

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph. 231.223.7322 Fax 231.223.7117

www.peninsulatownship.com



ROBERT K. MANIGOLD
SUPERVISOR

JOANNE WESTPHAL
CLERK

DAVID K. WEATHERHOLT
TREASURER

MARK D. AVERY
TRUSTEE

JILL C. BYRON
TRUSTEE

PENELOPE S. ROSI
TRUSTEE

WENDY L. WITKOP
TRUSTEE

REGULAR TOWNSHIP BOARD MEETING

September 13, 2016

7:00 p.m.

Township Hall

Agenda

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments – for items not on the Agenda**
6. **Conflict of Interest**
7. **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.

1. Reports and Announcements (as provided in packet)
 - A. Officers – Clerk, Supervisor, Treasurer
 - B. Departmental – Planning Commission, Zoning Board of Appeals, Attorney, Engineer, Library, Park Commission and Township Deputy.
2. Correspondence (as provided in packet)
3. Edit lists of invoices (recommend approval)
4. Meeting Minutes
 - August 8, 2016 Special Meeting
 - August 9, 2016 Regular Meeting and Closed Session
 - August 23, 2016 2nd Regular Meeting (recommend approval)
5. August 2016 Payroll (recommend approval)
6. Old Mission Peninsula's Historical Society Sign Request (recommend approval)

8. **Township Board Business**

1. 2016 Phragmites Report and Contract – Public Hearing
2. Bonobo Winery Hearing
3. Waste and Sewer Budgets/Septage Treatment Facility Payments
4. Future of Old Mission Peninsula School Discussion Regarding Presentation on August 29, 2016
5. Public Hearing for Braemar Estate SAD (to be tabled pending the resolution of easements and Road Commission concerns over additional improvements)
6. Planning Commission Recommendation Regarding Five Year Review of Master Plan

7. New Planning and Zoning Director Discussion
8. Fire Department Millage - Set Rate Discussion
9. Tabone Vineyard LLC Address Change
10. Update on Fire Department – Chief Rittenhouse
11. First Congregational Church Women’s Fellowship Resolution

9. Citizen Comments

10. Board Comments

11. Adjournment

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the Clerk.

Treasurer's Report

9/7/2016

To: Peninsula Township Board

Re: Treasurer Report for September Board meeting

Fellow Board Members:

Find Cash Balance Sheet attached.

I welcome any questions or comments.

David K. Weatherholt



Peninsula Township Treasurer

09/07/2016

CASH SUMMARY BY FUND FOR PENINSULA TOWNSHIP
CASH AND INVESTMENT ACCOUNTS

Fund	Description	Ending Balance 08/31/2016
101	GENERAL FUND	368,126.01
206	Fire Fund	55,999.62
207	Police Fund	88,921.17
208	PARKS/HASSEROT/BHP/ARCHIE/BIG JON	141,027.95
211	Bata/Sr. Center	23,223.29
212	Pelizzari Natural Area	252,254.74
213	HESSLER LOG HOME	12,352.86
215	DOUGHERTY HOUSE	8,690.62
225	Summer Tax Collection	(127.03)
245	Roads	(552.66)
248	Building Fund	2,591.12
297	Purchase of Development Rights	1,638,781.50
298	Cable Council Fund	442,498.49
301	Debt Service Fund	1,682.55
502	Tower Fund	515,216.13
508	Lighthouse Fund	30,064.02
509	LIGHTHOUSE GIFT SHOP	116,242.19
590	Sewer Fund	229,606.86
591	Water Fund	567,776.21
592	Franklin Woods Sewer	0.00
593	Sewer & Water Projects	0.00
594	Harbor Reach Road	23,485.81
596	Compactor Station	25,454.77
701	Trust and Agency	45,929.67
703	Tax Collection	246,441.00
708	Library Trust and Agency Fund	428,022.67
727	Employees Medical Benefit Fund	530.76
750	Payroll Imprest Fund	32,656.58
	TOTAL - ALL FUNDS	5,296,896.90

Peninsula Township Fire Department

Chiefs Report:

September 7, 2016

What a busy summer we have had and with summer getting over we have responded to 300 calls and 14 of those were water related emergencies. Some of the things that we have been working on this summer are.

- Hose Testing
- Cleaning up water points
- Knox box locations
- Checking hydrants to make sure they are in proper working order
- Station tours
- Blood pressure and sugar checks
- John Deere gator in service and training completed

This month we will be taking the new ambulance down state to be fixed due to a leaking window seal. Emergency Vehicles Plus is where we purchased the unit from. The only cost in this will be fuel and time to drive it back and forth.

We also will be spending time in the elementary school this year and bringing back the public education side of this program.

As always don't hesitate to contact me if you have any questions. Feel free to stop into the station to check things out as well.

Randy Rittenhouse

Peninsula Township Fire Chief

9/7/2016



Director's Report

Statistics for August

Circulation August 2016 – 2978
Circulation August 2015 – 2910
Outgoing Hold Transits – 941
Incoming Hold Transits – 233
Internet Users – 463 + 41 (TCAPS Units)
Reference Questions – 401
Special Requests – 6
New Card Registrations – 13 (Temp. 1)
Manual Checkouts - 64
Volunteer Hours – 36 Hours, 9 Volunteers
Garden Volunteers – 4 Hours, 3 Volunteers
Student Volunteers – 0 Hours, 0 Volunteers

August Activity Attendance

(397 @ 18 programs)

Concert - 20
Table Crafts - 201
Pageturners Book Club – 10
Yoga - 42 (5 sessions)
Book Sale Wrap Party - 9
Reading Dog – 2 (1 session)
Steph Open House – 28
Tech Help – 4
Michigan Snakes - 44
Chapter Chicks - 13
Teen Computer Programming - 3
Karen Reiser/Humane Society - 8
Story Stew – 13 (2 sessions)

ODDS AND ENDS

Rent – The PCL Board is still in the process of negotiating a rental fee for space, utilities and services in Old Mission Peninsula School. Ideally, we would like a three year lease to allow us time to make any necessary long-term plans.

Old Mission Peninsula School – As of September 8, we still do not know the status of the anonymous donation to OMPS or of the closing of the school. We have been told that a decision will be made by November 30. Enrollment at the school as of 9/8 was under 150 students.

PCL Hours – PCL's evening hours on Mondays and Thursdays have been cut by ½ hour each day. We will be open until 8:30 instead of 9. The change is an effort to cut costs in order to cover an anticipated increase in rent. In addition, small cuts have been made to staffing, as well as AV and program budgets. TumbleBooks e-books will not be renewed. We will be covering any increases in rent with the least possible pain to our patrons, but will let them know publicly why these cuts are being made.

Newsletter – PCL's quarterly newsletter was mailed September 1 to 3500 households.

Just a reminder that when Traverse City Area Public Schools are closed due to weather, PCL is also closed.

PRE-PRELIMINARY PLAT
Report on the results of the review of the pre-preliminary plat by the Planning Commission
(28-11-114-001-00 & 28-11-114-002-00)
August 24, 2016

On August 15, 2016 the Peninsula Township Planning Commission held a public hearing related to the pre-preliminary plat submitted by The 81 Development Company, LLC for the above listed properties. Following is a report of the findings of the review of this plat as completed by staff and the Planning Commission. Additionally, you will find the minutes of the public hearing attached for your review and use. The Planning Commission is submitting this report to the Township Board as required by Section 3.1.3 (6) of the Peninsula Township Subdivision Control Ordinance #8. This submission shall satisfy the final requirements of the pre-preliminary plat review; no further action is required at this time.

1. Application

Applicant:	The 81 Development Company, LLC
Applicant/Owner Address & Contact Information:	6978 Dixie Hwy, Suite A Clarkston, Michigan 48346 Ph. (248) 575-3300
Proposal Location:	Boursaw Road Section 29, Peninsula Township Parcel Id. #: 28-11-114-001-00 & 28-11-114-002-00
Zoning District:	R-1A, Rural & Hillside and R-1B, Coastal Zone Single and Two-Family Districts. Section 6.2.4 and 6.3.2 allows for Planned Unit Developments in the R-1A and R-1B zoning districts as a use permitted by Special Use Permit.
Comprehensive Plan:	The 2011 Future Land Use Map identifies the subject location as an area designated for rural agricultural usage. The objective of the rural agriculture use category is to preserve the important natural resources of the Township while allowing other limited uses which are deemed to be compatible with agricultural and open space uses.
Governing Ordinance:	Peninsula Township Subdivision Control Ordinance No. 8 and the Peninsula Township Zoning Ordinance

2. Site Plan Evaluation-

2.1 Layout- The applicant's is proposing a fifty-three (53) unit plat subdivision to be accessed by a private road. Thirteen (13) units will have private waterfront access and will be located along the eastern boundary of the property. The remaining forty (40) units do not have water access.

2.2 Lot Analysis- The average lot size is approximately 1 acre with a minimum of 150 feet of frontage on the private road. All fifty-three (53) of the proposed lots meet the 2.5 to 1 lot depth to width ratio. The proposed plat includes the required ten (10) foot utility easement in the lot area calculations. This easement is required to be part of the road design and shall be excluded from the lot area calculations. **The applicant shall resubmit the plat with the appropriate lot calculations to ensure compliance with the minimum lot area as required by Section 6.8 of the Peninsula Township Zoning Ordinance.**

Lots 1 & 2 are defined as back-up lots. Section 4.7.5 of the Subdivision Control Ordinance requires a landscaped easement along the rear at least twenty (20) feet wide to restrict access to arterial streets, to minimize noise, and to protect outdoor living areas. **This required element shall be shown on the plat.**

Lot 17 shall be subject to a 100 foot setback for all structures as the lot is adjacent to agricultural land as required by section 7.77.1.1 (1) of the Peninsula Township Ordinance.

Lots 1, 29, 35, 36, 40, 42, 46, 47, & 53 are corner lots. Section 4.7.4 of the Subdivision Control Ordinance requires corner lots to have "extra width to permit appropriate building setback from both streets or orientation to both streets." **The plat shall be resubmitted showing the required front and rear setback lines on the corner lots should the principal structure align to either street to demonstrate appropriate building envelopes are available.**

2.3 Vehicular Circulation- There are two ingress/egress points along Boursaw Road; one at the intersection of Boursaw and Old Bluff Trail and another approximately 420 feet to the west. The private road will loop through the site and provide connectivity by two east-west connector streets. **The proposed private road right of way does not encompass the 10 foot utility easement as required by section 4.1.3 of the Peninsula Township Subdivision Control Ordinance No. 8.**

Section 4.1.2 (5) requires streets to be arranged in relation to topography "so as to result in usable lots, safe streets, and reasonable gradients." The plat design shows lots that have significant grade change (i.e. lot 39 has a 17% grade) and portions of the proposed private road traverse a 16% grade. The Peninsula Township Zoning Ordinance prohibits private roads that exceed 12% grade. **The applicant will need to submit engineering to show the grading plan along with impacts on soil erosion and storm water to ensure the design is in compliance with the Township ordinances.**

Section 4.3 of the Subdivision Control Ordinance requires the developer to submit plans showing the probable location of the driveways to each lot in areas having steep topography generally in excess of 10% gradient. **This element will need to be included on the plat as required by the ordinance.**

The Peninsula Township Subdivision Control Ordinance No. 8 section 4.1 requires the streets within a plat be dedicated to public use. However section 4.1.2 (6) permits these streets to be private at the discretion of the Township Board. **The applicant will need to request the Township Board approve the streets as private should they deem it appropriate for the development.**

The County Road Commission will need to evaluate the placement of the private road entrances along Boursaw Road and the applicant will be required to submit a permit from this agency.

2.4 Parking- Parking regulations are established and enforced under Section 7.6.3, Parking Space Requirements of the Peninsula Township Zoning Ordinance. A residential use is required to possess two (2) parking spaces for each dwelling unit. These spaces shall consist of parking strip, parking bay, driveway, garage, or combination thereof. The plan as presented will allow for each unit to accommodate adequate parking at the time of construction.

2.5 Pedestrian Circulation- There is no proposed sidewalk along the private roads.

2.6 Street Lighting- The applicant is not proposing any street lighting as part of this petition.

2.7 Environmental Issues- Section 4.9.2 of the Subdivision Control Ordinance requires that natural features which add value to the residential development and enhance the attractiveness of the community shall be preserved. There is significant tree cover, 2,000+ lineal feet of East Bay shoreline, and natural bluffs and ridgelines present on the site. The applicant has not identified the valuable natural features on site or presented a plan for preservation of these features in the environmental report. **The applicant shall include the plans for preservation of the valuable natural features on site as part of the plat.**

There has been no report from the Grand Traverse County Health Department (GTCHD) regarding the feasibility of individual well and septic systems on site for this plat.

There has been no report from the County Soil Erosion and Sedimentation Control Department regarding the feasibility of the plat design.

There is a wetland present on the site. The plat indicates there shall be no construction within this area or the required 25 foot buffer area.

The proposed plat will require storm water review to ensure compliance with the Township Storm Water Control Ordinance.

Notes on the plan indicate outlots may be used for "waterfront access". **The shared waterfront access is regulated by Section 7.4.2 and the plat documents shall reflect compliance with this section of the Ordinance.**

2.8 Relation to the Master Plan - The 2011 Future Land Use Map identifies the subject location as an area designated for rural agricultural usage. The objective of the rural agriculture use category is to preserve the important natural resources of the Township while allowing other limited uses which are deemed to be compatible with agricultural and open space uses. These lands include, but are not limited to, steep slopes, primary ridgelines, wildlife corridors, wetlands, lakes, streams, riparian area and rural areas not designated

for Agriculture Preserve areas. The site contains steep slopes, primary ridgelines, wetlands, lakes, and is a rural area not designated for Agriculture Preserve areas.

The site is designed in a grid layout irrespective of the natural topography and steep slopes present on the land.

The lake and the shoreline are regulated by the shared waterfront protections within the township zoning ordinance, the SESC and the regulations of MDEQ and the US Army Corps of Engineers. As designed the plat will have thirteen (13) waterfront lots that shall be subject to review by these agencies at the time of land use permit application for the construction of a structure.

There is a wetland present at the southwest corner of the site. All construction activities are proposed remain outside of the wetland as well as the required twenty-five (25) foot buffer.

This site is designated rural agriculture and zoned for residential use. The proposed plan will utilize the entire site for private single-family residential lots.

2.9 Planner Recommendation – The Planning Commission will need to hold a public hearing on this matter. The next regularly scheduled meeting is Monday, June 15, 2015. The following items should be addressed for this meeting:

1. The plat shall be revised to reflect the required road structure (including the 10 foot utility easement) as required by section 4.1.3 of the Subdivision Control Ordinance.
2. The plat shall be revised to show the correct lot calculations after removing the 10 foot utility easement to ensure compliance with the minimum lot area as required by Section 6.8 of the Peninsula Township Zoning Ordinance.
3. The plat shall be revised to show the required front and rear setback lines on lots 36, 47, & 53 should the principal structure align to either street to demonstrate appropriate building envelopes are available.
4. The plat shall be revised to show the probable location of the driveways to each lot. The grading and structures for driveways shall be shown on plans required under section 5.2 of the Subdivision Control Ordinance.
5. The applicant shall submit engineering to show the grading plans along with impacts on soil erosion and storm water to ensure the design is in compliance with the Township ordinances.
6. The Planning Commission should petition the Township Board to determine the acceptability of the streets as private as part of their deliberations on the plat.
7. The applicant shall revise the environmental report to include the identification of valuable natural features and plans to preserve these features as required in section 4.9.2 of the Subdivision Control Ordinance.
8. The Planning Commission should send the plat to the Grand Traverse County Land Development Review Committee for complete review and comment by permitting agencies (i.e. Soil Erosion and Sedimentation Control, Health Department).

9. The Township Engineer should review the area and make a determination that the subdivision cannot be economically connected with an existing sewer or water system.
10. Waterfront access shall comply with Section 7.4.2 of the Ordinance.

**Peninsula Township Planning Commission
Regular Meeting Minutes 7:00 PM
August 15, 2016**

Meeting called to order at 7:03 PM

Present: **Leak-Chair; Hornberger; Serocki; Peters; Couture**

Absent: **Wunsch(excused), Rosi (excused)**

Also present: *Michelle Reardon*, Director of Zoning and Planning; *Claire Schoolmaster*, Planning and Zoning Co-coordinator; *Jim Young*, Township Attorney and *Mary Ann Abbott*, Recording Secretary

Approve Agenda

MOTION: Hornberger/Couture to approve Agenda

PASSED UNAN

Brief Citizens Comments- for items not on the Agenda

David Taft, 952 Nehtawanta, spoke on SUP #123, the planned unit development for the 81. There are two remanded issues requiring more clarification-the fire plan and the soil erosion plan. There is now a public hearing scheduled for August 23rd. Taft has asked the Township Board to ask the developer or his attorney to initiate due care and conduct an environmental assessment of the site. We know that a large portion of the site was extensively farmed. Shouldn't someone examine if the soil is contaminated or not before the developer is allowed to contour the site.

Conflict of Interest

None

Consent Agenda

1. Reports and Announcements (as provided)
2. Correspondence (as provided)
3. Meeting Minutes
July 18, 2016 (recommend approval)

Serocki would like to have added on her statement on page two the "During the review of the Zoning Ordinance the Planning Commission should look at the intent of open space."

MOTION: Hornberger/Peters to approve the Consent Agenda with changes to the minutes.

PASSED UNAN

Business

1. The 81 on East Bay Pre-Preliminary Plat (public hearing)

Reardon just wants to clarify that we are at the pre-preliminary plat review tonight. It has been published as the same. Tonight by ordinance the staff has reviewed. We are required to hold a public hearing and then we forward the results to the Town Board. This is not for tentative approval. Once the Public Hearing is concluded we will forward your comments, the minutes and the staff report to the Town Board. Then the developer will have to come back with the second portion of the application, which is a far more detailed plan.

Jim Young, Township Attorney would like to further explain so that the audience understands that you will not be making a decision tonight. The Township's Subdivision Control Ordinance creates this pre-preliminary plat procedure whose purpose is to provide guidelines to the preparer of the plat concerning development policies of the Township and the Planning Commission with general information regarding the development. Nothing at tonight's meeting assures acceptance of the Preliminary Plat when you get to that point. You must have a public hearing and shall inform the Town Board with a report. No decision will be made tonight.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottageview Drive, Traverse City for the pre-preliminary review of "The 81 on East Bay". It is a 53-lot platted subdivision per the statute of the State of Michigan and Peninsula Township. There are 53 one plus-acre lots, residential single-family lots. Thirteen lots have direct access to the bay. The rest of the lots will have access as allowed through your ordinance. The site is served with individual wells and septic, private roads designed to meet

the standards of the Grand Traverse Road Commission, the Grand Traverse Drain Commission, The Township Engineers and the Township Fire Department. At this point it is a tentative approval, we are looking at the size of the lots, the depth of the lots, the width of the lots, the necessary easement and the common areas. There is a long process ahead of us and I am here to answer any questions.

Leak asked the applicant to explain the drawing to the audience.

Peters How much of the land will be re-graded? *Applicant* Cannot say at this time. *Reardon* There will have to be re-grading. That level of detail is not available at this time. **Peters** what agencies will report before the next step. *Reardon* all the normal items that you see will be submitted. *Reardon* will review the Subdivision Control Ordinance and get information back to the Commission.

Leak Bond? *Applicant* ready to post agreed upon bond.

Leak is there concern with the septic and drain field tainting the downhill side of the development. *Applicant* Will leave up to the Health Department

Leak what about docks that were shown on the other plan. *Applicant* other plan showed a 36 slip T-dock. This plan has 13 lots that can build out according to codes. It is the plan to develop the common shoreline for access to the water. **Leak** Outlot C? *Applicant* Yes. *Reardon* based on staff calculations that staff does not agree that there is enough frontages for everyone to have access

Hornberger is there still a Water Storage Tank? *Applicant* will build a 30,000 underground storage tank connected to a water well so that it is full at all times.

Leak asks for further questions from the Commission. **Leak** then opens Public Hearing at 7:28 PM

Amy Treare, 8563 East Beach Trail is concerned about traffic on Center Road. She is concerned about the environmental impact and would like to see the studies done.

Scott Howard, 420 East Front, Attorney for Jim Komendera and Protect the Peninsula the critical document is the Subdivision Control Ordinance. He wants to be clear on how he sees the procedure for this process. Section 3.2.3 (1)(d) says if the preliminary plat does not meet all the requirements the Planning Commission shall notify the sub divider by letter giving the earliest date for the resubmission of the plat and additional information required. He sees this as meaning that you need to tell the proposed platter all the information that they do not have according to this document and provide it to you. Once you have all that information that is when you go to the Township Board. *Howard* would like to highlight a few of the standards in the ordinance that he thinks are critical for consideration. Section 4.7.11 uninhabitable areas talks about land that is deemed uninhabitable may not be platted. That is why you need that information before you move forward. Section 4.9.2 Natural Features states that natural assets should be preserved. Section 5.4.12 Plan required for control of Erosion and *Howard* urges the Commission to look at this. *Howard* feels that staff has done a good job and have put together a list of 12 items that need to be supplied before you can even reconsider this sub-division plan. Last thing to note is that there are some details missing. Section 3.2.1 subparagraph 3 of the Subdivision control ordinance talks about those details. In particular, D. No names of abutting subdivisions is missing. No site report from the Department of Health as required in subparagraph L; No preliminary engineering plans as required by 3.2.1 subparagraph 4. Everything needs to be here before you can actually take the next step.

Chris Fjfarek, 13046 Center Road there has not been a three-dimensional drawing done and it is hard for the community to understand the grade. There should also be a tax analysis done to see the benefit of larger lots.

Britt Eaton, 1465 Neahtawanta is extremely concerned about the traffic. We have 53 homes here plus 42 at Vineyard Ridge which is 93 vehicles times 2 cars in each household times 5 trips a day leads to 900-1000 trips down this already crowded road. Someone is going to get hurt on these roads. Concerned what MDOT will say about the traffic on our highway. In the spirit of the Master Plan there is too much traffic and you should consider denying this plan.

Katherine Hardy 11261 Bluff is also concerned about traffic and in particular is concerned about the safety of the large groups of bikers. She feels the potential for an accident is very large with the construction traffic.

Philip Settles, 5168 US 31, Acme who represents the developers states that this is one of two alternate plans of the developer before the township. This sketch plan is to get your comment as to what you do not like about this plan or what you like. This is your opportunity to talk about the plan.

Kevin Novorolski, 15750 Smokey Hollow states that his property is close to this development and he is concerned with the water table and what may happen to his well. He is also concerned with the soil. Hopes the Planning Commission takes a good look at what is in the dirt. Also if they are doing this much grading how much soil will they bring in and will this soil be tested.

Ellen Kerr, 14548 Bluff wonders if all the lots will perk. And also how will they handle all the sewage if you cannot put a septic in.

Wendall Woodard, 17768 Smokey Hollow states that we need a definitive knowledge if there is a toxicity problem and how much can be moved because we do not have this right now.

Leak asks for additional comments. Hearing none the public hearing is closed at 7:47 PM

Reardon Staff has created a list from the comments tonight. She would like to state that the planner recommendations on page 4 of her report have been revised. Items 3 & 4 have been addressed and can be removed. Item 5 has some setback lines that are questioned. The utility easement has not been removed from the lots and the recalculation of those lot areas have not been provided. Items 6-12 still need to be addressed as well as items here tonight. This then goes in a report to the Town Board as well as the developer. The Town Board does not take action but it is up to the developer to resubmit a plan that is in conformance.

Peters even though this is a plat - it maximizes the amount of houses but it disregards what is in our future land use map but also in maintaining any of the natural features. She suspects that a more interesting plan might be done. There is a lot that can be done that could make this plan acceptable but she is not particularly pleased with this version.

Jim Young, Township Attorney please understand that the Planning Commission will be reviewing not under the Zoning Ordinance but under your Subdivision Control ordinance. Some of the things that people are asking you to review may be something that you are not able to as a matter of law. You may also find that there may be flexibility between the two plans. His office will render an opinion if something is missing. Your duty under the ordinance is to send a report on behalf of the Planning Commission to the Town Board.

Hornberger what is our next step? *Reardon* you are done at this stage. The ball is in the other court.

Leak can the public get this report. *Reardon* It will be available online or could be emailed.

2. Master Plan 5-year review (Recommendation to Township Board)

Peters states that she and Commissioner Serocki worked on the following recommendation to the Town Board.

The Planning Commission recommends the following actions related to the Master Plan as part of the 5 year review:

1. Compare the Future Land Use (FLU) map for conflicts with current uses (i.e. upzoning-Buchan Farms)
2. Prepare digitized and readable maps for ease of use
3. The Township Board should work with a professional survey company to create and conduct a survey for use in the next 5 years review of the Master Plan and in advance of the 2022 PDR expiration.

Items 1 & 2 are estimated to take approximately 150 hours of GIS work inclusive of staff analysis with a budget of \$2800.00.

Peters over and above this our committee talked about forming a work plan where we spend some time going from Master Plan goals and look at the actions required to reach that goal.

MOTION: Peters/Hornberger to send the Master Plan 5- year review recommendation to the Town Board.

PASSED UNAN

Peters states that the new Board will influence the work plans. She suggests a discussion group and to listen to the public talk about the actions and the goals. *Reardon* suggests to make it a part of an agenda. This is where the people expect the planning commission to be doing its work. We get bogged down in site plan review and SUP but this may be a better venue. Could be started with the September meeting to decide how to start. Just because it is not a public hearing does not mean that you cannot have public discussion.

Hornberger would like to see questions in advance so that people could be prepared. A Township Newsletter would be a perfect avenue for this.

Reardon suggests that the spreadsheet that was prepared may be a place to start. She will be put on the September agenda.

Couture why doesn't this Town Hall have a big screen TV for presentations? *Reardon* the request can be given to the Town Board. **Couture** it would encourage a visual presentation

3. Appoint Officer Nomination Committee

MOTION: Hornberger/Peters moves to table the Officer Nominations until the December Meeting.

PASSED UNAN

Reardon The Town Board has decided to continue the terms of the expiring Planning Commission members until the new Town Board takes their positions.

Citizen Comments

Nancy R. Heller, 3091 Blue Water Road suggest to the Planning Commission that all fees need to be reviewed and updated. Also on *Monnie's* discussion - when you put items on a regular meeting for discussion you are always pressed for time. Try but if it does not work go back to what *Monnie* suggested.

Margaret Achorn, 11284 Peninsula Drive asks has an escrow account been established for this new 81 project and the Vineyard Ridge? If not please make a motion now to have it done. The taxpayers do not want to continue to have their tax money going for developers' fees

Curt Peters, 1356 Buchan Drive wants to make sure that the Planning Commission saw his request to have the minutes changed to reflect to have the future zoning map for properties: Buchan Farm, Old Mission Estates and non-producing orchard just south of OME back to the existing map which is Ag. The future shows this to become R1. He did make a request verbally that you reconsider the future land use map for the three parcels he described.

Reardon states that Mr. Peters comments become part of the record as they are included in the packet.

Board Comments

Peters is glad to see that Mr. Wendling has given us language about two projects at the same time. He also promised something about the Ordinary High Water. *Reardon* he is still working on that. The language was about two projects at the same time was more timely.

Peters where are we on the escrow issue. *Reardon*. You established an escrow on Vineyard Ridge that has been paid. Based on fee estimates. When the preliminary plat comes through is the time it needs to be paid. *Reardon* will check on the timing of the payment on the Plat.

MOTION: Hornberger/Serocki to adjourn at 8:28 PM

PASSED UNAN

Respectfully submitted by Mary Ann Abbott, Recording Secretary

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C.

Attorneys at Law
104 E. Forest Home Avenue, P.O. Box 398
Bellaire, Michigan 49615
(231) 533-8635
Facsimile (231) 533-6225
pwendling@upnorthlaw.com

Bryan E. Graham
Peter R. Wendling
Eugene W. Smith

James G. Young, *Of Counsel*

July 21, 2016

Sent via email

Michelle Reardon, Planner
Peninsula Township
13235 Center Road
Traverse City, Michigan 49686

SUBJECT: Summary of Land Division Act and Subdivision Control Ordinance and Timeline/Steps to be Taken

Dear Michelle:

The following is a summary of the Land Division Act and the Township's Subdivision Control Ordinance. Because the Township's Ordinance is quite old and references the Subdivision Control Act, the Land Division Act will control some provisions, such as timelines and whether the Township or the developer forwards the Final Plat to the county plat board. I have tried to break this information down into different overall steps and within those are specific steps and timelines.

To start I have outlined and summarized the relevant portions of the Land Division Act and the Ordinance. There are three steps: 1) the Pre-Application Review (you have indicated to me that the developer has chosen to skip this step); 2) the Preliminary Plat (this is the step that you have indicated that the Township and the developer are currently on); and 3) is the Final Plat.

Next, I have broken it down even further into a timeline/steps. This section will keep the three main steps indicated in the previous paragraph but will include what should be done by whom and when.

You asked in an email dated July 19, for our office to review the legal notice and whether this was the tentative preliminary or just preliminary review. The simplest way to explain the answer to your question is to state that the preliminary plat will have two approvals, the first being the tentative approval and the second being the actual approval. After the tentative approval of the preliminary plat by the Township, the developer must provide the preliminary plat to other agencies for their approval, approval with conditions or rejection of the preliminary plat. After those approvals, or approvals with conditions are given, the preliminary plat goes back to the Township for the second approval of it. To further address your question: Step 2 indicates that the preliminary plat will have a tentative approval first. This is still the preliminary plat but the approval will be tentative.

Michelle Reardon
July 21, 2016
Page 2

As to the actual notice you prepared, The 81 Development Company, LLC is the correct way to reference the owner of the property. Further, I would change the wording in the second paragraph to read as follows:

This has been submitted to the Peninsula Township Planning Commission for a preliminary plat review for the development of a fifty-three (53) unit subdivision within the Rural and Hillside Residential (R-1A) and the Coastal Zone Residential (R-1B) Zoning Districts.

Please let me know if you have any questions or concerns regarding this.

Thank you,

Peter R. Wendling

PRW/neg

Step 1: Pre-Application Review

Under the Peninsula Township Subdivision Control Ordinance (hereinafter the "Ordinance") there is a Pre-Application Contract and Sketch Plan (Pre-Preliminary Plat). This plan should include: the development scheme, i.e. the general layout of streets, blocks, and lots, the existing conditions & characteristics of the land on and adjacent to the site, and the general areas set aside for schools, parks & other community facilities. This plan should also include an engineering letter, proof of ownership of the land to be developed, and an environmental assessment form supplied by the Township. The procedure includes the developer submitting 5 copies of the Pre-Preliminary Plat to the clerk 10 days before the next Planning Commission (hereinafter "PC") meeting and the clerk giving those copies to the PC. The PC and Township Planner shall then review the plan with the developer and the PC shall inform the developer of the Township's development policies and make appropriate comments and suggestions regarding the plan. The PC shall then hold a Public hearing on the proposed plat unless the plat has been the subject of previous public hearings as a zoning change request. After this meeting the PC shall inform the Township Board (hereinafter "Board") of the results of the review of the Pre-Preliminary Plat. MCL 560.107 provides that nothing in the Land Division Act shall prohibit the developer from submitting a Pre-Preliminary Plat to a governing body for the developer's information and review.

MCL 560.111(3) states that the developer may request that a pre-application review meeting take place by submitting a request to the chairperson of the county plat board and submitting copies of a concept plan (similar to the Pre-Preliminary Plat) to the municipality and to each officer or agency entitled to review the preliminary plat under MCL 560.113-118. These include: the County Road Commission, MCL 560.113; the County Drain Commissioner, MCL 560.114; the State Transportation Department, MCL 560.115; the Department of Environmental Quality, MCL 560.116; and the Health Department, MCL 560.118. MCL 560.111(3) also states that the meeting shall be held no later than 30 days after the written request and shall be attended by the developer and representatives of the County Road Commission, the County Drain Commissioner, the Health Department and the municipality. Representatives of each of the other agencies entitled to review shall be informed of the meeting and may attend. The purpose of this meeting is to conduct an informal review of the developer's concept plan for the preliminary plat.

The meeting under MCL 560.111(3) is similar in purpose to Section 3.1 of the Ordinance. However, as can be seen by the summaries above there are slight differences.

Step 2: Preliminary Plats

Under the Ordinance, which references sections of the Subdivision Control Act (now being the Land Division Act), and the Land Division Act (MCL 560.101 *et seq*) the developer shall submit to the Township Clerk at least 4 but not more than 10 copies of the Preliminary Plat and proposed protective covenants and deed restrictions. MCL 506.112(1). The governing body shall tentatively approve the preliminary plat, or tentatively approve it subject to conditions and note its approval (or approval and conditions) on the copy of the preliminary plat, which is to be returned to the developer, or set forth its rejection in writing and requirements for tentative approval within 60 days after the preliminary plat was submitted to the clerk, if the pre-application review meeting was conducted under section 111(3), or within 90 days after the preliminary plat was submitted to the clerk, if the pre-application review meeting was not conducted under section 111(3). MCL 560.112(2). The municipality may require other related data if the requirements for such data has previously been adopted and published. MCL 560.112(3). Tentative approval confers upon the developer for a period of 1 year from the date, approval of lot sizes, lot orientation, and street layout, and application of the then-current subdivision regulations. The tentative approval may be extended if applied for by the developer and granted by the governing body in writing. MCL 560.112(4).

Section 3.2.1(2) of the Ordinance requires that the Preliminary Plat be on paper not less than 24 inches by 36 inches, at a scale of at least 1 inch to 100 feet showing the date and north arrow. Further, as allowed by MCL 560.112(3) the Ordinance requires additional information be provided with or on the preliminary plat in Section 3.2.1(3) of the Ordinance. Finally, Section 3.2.1(4) of the Ordinance requires that the developer provide 4 sets of preliminary engineering plans for the streets, water and sewer and other required public improvements to the PC so that the PC may make a preliminary determination as to the conformance of the proposed improvements to Township regulations and standards.

Section 3.2.2 of the Ordinance governs the procedure for Preliminary Plats. The Preliminary Plat shall be delivered to the Township Board with simultaneous delegated reference to PC. The Township Board shall refer the Preliminary Plat to the next meeting of the PC, send a copy to the Township Planner for comments and questions and submit it to Traverse Bay Regional Planning Commission for plat review. The Township Planner shall send recommendations to the PC.

Under Section 3.2.3 of the Ordinance, the PC shall review the Preliminary Plat and if it meets all requirements shall send notice of action taken with comments to the Board; if it does not meet all requirements then the PC shall notify the developer in writing, giving the earliest date for re-submission of the Preliminary Plat and the additional data required. The PC shall give its report to the Board not more than 60 days after receipt

Michelle Reardon

July 21, 2016

Page 5

of the Preliminary Plat by the Township Clerk. The 60 day period may be extended if the developer consents in writing. If no action is taken within the 60 days the Preliminary Plat is deemed approved by the PC. Further Section 3.2.3(3) of the Ordinance states that the Board shall not review, approve or reject a Preliminary Plat until it has received from the PC its report and recommendations. The Board shall consider the Preliminary Plat at its next meeting but not more than 20 days after receipt of the report and recommendations from the PC. The Board shall within 20 days either reject and give its reasons, or set forth the conditions for tentative approval in writing.

The approving authority shall not condition approval upon compliance with, or base a rejection upon, any requirement other than those included in MCL 560.105. MCL 560.106. MCL 560.105 states that a Preliminary Plat shall be conditioned upon the compliance with the provisions of the Land Division Act, an ordinance of the municipality to carry out the provisions of this Act, and various rules of the agencies that are entitled to review the Preliminary Plat. Section 3.2.4 of the Ordinance states that the tentative approval of a Preliminary Plat shall not constitute approval of the Preliminary Plat, but rather that the Preliminary Plat approval shall be conditioned on all requirements being met. The tentative approval is for one year and can be extended with Board approval in writing.

After the tentative approval from the Board is rendered the developer shall submit copies of the Preliminary Plat to each agency entitled to review it under MCL 560.113-118. MCL 560.112a.

After approval of the Preliminary Plat, the developer shall submit to the Township Clerk a list of all authorities required by MCL 560.113-119 to review the Preliminary Plat, certifying that the list shows all authorities as required by those sections; and shall submit all written approvals to the Township Clerk. MCL 560.120(1). After receiving the necessary approved copies of the Preliminary Plat, the Township Board shall consider and review the preliminary plat at its next meeting, or within 20 days from the date of submission, and approve it if all conditions laid down by the municipality for approval of the Preliminary Plat are met; shall instruct the clerk to promptly notify the developer of approval or rejection in writing and if rejected give the reasons; and shall instruct the clerk to note all proceedings in the minutes of the meeting which minutes shall be open for inspection. MCL 560.120(2).

Section 3.2.5 of the Ordinance states that the developer shall submit the Preliminary Plat, with all conditions from the agencies upon it, to the Board for approval. The Board shall approve or reject within 20 days of submission.

Further, Section 3.2.6 of the Ordinance states that approval of the Preliminary Plat does not constitute approval of the Final Plat but rather that the approval of the Final Plat shall be conditioned on all requirements being met. The approval of the Preliminary

Michelle Reardon

July 21, 2016

Page 6

Plat shall be for a period of 2 years and may be extended if applied for and granted in writing. MCL 560.120(3) states that the final approval of the Preliminary Plat confers upon the developer a period of 2 years from the date of approval the right that the general terms and conditions under which preliminary plat approval was granted will not be changed. The 2 year period may be extended if applied for by the developer and granted by the governing body in writing. Written notice of the extension shall be sent by the governing body to the other approving authorities. MCL 560.120(3).

Section 3.2.7 of the Ordinance states that construction may begin after the Township Board grants approval of the Preliminary Plat.

Step 3: Final Plats

Under MCL 560.131, following the approval of the Preliminary Plat under MCL 560.120, the developer shall have a survey and a true plat thereof made by a surveyor. All approvals made on the Preliminary Plat shall expire as stated in MCL 560.120 (i.e. after 2 years without further extension). A Final Plat shall not be accepted after the date of expiration of the Preliminary Plat approval. All Final Plats shall comply with the provision of this section and MCL 560.132-151. MCL 560.131.

Section 3.3.1 of the Ordinance states that Final Plats shall be prepared and submitted as provided for in the Subdivision Control Act (currently the Land Division Act), a written application for approval shall accompany the Final Plat, and the developer shall submit proof of ownership in the form of an abstract of title certified to the date of the developer's certificate or a current policy of title insurance. The Final Plat shall be submitted to the clerk at least 10 days before a meeting of the PC. Under Section 3.3.2 of the Ordinance, the developer shall submit the Final Plat to the Road Commission, Drain Commissioner, Health Department, and the PC and the Board through the Township Clerk. However, the developer must have certificates from not only the road commission, drain commission, and the Township, but also from the county treasurer, the state highway commission, the county plat board, and the director of the department of energy, labor and economic growth (currently LARA). MCL 560.145-151.

Under Section 3.3.3 of the Ordinance the PC shall review the Final Plat at its next regular meeting or within 30 days of receipt thereof, for conformance to the provisions of the Land Division Act, the Ordinance, and the Preliminary Plat as approved. The time may be extended by agreement with the developer. The Board shall review the Final Plat and the recommendations of the PC at its next regular meeting or at a meeting called within 20 days of the receipt of the PC's report. However, under MCL 560.167, the municipality shall, at its next regular meeting, or at a meeting called within 20 days after the date of receiving the Final Plat, either approve or reject the Final Plat. MCL 560.167.

Section 3.3.3(3) of the Ordinance states that the Township may require all facilities and improvements to be completed before it approves the Final Plat. However, under MCL 560.182, the Township may require certain performances as a condition of approval of a Final Plat, for all public and private streets, alleys, and roads in its jurisdiction, for example: conformance to the general plan, width, and location requirements that may have been adopted, proper drainage, and grading, etc. Also as a condition the Township may require a deposit to be made to insure performance of any obligations of the developer. MCL 560.182.

Section 3.3.3(4) of the Ordinance states that once the Board approves the Final Plat, it shall refer the Final Plat to the county plat board for approval and referral to the appropriate state agency. However, under MCL 560.168 the developer, not the Township, shall forward the Final Plat to the county plat board, when all of the certificates required by MCL 560.145-148 are obtained. Also, under MCL 560.167, the Township at its next regular meeting, or at a meeting called within 20 days after the date of receiving the Final Plat shall either approve the Final Plat if it conforms to all of the provisions of the Land Division Act and instruct the clerk to notify the developer of the Township's approval and certify the Township's approval, showing the date of the Township's approval, the approval of the health department, and the date thereof as shown as the approved Preliminary Plat; or reject the Final Plat, instruct the clerk to give the reasons in writing as set forth in the minutes of the meeting, and return the plat to the developer. MCL 560.167. Once the Township approves the Final Plat and instructs the clerk to certify the Township's approval, the certification must be in accordance with MCL 560.148.

Timeline/Steps

Step 1: Pre-Preliminary Plat

1. Developer gives Township Clerk 5 copies of Pre-Preliminary Plat 10 days before next PC meeting
2. PC and Planner review Pre-Preliminary Plat and PC informs developer of Township's development policies and make appropriate comments regarding the Pre-Preliminary Plat.
3. PC holds public hearing on Pre-Preliminary Plat.
4. PC transmits results of the review of the Pre-Preliminary Plat to Board.

Step 2: Preliminary Plat

1. Developer submits 4-10 copies of the Preliminary Plat, proposed protective covenants and deed restrictions to Township Clerk. MCL 560.112(1); Section 3.2.1(1).
2. Within 60 days after it was submitted to the Township Clerk, if a pre-application review meeting was conducted under MCL 560.111(3); or within 90 days after it was submitted to the Township Clerk, if a pre-application review meeting was NOT conducted under MCL 560.111(3), the governing body shall tentatively approve, approve with conditions, or reject the Preliminary Plat.
 - a. The Ordinance states that the Board has 90 days to render its tentative approval - the statutes would agree with this if the pre-application review meeting did not take place. Otherwise it is 60 days and the following timeline in the Ordinance would need to be adjusted.
 - i. 90 day Timeline within Ordinance
 - (1) The Preliminary Plat with all information required under the Ordinance shall be given to the Township Board and the PC simultaneously.
 - (2) PC shall give its report to the Board not more than 60 days after receipt of the Preliminary Plat by the Township Clerk. (The 60 days may be extended by written consent of the developer).
 - (3) The Board shall not review, approve or reject a Preliminary Plat without the PC's report regarding it.
 - (4) The Board shall consider the Preliminary Plat at its next meeting but not later than 20 days from the time it received the PC's report.
 - (5) The Board shall render its decision within 20 days.
3. After Tentative approval of the Preliminary Plat under MCL 560.112, the developer shall submit copies of a Preliminary Plat to each officer or agency entitled to review it under MCL 560.113 through MCL 560.118 for their

Michelle Reardon

July 21, 2016

Page 9

simultaneous review and action. Within 30 days after receipt of the Preliminary Plat those agencies shall render a decision either approving it, approving it with conditions, or rejecting it. MCL 560.112a.

4. After the developer receives approval or approval with conditions, the developer shall submit the Preliminary Plat with those conditions to the Board for approval. The Board shall consider and review the Preliminary Plat at its next meeting, or within 20 days from the date of submission. MCL 560.120(2).

Step 3: Final Plats

1. After final approval of the Preliminary Plat the developer shall have a survey and a true plat thereof made by a surveyor. MCL 560.131(1).
2. Developer shall then submit the Final Plat for approval to the Township and other agencies required for approval and certificate. Under the Ordinance the Final Plat must be submitted at least 10 days before meeting of the PC.
3. The Township shall either approve or reject the Final Plat at its next regular meeting or within 20 days of receipt of the Final Plat. MCL 560.167.
4. Upon the approval of the Final Plat the Township shall instruct the clerk to notify the developer and certify the approval. MCL 560.167.
5. Upon notice of each approval the developer shall obtain the certificate on the Final Plat of all of the agencies whose certificate is required by MCL 560.145-148. The developer shall then forward the Final Plat to the county plat board. MCL 560.168.
6. The county plat board has 15 days to review the Final Plat and either reject it or approve it. MCL 560.168.
7. Upon approval of the county plat board, the chairperson of the county plat board shall forward the Final Plat with all copies of the Final Plat to the state administrator. MCL 560.169.
8. Within 15 days after receipt of the Final Plat the department of labor and economic growth (currently LARA) shall review the Final Plat and either reject it or approve it and send the original Final Plat to the register of deeds for recording. MCL 560.171.
9. The register of deeds shall record the Final Plat when he/she receives it from the department of energy, labor, and economic growth and it bears the certificate of approval of the director of said department; shall certify and promptly forward to the director of the department of energy, labor, and economic growth on a form specified by him or her that the plat has been recorded. MCL 560.172.
10. Once the director of the department of energy, labor, and economic growth has the certified copy of the recorded plat, he/she shall transcribe that certificate of recording on all other copies, retain one copy for his/her files, and mail one copy of the recorded plat to the county treasurer, the Township Clerk, the County Road Commission, and one copy to the developer if he submitted an extra copy for certification and mailing. MCL 560.173.

Michelle Reardon

From: Susan Piehl <officemanager@peninsulatownship.com>
Sent: Thursday, August 25, 2016 1:52 PM
To: johnbissell301@msn.com
Cc: Michelle
Subject: Phragmites

Mr. Bissell,

Michelle Reardon (copied in this email), planner@peninsulatownship.com or 231-223-7314, is the Staff Liaison.

Regards,

You've just received a new submission to your [Contact Form](#).

Submitted Information:

Name

John Bissell

Address

1101 Lin-dale Dr.
Traverse City, MI USA 49686

Email

johnbissell301@msn.com

Comment

I just received the NOTICE of HERBICIDE APPLICATION. I am wondering what the threat to our health the Phragmites are? Please let me know.
The World Health Organization has said Glyphosate is a probable carcinogen. It stays in the soil for decades. Please rethink its use.

Regards,
John Bissell

Susan Piehl

*Peninsula Township Office Manager
13235 Center Road
Traverse City MI 49686
phone - 231-223-7322 ext. 1*

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C.

Attorneys at Law
104 E. Forest Home, P.O. Box 398
Bellaire, Michigan 49615
(231) 533-8635
Facsimile (231) 533-6225
www.upnorthlaw.com

Bryan E. Graham
Peter R. Wendling
Eugene W. Smith
Nicole E. Graham

James G. Young, *Of Counsel*

August 10, 2016

Via E-MAIL

Michelle Reardon, Planner
Planning Commission Members
Township Board Members
Peninsula Township
13235 Center Road
Traverse City, Michigan 49686

SUBJECT: Provision in the zoning ordinance to prohibit dual applications for permits whether under the zoning ordinance or under a police power ordinance which requires a review in compliance with the standards of the zoning ordinance

Dear Michelle, Planning Commission Members and Township Board Members:

As a request from the planning commission to provide language in the ordinance which would prohibit property owners, whether on their own or through their agents, to apply two competing permits, whether under the zoning ordinance or whether under other ordinances of the township which requires review in compliance with the zoning ordinance at any given time.

Attached is draft language which I suggest should also be looked at. The township can consult with McKenna Associates for proper placement in the ordinance. It seems that this provision would logically be placed in the general provisions under Article VI, perhaps around section 6.1.4 or under section 4.1 of the zoning ordinance or it could have its own section entitled "Order of processing permits for use of land."

Any parcel or parcels under the same ownership shall only be allowed to have one (1) application pending at any time for any permit for the use of any parcel or parcels which requires the application of the regulations under this Zoning Ordinance. For purposes of this provision, a single application that is pending would include, but not be limited to the following:

- A. A pending request for a land use permit.
- B. A pending request for a special use permit.
- C. A pending request for a special use permit utilizing the planned unit development (PUD) provisions of this Zoning Ordinance.
- D. A pending request for a variance or other action before the ZBA which directly impacts a parcel or multiple parcels under single ownership.
- E. A pending request under any other police power ordinance of this Township which requires as part of the process for a permit or action



LEELANAU CONSERVATION DISTRICT
8527 E. Government Center Drive, Suite 205, Suttons Bay, MI 49682
Phone: (231) 256-9783 Fax: (231) 256-7851

August 30, 2016

Peninsula Township Board
13235 Center Road
Traverse City MI 49686

Dear Board Members,

As the District Forester for Leelanau, Benzie and Grand Traverse Counties, I assist private landowners with sustainable management of their forested properties. This work includes a lot of education about insect and disease concerns. Oak wilt is a non-native disease that has been in the Grand Traverse area for many decades but with increased developmental pressure on our forests, it is spreading more rapidly.

I have recently confirmed many new oak wilt sites on the Peninsula and have been working with private individuals and homeowner associations to control its spread. Treatment and control measures are very expensive and difficult to implement, and our best defense is educating the public to the best management practices that will control its overland spread. Not injuring any oak trees during the warm season and not moving infected wood, is the huge message we are trying to convey.

Consulting Forester, Steve Kalisz, alerted me to a condo development off of Boursaw Road. On page 26 of the 113 page detail of their construction plan, it states that all tree cutting and removal will occur between June and July. Since this is the prime Oak Wilt dispersal period, it would be extremely detrimental to the health of all the oaks on the Peninsula to allow cutting of trees with oaks present. Any injury to a residual oak the size a quarter, can attract the beetle that carries the oak wilt fungus. The beetle can carry the fungus over a mile. No logging operation can guarantee that residual trees will not be injured. It is highly recommended that the township restrict the removal of oak trees only during the dormant season, primarily late fall through March. From April until November, the trees are at their highest risk for oak wilt infestation.

I understand the developer is still in the process of acquiring township approval for the condominium units, and I hope you consider this in your final decision. Oak wilt is not going away. It has been around for some time, but we don't want to lose our stately oaks and we know how to do that. Educate the public to the risks of warm season injury and help them follow the management recommendations laid out by forestry and tree service professionals..

I would be interested in speaking with the township board if anyone has questions about the health of forests on the Peninsula. Thank you for your attention to this matter.

Sincerely,
Kama Ross

Kama Ross

District Forester

Leelanau, Grand Traverse and Benzie Conservation Districts
kama.ross@macd.org

Michelle Reardon

From: Nac S <nacs@advids.io>
Sent: Wednesday, September 07, 2016 10:43 AM
To: planner@peninsulatownship.com
Subject: Peninsula Township Video

Hi Daniel, My name is Nac and i'm Producer at [Advids](#). We are a Video Content creation solution that helps businesses create videos easily. I would like to invite you to checkout [Advids](#). Please review how you can easily produce quality videos to show or communicate more about Peninsula Township. Would love to share details about the cost and sample videos we have created in similar industry. I look forward to hear your thoughts and ideas on creating video content.

Thanks,

Nac

Director & Producer

[Advids](#)

Video Creation made easy

PH +1 650-515-3363

[unsubscribe](#)



August 31, 2016

Network Real Estate
180 Washington Valley Road
Bedminster, NJ 07921

O 866.862.4404

The Township Of Peninsula
13235 Center Rd.
Traverse City, MI 49686

Re: Tower Space Lease dated the 16th day of July 2001, by and between The Township Of Peninsula, and Cellular North Michigan Network General Partnership, d/b/a Verizon Wireless for property located at 14247 M47, Traverse City, MI.

To Whom It May Concern:

This is notification that Verizon Wireless is terminating this agreement effective July 15, 2016, the lease has expired.

I trust the foregoing is clear, but should you have any questions now or in the future regarding this lease, please contact the Network Real Estate Department at 866-862-4404.

Sincerely,

Gail Sussman
Engineer I -Network Real Estate

Site Name: Old Mission Peninsula
Contract # 87350

Certified: 7005 2570 0001 9646 8129

7005 2570 0001 9646 8129

U.S. Postal Service		CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>			
For delivery information visit our website at www.usps.com			
OFFICIAL USE			
Postage	\$		Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$		
Sent To			
Street, Apt. No., or PO Box No.			
City, State, ZIP+4			
PS Form 3800, June 2002		See Reverse for Instructions	

Sally Akerley

From: Duensing Construction <designcrafthomes@sbcglobal.net>
Sent: Saturday, July 30, 2016 7:37 AM
To: Sally Akerley
Subject: Public Hearing Special Assessment Hearing

Good morning Sally,

Valerie and I unfortunately are out of country for the upcoming hearing.

We both strongly support the township paying 15% versus 11.2%.

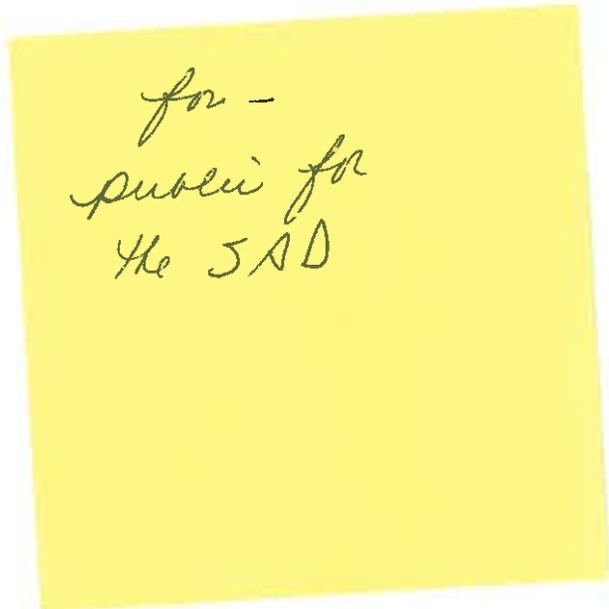
Please accept this email as a letter to be communicated and used as consideration of any public input.

Thanks so much.

Sincerely,

Scott Duensing, CGB, CGR, CGP, CAPS
DesignCraft Homes and Duensing Construction
3501 Kirkland Court Suite E
Williamsburg, Michigan 49690
Office 231 938 0300
Cell 231 883 7468
scott@designcrafthomes.net
www.designcrafthomes.net

CGB Certified Graduate Builder CGR Certified Graduate Remodeler
CGP Certified Green Professional CAPS Certified Aging In Place Specialist



for -
public for
the SAD

P.O. Box 141
Traverse City, MI 49686
August 24, 2016

Peninsula Township Board
Peninsula Township
13235 Center Rd.
Traverse City, MI 49686

Dear Township Board Member:

The Old Mission Peninsula Historical Society is sponsoring a Community Autumn Celebration, September 17, 2016 at the Legion Hall. We expect less than 200 people to attend.

This is a request to allow signage to promote the event and indicate direction to the historical sites, as follows:

- 1) Up to 20 directional/informational signs strategically located along Peninsula roads and at the Legion Hall. Signs to be placed before the event and removed shortly after.
- 2) A sign to be placed at Fire Station No. 2, ideally using the existing pole frame. The sign to be placed approximately a week before the event and removed shortly after.
- 3) An announcement placed on Charlie Doe's sign

Thank you for your consideration of this request.

Sincerely,

Barbara Berthelsen, President, Old Mission Historical Society

Karen Rieser, Amy Lyman
Co-chairs, Community Autumn Celebration

Peninsula Township Invoice Approval Report

VENDOR	DESCRIPTION / DISTRIBUTION	AMOUNT
ACENTEK	OFFICE, FD & LIGHTHOUSE PHONES	\$546.90
	206-000-850.000	41.39
	101-253-850.000	41.80
	206-000-850.000	36.18
	206-000-850.000	40.68
	101-173-850.000	37.62
	101-209-850.000	52.12
	101-400-850.000	57.70
	101-420-850.000	50.24
	101-191-850.000	26.09
	101-215-850.000	26.09
	101-173-850.000	50.55
	101-173-850.000	49.34
	508-000-850.000	36.01
	101-173-850.000	1.09
ACENTEK	SEPT 2016 LH INTERNET	\$52.56
	508-000-850.000	52.56
ADVANTAGE ELECTRIC	WIRE DRYER	\$820.52
	206-000-930.000	820.52
ADVANTAGE ELECTRIC	WIRE WASHER	\$374.97
	206-000-930.000	374.97
AKERLEY SALLY	MILEAGE	\$157.14
	101-209-870.000	157.14
AKERLEY SALLY	MI TAX TRIBUNAL	\$25.00
	101-209-956.000	25.00
BANK OF NEW YORK MELLON THE	DWRF PRIN AND INTEREST	\$135,487.70
	591-000-250.DWB	115,000.00
	591-000-995.DWI	20,487.70
CHARTER COMMUNICATIONS	SEPTEMBER 2016 FD	\$79.99
	206-000-818.000	79.99
CHS	269 GALS	\$53.82
	508-000-745.000	53.82
CONSUMERS ENERGY	SEPT 2016 BHP STREETLIGHT	\$16.42
	208-751-926.000	16.42
CONSUMERS ENERGY	SEPT 2016 TOWNHALL STREETLIGHT	\$20.92
	101-265-926.000	20.92

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
CONSUMERS ENERGY	SEPT 2016 SWANEY STREETLIGHT <i>208-751-926.000</i> <i>33.29</i>	\$33.29
CONSUMERS ENERGY	SEPTEMBER 2016 FD2 STREETLIGHT <i>206-000-926.000</i> <i>7.81</i>	\$7.81
CRYSTAL FLASH PETROLEUM	168.5 GALS REG NL <i>206-000-751.000</i> <i>319.33</i>	\$319.33
CRYSTAL FLASH PETROLEUM	275 GALS DIESEL <i>206-000-751.000</i> <i>556.35</i>	\$556.35
DEWEESE HARDWARE	ROUND UP <i>101-265-930.000</i> <i>17.95</i>	\$17.95
ESO SOLUTIONS, INC	EPCR SOFTWARE, EPCR INTERFACE, FIRE SOFTWARE, EPCR MOBILE <i>206-000-818.000</i> <i>4,475.00</i>	\$4,475.00
FIRECATT	FIRE HOSE TESTING AND GROUND LADDER TESTING <i>206-000-933.000</i> <i>3,492.60</i>	\$3,492.60
GOVERNMENTAL BUSINESS SYSTEMS	MEMORY CARD CODING 8-2-16 <i>101-191-726.000</i> <i>560.00</i>	\$560.00
GRAND TRAVERSE COUNTY RD COMMISSION	DUST CONTROL 2ND APP <i>245-000-930.000</i> <i>4,029.99</i>	\$4,029.99
GRAND TRAVERSE REFRIGERATION	OFFICE SOUTH END AC UNIT <i>101-265-930.000</i> <i>947.98</i>	\$947.98
GT COUNTY TREASURER	GIS SALES MAP <i>101-209-956.000</i> <i>70.26</i>	\$70.26
GT COUNTY TREASURER	GIS TAX MAPS <i>101-209-956.000</i> <i>351.03</i>	\$351.03
GT COUNTY TREASURER	JULY 2016 <i>590-000-818.000</i> <i>8,814.44</i>	\$8,814.44
GT COUNTY TREASURER	JULY 2016 <i>591-000-818.000</i> <i>7,392.49</i>	\$7,392.49
HAMPEL'S INC	2 KEYS COMPACTOR <i>101-173-726.000</i> <i>4.50</i>	\$4.50
HOFFMAN MONICA	MILEAGE <i>101-215-870.000</i> <i>21.60</i> <i>101-191-870.000</i> <i>21.60</i>	\$43.20
KELLY BRENDA	FERTILIZER FOR PLANTS IN FRONT OF OFFICE <i>101-265-726.000</i> <i>5.28</i>	\$5.28

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
KWIK PRINT	HERBICIDE MAILING <i>101-400-900.000</i> <i>526.40</i>	\$526.40
KWIK PRINT	200 LUP CARDS <i>101-420-726.000</i> <i>120.00</i>	\$120.00
MCCARDEL CULLIGAN WATER	COOLER RENTAL AND WATER <i>101-173-818.000</i> <i>23.00</i>	\$23.00
MCKENNA ASSOCIATES	ZONING ORDINANCE <i>101-400-818.000</i> <i>2,623.63</i>	\$2,623.63
NORTH FLIGHT, INC	BILLING AND COLLECTIONS <i>206-000-225.000</i> <i>875.00</i>	\$875.00
NORTHERN OFFICE EQUIPMENT	BIZHUB COPIES <i>101-173-818.000</i> <i>434.68</i>	\$434.68
O'LEARY PAINT	PAINT FOR HALLWAY <i>101-265-930.000</i> <i>39.79</i>	\$39.79
PENINSULA COMMUNITY LIBRARY	EXPENSES <i>708-000-223.000</i> <i>18,000.00</i>	\$18,000.00
PRINTING SYSTEMS	500 AV APP ENV <i>101-191-726.000</i> <i>49.47</i>	\$49.47
PRINTING SYSTEMS	1000 INNER AV ENVELOPES <i>101-191-726.000</i> <i>204.48</i>	\$204.48
REARDON MICHELLE	MILEAGE <i>101-400-870.000</i> <i>62.91</i>	\$62.91
REARDON MICHELLE	LUNCH PDR RESEARCH <i>101-400-960.000</i> <i>12.72</i>	\$12.72
RECORD EAGLE (PUBS)	AUGUST 2016 PUBS <i>101-101-900.000</i> <i>97.75</i> <i>101-430-900.000</i> <i>191.25</i> <i>101-101-900.000</i> <i>234.80</i> <i>101-101-900.000</i> <i>95.25</i>	\$619.05
SMIELEWSKI JAMES	AUGUST 2016 MED CEU <i>206-000-960.000</i> <i>150.00</i>	\$150.00
STAPLES CREDIT PLAN	SUPPLIES <i>101-173-726.000</i> <i>69.62</i> <i>101-209-726.000</i> <i>218.98</i>	\$288.60
TIME EMERGENCY EQUIPMENT	ADAPTER 5' <i>206-000-933.000</i> <i>672.66</i>	\$672.66

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
TOBIN & CO., P.C.	PROF SERVICES YEAR END MARCH 31, 2016	\$3,321.50
	101-101-807.000	1,183.00
	297-000-807.000	1,046.50
	206-000-807.000	500.50
	208-751-807.000	182.00
	508-000-807.000	91.00
	509-000-807.000	91.00
	212-000-807.000	45.50
	245-000-807.000	45.50
	298-000-807.000	45.50
	502-000-807.000	45.50
	207-000-807.000	45.50
TOBIN & CO., P.C.	AUDIT 15-16 WATER	\$500.50
	591-000-807.000	500.50
TOBIN & CO., P.C.	AUDIT 15-16 SEWER	\$728.00
	590-000-807.000	728.00
TOBIN & CO., P.C.	ADJUSTING BANK RECS	\$840.00
	101-253-818.000	840.00
TRAVERSE CITY LIGHT & POWER	HOMESTEAD STREETLIGHT	\$7.97
	101-000-226.080	7.97
TROPHY TROLLEY	4 NAMEPLATES	\$51.00
	101-101-726.000	51.00
WILKINSON ROBERT	OFFICE CLEANING	\$588.00
	101-265-818.000	588.00
WILKINSON ROBERT	OFFICE MAILBOX, LIGHTS WALL REPAIR, FD CLEAN-UP AND MOWIN	\$1,095.00
	101-265-930.000	15.00
	206-000-818.000	180.00
	101-265-930.000	180.00
	206-000-818.000	720.00
Total:		\$200,591.80

**PENINSULA TOWNSHIP BOARD
SPECIAL MEETING
Township Hall - August 8, 2016**

Meeting called to order at 4:00 p.m.

PRESENT: Hoffman, Weatherholt, Avery and Witkop.

ABSENT: Byron, Correia and Rosi (excused)

1. Call to order
2. Pledge
3. Roll Call

Motion: Weatherholt/Witkop to appoint Hoffman as chair.

Passed Unan

4. Approve Agenda – Motion: Witkop/Weatherholt to approve.

Passed Unan

5. Brief Audience Comments – for items not on the agenda

Anne Griffiths 14548 Bluff Road, commented on the process of choosing PC and ZBA members.

6. Conflict of Interest – None
7. Business

1. Interview Planning Commission and Zoning Board of Appeals Candidates

The Township Board interviewed the following candidates.

Planning Commission:

Zoning Board of Appeals

Marilyn Elliott

Steve Love

Keith L Leak

Rachel McBride (interested in both)

Dawn Rogers

Rachel McBride (interested in both)

Donna Hornberger candidate for Planning Commission and Rick Vida candidate for Zoning Board of Appeals were unable to attend; both are currently serving the boards

This meeting was for the purpose of interviewing the candidates, the board will vote on the appointment at the regular meeting on August 9th.

8. Citizen Comments

Anne Griffiths 14548 Bluff Road commented that Mr. Love was not late for his interview.

Britt Eaton 1465 Neahtawanta Road, recommends Marilyn Elliott for Planning Commission.

Richard Gielow 7616 E Shore Road asked if the PC and ZBA serve at the whim of the board.

Mark Nadolski 10 McKinley Road, questioned about the timing of the new board coming and the appointments.

8. Board Comments – Weatherholt will contact MTA (Michigan Townships Association) regarding appointment, because the Supervisor makes a recommendation of a candidate to the township board. He will also find about extending their terms.

Motion: Avery/Witkop to adjourn at 5:00p.m.

These minutes stand to be approved at the next meeting.

Respectfully Submitted,

Monica A. Hoffman CMMC/CMC

Peninsula Township Clerk

Township Board Special Meeting August 8, 2016

**PENINSULA TOWNSHIP BOARD
REGULAR MEETING
August 9, 2016**

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

PRESENT: Hoffman, Avery, Byron, Weatherholt and Witkop

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

ABSENT: Rosi and Correia (Excused)

MOTION: Avery/Byron to appoint Hoffman to chair the meeting.

PASSED UNAN

CHANGES/ADDITIONS TO AGENDA

Hoffman requests that Business Item #10 be moved to Item #3 and add Planning/Zoning candidates as Item #11.

MOTION: Byron/Weatherholt to approve agenda as amended.

PASSED UNAN

BRIEF CITIZEN COMMENTS (FOR ITEMS NOT ON THE AGENDA)

David Taft, 9529 Neah-ta-wanta Road spoke concerning soil testing at the 81 project.

CONFLICT OF INTEREST

None

CONSENT AGENDA

- A. Reports and Announcements (as provided in packet)
- B. Officers – Clerk, Supervisor, Treasurer
- C. Departmental – Planning Commission, Zoning Board of Appeals, Attorney, Engineer, Library, Park Commission and Township Deputy.
 - 1. Correspondence (as provided in packet)
 - 2. Edit lists of invoices (recommend approval)
 - 3. Meeting Minutes

July 12, 2016 Regular Meeting

July 13, 2016 Special Joint Township Board, Planning Commission, Zoning Board of Appeals and Park Commission Meeting

- (recommend approval)
4. July 2016 Payroll (recommend approval)
 5. Founder's Day Celebration (recommend approval)
 6. Sweet Adelines Request to Use Station 2 (recommend approval)

Margaret Achorn requested that the additions to the edit list be removed from the consent agenda and read aloud under Business.

Byron would like to have the Peninsula Drive shoulder discussion added to the next agenda. Also asked from the edit list who is Front Line Services? **Hoffman** advised that is a Fire Department bill. The Fire Department takes their vehicles there to be serviced. **Byron** also wants to know what was purchased at McLain's? **Weatherholt** advised that it was for new exercise equipment. Rittenhouse advised **Weatherholt** he would like to meet with the Board to discuss the Fire Department spending.

Byron had changes on the July 13th meeting minutes. **Hoffman** advised **Byron** to provide the changes in writing to the Clerk's office.

MOTION: Witkop/Weatherholt to accept the Consent Agenda as amended.

PASSED UNAN

BUSINESS

1. Update on Court Case – Kahn (Closed session with legal counsel in Township Conference Room)

MOTION: Weatherholt/Avery to go into closed session as recommended by the Township attorney at 7:09.

PASSED UNAN

MOTION: Weatherholt/Byron to come out of closed session at 8:12.

ROLL CALL VOTE: Witkop – yes; Weatherholt – yes; Hoffman – yes; Byron - yes and Avery – yes

PASSED UNAN

MOTION: Witkop/Byron to appoint Weatherholt and Hoffman to attend mediation on August 18th at the attorney's office.

ROLL CALL VOTE: Weatherholt – yes; Hoffman – yes; Byron – yes; Avery – yes and Witkop – yes.

PASSED UNAN

2. Public Hearing for Braemar Estate SAD (to be tabled pending the resolution of easements and Road Commission concerns over additional improvements)

Township Attorney Wendling recommends taking it off of the table and allowing anyone present that wants to speak to do so and then table the item again.

MOTION: Byron/Weatherholt to bring the Braemar Estate SAD Public Hearing back to the Board.

PASSED UNAN

Opened public hearing.

No comments.

Closed public hearing.

MOTION: Witkop/Avery to re-table this item until September 13, 2016.

PASSED UNAN

3. TCAPS Joint Meeting Request

Allison O'Keefe, 11556 Snowfield Court, requested the Township Board hold a joint meeting with TCAPS to discuss Old Mission Peninsula School options. Board agrees and O'Keefe will have TCAPS arrange with the Clerk's office.

4. Park Commission Request for Consumers Energy to Shield Streetlights

Maura Sanders, 20202 Center Road, asked the Township Board to approve the Park Commission request to have Consumer's Energy fix the lights that do not comply with the Dark Night Sky Ordinance.

MOTION: Byron/Weatherholt to support Sanders to work with Planner Reardon.

PASSED UNAN

5. Bob Wilkinson's Contract – Memo and Bid Process

Hoffman reviewed Wilkinson's contract. Board consensus was to have **Weatherholt** and **Byron** work with the Parks Commission on the contracts. **Avery** requested we bid the whole contract and then also bid it into two parts with one being maintenance/cemeteries and the other part being snowplowing and mowing.

6. Ward ZBA Fee Refund Request and Petzold ZBA Fee Refund Request

Reardon explained both refunds.

MOTION: Byron/Weatherholt to refund Petzold \$375 and Ward \$189 for the Petzold staff error and the Ward family health issue.

ROLL CALL VOTE: **Weatherholt** – yes; **Hoffman** – yes; **Byron** – yes; **Avery** – yes and **Witkop** – yes.

PASSED UNAN

7. 2016 Phragmites Report and Contract

Reardon presented the contract for approval. **Byron** requested that we wait until after the public hearing next month to approve it. Board agreed.

8. Bonobo Update

Reardon presented report of site visit. Bonobo Winery representative Todd Oosterhouse (applicant) and attorney Steve Fox were present at tonight's meeting. Wendling stated under Section 8.7.3 Site Development requirements for SUP, without limiting the powers of the Township Board in any other Section of this Ordinance, the Township Board shall have the authority to revoke any special use permit when, after reasonable warning, the operator of any use permitted under this Section fail to comply with any of the requirements stipulated. In addition, the Township Board may, to prevent injury or damage to adjoining properties which may impair public health, welfare or safety, require additional conditions and safeguards. Clearly you have in your ordinance the authority to revoke these types of permits. Suggests scheduling a hearing where staff and Bonobo Winery representatives can make presentations at which time the Township Board would then make the decision whether or not to revoke the Special Use Permit for winery/chateau. If the Township Board wishes to take that next step it should also pass a motion at this meeting that they are providing reasonable warning to the applicant that the Township Board will take action to revoke their permit after the subsequent hearing there is evidence that they are in violation of their Special Use Permit.

MOTION: **Byron/Weatherholt** providing notice to the applicant that there is evidence they may be in violation of their Special Use Permit in this case the lack of having 75% of the crop planted in crops that can be used for the production of wine and to hold a hearing at the September meeting. Materials from the staff and applicant submitted as evidence by either side be submitted at least one week before the public hearing.

PASSED UNAN

9. Park Commission Request to Transfer Money From Park Fund Balance for Restoration at Hessler Log Cabin

MOTION: **Witkop/Byron** to transfer \$7,882 from the Parks fund balance for a special project at the Hessler Log Cabin.

ROLL CALL VOTE: **Hoffman – yes; Byron – yes; Avery – yes; Witkop – yes; Weatherholt – yes.**

PASSED UNAN

10. Station 1 Tower Fence – Review and Accept Quote

Hoffman presented fencing quotes for the tower building at Fire Station 1. Discussion followed.

MOTION: **Witkop/Weatherholt** to approve Apple Fence Company for the fence repair.

Byron – yes; Witkop – yes; Weatherholt – yes; Hoffman – yes. Avery abstained due to Apple Fence being a client.

11. PC and ZBA Appointments

Weatherholt advised the Board that the PC appointments need the Supervisor's recommendation. Discussion followed. In **Correia's** absence, Board consensus was to leave the PC and ZBA as is until the end of November at which time the new Board can make the appointments.

12. Additions to the Edit List

Hoffman read the additions to the edit list.

CITIZEN COMMENT

David Taft, 952 Neah-ta-wanta Rd spoke concerning Bonobo Winery.

Rick Schaeffer, 999 Beautiful Shores, spoke concerning the Kahn lawsuit.

Monnie Peters, 1425 Neah-ta-wanta Rd spoke in support of the Board's action against Bonobo.

Margaret Achorn, 11284 Peninsula Drive asked for more information on the Gourdie/Fraser bills. Reardon advised the ones she knew of and advised she had to look the others up in her office.

Nancy R. Heller, 3091 Blue Water Road, commented on the AT&T tower and how nice it looks.

Maura Sanders 20202 Center Road, anybody that has questions concerning Kelley Park should please send them to a member of the Parks Commission.

Gretchen Soutear, 1670 Braemar spoke concerning the Braemar SAD.

BOARD COMMENTS

Hoffman read letter of resignation effective September 8, 2016.

MOTION: **Witkop/Avery** to accept **Hoffman's** resignation.

PASSED UNAN

Witkop commented that the Clerk appointment get added to the next agenda. Concerning the escrow accounts, we need to get that straightened out.

MOTION: **Avery/Witkop** to adjourn meeting at 9:17.

PASSED UNAN

Respectfully Submitted,
Mary Avery, Recording Secretary

These minutes stand to be approved at the next meeting scheduled for September 13, 2016

PENINSULA TOWNSHIP
2nd Regular Township Board Meeting
August 23, 2016

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

Roll Call

Present: Rosi, Avery, Weatherholt, Hoffman, Witkop, and Byron

Absent: Correia (excused)

Also Present: **Jim Young**, Township Attorney; **Michelle Reardon**, Director of Planning and Zoning, and **Deb Hamilton**, Recording Secretary

MOTION: Witkop/Byron to appoint Hoffman as chair. **MOTION PASSED**

Approve Agenda

MOTION: Weatherholt/Byron to approve the agenda as presented. **MOTION PASSED**

Brief Citizen Comments – for items not on the Agenda

Marilyn Elliot, 18811 Whispering Trail, said my trust in the integrity of Byron and Rosi is absolute. My expectation is that all Township Board members resolve any and all, real or perceived conflicts of interest that they have apprised themselves of any and all alternative, defensible findings of fact and they will present these findings to the public. My hope and firm belief is that all Board members will conduct the Township's business in a manner that will not bring their integrity into question.

Conflict of Interest

Hoffman said she will not be voting on the first item. **Byron** asked **Young** if she can participate since Business Item 2 has already been approved. **Young** said this is legally a continuation so to speak of the first public hearing. If Byron was disqualified as the Judge ruled from participating from that first public hearing. Byron is equally disqualified to participate. **Byron** asked if she can speak as a citizen. **Young** said absolutely. **Rosi** said she wrote letter to the Record Eagle and Mr. Settles questioned whether or not she could separate herself from her vote that occurred a year ago. She thinks we are moving on and feels strongly she can look at the issues in terms of the final resolution on how to make this project work. She would like to not recuse herself. **Young** said after checking on some background facts that letter is consistent on how Rosi voted at a prior hearing. As long as today Rosi is able to vote the issues the Judge has remanded to us based upon the facts as presented at this hearing and not based upon any prior beliefs Rosi may have had, he is confident Rosi does not have a conflict. On the other hand, if Rosi believes so strongly that this project does not comply with the Master Plan that Rosi would vote not compliant with any standards regardless of the facts then due process requires a fair hearing in front of an impartial body. If someone is bias because of a prior decision and could not hear things fairly they would have to recuse themselves. **Rosi** said the issues being talked about tonight are not about the larger issues she was concerned about. **Young** said exactly, however if a person however said I still believe it and will always vote negatively no matter the evidence that is a problem. Rosi indicated earlier that she was prepared to make a decision based upon the facts presented today regardless of any prior votes at prior hearings as long as that is the case and Rosi votes upon what she believes the evidence shows tonight there is not a conflict. Rosi simply needs to make that commitment on the record. **Rosi** said there seems to be a fine line in terms of sincerity. In Byron's case she has to recuse herself because she did originally at the beginning. In my case I could recuse myself because I have a bias that pervades my decision. **Young** said if Rosi is indicating that she has a bias that pervades her decision making. Image a judge making a decision that way in a courtroom. **Rosi** said her bias is not really a bias it is an opinion regarding on how best to deal with the two issues we are dealing with now. **Young** said the two issues are the two issues remanded by the court. If Rosi's prior belief

that this project was not consistent with the Master Plan is going to influence Rosi's ability to objectively evaluate the information presented tonight Rosi has a conflict and he recommends Rosi recuse herself otherwise it is not fair to anyone no matter how the hearing comes out. On the other hand if regardless of Rosi's prior decision she is objectively able to evaluate the facts and apply them to the standards then a fair hearing would result. **Rosi** asked if she chooses to participate and she errs then what happens. **Young** said if a judge determines there was a conflict of interest and Rosi voted and Rosi's vote was decisive then Rosi's voted would not be counted or the judge may remand. He has seen both happen. At an Ethics meeting with the Board it was explained that due process requires a fair hearing in front of an impartial body. An impartial body means no preconceived strong bias that would adversely impact the ability to evaluate the facts. **Rosi** said she chooses to recuse herself because tonight we are talking about two things - the Fire Department and access and the standards for soil erosion, grading and storm water. I do not believe they have been met. Those issues of storm water and drainage are related directly to the movement of land and she is very concerned about that and the reduction of trees. They tie together don't they? There were remarks from the audience. **Weatherholt** said this is Rosi's decision to make. **Rosi** said I will not recuse myself and I will vote my conscience as I see it in terms of this development. **Young** said understand it is not a question about voting your conscience. It is a question about deciding which facts are the most creditable or the strongest and applying those facts to the standards in the ordinance. That is what a judge has to do in a court case. **Rosi** asked does the judge also consider the Master Plan. **Young** said the Zoning Ordinance is supposed to reflect the Master Plan. None of the standards that have been remanded indirectly relate to the Master plan. None of the standards specifically require a finding of compliance with the Master Plan. The standards specifically say to find a certain aspect of the project complies or does not comply with the Master Plan. What you apply are the standards. The standards are the key. If you do not think the standards in the ordinance accurately reflect the Master Plan you do not change them after the fact. Look at amending the ordinance and make sure they properly reflect the Master Plan. That is the proper way to do it. **Rosi** said she chooses not to recuse herself.

Business

1. Appoint Clerk to Fill Vacancy

Hoffman recused herself for this item.

MOTION: Byron/Witkop to appoint Weatherholt to act as chair. **MOTION PASSED**

Weatherholt said Hoffman has chosen to leave her appointment on September 8, 2016. Weatherholt spoke with Joanne Westphal and she has offered to start on September 9, 2016.

MOTION: Byron/Witkop to appoint Joanne Westphal as Clerk. Appointment will start on September 9, 2016.
MOTION PASSED

MOTION: Byron/Witkop to bring Hoffman back as chair. **MOTION PASSED**

2. The 81 on East Bay – Public Hearing

Young said zoning, by law in Michigan, is not a popularity contest. It is a decision based upon the facts of the proposed development and all the relevant factors as applied to standards in the Zoning Ordinance. There are specific standards that are applicable tonight. The judge has remanded the case. **Reardon** read from the judge's decision to understand what the Board has to decide tonight. "The Board implemented the flowing conditions on August 11, 2015: (1) The Development shall meet adequate safety standards for fire protection subject to the Peninsula Township Fire Department review and approval including the provision of an additional egress for emergency purposes at either Trevor Rd or with The 81 proper. If provided within the 81 proper staff shall be allowed to permit a reduction in lot size as warranted and based on the mathematical calculation for open space under the ordinance. The second egress should it be provided with [sic] The 81

proper shall be gravel or paved per review of Peninsula Township Fire Chief. (6) Detailed grading plans shall be supplied to the Township Engineer for the Township engineer's review and approval prior to SUP issuance." **Young** said those were the conditions set forth by a majority vote at a prior hearing. **Reardon** read the judge's final statement from the decision. "The issues delegated to the Peninsula Township Fire Department and the Township Engineer for review and approval, including the location and functionality of the emergency access road, and whether the standards for soil erosion, grading and storm water have been met, are remanded to the Board for further proceedings consistent with this decision and order." **Young** said by order of the court these are the only issues that the Township Board can lawfully consider. Any other issues or standards that the court did not specifically remand have been decided. **Rosi** asked does that mean the Board should be looking at grading and erosion and whether or not the proposal is satisfactory or appropriate for this location. **Young** said yes.

Philip Settles, 5168 US 31 North, said he is the lawyer for the applicant. He did not plan on doing the presentation tonight. Mansfield's planner was going to do the presentation but something came up a couple hours ago relating to the road on east 81 not the fire access road. Apparently it just came up that the road east 81 is 20 feet wide. Section D 107 of the fire code states that road would be described as a dead-end fire apparatus road. If you look at Chief Rittenhouse's 2nd letter to the Board on page 3 it shows the width of a fire apparatus road should be 26 feet. The applicant thought that had been approved by Chief Ronk however we do not have that modification in writing or the reasons for that modification. The Board cannot make decisions based on a flat recommendation from the Fire Chief. The Chief has to provide the Board with reasons for a variance from the 26 feet. We do not have that today. The road we are talking about is the road that goes down to the beach. That road shows 20 feet. According to our fire expert (Taylor) there are exceptions to that when you do not have fire hydrants and when you do not have three story buildings alongside the road. However, Taylor does not have the research with him today to give the Board evidence of those exceptions to give the Board the basis to form a decision. The Board cannot just take his word for it. It would not be good findings. Therefore Mr. Settles asks the Board to adjourn this again so the applicant can either widen the road and make the lots smaller and provide that for open space calculation or provide the Board with the exceptions to the code that would be appropriate for rural type fire lanes like this.

Young said they are asking for an adjournment of the hearing. For the record the last paragraph of the judge's order says "issues delegated to the Peninsula Township Fire Department and the Township Engineer for review and approval, including the location and functionality of the emergency access road." It does not say limited to but including. Mr. Settles is correct. The applicant submitted an independent fire report. If any fire expert is going to approve less than 26 feet under the fire code, it is like a variance or like an exception. The section in the International Fire Code that allows making that variance needs to be cited and explain if the variance is going to be granted and why a variance is justified under the fire code. **Young** is glad the applicant did not ask for a variance and make this a condition, assuming all the standards have been met, because would have the same problem that we had after the first hearing. The Board cannot delegate to a Fire Chief or anyone else decision making the Board has to make. The request to adjourn the hearing is a wise one. As a matter of law he does not see how the Board could complete the hearing. It is not fair to do 90% and then adjourn one issue. **Hoffman** asked if the Board adjourns the hearing would the Board then recommend this go back to the Planning Commission. **Reardon** said her suggestion would be to wait and see what the solution is before recommending sending it back to the Planning Commission. **Hoffman** asked should it be adjourned to the next meeting or until the applicant brings back a solution. **Young** said it is his recommendation to adjourn the hearing until the applicant brings back modified plans.

MOTION: Avery/Witkop to adjourn to until the applicant brings a plan to the Planning Department and will be put on a future agenda.

Witkop asked about the Planning Commissions involvement at this point. **Young** said we are not providing a decision on that right now because research needs to be done to see what plan is submitted. **Witkop** asked it

may end up in front on the Planning Commission before it comes back to the Township Board. **Young** said it might. The Judge's order is these issues are remanded to the Township Board not the Planning Commission however the Planner and Young will decide once the plans are submitted.

MOTION PASSED

Byron returns to Board.

Citizen Comments

Christopher Grobbel, Grobbel Environmental and Planning Associate, said in addition to being a professional planner and working for a number of townships, he is a professor for MSU Citizen Planner Program. he recommended the Board tighten up conflict of interest issues. If there is a conflict, it needs to be clearly stated. If it is financial, it is conflict. If it is about belief, it is not. If have a conflict, remove yourself from table during the discussion of that matter. There are a whole host of issues that relate to soil erosion, storm water and grading that the Board is going to put off now for another 2-3 months because the Board is not listening to the public tonight. That is not good community/public process. It is easy to continue a public hearing. An entire meeting does not have to be adjourned because one road needs three more feet of width requirement on each side. That is a mistake and not community process. Mr. Young believes all the information needs to be in front of the public before the Board makes a decision but a six foot extension on an access road is a minor revision. It is not something that goes back to the Planning Commission or adjourn a meeting for. Mr. Grobbel would like to work with the Board on this matter and he would like to be heard. There are a whole host of issues in the letter he submitted yesterday/today and last July that need to address in terms of grading, storm water and soil erosion. He was the Planner for Acme Township during fiasco and one of the reviewers of the Moorings. The Board should allow the public to speak toward these issues.

David Taft, 952 Neah Ta Wanta Rd., said he wants to address each of the constituents tonight of The 81 project. Mansfield Consultants – learn from the 35 units at Bowers Harbor, the 40 unit The Orchards project and the Old Moorings that all failed. No one wants to live in a dense subdivision 10-15 miles from Traverse City. Respect our Master Plan. Township Board – the Township's disavow of financial responsible for the planned community septic is a hollow agreement. If the development or septic fails; the Township, to meet its responsibility to protect the health and safety of the residents, will be forced to take over operations of this community septic. The recent election removes four Board members from township positions in late November partly because they failed to listen carefully to the residents' concerns about this project last year. Taft asked the Board to weigh carefully when listening to the residents and the remanded issues. Listen carefully to the legal staff proposals and carefully deliberate in your minds whether or not the massive contouring of this proposal meets the spirit of the Master Plan and our Zoning Ordinance. Land Developer –If the developer suspects a property is contaminated willing assess and conduct an independent environmental analysis before working on the property. If the developer does not, they will be in legal trouble. Since the 2015 Board approval it has been learned that The 81 property routinely used arsenic, lead and other toxic pesticides. With this knowledge the developer has the due care responsibility and due care obligation according to the Michigan DEQ guidelines to undertake an independent soil analysis of the property to determine if there is contamination. With the plan and massive grading if residents, neighbors or workers are exposed to contamination in dust or run off, the developer will have significant legal consequences if they knowingly proceed to develop this property without a environmental analysis.

Pat Trnka, 17068 Peninsula Dr., said she would like to address concerns about contamination of land in Peninsula Township. In 2009, with public support, the township acquired Pelizarri Park, in 2013 The Old Mooring Place and recently land for the expansion of Bowers Harbor Park. These are parcels that are knowingly contaminated. We are willing to expose and actually encourage the public to use this property but when a potential private development is found to have elevated levels of farming residue some residents oppose the use of this land. Why the double standard? Trnka would also like to thank those board members who were

not re-elected to office as well as Mark and Mary Avery, Sally Akerley and Michelle Reardon for their dedicated service to the township. They have been/are committed public servants and even in the face of false accusations published in pre-election flyers and incessant verbal attacks at board meetings, they have maintained their dignity and continued to perform with the integrity required of their positions. She hopes the public appreciates the long hours and devotion they have given to this township.

Nancy Davy, 14713 Shipman Rd., said some years ago driving down Center Road, she passed a cherry orchard where the owner was spraying his cherry trees. A wind was blowing in just the right direction and with just enough strength that she was forced to turn on her windshield wipers in order to see the road as the spray drifted onto her car. It was at that moment that she was jolted into awareness of the serpent in the garden. In this case the chemicals that are generously applied to fruit trees. Dr. Komendera has on several occasions supplied information to Board members as to the types, levels and concentrations of carcinogenic substances that are detected in soil previously used by cherry farmers. Dr. Komendera and other community members have recommended that guidelines be enacted by Peninsula Township requiring developers to have soil analyzed. She has often heard that cancer rates are very high for Leelanau County because of heavy agricultural use. After hearing Dr. Komendera's suggestions, she did a bit of research on her own. She searched on the internet to see where Grand Traverse County ranks for diagnosed cancers within the State of Michigan. According to the website for the Michigan Cancer Surveillance program, of the 83 counties in the State of Michigan, Grand Traverse County ranks 16th or in the top 5th when looking at raw data but when adjusted for age, it is 4th in the State ahead of Midland, Wayne, Genesee or Saginaw Counties. At the recent meeting of the Park Committee studying ideas for a plan for the extension of Bower's Harbor Park, the representative from Beckett and Raeder, the consulting firm assisting in the development of a plan, cited the soil tests for that location as having elevated levels of lead and arsenic and discussed the impact of the presence of toxic chemicals. She frequently used the terms "removal" and "encapsulation" as necessary ways of handling the soil for different activities. She also pointed out that the dangers are considerably less in an area such as the park than it would be for the residential use of an abandoned cherry orchard as it is more likely that residents in a home would be exposed on a daily basis to these chemicals. Davy has been told that responsible developers take the extra precautions of having soil tests done on areas that might have potential carcinogenic substances because of previous uses. She also understands that soil testing can be quite expensive as there is a disincentive for developers to do so. Current residents of this area, have a responsibility to enact procedures whereby developers are required to review previous uses of land and when advisable to do soil testing and further to take appropriate actions when advisable to insure the safety and health of our future residents.

Anne Griffiths, 14548 Buff Rd., said just a couple procedural notes –She has been trying to follow the meetings by following the minutes. She would like to suggest more detail in the reports of public comment. She encourages the Board to make the minutes more informative. She does not want to be argumentative or unkind but she understands that Hoffman submitted letter of resignation. Was that to the Board or the Township and its constituents? Griffiths thinks the Township and the constituents deserve that information as well as the Board. The constituents are the ones that received her excellent services. There needs to be more information on the website. We have been well aware of the arsenic and other farm residue contamination at Bowers Harbor. That is why it was not developed. All the park considerations have no digging or exposing of that land. It has not been ignored. Thank you all sincerely.

Mark Nadolski, 10 McKinley Rd., President of Protect the Peninsula, said he wholeheartedly concurs with David Taft's and Grobbel's comments. The Boards tend to get too fine tuned as to what they are looking at instead of looking at the broader picture. In my mind the broader picture is the Master Plan and from that comes the ordinance not the other way around. The Master Plan is what the people want their community to be and you create ordinances to reflect that. As far as the soils, as a realtor he was involved the project on Bluff Road. BEAs were required on that property. The property had to be sold as an agricultural use. The DEQ required a baseline environmental audit done on each lot. There are documents that need to be passed on and put into the

deeds of each of those parcels. There should be soil erosion tests, chemical tests and everything else before people and families are allowed to live on The 81 parcels.

Brit Eaton, 1465 Neah Ta Wanta Rd., said we see an overhead of The 81 site. What we do not see is the water view looking back at the property. In the Master Plan it says clearly that the vision of Peninsula Township is to preserve and protect the unique and scenic nature of Old Mission is critical to the Master Plan. There was a survey of the public. 92.9 % supported maintaining the scenic view of the Bays. 81% supported preservation of the natural shoreline. The 81 will have a huge dock with many boat slips and lights which is not preserving the natural shoreline. 74.5% supported the preservation of views from the water surrounding the peninsula. This project does not fulfill any one of those.

Ann Rogers, 1236 Peninsula Dr., Northern Michigan Environmental Action Committee Co-Chair, said the Northern Michigan Environmental Action Council (NMEAC) is opposed to the ill-conceived 81 on East Bay development and believes a complete environmental assessment and impact statement are needed before any approvals by Peninsula Township. This is a very unique property which included steep, forested ridge lines running along the shore of grand Traverse Bay. The proposed development calls for removing the ridge lines and cutting all of the trees which has the potential to send large amounts of sediment into the Bay. In addition, the property is a former cherry/fruit orchard operation and the soils are likely contaminated. NMEAC suggests this issue be tabled until the new Township Board is seated in November. There are too many questions that still need to be answered about this development and the additional time could be used for an environmental assessment and impact statement.

Gordon Hayward, 17777 Shii Take Trail, said he raised the issue at the last Township Board meeting regarding the condominium subdivision section of the ordinance Section 6.9. He believes it does apply in this case. When it is sent back to the Planning Commission they should address all the issues related to Section 6.9. He has discussed this with staff various times. It seems the Township Attorney has advised the Township to ignore Section 6.9. All the issues being raised here about the environment would be addressed if the condominium subdivision section of the ordinance was used. Hayward said he has not received a response from the Township as to how and why that happened but it sounds like the attorney has amended the zoning ordinance. If condominium subdivision section is not legal as it currently stands, what is necessary to make it legal? If sending this back to the Planning Commission that should be addressed. The Township Attorney should write an opinion as to why Section 6.9 is not used. The zoning ordinance cannot just be ignored. The Township Attorney is not the Township Board. The Zoning Enabling Act gives that right to the Township and the public. The Condominium Act was amended to assure no discrimination against condominiums. The current ordinance does not discriminate against condominiums. The definition of a condominium project in the State law and in the Condominium Subdivision Act is exactly the same -any two lots that apply for condominium applies to state law and the township ordinance. Hayward would like a response. He has not requested a FIOA yet. He will wait to see if he get a response otherwise a FIOA is appropriate to find out what happened. Who decided that section of the ordinance not be used?

Jeffrey Goodman, 16254 Smokey Hollow Rd., said we share 500-700 feet with the easement on Trevor Road. He and his wife are concerned about many things about this development. If Trevor Road ends up being used as a fire service road, they are concerned about the amount of traffic, noise and runoff and watershed if Trevor Road is paved. He is also concerned about Trevor Road being used for construction trucks, the environmental repercussions from turning up the soil, the quality of water (wells) and aesthetic change in the area.

Jim Komendera 4168 Rocky Shore Trail, President of Preserve Old Mission, said he will not go into the soil contamination. It has been done many times. He wanted to mention a previous comment about Pelizzari park and the fact it was contaminated. There was some remedial work done before that park was opened. The other point is they did not dig into Pelizzari Park 20 feet like the developer is going to dig into these slopes and they

did not take down 50% of the trees like the developer is going to do on this property. There is a difference with the abrupt change of the soil in this land and how it may affect the Bay and the neighbors down the slope. The contamination is accentuated with the amount of grading of the landscape of The 81.

Board Comments

None

Adjournment

MOTION: Byron/Weatherholt to adjourn at 7:56 pm **MOTION PASSED**

Respectfully submitted by Deb Hamilton, Recording Secretary

These minutes stand to be approved at the next meeting scheduled for September 13, 2016

For Check Dates 08/01/2016 to 08/31/2016
 For Selected Pay Code(s) : HOURLY, MEETING, OT, RUNS, SALARY, SICK/PERS, STAWK, VAC

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	Ot Gross	Gross Check Date
10001 - ABBOTT, MARY ANN							
HOURLY	101-191-707.000	0.00	2.75	41.25	0.00	0.00	08/15/2016
MEETING	101-410-818.010	1.00	0.00	120.00	0.00	0.00	08/15/2016
MEETING	101-410-818.010	4.00	0.00	480.00	0.00	0.00	08/31/2016
MEETING	208-751-818.010	1.00	0.00	120.00	0.00	0.00	08/15/2016
Employee Totals:		6.00	2.75	761.25	0.00	0.00	761.25
10005 - AKERLEY, SALLY A							
MEETING	101-209-703.000	1.00	0.00	80.00	0.00	0.00	08/15/2016
SALARY	S. AKERKEY	0.00	0.00	2,439.00	0.00	0.00	08/15/2016
SALARY	S. AKERKEY	0.00	0.00	2,111.80	0.00	0.00	08/31/2016
VAC	S. AKERKEY	0.00	10.90	327.20	0.00	0.00	08/31/2016
Employee Totals:		1.00	10.90	4,958.00	0.00	0.00	4,958.00
10009 - AVERY, MARY A							
SALARY	M. AVERY	0.00	0.00	1,607.33	0.00	0.00	08/15/2016
SALARY	M. AVERY	0.00	0.00	1,607.33	0.00	0.00	08/31/2016
Employee Totals:		0.00	0.00	3,214.66	0.00	0.00	3,214.66
10011 - AVERY, MARK D							
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	08/15/2016
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	08/31/2016
Employee Totals:		0.00	0.00	449.26	0.00	0.00	449.26
10018 - BALL, MICHAEL B							
STAWK	206-000-706.000	0.00	36.00	496.08	0.00	0.00	08/15/2016
STAWK	206-000-706.000	0.00	24.00	330.72	0.00	0.00	08/31/2016
Employee Totals:		0.00	60.00	826.80	0.00	0.00	826.80
10020 - BRYAN, MICHAEL G							
STAWK	206-000-706.000	0.00	24.00	330.72	0.00	0.00	08/15/2016
STAWK	206-000-706.000	0.00	48.00	661.44	0.00	0.00	08/31/2016
Employee Totals:		0.00	72.00	992.16	0.00	0.00	992.16
10026 - BLACKMER, GRANT J							
RUNS	206-000-706.000	3.00	0.00	41.34	0.00	0.00	08/31/2016
STAWK	206-000-706.000	0.00	74.00	1,019.72	0.00	0.00	08/15/2016
STAWK	206-000-706.000	0.00	84.00	1,157.52	0.00	0.00	08/31/2016
Employee Totals:		3.00	158.00	2,218.58	0.00	0.00	2,218.58

For Check Dates 08/01/2016 to 08/31/2016
 For Selected Pay Code(s) : HOURLY, MEETING, OT, RUNS, SALARY, SICK/PERS, STAWK, VAC

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	Ot Gross	Gross	Check Date
10045 - BYRON, JILL C								
HOURLY	101-191-707.000	0.00	15.50	201.50	0.00	0.00	201.50	08/15/2016
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	224.63	08/15/2016
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	224.63	08/31/2016
Employee Totals:		0.00	15.50	650.76	0.00	0.00	650.76	
10060 - CORREIA, PETER A								
SALARY	101-171-702.000	0.00	0.00	1,955.63	0.00	0.00	1,955.63	08/15/2016
SALARY	101-171-702.000	0.00	0.00	1,955.63	0.00	0.00	1,955.63	08/31/2016
Employee Totals:		0.00	0.00	3,911.26	0.00	0.00	3,911.26	
10062 - COURSON, MICHAEL J								
STAWK	206-000-706.000	0.00	12.00	165.36	0.00	0.00	165.36	08/15/2016
STAWK	206-000-706.000	0.00	12.00	165.36	0.00	0.00	165.36	08/31/2016
Employee Totals:		0.00	24.00	330.72	0.00	0.00	330.72	
10147 - HAMILTON, DEBORAH A								
MEETING	101-101-818.000	1.00	0.00	120.00	0.00	0.00	120.00	08/31/2016
MEETING	101-430-813.010	1.00	0.00	120.00	0.00	0.00	120.00	08/31/2016
SALARY	D. HAMILTON	0.00	0.00	1,205.74	0.00	0.00	1,205.74	08/15/2016
SALARY	D. HAMILTON	0.00	0.00	1,607.33	0.00	0.00	1,607.33	08/31/2016
SICK/PERS	D. HAMILTON	0.00	20.30	401.59	0.00	0.00	401.59	08/15/2016
Employee Totals:		2.00	20.30	3,454.66	0.00	0.00	3,454.66	
10148 - HAINES, NICHOLAS								
RUNS	206-000-704.000	1.50	0.00	25.67	0.00	0.00	25.67	08/31/2016
STAWK	206-000-704.000	0.00	106.00	1,813.66	0.00	0.00	1,813.66	08/15/2016
STAWK	206-000-704.000	0.00	132.00	2,258.52	0.00	0.00	2,258.52	08/31/2016
VAC	206-000-704.000	0.00	14.00	239.54	0.00	0.00	239.54	08/15/2016
VAC	206-000-704.000	0.00	24.00	410.64	0.00	0.00	410.64	08/31/2016
Employee Totals:		1.50	276.00	4,748.03	0.00	0.00	4,748.03	
10165 - HOFFMAN, MONICA A								
SALARY	101-215-702.000	0.00	0.00	1,955.63	0.00	0.00	1,955.63	08/15/2016
SALARY	101-215-702.000	0.00	0.00	1,955.63	0.00	0.00	1,955.63	08/31/2016
Employee Totals:		0.00	0.00	3,911.26	0.00	0.00	3,911.26	
10263 - LIPE, CODY E								
RUNS	206-000-706.000	1.00	0.00	13.78	0.00	0.00	13.78	08/31/2016
STAWK	206-000-706.000	0.00	72.00	992.16	0.00	0.00	992.16	08/15/2016

For Check Dates 08/01/2016 to 08/31/2016
 For selected Pay Code(s): HOURLY, MEETING, OT, RUNS, SALARY, SICK/PERS, STAWK, VAC

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
STAWK	206-000-706.000	0.00	35.00	482.30	0.00	0.00	482.30	08/31/2016
Employee Totals:		1.00	107.00	1,488.24	0.00	0.00	1,488.24	
STAWK	206-000-707.000	0.00	24.00	330.72	0.00	0.00	330.72	08/15/2016
STAWK	206-000-707.000	0.00	24.00	330.72	0.00	0.00	330.72	08/31/2016
Employee Totals:		0.00	48.00	661.44	0.00	0.00	661.44	
HOURLY	101-173-704.000	0.00	68.00	1,306.28	0.00	0.00	1,306.28	08/15/2016
HOURLY	101-173-704.000	0.00	68.00	1,306.28	0.00	0.00	1,306.28	08/31/2016
Employee Totals:		0.00	136.00	2,612.56	0.00	0.00	2,612.56	
RUNS	206-000-706.000	7.00	0.00	89.18	0.00	0.00	89.18	08/31/2016
Employee Totals:		7.00	0.00	89.18	0.00	0.00	89.18	
OT	206-000-704.000	0.00	0.00	0.00	5.00	42.85	42.85	08/31/2016
RUNS	206-000-704.000	5.00	0.00	35.55	0.00	0.00	35.55	08/31/2016
STAWK	206-000-704.000	0.00	120.00	2,053.20	0.00	0.00	2,053.20	08/15/2016
STAWK	206-000-704.000	0.00	162.50	2,780.38	0.00	0.00	2,780.38	08/31/2016
Employee Totals:		5.00	282.50	4,919.13	5.00	42.85	4,961.98	
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	224.63	08/15/2016
SALARY	101-101-702.000	0.00	0.00	224.63	0.00	0.00	224.63	08/31/2016
Employee Totals:		0.00	0.00	449.26	0.00	0.00	449.26	
RUNS	206-000-706.000	1.00	0.00	13.78	0.00	0.00	13.78	08/31/2016
STAWK	206-000-706.000	0.00	84.00	1,157.52	0.00	0.00	1,157.52	08/15/2016
STAWK	206-000-706.000	0.00	86.00	1,185.08	0.00	0.00	1,185.08	08/31/2016
Employee Totals:		1.00	170.00	2,356.38	0.00	0.00	2,356.38	

For Check Dates 08/01/2016 to 08/31/2016
 For Selected Pay Code(s): HOURLY, MEETING, OT, RUNS, SALARY, SICK/PERS, STAWK, VAC

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date	

10331 - SCHULTZ, GINGER M		Employee Totals:							
	HOURLY	0.00	117.50	1,880.00	0.00	0.00	1,880.00	03/15/2016	
	HOURLY	0.00	60.00	960.00	0.00	0.00	960.00	08/31/2016	
	Employee Totals:	0.00	177.50	2,840.00	0.00	0.00	2,840.00		

10332 - SCHOOLMASTER, CLAIRE E		Employee Totals:							
	MEETING	3.00	0.00	240.00	0.00	0.00	240.00	08/31/2016	
	SALARY	0.00	0.00	1,135.87	0.00	0.00	1,135.87	08/15/2016	
	SALARY	0.00	0.00	1,516.67	0.00	0.00	1,516.67	08/31/2016	
	SICK/PERS	0.00	6.50	121.33	0.00	0.00	121.33	08/15/2016	
	VAC	0.00	13.90	259.47	0.00	0.00	259.47	08/15/2016	
	Employee Totals:	3.00	20.40	3,273.34	0.00	0.00	3,273.34		

10334 - REARDON, MICHELLE I		Employee Totals:							
	MEETING	6.00	0.00	480.00	0.00	0.00	480.00	08/31/2016	
	SALARY	0.00	0.00	1,272.28	0.00	0.00	1,272.28	08/15/2016	
	SALARY	0.00	0.00	2,207.90	0.00	0.00	2,207.90	08/31/2016	
	SICK/PERS	0.00	5.50	160.31	0.00	0.00	160.31	08/31/2016	
	VAC	0.00	37.60	1,095.93	0.00	0.00	1,095.93	08/15/2016	
	Employee Totals:	6.00	43.10	5,216.42	0.00	0.00	5,216.42		

10343 - SHAHER, JOSEPH P		Employee Totals:							
	STAWK	0.00	9.00	117.00	0.00	0.00	117.00	08/15/2016	
	STAWK	0.00	11.00	143.00	0.00	0.00	143.00	08/31/2016	
	Employee Totals:	0.00	20.00	260.00	0.00	0.00	260.00		

10361 - SOGGE, AARON D		Employee Totals:							
	STAWK	0.00	10.00	137.80	0.00	0.00	137.80	08/15/2016	
	STAWK	0.00	46.00	633.88	0.00	0.00	633.88	08/31/2016	
	Employee Totals:	0.00	56.00	771.68	0.00	0.00	771.68		

10365 - SOUTAR, BERNOL F		Employee Totals:							
	HOURLY	0.00	20.50	307.50	0.00	0.00	307.50	08/15/2016	
	Employee Totals:	0.00	20.50	307.50	0.00	0.00	307.50		

10373 - STROM, BRENT J		Employee Totals:							
	OT	0.00	0.00	0.00	4.00	34.28	34.28	08/31/2016	
	STAWK	0.00	120.00	2,053.20	0.00	0.00	2,053.20	08/15/2016	
	STAWK	0.00	157.00	2,686.27	0.00	0.00	2,686.27	08/31/2016	
	Employee Totals:	0.00	277.00	4,739.47	4.00	34.28	4,773.75		



LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(K)(II))

At a Regular meeting of the Peninsula Township
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on 9/13/16
DATE

at 7:00 a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from First Congregational Church Women's Fellowship of Traverse City
NAME OF ORGANIZATION CITY

county of Grand Traverse, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.
 SSL-CG-1153(R6/08)

Monica Hoffman

From: Sue Palisin <suepalisin@gmail.com>
Sent: Sunday, August 28, 2016 11:05 AM
To: Monica Hoffman
Subject: Re: State of MI

Monica,

I have just heard from the State of Michigan and we must have you fill this Form "Local Governing Body Resolution for Charitable Gaming Licenses" out for us at your agenda.

I am sorry.

They will not issue further licenses for us until we submit it.

The Name Must be "First Congregational Church Women's Fellowship". No abbreviations or alterations please.

They are very specific.

Please let me know what date this will be on the agenda and please mail me an original of the final copy.

I believe you have the attachment from the original email.

If not, please let me know and I will email it again.

Very Grateful!

Sue Palisin

First Congregational Church Volunteer

On Thu, Aug 11, 2016 at 12:36 PM, Monica Hoffman <clerk@peninsulatownship.com> wrote:

Sue,

I do not remember ever seeing one of those come through the township for nonprofits. But if you need to have it added as an agenda item let me know.

Monica A. Hoffman, CMMC/CMC

Peninsula Township Clerk

13235 Center Road

Traverse City MI 49686

Phone – 231-223-7321

Fax -- 231-223-7117

Please note that this email message and any attachments may contain privileged or confidential information that is protected against use or disclosure under federal and state law. If you have received this in error, please advise by immediate reply. Any transmission to persons other than the intended recipient shall not constitute a waiver of any applicable privileges. Any unauthorized use, disclosure, copying or dissemination is strictly prohibited.

From: Sue Palisin [<mailto:suepalisin@gmail.com>]
Sent: Friday, July 22, 2016 9:32 AM
To: Monica Hoffman
Subject: State of MI

Hi Monica,

Thank you for helping us with our road signs previously.

I got this from the state of MI. we do a raffle each year for our bazaar which raises money for scholarships and missions for the local community and beyond.

I was wondering if this is something Peninsula twp that has ever seen or completed?
The State has changed their policies and sent us a bunch of different things to fill out.

Please advise.
Sue Palisin
First Congregatioal Church
Bazaar volunteer
231.499.2439

--
Susan K Palisin
231.499.2439 cell

Please Note to update your address book:
Transition to new email suepalisin@gmail.com

Claire Schoolmaster

From: Mario Tabone <mario_tabone@hotmail.com>
Sent: Friday, August 12, 2016 1:30 PM
To: Claire Schoolmaster
Subject: Local Approval for MLCC
Attachments: Peninsula Township approval signed TABONE_MLCC_LGA.pdf; Tabone Comm Drive Permit2015-351.pdf; LCC106_507425_7.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Claire,

I received a letter back from the MLCC on the past approval (attached). They request that this be updated to reflect the commercial address of the winery building, which is 14916 Peninsula Dr. (this was obtained through the county when applying for a driveway permit, also attached). Could you please update and return an electronic copy at your earliest convenience?

Thank you,

Mario

Mario A. Tabone
Tabone Vineyards, LLC
734-354-7271
mario_tabone@hotmail.com



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Local Government Approval
 (Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a 2nd Regular meeting of the _____ Township council/board
(regular or special) (township, city, village)
 called to order by Peter Correia, Supervisor on May 23, 2016 at 9:00 AM
(date) (time)
 the following resolution was offered:
 Moved by David Weatherholt, Treasurer and supported by Wendy Witkop, Trustee
 that the application from Tabone Vineyards, LLC
(name of applicant)
 for the following license(s): Small Wine Maker
(list specific licenses requested)
 to be located at: 14998 Peninsula Dr., Traverse City, MI 49686

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: n/a

It is the consensus of this body that it recommends this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are n/a

Vote

Yeas: 7
 Nays: 0
 Absent: 0

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____ Township
 council/board at a 2nd Regular meeting held on May 23, 2016
(regular or special) (date) (township, city, village)

Monica A. Hoffman

Print Name of Clerk

Monica A. Hoffman
 Signature of Clerk

5/23/16
 Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission
 Mailing address: P.O. Box 30005, Lansing, MI 48909
 Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
 Fax to: 517-763-0059

**APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN
 WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD
 APPLICATION**

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

<p>APPLICANT</p> <p>Mario Tabone 14998 Peninsula Dr. Traverse City, MI 49686-0000</p> <p>Phone(s): 231-631-7512 - - - EMail: taboneorchards@hotmail.com</p>	<p>CONTRACTOR</p> <p>Burkholder Construction 2206 Cass Rd. Traverse City, MI 49684-0000</p> <p>Phone(s): 231-941-7180 - - - Fax: 231-941-7187 EMail: ScottW@burkholderconstruction.com</p>
---	--

Applicant/Contractor request a permit for the following work within the right of way of a county road:
 Commercial - Commercial Drive

LOCATION: County Road 14916 Peninsula Drive Between Seven Hills And Kroupa
 Township Peninsula Section _____ Side of Road East Property ID 28-11-122-010-00

DATE: Work to begin on 10/23/2015 Work to be completed by 10/23/2016

I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.

Applicant's Signature: <u>On File</u>	Contractor's Signature: <u>On File</u>
Title: _____ Date: _____	Title: _____ Date: _____

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

TYPE	AMOUNT	REQUIREMENTS	DATE
Commercial Drive	150.00	Letter of Credit _____ <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Surety Bond _____ <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Retainer Letter _____ <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Approved Plans on File _____ <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Certificate of Insurance _____ <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Attachments/Supplemental Specifications <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	

OTHER REQUIREMENTS:
 2300' North of Seven Hills on the East side. 14916 Peninsula Dr. One 24' Commercial gravel driveway approach with 36' of 15" culvert. Refer to attached standard sketch. Lower ditch grade prior to placing culvert to provide proper finished drive elevation. The finished surface on a driveway approach shall slope down from the pavement edge at a rate of 1/2" to 3/4" per foot back to the ditch centerline. This distance shall not be less than 8'. Drainage must be maintained away from road. **WHEN FINISH GRADE IS PREPARED CONTACT ROAD COMMISSION FOR INSPECTION 24 HRS PRIOR TO PAVING COPY SENT TO TOWNSHIP AND CONSTRUCTION CODE OFFICE.**

Recommended for Issuance By:

 Title: Permit Agent Date: 10/23/2015

Approved By:

 Title: _____ Date: _____

TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between and unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the Manual of Uniform Traffic Control Devices, Part 6 and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.

To: Peninsula Township Board

From: Planning Commission

Re: Peninsula Township Master Plan 5-Year Review
Planning Commission recommendation

Date: August 15, 2016

The Planning Commission recommends the following actions related to the Master Plan as part of the 5-year review:

1. Compare the Future Land Use (FLU) map for conflicts with current uses (i.e. upzoning – Buchan Farms)
2. Prepare digitized and readable maps for ease of use.
3. The Township Board should work with a professional survey company to create and conduct a survey for use in the next 5 year review of the Master Plan and in advance of the 2022 PDR expiration.

Items 1 & 2 are estimated to take approximately 150 hours of GIS work inclusive of staff analysis with a budget of \$2,800.00.

In addition to the above, the Planning Commission will be creating a work plan from the Master Plan Goals and Action Steps to guide the planning functions of the PC over the next 5 years.

Saving OMPS

Joint meeting between
Peninsula Township Board and TCAPS School Board
August 29, 2016



How we got here...

October 2015

TCAPS has a community meeting to discuss possible closure

November 2015

School focus groups are created

December 2015 – February 2016

Peninsula community members ask for inclusion in process

Community Focus group created, meets every Saturday



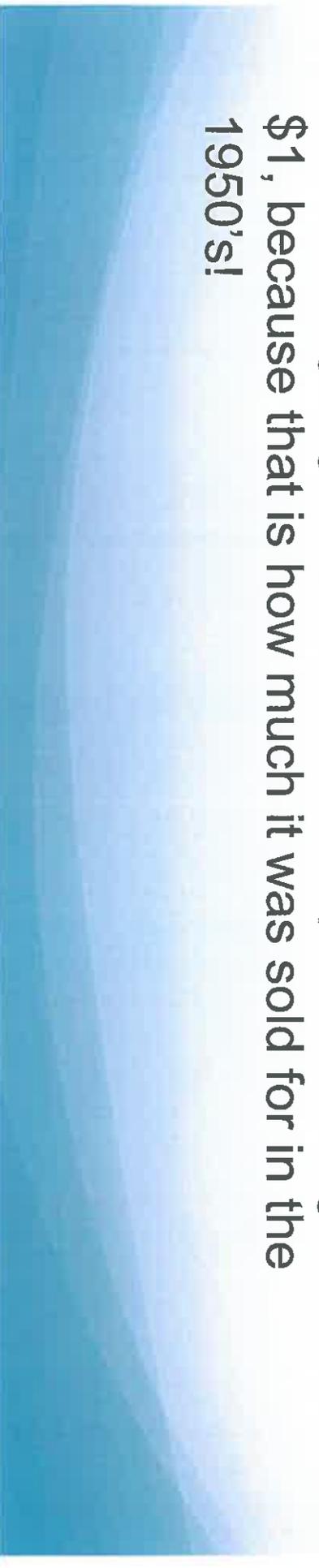
Rumors FLY!

Someone is going to help save OMPS! (10+ different names are tossed around.)

Someone is offering to purchase the land and farm it the way it was originally intended!

Someone is going to buy the property and start a Country Club!

TCAPS is going to sell the Township the building back for \$1, because that is how much it was sold for in the 1950's!





<https://s-media-cache->

[ak0.pinimg.com/736x/74/dc/9c/74dc9cb270c1cffe00c990fa6624484b.jpg](https://s-media-cache-ak0.pinimg.com/736x/74/dc/9c/74dc9cb270c1cffe00c990fa6624484b.jpg)

The Real Story



What are our goals?

1. Purchase the property
2. Restrict the deed to the land for school and library use
3. Continue to provide TCAPS education at OMPS
4. Make it financially sustainable



Community members, please ask yourself, Why is this important?

- Do I believe in public education for all students?
- Do I believe in a small elementary school?
- Do I want to invest further in maintaining the small town community on Old Mission Peninsula?
- Do I cherish the landscape of Old Mission Peninsula?
- Do I want more development or a shuttered building?
- Do I value the benefits of a public library within our local school?
- Does historical influence matter to me?



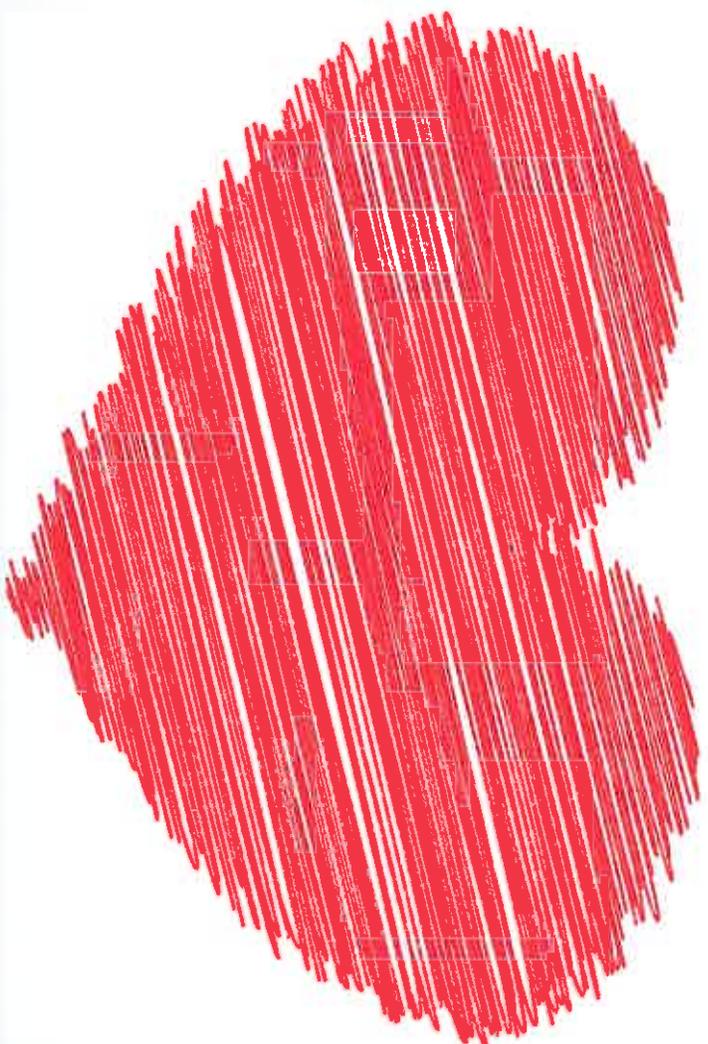
We propose...

Peninsula Township and TCAPS form a committee with the goal of creating a long term solution for education on Old Mission Peninsula.

1. Negotiate acquisition and ownership of the building and property.
2. Negotiate yearly overhead and continued operation of education at Old Mission Peninsula School.



Township + TCAPS =



Old Mission Peninsula Education Foundation

Purpose:

OMPEF is a charitable nonprofit organization dedicated to supporting and enhancing quality educational programs on Old Mission Peninsula.

- 501c3 non-profit organization
- purchase and fund the yearly overhead
- provide additional resources towards programming
- engage the community

Benefits for TCAPS

- Capitalize on the bond money that TCAPS spent to renovate OMPS
- Create a model for funding that supports and frees up money to be used for the entire district
- Support extra programming where the entire district can benefit
- Keep a community together and TCAPS SAVES a school
- Retain students and increase enrollment with dynamic programming within TCAPS



Benefits for Peninsula Township

- Own the building outright
- Land protected against development
- Property is restricted for school and library use in all perpetuity
- TCAPS continues providing quality public education for our community, in our community
- Save the school and the Foundation will continue to highlight the unique school environment and make it available to all of TCAPS



The Overhead Issue

- *Varies from year to year*
- Details need to be negotiated in order to come to an agreement
- Foundation funds overhead OR Township needs to evaluate options to cover that cost of the overhead of the building



Details to be negotiated

Building purchase price

- Assessed from \$500,000 - \$1.5 million, ranges from vacant agricultural land with a building to a school property

Length of agreement between Peninsula Township and TCAPS

- 8-10 years, allows for Pre-K families to commit
- Parties agreeing to commit to each other

Township + TCAPS =

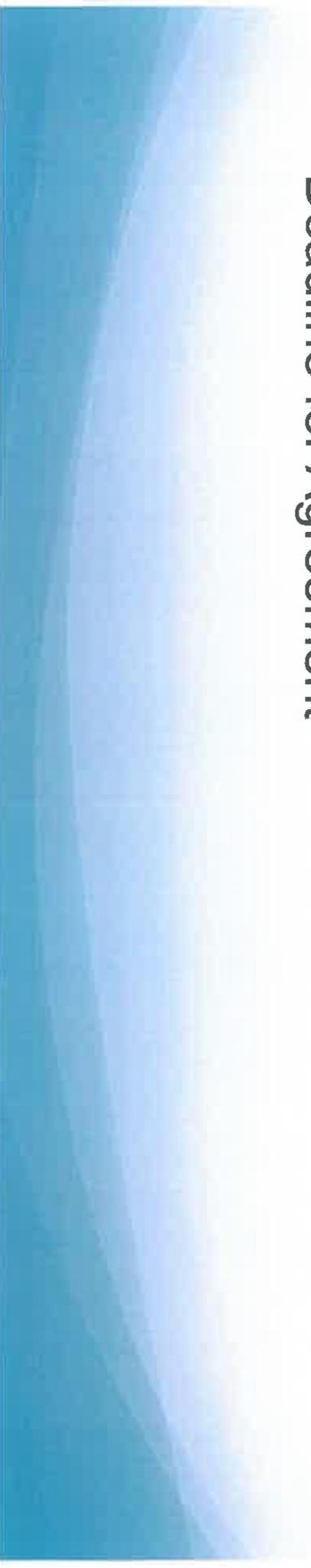


Next Steps...

Committee Formation

Members to include representatives from:

- TCAPS
- Current and Incoming Township Board members
- Community members
- Deadline for Agreement



Monica Hoffman

From: John Divozzo <jdivozzo@grandtraverse.org>
Sent: Monday, August 22, 2016 2:17 PM
To: Monica Hoffman
Subject: Fwd: Proposed Water and Sewer Budgets
Attachments: 2017 Water-Sewer Budgets_Peninsula_08192016.pdf; 20160822_MEMO_BPW Twps_STF Reimbursements08222016.pdf

Hi, Monica.

I tried to send this to Pete, but received an error message - his storage might be at capacity.

I am the Director fo Public Works for Grand Traverse County and am trying to submit proposed budgets to the township to see if I need to attend a board meeting to discuss or if there are any questions. I also have a memo regarding reimbursement payments to the township from the Septage Facility.

If you could please see that Pete gets a copy or if you forward on to the newly elected supervisor, I would be most grateful.

If you or the board have any questions, please do not hesitate to contact me at 231-995-6054.

Thank you and have a wonderful day.

John Divozzo

----- Forwarded message -----

From: John Divozzo <jdivozzo@grandtraverse.org>
Date: Mon, Aug 22, 2016 at 1:41 PM
Subject: Proposed Water and Sewer Budgets
To: Pete Correia <Supervisor@peninsulatownship.com>

Pete,

Attached are the 2017 budgets and a memo regarding the STF reimbursement payments to the townships. If you need me to attend a board meeting or have any questions, please do not hesitate to contact me.

Thank you,

John D.

John Divozzo, Director
Grand Traverse County DPW
2650 LaFrazier Road
Traverse City, MI 49686

(231) 995-6039
(231) 929-7226 fax

CONFIDENTIALITY NOTICE: This email is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient or an agent responsible for the delivering it to the recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify me immediately by E-mail at the address shown and delete the original message. Thank you.

--
John Divozzo, Director
Grand Traverse County DPW
2650 LaFranier Road
Traverse City, MI 49686
(231) 995-6039
(231) 929-7226 fax

CONFIDENTIALITY NOTICE: This email is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient or an agent responsible for the delivering it to the recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify me immediately by E-mail at the address shown and delete the original message. Thank you.



MEMO

To: Peninsula Township
 From: John Divozzo, DFW Director
 Date: August 17, 2018

Subject: 2017 Water/Sewer Budgets - Peninsula Township

The Board of Public Works, upon recommendation of its staff and Finance Committee, respectfully submit the attached proposal for the 2017 Budget for the administration, operation and maintenance of the Peninsula Township Water/Sewer Systems. Timberlee is being submitted under separate cover.

Below is a table showing budget comparisons for the last three years.

WATER	2014	2015	2016	2017
Revenues	308,164	375,528	308,175	307,400
Expenditures	181,628	205,110	256,626	219,365
Difference	126,536	170,418	51,549	88,035

SEWER	2014	2015	2016	2017
Revenues	163,560	179,420	164,140	153,200
Expenditures	98,931	153,824	144,824	149,899
Difference	64,629	25,596	19,316	3,301

For the Water System, major differences on the expenditure side include the next phase of the mapping project and a 21% rate increase from the City of Traverse City; cost per 1,000 gallons increased from \$1.10 to \$1.33, adding an additional \$14,500 to the budget. The meter change out program is nearly 100% complete for the township – we have a few hold outs that we are working diligently to get completed in 2016. With meter change outs complete, this was a reduction to the budget of nearly \$50,000.

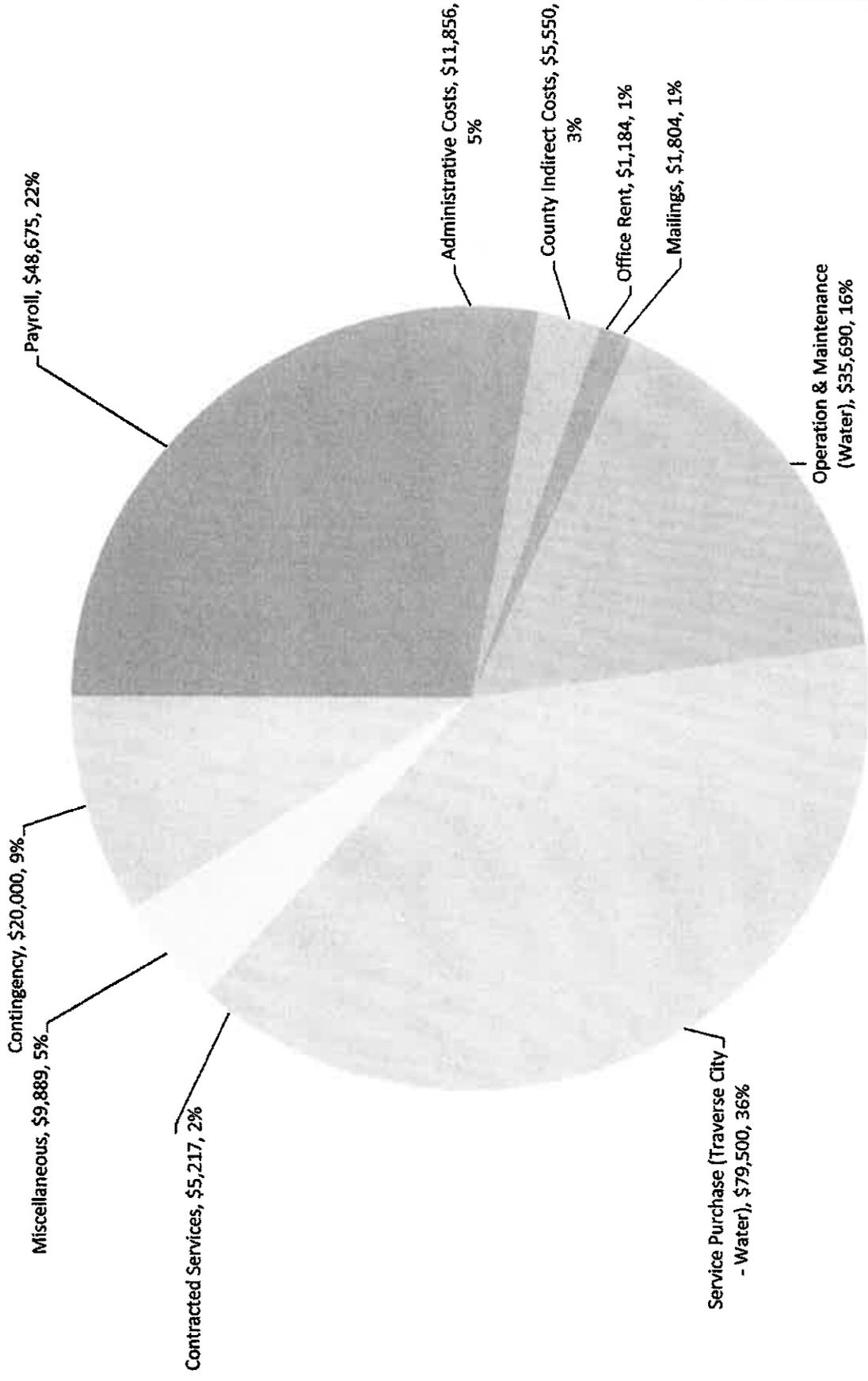
For the Sewer System, the City's membrane replacement project is included in the budget. The 2015 Budget included installation of 3 membranes – moving forward the City is planning on 1 membrane installation per year. The 2016 Budget was amended to include these costs; the 2017 Budget includes similar costs (\$15,600).

Additional Budget information is also attached.

If you have any questions, please do not hesitate to contact me.

Thank you.

PENINSULA WATER - 2017



08/17/2016

GRAND TRAVERSE COUNTY

DTHOWP52

2017 BUDGET D E T A I L

690 DEPT OF PUBLIC WORKS

458 PENINSULA TOWNSHIP WATER

	2015 ACTUAL EXPENDITURES	2016 BUDGET	2016 YTD EXPENDITURES	2017 REQUESTED	2017 RECOMMENDED
701.00 DEPARTMENT HEAD					
701.01 PER DIEM	2,019.06	2,186.00	1,225.82	1,927.00	
702.00 FULL TIME & REGULAR PART TIME	10.08	31.00	6.72		
702.01 LONGEVITY	28,472.70	25,678.00	13,195.25	23,818.00	
703.00 PART TIME TEMPORARY	220.88	224.00	.00	291.00	
704.00 OVERTIME	.00	215.00	112.57		
705.00 PERSONAL LEAVE	2,092.29	5,000.00	464.04	5,000.00	
715.00 FICA	318.40	557.00	.00	497.00	
716.00 HEALTH, OPTICAL & DENTAL	2,423.88	2,651.00	1,101.95	2,413.00	
716.02 SHORT & L-T DISABILITY	9,217.49	8,762.00	4,103.87	5,655.00	
716.03 PAYMENT IN LIEU OF INSURANCE	230.77	271.00	137.78	238.00	
717.00 LIFE INSURANCE	13.32	.00	.00		
718.00 RETIREMENT	85.15	74.00	38.33	66.00	
718.01 RETIREMENT DC	722.12	731.00	385.96	844.00	
718.05 RETIREMENT - DB UAL	2,068.83	2,293.00	901.57	1,939.00	
719.00 WORKER'S COMP INS	5,862.30	5,157.00	2,665.88	5,216.00	
720.00 UNEMPLOYMENT COMPENSATION	783.61	791.00	333.81	771.00	
725.99 PERSONNEL-CONTINGENCY	107.85	.00	3.73		
PERSONNEL	54,648.73	54,621.00	24,669.82	48,675.00	
727.00 OFFICE SUPPLIES	326.17	352.00	265.72	435.00	
729.00 PRINTING AND BINDING	49.19	423.00	92.14	178.00	
729.02 COPY MACHINE USE	62.05	66.00	12.43	74.00	
730.00 POSTAGE	1,880.03	1,752.00	958.25	1,804.00	
742.00 SAFETY EQUIPMENT	52.24	99.00	19.15	111.00	
745.00 UNIFORMS & ACCESSORIES	190.34	172.00	109.60	222.00	
745.02 CLOTHING ALLOWANCE	11.70	14.00	.00	15.00	
747.00 SMALL TOOLS & SUPPLIES	143.92	99.00	22.29	185.00	
748.00 GAS, OIL & GREASE	691.19	987.00	323.84	1,107.00	
748.50 GAS, OIL, GREASE - STATIONS	472.18	1,000.00	133.71	1,000.00	
753.00 WATER SYSTEM MATERIALS	14,130.90	57,115.00	5,063.60	7,115.00	
753.50 WATER SYS. MAINT & SUPPLIES	8,109.90	2,500.00	1,060.45	4,100.00	
775.00 JANITORIAL SUPPLIES	23.94	17.00	6.77	28.00	
COMMODITIES	26,143.75	64,596.00	8,068.95	16,374.00	
808.00 ATTORNEY FEES	166.51	660.00	63.09	740.00	
810.00 SUBSCRIPTIONS	6.13	11.00	.00	28.00	
810.01 DUES	21.54	35.00	32.16	31.00	
811.00 SERVICE CONTRACTS	.00	.00	.00		
812.00 MIS CHARGES	1,620.06	1,337.00	316.63	1,665.00	
812.01 INTERNET ACCESS	35.70	42.00	22.27	46.00	
818.00 CONTRACT SERVICES	336.12	3,728.00	757.64	5,217.00	
850.00 TELEPHONE	247.96	248.00	138.66	278.00	
850.99 TELEPHONE, MOBILE	311.76	330.00	165.74	370.00	
852.00 TELEMETER, EXP - GENERAL	242.02	782.00	20.89	792.00	

08/17/2016

GRAND TRAVERSE COUNTY

DTHOWMPS2

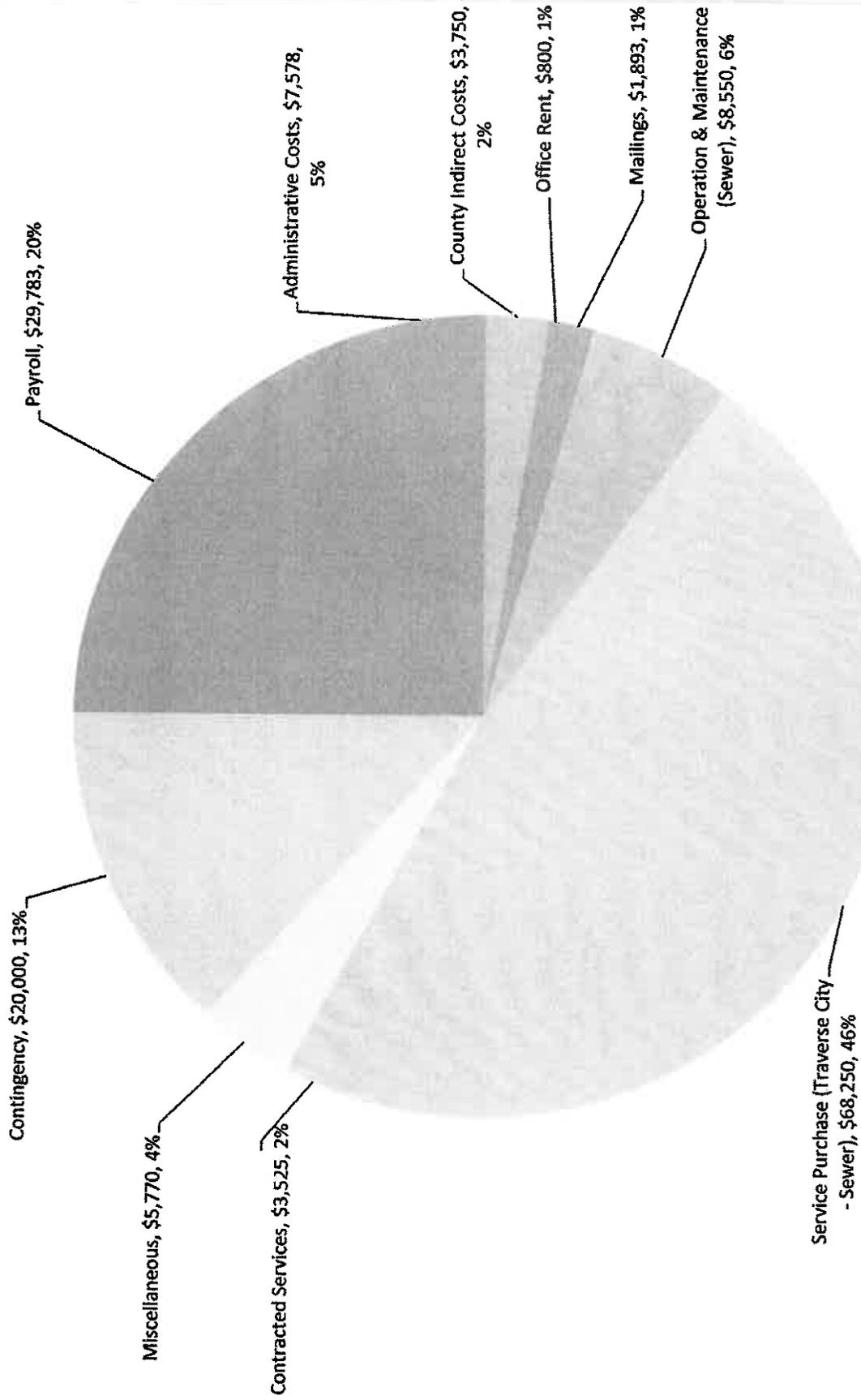
2017 BUDGET DETAILS

690 DEPT OF PUBLIC WORKS

458 PENINSULA TOWNSHIP WATER

	2015 ACTUAL EXPENDITURES	2016 BUDGET	2016 YTD EXPENDITURES	2017 REQUESTED	2017 RECOMMENDED
853.00 MESS DIG SERVICES	190.84	198.00	143.91	259.00	
860.00 TRAVEL	1.57	7.00	.00	8.00	
860.01 CONVENTIONS & CONFERENCES	2.61	4.00	.61	4.00	
CONTRACTUAL SERVICES	3,182.82	7,382.00	1,661.60	9,438.00	
909.00 ADVERTISING	4.19	10.00	.00	19.00	
911.00 INSURANCE PAYMENTS	1,728.27	1,838.00	1,518.48	2,128.00	
920.00 UTILITIES - HEAT	179.27	297.00	105.42	296.00	
921.00 UTILITIES - ELECTRIC	139.09	149.00	72.92	167.00	
923.00 UTILITIES - WATER & SEWER	35.85	40.00	22.90	45.00	
923.83 HYDRANT MAINTENANCE	.00	225.00	224.52	50.00	
923.85 WATER SYSTEM UTILITY EXP	18,638.13	24,400.00	11,829.14	24,425.00	
923.95 WATER FROM CITY	89,265.90	65,000.00	37,181.26	79,500.00	
924.00 UTILITIES - WASTE COLLECTIONS	40.95	52.00	34.32	64.00	
930.00 BLDG REPAIR & MAINT	164.18	231.00	61.18	222.00	
932.00 EQUIP REPAIR & MAINT	349.11	330.00	45.18	259.00	
932.01 RADIO REPAIR & MAINT	.00	.00	.00	.00	
934.00 VEHICLE REPAIR & MAINT	283.70	264.00	115.72	333.00	
941.00 EQUIP RENT/LEASE	.00	.00	.00	.00	
941.02 SYSTEM SOFTWARE	590.38	439.00	51.35	418.00	
942.01 COUNTY INDIRECT COSTS-G.T.	4,060.39	4,950.00	4,130.18	5,550.00	
943.00 OFFICE SPACE RENTAL	923.71	990.00	951.48	1,184.00	
949.00 ENGINEERING	2,135.37	2,466.00	2,363.09	185.00	
956.00 EMPLOYEE TRAINING & DEVELOP.	167.40	132.00	87.39	144.00	
OTHER CHARGES	118,705.89	101,873.00	58,794.53	114,989.00	
975.00 BUILDINGS	642.39	638.00	637.56	769.00	
977.00 MACHINERY AND EQUIPMENT	589.56	528.00	.00	2,220.00	
977.07 TELEMETERING EQUIPMENT	.00	.00	.00	.00	
978.00 VEHICLE	.00	6,803.00	.00	5,550.00	
982.65 ASSESSMENT - ACT 165	1,197.26	1,350.00	.00	1,350.00	
CAPITAL OUTLAYS	2,429.21	9,319.00	637.56	9,889.00	
992.00 CONTINGENCY	.00	18,835.00	.00	20,000.00	
992.50 PERSONNEL-CONTINGENCY	.00	.00	.00	.00	
DEBT SERVICE	.00	18,835.00	.00	20,000.00	
DEPARTMENTAL TOTAL	205,110.40	256,626.00	93,832.46	219,365.00	
GRAND TOTALS	205,110.40	256,626.00	93,832.46	219,365.00	

PENINSULA SEWER - 2017



07/24/2016

GRAND TRAVERSE COUNTY

DTHOMPS2

2017 BUDGET DETAIL

690 DEPT OF PUBLIC WORKS

451 DPW - PENINSULA SEWER

SEWER

	2015 ACTUAL EXPENDITURES	2016 BUDGET	2016 YTD EXPENDITURES	2017 REQUESTED	2017 RECOMMENDED
701.00 DEPARTMENT HEAD	1,217.90	1,553.00	736.02	1,302.00	
701.01 PER DIEM	7.48	18.00	4.40		
702.00 FULL TIME & REGULAR PART TIME	16,292.60	18,880.00	7,802.42	16,086.00	
702.01 LONGEVITY	149.10	159.00	.00	196.00	
703.00 PART TIME TEMPORARY	.00	.00	.00		
704.00 OVERTIME	611.47	350.00	226.42	800.00	
705.00 PERSONAL LEAVE	215.15	395.00	.00	336.00	
715.00 FICA	1,369.55	1,634.00	642.99	1,433.00	
716.00 HEALTH, OPTICAL & DENTAL	4,745.65	6,208.00	2,409.81	3,819.00	
716.02 SHORT & L-T DISABILITY	136.29	192.00	81.15	161.00	
716.03 PAYMENT IN LIEU OF INSURANCE	6.67	.00	.00		
717.00 LIFE INSURANCE	52.95	53.00	22.51	45.00	
718.00 RETIREMENT	652.34	518.00	225.08	571.00	
718.01 RETIREMENT DC	983.53	1,338.00	529.91	1,078.00	
718.05 RETIREMENT - DB UAL	3,172.76	3,654.00	1,544.26	3,522.00	
719.00 WORKER'S COMP INS	420.59	454.00	190.25	434.00	
720.00 UNEMPLOYMENT COMPENSATION	1.96	.00	.07		
725.99 PERSONNEL-CONTINGENCY	30,035.99	35,406.00	14,415.15	29,783.00	
PERSONNEL					
727.00 OFFICE SUPPLIES	217.87	272.00	193.18	317.00	
729.00 PRINTING AND BINDING	29.18	442.00	43.23	176.00	
729.02 COPY MACHINE USE	42.55	36.00	6.78	50.00	
730.00 POSTAGE	1,624.69	1,843.00	1,033.19	1,893.00	
742.00 SAFETY EQUIPMENT	36.02	54.00	10.44	75.00	
745.00 UNIFORMS & ACCESSORIES	130.70	94.00	52.88	150.00	
745.02 CLOTHING ALLOWANCE	5.50	8.00	.00	10.00	
747.00 SMALL TOOLS & SUPPLIES	94.42	54.00	4.49	125.00	
748.00 GAS, OIL & GREASE	473.94	539.00	146.28	748.00	
748.50 GAS, OIL, GREASE - STATIONS	88.41	500.00	.00	500.00	
752.01 SEWER SYSTEM MATERIALS	15,046.47	500.00	130.08	500.00	
752.50 SEWER SYS. MAINT & SUPPLIES	1,437.13	4,500.00	2,970.81	4,500.00	
775.00 JANITORIAL SUPPLIES	16.41	9.00	3.56	19.00	
COMMODITIES	19,243.29	8,851.00	4,594.92	9,063.00	
808.00 ATTORNEY FEES	150.33	360.00	52.63	500.00	
810.00 SUBSCRIPTIONS	4.20	4.00	.00	5.00	
811.00 SERVICE CONTRACTS	.00	.00	.00		
812.00 MIS CHARGES	1,153.44	729.00	172.71	1,125.00	
812.01 INTERNET ACCESS	24.48	23.00	10.53	32.00	
818.00 CONTRACT SERVICES	348.20	481.00	441.75	3,525.00	
850.00 TELEPHONE	170.03	135.00	69.96	188.00	
850.99 TELEPHONE, MOBILE	213.77	180.00	76.81	250.00	
852.00 TELEMETER EXP - GENERAL	165.96	220.00	11.27	237.00	
853.00 MISS DIG SERVICES	134.60	108.00	80.12	175.00	

07/24/2016

GRAND TRAVERSE COUNTY

DTHOMPS2

2017 BUDGET DETAIL

690 DEPT OF PUBLIC WORKS
451 DPW - PENINSULA SEWER

SEWER

	2015 ACTUAL EXPENDITURES	2016 BUDGET	2016 YTD EXPENDITURES	2017 REQUESTED	2017 RECOMMENDED
860.00 TRAVEL	1.08	4.00	.00	5.00	
860.01 CONVENTIONS & CONFERENCES	1.79	2.00	.33	3.00	
CONTRACTUAL SERVICES	2,367.88	2,246.00	916.11	6,045.00	
909.00 ADVERTISING	2.88	6.00	.00	13.00	
911.00 INSURANCE PAYMENTS	1,185.09	1,035.00	828.25	1,438.00	
920.00 UTILITIES - HEAT	122.92	162.00	56.79	200.00	
921.00 UTILITIES - ELECTRIC	95.38	81.00	34.67	113.00	
923.00 UTILITIES - WATER & SEWER	24.58	22.00	21.29	30.00	
924.00 UTILITIES - WASTE COLLECTIONS	28.08	29.00	16.38	43.00	
924.99 SEWER SYSTEM UTILITY EXP	3,214.25	3,550.00	1,648.55	3,550.00	
925.96 WWTP MEMBRANE INSTALLATION	.00	.00	.00	1,950.00	
925.97 WWTP MEMBRANE REPLACEMENT	.00	.00	.00	17,550.00	
925.99 SEWER SYSTEM DISPOSAL EXP	90,637.43	47,457.00	17,135.88	17,550.00	
930.00 BLDG REPAIR & MAINT	112.60	126.00	27.97	150.00	
932.00 EQUIP REPAIR & MAINT	60.08	180.00	18.31	175.00	
932.01 RADIO REPAIR & MAINT	.00	.00	.00	.00	
934.00 VEHICLE REPAIR & MAINT	194.50	144.00	53.36	225.00	
941.00 EQUIP RENT/LEASE	.00	.00	.00	.00	
941.02 SYSTEM SOFTWARE	320.41	346.00	.00	326.00	
942.01 COUNTY INDIRECT COSTS-G.T.	2,784.26	2,700.00	2,252.83	3,750.00	
943.00 OFFICE SPACE RENTAL	633.40	540.00	518.99	800.00	
949.00 ENGINEERING	1,659.05	1,728.00	1,611.70	125.00	
956.00 EMPLOYEE TRAINING & DEVELOP.	27.82	38.00	32.62	50.00	
963.08 SPECIAL PROJECTS	.00	.00	.00	.00	
OTHER CHARGES	101,102.73	58,144.00	24,257.59	79,238.00	
975.00 BUILDINGS	440.50	348.00	347.76	520.00	
977.00 MACHINERY AND EQUIPMENT	633.23	288.00	.00	1,500.00	
977.07 TELEMETERING EQUIPMENT	.00	.00	.00	.00	
978.00 VEHICLE	.00	4,253.00	.00	3,750.00	
CAPITAL OUTLAYS	1,073.73	4,889.00	347.76	5,770.00	
992.00 CONTINGENCY	.00	19,688.00	.00	20,000.00	
992.50 PERSONNEL-CONTINGENCY	.00	.00	.00	.00	
DEBT SERVICE	.00	19,688.00	.00	20,000.00	
DEPARTMENTAL TOTAL	153,823.62	129,224.00	44,531.53	149,899.00	
GRAND TOTALS	153,823.62	129,224.00	44,531.53	149,899.00	

2



MEMO

To: Acme, East Bay, Elmwood, Garfield, & Peninsula Townships
 From: John Divozzo, DPW Director
 Date: August 22, 2016

Subject: STF Reimbursement Payments

The DPW has been working with the County Treasurer to understand the outstanding and reimbursement bonds for the Septage Facility. It has been a painstaking process to gather all of this information and be able to summarize for the participating townships. It is important to note that the County is also being reimbursed in exactly the same manner, so when looking at the STF Budget, the amount budgeted is actually twice the amount reimbursed to the townships.

Below is a table showing the payment schedule for 2016 – 2032, with 2016 and 2017 broken down by principal and interest by township.

STF Reimbursement to Townships

	%	2016			2017		
		Principal	Interest	Total	Principal	Interest	Total
Acme	6.30%	\$6,300.00	\$2,642.22	\$8,942.22	\$6,930.00	\$2,516.22	\$9,446.22
East Bay	30.75%	\$30,750.00	\$12,896.55	\$43,646.55	\$33,825.00	\$12,281.55	\$46,106.55
Elmwood	13.45%	\$13,450.00	\$5,640.93	\$19,090.93	\$14,795.00	\$5,371.93	\$20,166.93
Garfield	27.96%	\$27,960.00	\$11,726.42	\$39,686.42	\$30,756.00	\$11,167.22	\$41,923.22
Peninsula	21.54%	\$21,540.00	\$9,033.88	\$30,573.88	\$23,694.00	\$8,603.08	\$32,297.08
TOTAL		\$100,000.00	\$41,940.00	\$141,940.00	\$110,000.00	\$39,940.00	\$149,940.00

Payments	Principal	Interest	Total
2016	\$100,000	\$41,940	\$141,940
2017	\$110,000	\$39,940	\$149,940
2018	\$110,000	\$37,740	\$147,740
2019	\$115,000	\$35,540	\$150,540
2020	\$115,000	\$33,240	\$148,240
2021	\$115,000	\$30,940	\$145,940
2022	\$120,000	\$28,640	\$148,640
2023	\$120,000	\$26,240	\$146,240
2024	\$120,000	\$23,840	\$143,840
2025	\$122,000	\$21,440	\$143,440
2026	\$125,000	\$19,000	\$144,000
2027	\$125,000	\$16,500	\$141,500
2028	\$130,000	\$14,000	\$144,000
2029	\$130,000	\$11,400	\$141,400
2030	\$145,000	\$8,800	\$153,800
2031	\$145,000	\$5,900	\$150,900
2032	\$150,000	\$3,000	\$153,000
TOTAL	\$2,097,000	\$398,100	\$2,495,100

DPW staff will be including the reimbursement payments in future STF Budgets and will provide this summary to the townships each year during the budget process.

If you have any questions regarding this payment schedule or what your township should be receiving, please do not hesitate to contact our office.

Our Treasurer was very patient and extremely knowledgeable with regard to these payments. I have thanked Ms. Scheppe many times during this process.

I decided to send this separate from the budget information to minimize any confusion. We have not budgeted this as revenue for any of the utility systems so this would be in addition to user fees for the systems.

If you have any questions, please do not hesitate to contact me.

Thank you.

Due to townships

325,000



\$2,381,231.25

Repayment by Townships to the County of October 16, 2012 Advance by the County
Appendix I

DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Annual Total
05/01/13			\$23,812.31	\$23,812.31	
11/01/13	\$94,231.25	2.00%	23,812.31	118,043.56	\$141,855.88
05/01/14			22,870.00	22,870.00	
11/01/14	90,000.00	2.00%	22,870.00	112,870.00	135,740.00
05/01/15			21,870.00	21,870.00	
11/01/15	100,000.00	2.00%	21,870.00	121,870.00	143,840.00
05/01/16			20,970.00	20,970.00	
11/01/16	100,000.00	2.00%	20,970.00	120,970.00	141,840.00
05/01/17			19,970.00	19,970.00	
11/01/17	110,000.00	2.00%	19,970.00	129,970.00	149,840.00
05/01/18			18,870.00	18,870.00	
11/01/18	110,000.00	2.00%	18,870.00	128,870.00	147,740.00
05/01/19			17,770.00	17,770.00	
11/01/19	115,000.00	2.00%	17,770.00	132,770.00	150,540.00
05/01/20			16,820.00	16,820.00	
11/01/20	115,000.00	2.00%	16,820.00	131,820.00	148,240.00
05/01/21			15,470.00	15,470.00	
11/01/21	115,000.00	2.00%	15,470.00	130,470.00	145,840.00
05/01/22			14,320.00	14,320.00	
11/01/22	120,000.00	2.00%	14,320.00	134,320.00	148,640.00
05/01/23			13,120.00	13,120.00	
11/01/23	120,000.00	2.00%	13,120.00	133,120.00	146,240.00
05/01/24			11,920.00	11,920.00	
11/01/24	120,000.00	2.00%	11,920.00	131,920.00	143,840.00
05/01/25			10,720.00	10,720.00	
11/01/25	122,000.00	2.00%	10,720.00	132,720.00	143,440.00
05/01/26			9,500.00	9,500.00	
11/01/26	125,000.00	2.00%	9,500.00	134,500.00	144,000.00
05/01/27			8,250.00	8,250.00	
11/01/27	125,000.00	2.00%	8,250.00	133,250.00	141,500.00
05/01/28			7,000.00	7,000.00	
11/01/28	130,000.00	2.00%	7,000.00	137,000.00	144,000.00
05/01/29			5,700.00	5,700.00	
11/01/29	130,000.00	2.00%	5,700.00	135,700.00	141,400.00
05/01/30			4,400.00	4,400.00	
11/01/30	145,000.00	2.00%	4,400.00	149,400.00	153,800.00
05/01/31			2,950.00	2,950.00	
11/01/31	145,000.00	2.00%	2,950.00	147,950.00	150,800.00
05/01/32			1,500.00	1,500.00	
11/01/32	150,000.00	2.00%	1,500.00	151,500.00	153,000.00
	\$2,381,231.25		\$595,464.63	\$2,976,695.88	\$2,976,695.88

ELMWOOD

118,043.56
x 13.45%
= 15,875.86

Interest Start Date (Dated Date): 11/01/12

ACME 6.3%
E. BAY 30.75%
ELMWOOD 13.45%
GARFIELD 27.96%
PENINSULA 21.54%

dmh\GRA App B C



STF Reimbursement to Townships

	%	2016			2017		
		Principal	Interest	Total	Principal	Interest	Total
Acme	6.30%	\$6,300.00	\$2,642.22	\$8,942.22	\$6,930.00	\$2,516.22	\$9,446.22
East Bay	30.75%	\$30,750.00	\$12,896.55	\$43,646.55	\$33,825.00	\$12,281.55	\$46,106.55
Elmwood	13.45%	\$13,450.00	\$5,640.93	\$19,090.93	\$14,795.00	\$5,371.93	\$20,166.93
Garfield	27.96%	\$27,960.00	\$11,726.42	\$39,686.42	\$30,756.00	\$11,167.22	\$41,923.22
Peninsula	21.54%	\$21,540.00	\$9,033.88	\$30,573.88	\$23,694.00	\$8,603.08	\$32,297.08
TOTAL		\$100,000.00	\$41,940.00	\$141,940.00	\$110,000.00	\$39,940.00	\$149,940.00

Payments	Principal	Interest	Total
2016	\$100,000	\$41,940	\$141,940
2017	\$110,000	\$39,940	\$149,940
2018	\$110,000	\$37,740	\$147,740
2019	\$115,000	\$35,540	\$150,540
2020	\$115,000	\$33,240	\$148,240
2021	\$115,000	\$30,940	\$145,940
2022	\$120,000	\$28,640	\$148,640
2023	\$120,000	\$26,240	\$146,240
2024	\$120,000	\$23,840	\$143,840
2025	\$122,000	\$21,440	\$143,440
2026	\$125,000	\$19,000	\$144,000
2027	\$125,000	\$16,500	\$141,500
2028	\$130,000	\$14,000	\$144,000
2029	\$130,000	\$11,400	\$141,400
2030	\$145,000	\$8,800	\$153,800
2031	\$145,000	\$5,900	\$150,900
2032	\$150,000	\$3,000	\$153,000
TOTAL	\$2,097,000	\$398,100	\$2,495,100

Michelle Reardon

From: Michelle Reardon <planner@peninsulatownship.com>
Sent: Tuesday, September 06, 2016 12:45 PM
To: Manigold@charter.net; 'westphal@msu.edu'; deputyclerk@peninsulatownship.com; jillcbyron@gmail.com; Mark Avery; Monica Hoffman (clerk@peninsulatownship.com); Penny Rosi (psyr2@acegroup.cc); Pete Correia (supervisor@peninsulatownship.com); treasurer@peninsulatownship.com; Wendy Witkop (trusteewitkop@gmail.com)
Cc: Peter Wendling
Subject: FW: Bonobo
Attachments: SKMBT_C28016090610280.pdf

Good Afternoon,

Please see the attached letter and subsequent email below. Peter will be present at our meeting on Tuesday and a copy of this letter will be included in your packet. This section of the Winery-Chateau ordinance will need to be reviewed and amendments may need to be made to ensure the intent of the language is being met in the field.

Michelle Reardon

Ph. (231) 223-7314

planner@peninsulatownship.com

From: Peter Wendling [<mailto:pwendling@upnorthlaw.com>]
Sent: Tuesday, September 06, 2016 10:54 AM
To: Michelle Reardon; ngraham@upnorthlaw.com; monica Hoffman
Subject: Re: Bonobo

Michelle,

Please send this to all the board members now and add to the packet. Include Joanne Westphal and Rob Manigold. In light of this, I don't think the township can proceed. I wonder why Bonobo just didn't let us know they were having extension look at this earlier.

Peter

On 9/6/2016 10:26 AM, Michelle Reardon wrote:

This letter arrived today.

Michelle Reardon

Director of Planning & Zoning

Peninsula Township

Ph. (231) 223-7314

Fax (231) 223-7117

planner@peninsulatownship.com

Please note that this email message and any attachments may contain privileged or confidential information that is protected against use or disclosure under federal and state law. If you have received

this in error, please advise by immediate reply. Any transmission to persons other than the intended recipient shall not constitute a waiver of any applicable privileges. Any unauthorized use, disclosure, copying or dissemination is strictly prohibited.

--
Peter Wendling
Young, Graham, Elsenheimer & Wendling, P.C.
(231) 533-8635

This email message and any attached file is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender of this message and delete all copies of the original message.

August 26, 2016

Claire Schoolmaster
Peninsula Township
13235 Center Road
Traverse City, MI 49686

Dear Ms. Schoolmaster:

I must start this response by letting you know that I have been asked for assistance on this situation by Todd Oosterhouse of Bonobo Winery. I do not wish to be caught between two sides of this issue, but I will try to provide useful information that can be of use to all. The second thing I must make clear is that I am in no way an authority on pumpkin production.

I walked a portion of each planted area on Tuesday, August 23rd, but I have not seen these areas at any point earlier this year. Therefore, all I have to go on are my observations this week, the photos that you have provided to me and a copy of the memo that Michelle Reardon made for the township board on July 26 (provided to me by Todd). I did inspect each of the four blocks which Michelle Reardon identified in her report to the township board.

Here are my comments:

Direct seeding of pumpkins into existing plant residues is an accepted agricultural practice, supported by university research trials. In fact, it is actually recommended for sites that are prone to soil erosion or low soil moisture by some of the research reports. See

<https://projects.ncsu.edu/cals/aqcomm/magazine/winter03/growing.htm>

<http://extension.psu.edu/business/aq-alternatives/horticulture/melons-and-pumpkins/pumpkin-production>

<http://www.ag.auburn.edu/auxiliary/nsdl/scasc/Proceedings/2004/Harrelson.pdf>

http://www.nrcs.usda.gov/Internet/FSE_PLANTMATERIALS/publications/kspmcpo12081.pdf

[https://www2.ag.purdue.edu/hla/fruitveg/MidWest%20Trial%20Reports/2012/07-03 Jett Pumpkin.pdf](https://www2.ag.purdue.edu/hla/fruitveg/MidWest%20Trial%20Reports/2012/07-03%20Jett%20Pumpkin.pdf)

The seeding rate (approximately 333 seeds/acre) was below the typical rates for commercial pumpkin production that I was able to find in articles published on the



MSU EXTENSION
Grand Traverse
County

520 West Front Street, Suite A
Traverse City, MI 49684

231-922-4620

Fax: 231-947-5783

msue28@msu.edu

www.msue.msu.edu

web, but the suggested rates that I found were likely assuming richer, more productive soils than we have on Old Mission Peninsula. I do not know what is a typical seeding rate in northwest Michigan.

Nearly a full month has passed since Michelle Reardon visited the site, and much of the weather during this time was very hot and droughty. My inspection of the site allowed me to verify that seeding had occurred in all four blocks. This is based on the observation of some surviving pumpkin plants, and at numerous individual planting sites where there was no plant to be found, there were empty seed coats on the surface of the ground. Germinating pumpkin seedlings often pull the seed coat out of the soil as the seed leaves break loose from the soil, so even if the plant dies later the seed coats may be found on the surface of the soil.

While there are some seedling pumpkin plants remaining at the site, the overall condition of the planting would certainly be classified as a failure. It is my understanding the township has scheduled a hearing to determine whether Bonobo has satisfied the requirement that 75% of Bonobo's acreage has been planted with crops that can be used to make wine. It is my view that the general crop failure experienced at Bonobo should not be viewed as evidence that Bonobo did not plant its acreage.

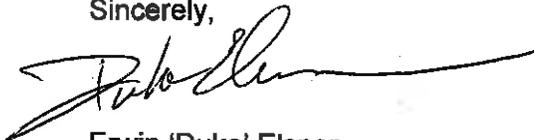
Based upon discussions with the township and Mr. Oosterhouse, I understand the township board intends to determine whether Bonobo has complied with the ordinance requirement:

"Not less than seventy-five (75%) percent of the site shall be used for the active production of crops that can be used for wine production, such as fruit growing on vines or trees."

In speaking with Mr. Oosterhouse, I know that he intends to, or may already have planted additional pumpkin seeds at Bonobo to remove doubts that he has planted at least 75% of the site with crops that can be used for wine. While this may satisfy the zoning ordinance, there are also other ways to naturally enrich and prepare the soil for future crops grape vines or other crops from which wine may be made. For instance, planting cover crops (for instance rye, orchard grass, or others) or rotating crops will better prepare the soils for future plantings and are generally accepted methods of agriculture which clearly constitute "active production" of the site for crops that can be used in wine production.

Let me know if there is anything further that I can do to assist you with this issue.

Sincerely,

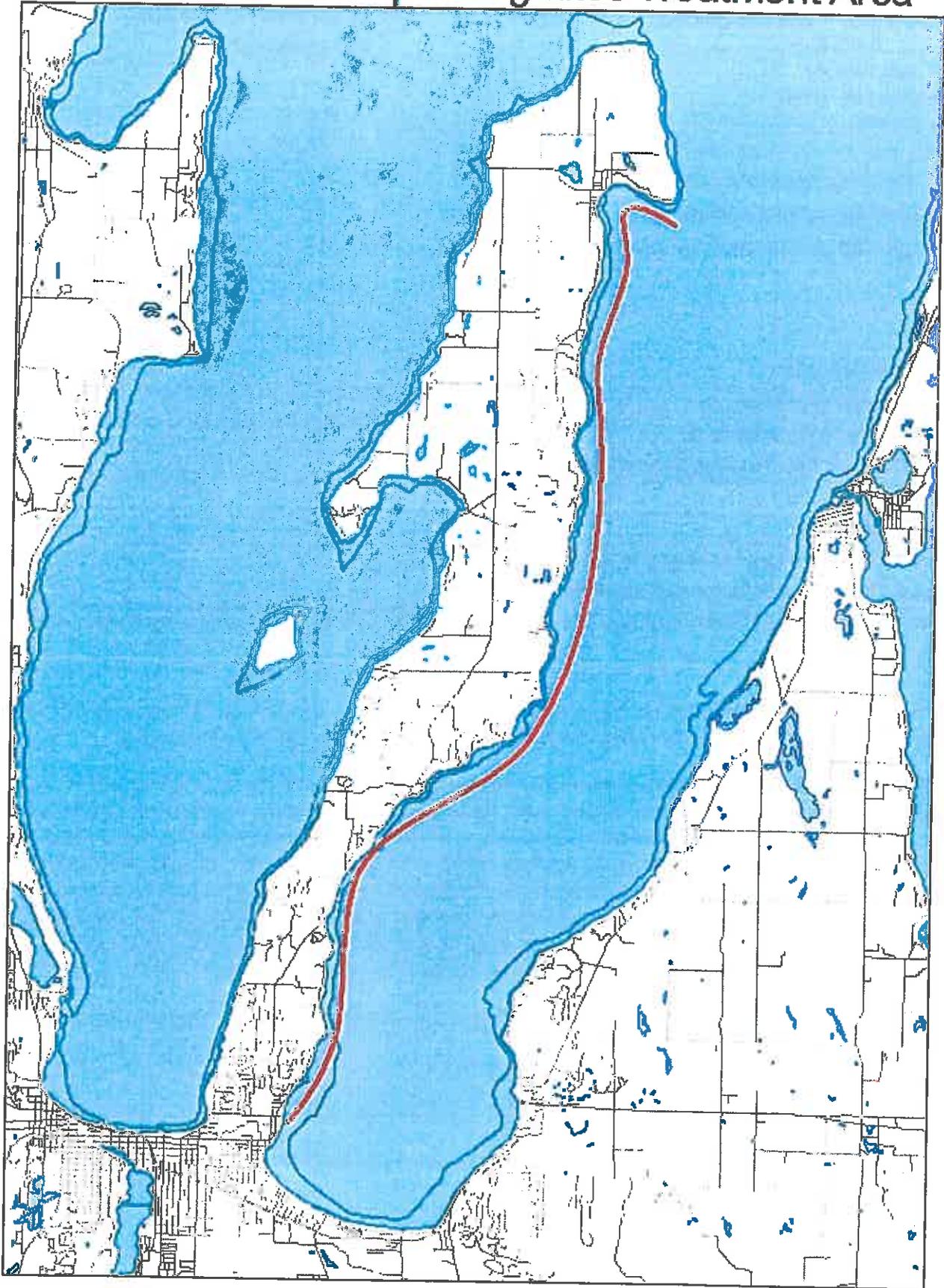


Erwin 'Duke' Elsner
Extension Educator,
Michigan State University

cc: Michelle Reardon

2016 Peninsula Twp Phragmites Treatment Area

P.H.
in
Sept
at N.Y.
mtg.





WILDLIFE WETLANDS
Solutions

4371 N Long Lake Rd
Traverse City, MI 49684
(231) 943-0762

Dates of Contract: 7/21/2016-12/31/2016
DEQ Permit Required: ANC9400037
Aquatic Permit #: ANC9400037
Mowing Permit #:

- Herbicide Application Contract**
- Planting or Seeding Contract**
- Lake/Stream Restoration Contract**

Customer Information

Name: Peninsula Township
Mailing Address: 13253 Center Rd
Mailing City, State, Zip: Traverse City, MI 49686
Contact Phone:
Contact Email:
Treatment Address: Peninsula Township Lk MI shoreline
Treatment City, State, Zip: Traverse City, MI 49684
Alternate Contact Name/Phone/Email: Michelle Reardon, 231-223-7314, planner@peninsulatownship.com

By signing this contract, Customer grants permission to Wildlife and Wetlands Solutions, LLC to access Customer's property to apply herbicide, mow invasive phragmites, and/or perform other services as necessary.

By signing this contract, Customer acknowledges and agrees that Wildlife and Wetlands Solutions, LLC has not made, does not make, and expressly disclaims any warranties, representations, covenants, or guarantees, either express or implied, whether arising by operation of law or otherwise, as to the merchantability, quantity, quality, environmental impact, suitability, or fitness for any particular purpose, or use, of its services rendered and products used in connection with this contract. Further, due to the unique nature of services rendered and products used in connection with this contract, Customer waives, releases, and/or holds harmless Wildlife and Wetlands Solutions, LLC, its members, agents, affiliates, employees, predecessors, successors and assigns, from any and all liability for any and all claims or causes of action relating to, or arising out of, its services rendered and products used in connection with this contract.

By signing this contract, Customer agrees to pay Wildlife and Wetlands Solutions, LLC a reasonable fee for its services, which shall be \$2,000.00.

Date:
Name:
Signature:

Herbicide Application Contract

Treatment of invasive plants can consist of herbicide application during the spring, summer or fall months depending on the targeted species. With regular management practices in place, invasive species can be controlled to an acceptable level, but will most likely never be eradicated. After initial treatments to control large areas of invasive species, annual or biannual spot treatment may be required to keep them from returning. You are able to cancel service anytime between the signing of this contract and the application period. Please contact Vickie Smith at (231) 943-0762 if you wish to cancel service. If treatment has already begun or is underway, partial or full payment will be required.

Grassland restoration often involves herbicide application for removal of undesirable species, such as cool season grasses. Additional herbicide treatments may also be required to maintain removal of these species and for successful establishment of warm season grasses.

Planting and Seeding Contract

During invasive species treatments, areas may become open land and require restoration or seeding to facilitate the removal of invasive species or to bring native species back to the area. These areas are to be maintained by the property owner unless specific maintenance of the planted material is arranged between Wildlife and Wetlands Solutions and the property owner.

Grassland restoration may involve mowing, cutting dead material, raking, planting, and/or covering with straw for successful planting. Seed drills may be used to achieve maximum results. These costs will be paid by Wildlife and Wetlands Solutions and will be determined by Wildlife and Wetlands Solutions in conjunction with the property owner, GTRLC, NRCS, and/or other involved parties.

Lake/Stream Restoration Contract

Lake/stream restoration is an important component of lake health, fisheries health, and water quality. Shoreline restoration can enhance property, allow lake or stream access, and promote or deter wildlife use (depending on owner needs) with proper planning and execution. Shoreline restoration involves permit applications, materials, labor, and plantings. This involves a large commitment from both Wildlife and Wetlands Solutions and the property owner. Half of the cost is paid before the project begins and the remainder 2-3 weeks after completion when restoration materials and plants have shown to be stable. Maintenance is an important part of a waterbody restoration. A maintenance agreement for up to two years will ensure the success of the project. Maintenance payments will be determined on a case-by-case basis.

Contract Price Tabulation:

Item	Quantity	Cost	Total
Phragmites treatment east side of the peninsula.	1	\$2,000	2,000.00
Contract Totals:			2,000.00

Comments: