: So now we do a roll call?

Joanne: Roll call, Isiah?

Isiah: Yeah, yes.

Joanne: Marge?

Marge: Yes.

Joanne: Myself, no. Brad?

Brad: Yes.

Joanne: Warren?

Warren: Yes.

Joanne: Dave?

Dave: Yes.

Joanne: Okay. So, a moratorium will be extended for another 31 days for Bower's Harbor Vineyard.

Brad: Okay.

Joanne: Okay.

Brad: Do we need to vote to bring back in Mr. Supervisor?

Joanne: Yeah, yeah, we have to bring him back in.

Brad: I make a motion to have Supervisor, Rob Manigold return to the Town Board meeting.

Marge: I second.

Isiah: Support.

Brad: Vigorous support.

Laughter

Brad: Didn't know you were so wanted that bad.

Rob: Okay. Thank you all for sticking out the storm thunder and lightning outside citizen comments again, Nancy?

Nancy Heller, 3091 Blue Water Rd., I would like to make a suggestion for your budgeting to install a generator at Station No. 2. If there is going to be the hurdles that you experienced tonight on monitoring the PDR I would suggest that you put this on your calendar for June. So that appropriate time to make these decisions. I would ask the Supervisor to please state who made the motion who seconded the motion, it is hard to tell hearing you all sound sort of similar, so I would really appreciate that. Several months ago, I asked for the payroll to be printed and nothing's been done. Prior to this new Town Board, it came later but it was always printed and the public had access to it. Any personal things that the public is not printed and the public had access to it. Any personal things that the public is not privy to should be redacted. Thank you.

Rob: Okay, anyone else left?

Christina Deeren, 6591 E. Traverse Hwy, Traverse City, MI 49684; I just want everyone to know that when Sally and I did the PDR stuff last year that was all on our own time. So, we came in on Fridays, Saturdays and Sundays and did that outside of our working hours so everyone knows that what

we did and we did keep track of our hours so everyone knew that it wasn't a conflict with what our jobs are here at the Township. So, I just want everyone to know that. Thank you.

Rob: Okay board comments?

Brad: None.

Rob: I would, oh Randy?

Randy: I just a couple of points I wanted to mention there are some grant applications that will be due here shortly I just wanted to make the Board aware of it. One is with Net Works Northwest and that is due on September 10<sup>th</sup> and the thinking is that we should apply to them for assistance with the community survey effort and then the other one is with the.

Laughter – rolling thunder.

Rob: Talk faster!

Laughter

Randy: With the State of Michigan of terms of a potential Forestry Grant. It's not due until September 21<sup>st</sup> these are some opportunities that we can check into for the planning program.

Rob: We do have a Board consensus to apply, yep.

Brad: Yes.

Rob: Any other board comments?

Brad: None.

Isiah: My only comment would be on the PDR oversight the vote that we took or similar issues if we are going to have contention or a little bit of conversations on some of these issues where time is of the essence then I know in this case we probably be meeting two to four times a week per month but the more lead time we have to evaluate these decisions and go through the bidding process then that's something that's appropriate.

Rob: In a perfect world that would be great but we just happened to think about it the other day you know because one is coming up.

Isiah: Right, okay.

Rob: That's what triggered it.

Isiah: Right, oh yah?

Rob: And them coming into discuss the PDR and we go oh wait a minute.

Isiah: I understand that I think we need to hold ourselves accountable for any penalties or problems that are incurred there.

Warren: I do agree with that but I think if we would have had this conversation in June we would've already approved it and then the issues would have happened so we would still be in the same place. We can't for see injuries and stuff like that.

Isaiah: Right.

Warren: I do agree.

Rob: Okay any other board comments? I would entertain a motion to adjourn.

Brad: So, moved.

Warren: Support.

Dave: Support.

Laughter

Rob: All those in favor signify by saying "I."

Board: All "I's".