

Additions

Peninsula Township Invoice Approval Report

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
CONSUMERS ENERGY	APRIL 2016 BHP STREETLIGHT <i>208-751-926.000</i> <i>21.32</i>	\$21.32
CONSUMERS ENERGY	APRIL 2016 FD2 STREETLIGHT <i>206-000-926.000</i> <i>12.80</i>	\$12.80
CONSUMERS ENERGY	APRIL 2016 TOWNHALL STREETLIGHT <i>101-265-926.000</i> <i>25.59</i>	\$25.59
CONSUMERS ENERGY	APRIL 2016 4016 SWANEY STREETLIGHT <i>208-751-926.000</i> <i>18.66</i>	\$18.66
CONSUMERS ENERGY	APRIL 2016 STREET LIGHTS <i>101-000-226.010</i> <i>10.26</i> <i>101-265-926.000</i> <i>17.42</i> <i>101-265-926.000</i> <i>28.20</i> <i>101-000-226.000</i> <i>14.10</i> <i>101-000-226.075</i> <i>18.67</i> <i>206-000-926.000</i> <i>9.85</i> <i>101-265-926.000</i> <i>9.85</i> <i>208-751-926.000</i> <i>39.40</i> <i>101-000-226.030</i> <i>9.85</i> <i>101-000-226.040</i> <i>9.85</i> <i>101-000-226.060</i> <i>137.90</i> <i>101-000-226.070</i> <i>9.85</i> <i>206-000-926.000</i> <i>12.34</i> <i>101-265-926.000</i> <i>12.34</i>	\$339.88
COPY SHOP THE	1000 ENVELOPES AND 1000 BUSINESS CARDS <i>101-173-726.000</i> <i>108.00</i> <i>101-209-726.000</i> <i>39.50</i>	\$147.50
ELECTION SYSTEMS & SOFTWARE	MAINTENANCE CONTRACT <i>101-191-818.000</i> <i>246.00</i>	\$246.00
ENGINEERED PROTECTION SYSTEMS	LIGHTHOUSE ALARM MONITORING <i>508-000-818.000</i> <i>126.69</i>	\$126.69
GT COUNTY TREASURER	DEVILS DIVE <i>101-265-818.000</i> <i>2,827.84</i>	\$2,827.84
HOME DEPOT	LIGHTHOUSE FRONT PORCH <i>508-000-930.000</i> <i>6.57</i>	\$6.57
I.T. RIGHT	SERVER REBOOT <i>101-173-818.000</i> <i>101.25</i>	\$101.25

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
PENINSULA COMMUNITY LIBRARY	EXPENSES	\$18,000.00
	<i>708-000-223.000</i>	<i>18,000.00</i>
RECORD EAGLE (PUBS)	MARCH 2016 PUBS	\$206.05
	<i>101-101-900.000</i>	<i>95.25</i>
	<i>208-751-900.000</i>	<i>110.80</i>
STEVEN H. SCHWARTZ	GENERAL MATTERS	\$831.25
	<i>206-000-801.000</i>	<i>831.25</i>
WILKINSON ROBERT	MAINTENANCE	\$3,316.00
	<i>101-265-818.000</i>	<i>896.47</i>
	<i>208-751-818.000</i>	<i>2,419.53</i>
YOUNG, GRAHAM, ELSENHEIMER	MARCH 2016	\$4,265.10
	<i>101-101-967.LHB</i>	<i>232.50</i>
	<i>206-000-801.000</i>	<i>139.50</i>
	<i>101-101-801.000</i>	<i>241.10</i>
	<i>101-101-967.LHB</i>	<i>573.50</i>
	<i>206-000-801.000</i>	<i>150.00</i>
	<i>101-410-801.000</i>	<i>31.00</i>
	<i>101-101-801.000</i>	<i>248.00</i>
	<i>206-000-801.000</i>	<i>339.50</i>
	<i>101-101-801.000</i>	<i>93.00</i>
	<i>206-000-801.000</i>	<i>46.50</i>
	<i>101-101-801.000</i>	<i>62.00</i>
	<i>101-420-801.000</i>	<i>713.00</i>
	<i>101-101-801.000</i>	<i>20.00</i>
	<i>101-400-801.000</i>	<i>20.00</i>
	<i>101-420-801.000</i>	<i>40.00</i>
	<i>206-000-801.000</i>	<i>20.00</i>
	<i>208-751-801.000</i>	<i>30.00</i>
	<i>297-000-801.000</i>	<i>10.00</i>
	<i>101-101-801.000</i>	<i>294.50</i>
	<i>101-101-801.000</i>	<i>387.50</i>
	<i>101-420-801.000</i>	<i>573.50</i>
YOUNG, GRAHAM, ELSENHEIMER	MARCH 2016	\$30.00
	<i>591-000-801.000</i>	<i>30.00</i>
YOUNG, GRAHAM, ELSENHEIMER	MARCH 2016	\$30.00
	<i>590-000-801.000</i>	<i>30.00</i>
Total:		\$30,552.50

Peninsula Township	2014 Data	Homestead	Non Homestead	Total		
	Remitted	SEV	SEV			
State Education Tax	0.006 \$ 3,612,100	\$ 429,643,222	\$ 172,373,444	\$ 602,016,667		
TCAPS Non Homestead	0.018 \$ 3,102,722	NA	\$ 172,373,444			
TCAPS Debt	0.0031 \$ 1,866,297	NA	NA	\$ 602,031,290		
TBAISD	0.002931 \$ 1,764,617	NA	NA	\$ 602,011,804		
	\$ 10,345,736					
Peninsula School District						
	Remitted to					
	State	TCAPS	TBAISD	Peninsula School District	Enrollment	Per Pupil
State Education Tax	0.006 \$ 3,612,100					
Peninsula Operating	0.018	\$ (3,102,722)		\$ 3,102,722	410	\$ 7,567.61
Peninsula Capital	0.0031	\$ (1,888,297)		\$ 1,866,297	410	\$ 4,551.94
TBAISD	0.002931		\$ 1,764,617			
Peninsula School District can get a variety of administrative, vocational, special ed services from TBAISD						
Peninsula School District can purchase Old Mission School or build a new school with \$1.8 million a year in milage.						
With an enrollment above 410 students the PSD would qualify for State Foundation Grant to bring per student funding to \$7500						
With an enrollment below above 410 students the PSD would be" out of formula"						
					Enrollment	
Peninsula Operating	0.018 Break Even			\$ 3,102,722	410	\$ 7,567.61
Peninsula Operating	0.018 Out of Formula			\$ 3,102,722	350	\$ 8,864.92
Peninsula Operating	0.018 Out of Formula			\$ 3,102,722	325	\$ 9,546.84
Peninsula Operating	0.018 Out of Formula			\$ 3,102,722	300	\$ 10,342.41

DRAFT 2

Suggested elements for a Peninsula Township Resolution on Closing Old Mission School

This needs to be done before the April 11 School Board Meeting.

It would be good for Board members to go to that meeting.

Whereas: Whereas the 2015-16 TCAPS process to select elementary schools for closing departed radically from previous practice in such a way as to ratify original administration proposal.

Whereas: On March 20, 2006 the TCAPS Board of Education initiated a TCAPS Long Range Master Planning process. The plan was used to guide the elementary school closing process in 2007. (School Closing Recommendation 2007 Page 2-3) The current TCAPS strategic plan expires in 2016¹ and is thus an inappropriate to guide the current school closing recommendations considerations.

Whereas: On May 21, 2007 The TCAPS Board of Education approved multiple criteria to assess which elementary schools should be closed, including the estimated cost of renovation in lieu of closing. . (School Closing Recommendation 2007 Page 20)

Whereas: On May 21, 2007 the TCAPS Board of Education specifically excluded two recently reconstructed elementary schools and the four newest elementary schools from the closure analysis. (Old Mission was excluded due to recent reconstruction). . (School Closing Recommendation 2007 Page 21)

Whereas: In 2007 TCAPS computed three different quantitative models using up to eight of the Board Approved criteria on the nine elementary schools under consideration. (School Closing Recommendation 2007 Page 23-25)

Whereas: in 2007 detailed redistricting configurations were prepared to reallocate students for each of the nine schools under consideration.

Whereas: In 2015-16 TCAPS employed the single criteria of "low enrollment schools" arbitrarily defined as less than 200 students.

Whereas: "Low enrollment schools" was purportedly an proxy for high overhead cost per student, yet the cost per student cut off was between Old Mission and Traverse Heights (\$150 difference), it should have been between Traverse Heights and Courtaid (a \$430 difference (Strategic Financial Planning 2016, page 50) . The unstated criteria , preference for in town schools, was applied to exclude Traverse Heights from the analysis.

¹ The "One Page Strategic Plan" on the TCAPS website is identical to the "One Page Strategic Plan 2011-16", except the dates 2011-16 have been removed from the heading.

Whereas: In 2015-16 TCAPS reversed the overriding 2007 criteria designed to protect taxpayers investment in school buildings by excluding obsolete Eastern Elementary and including reconstructed Old Mission. . The unstated criteria , preference for in town schools, was applied to exclude Eastern Elementary from the analysis.

Whereas: In 2015-16 TCAPS specifically directed the Old Mission Focus Group that redistricting, even the simple inclusion of students in southern Peninsula Township, was not an acceptable alternative to closing Old Mission School.

Whereas: The 2015-16 process was driven by an unwritten policy of centralizing and enlarging elementary schools.

Whereas: The 2015-16 process was not informed by any formal assessment of the outcomes resulting from the 2007 closure process nor the subsequent elementary school capital program that followed.

Whereas: The 2008 closures of Bertha Vos and Norris reduced TCAPS elementary seats by 650, (Glenn Loomis remained open) TCAPS subsequently added 225 seats to Courtaid, 125 seats to Blair, 190 seats to Long Lake and 150 seats to Willow Hill for total of 690 new elementary seats.

Whereas: The current administration plan to close the reconstructed Old Mission and redistrict students to fill a bigger Eastern Elementary (to be rebuilt from 300 to 450/500 seats) diverts millions in capital funds from other elementary capital needs, like the reconstruction of Glenn Loomis or Central Elementary.

Whereas: The 2007 option showing of redistricting after closing the aged Eastern Elementary is even more feasible in 2016. Eastern's 300 students could be redistricted to Old Mission with 211 empty seats and Traverse Heights with 229 empty seats. Some students might also go to Cherry Knoll with the redistricting of some students to fill the 251 empty seats at Courtaide which currently is at 56% occupancy). (See Page 150-1 of the Annual Financial Report 2015)

Whereas: A new TCAPS strategic plan, coordinated with TBAISD and NWM College, would likely find the Eastern Elementary site more useful for future secondary and post-secondary education.

Whereas: With a surplus of elementary seats in the district, it is wasteful of taxpayer funds to close a reconstructed school and build new elementary seats at an obsolete school.

Therefore, be it resolved:

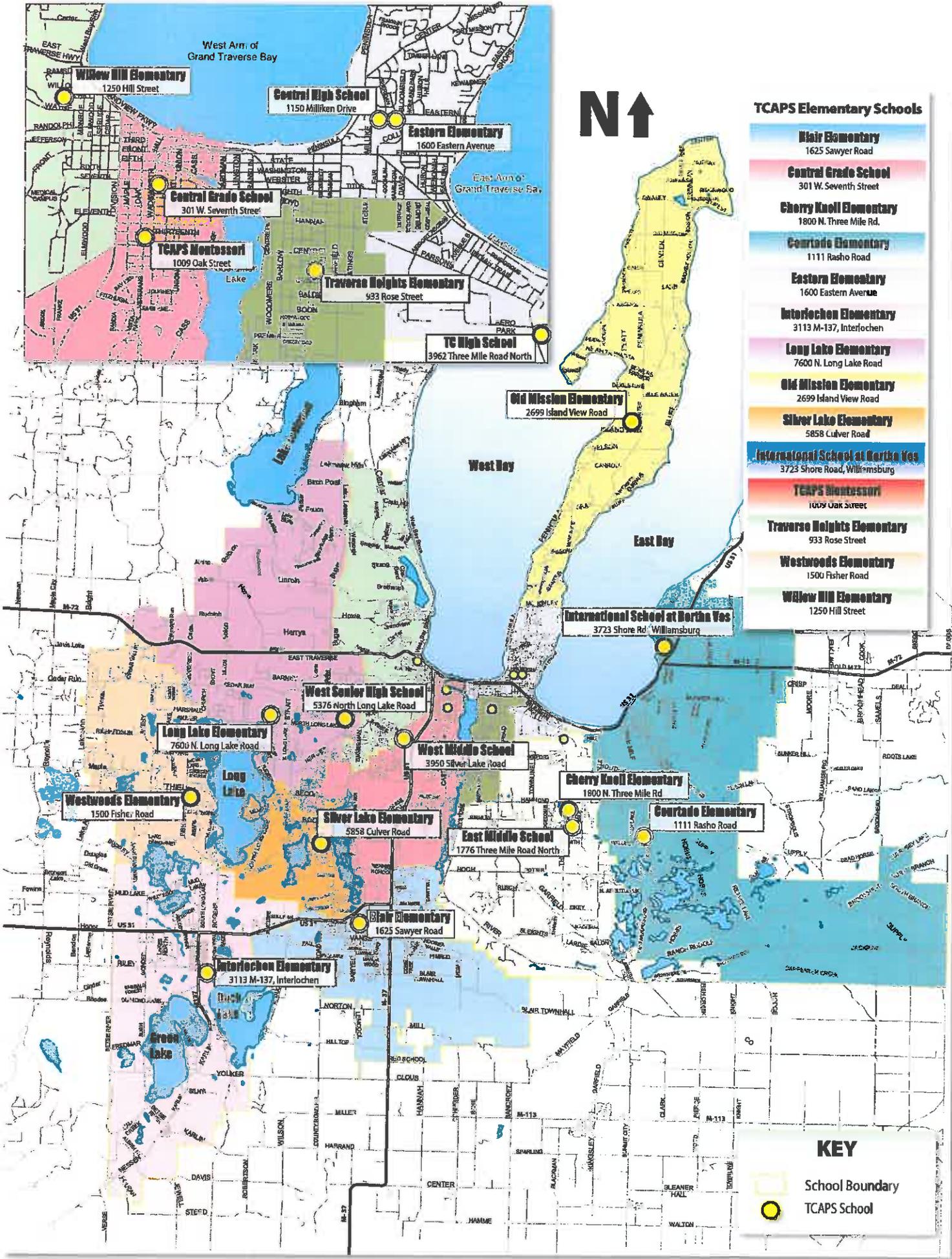
That the Peninsula Township Board recommends that TCAPS save taxpayers dollars to the operating budget by closing the obsolete Eastern Elementary School and redistricting students to the empty seats at the reconstructed Old Mission and Traverse Heights Schools. Taxpayers capital dollars would be more effectively employed by redirecting the Eastern Elementary reconstruction effort to ward other obsolete elementary schools, like Glenn Loomis and Central elementary schools.

References:

School Closing Recommendation, July 9, 2007.

Strategic Financial Planning: Low Enrollment Elementary Buildings, January 24, 2016

Comprehensive Annual Financial Report, June 30, 2015



TCAPS Elementary Schools

- Blair Elementary**
1625 Sawyer Road
- Central Grade School**
301 W. Seventh Street
- Cherry Knoll Elementary**
1800 N. Three Mile Rd.
- Courcade Elementary**
1111 Rasha Road
- Eastern Elementary**
1600 Eastern Avenue
- Interlochen Elementary**
3113 M-137, Interlochen
- Long Lake Elementary**
7600 N. Long Lake Road
- Old Mission Elementary**
2699 Island View Road
- Silver Lake Elementary**
5858 Culver Road
- International School at Martha Ves**
3723 Shore Road, Williamsburg
- TCAPS Montessori**
1009 Oak Street
- Traverse Heights Elementary**
933 Rose Street
- Westwoods Elementary**
1500 Fisher Road
- Willow Hill Elementary**
1250 Hill Street

KEY

- School Boundary
- TCAPS School

Bowers Harbor Vineyards

2896 Bowers Harbor Road, Traverse City, Michigan 49686

Old Mission Peninsula Township Board

April 1, 2016

Bowers Harbor Vineyards would like to propose two options for your consideration and approval.

1. The "seasonal" clause removed from our use. At the April 14, 1992 meeting, the Town Board approved the Planning Commissioner's recommendation that wine tasting & retail sales be allowed in our SUP. Later in the meeting they removed alcoholic beverages from roadside stand sales. This would be a very simple solution to the problem if you would use this same approach for the "seasonal" clause.
2. Develop a new ordinance for our level of operation.

We want you to be aware that we are diligently working on this issue. It was the Town Board that put Bowers Harbor Vineyards into this ordinance and we want to find a solution that is good for both of us. Our conclusions and decisions need to be good for Old Mission Peninsula, the other neighboring wineries, and Bowers Harbor Vineyards. We have the full support from all of the Peninsula wineries who are members of WOMP. As new wineries are developed, our business is faced with more competition. With our location being 10 miles out the peninsula and 5 wineries on the road before us, we are not seeing the same traffic as we once did. We need to be open year round to be competitive and support our full time employees, many of whom live on Old Mission and pay property taxes that help us all.

Linda Stegenga

Spencer Stegenga

owners



winery	800-616-7615
fax	231-223-7625
web	www.bowersharbor.com

TO: John Springer Fire Board Chair

FROM: Jonathan K. Goode

SUBJECT: Resignation

DATE: April 4, 2016

John,

Please consider this my official resignation from the Peninsula Township Fire Board.

Regards,



Jonathan Goode

RECEIVED
APR 10 2016
CLERK

April 4, 2016

Dear Pete Correia and Town Board Members,

It has come time that I announce my resignation from the Peninsula Township Fire Board, effective April 5, 2016. I am dedicating my energy and time to other areas.

Being a member of the fire board since its inception has been quite a journey. Like any other journey it has had its fair share of ups and downs. The past two years have been difficult from my point of view, putting hundreds of hours into working on short term and long term planning has consumed more time and effort than what I feel is appreciated or noticed.

Personally I feel that the majority of the town board members do not understand the concept of what it entails to operate and run a present day fire department. With all of the Federal and State regulations and requirements that govern the fire department there are areas of great concern that seem to be consistently over looked. We have many areas that need to be addressed in the short term such as apparatus, personnel, and stations.

The fire board has consistently voiced concerns on the same issues since the inception of the fire board and both former fire chiefs as well as a nationally recognized consultant have shared the same concerns. In regards to the rescue boat and the constant back and forth with the town board wanting to sell the boat is a disgrace to the people it serves. The boat has rescued been a key part in the rescue and recovery of multiple situations since its implementation.

The constant personal agendas and opinions have dragged the growth of the fire department down and do not benefit the citizens or the visitors of the peninsula. It is my hope that the town board can open there eyes and move forward with the growth of the fire department and do what is right for the tax payers that have elected you.

Regards,



John Sprenger

RECEIVED
APR 11 2016
CLERK

Deb Hamilton

From: Hamilton, Wade (DNR) [HamiltonW2@michigan.gov]
Sent: Tuesday, April 12, 2016 1:21 PM
To: 'deputyclerk@peninsulatownship.com'
Cc: 'hamiltondebbie@yahoo.com'
Subject: Peninsula Twp Boat

The DNR Law Enforcement Division has heard rumor that Peninsula Twp. Might be interested in selling their boat that they obtained on their Grant. If this is the case, MDNR is potentially interested. Please pass my contact information on to anyone in the process and if they might be able to provide additional information.

Wade Hamilton
Michigan Department of Natural Resources
970 Emerson Rd.
Traverse City, MI 49696
(231)922-5280 ext: 6804
HamiltonW2@michigan.gov



Monica Hoffman

From: Michael Skurski <skurskim@gmail.com>
Sent: Tuesday, April 12, 2016 1:15 PM
To: Monica Hoffman
Subject: Fire Dept Boat

Dear Monica,

I support the recommendation if the past Fire Board to retain the rescue boat and forgo the sale that is pending at tonight's Township meeting.

I do not see any advantage to selling it. And would not support purchase of a smaller boat for the same duties.

I urge you to one no on the sale.

Michael Skurski
989 302 0979
skurskim@gmail.com

**KUHN ROGERS PLC
LAW OFFICES**

R. EDWARD KUHN
TERRY C. ROGERS
A. BROOKS DARLING
EDGAR ROY III
JOSEPH E. QUANDT
GREGORY J. DONAHUE
GREGORY L. JENKINS
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TROY W. STEWART
MATTHEW L. BOYD
CHRISTOPHER G. ROGERS
MARC S. McKELLAR II

412 SOUTH UNION STREET
P.O. BOX 987
TRAVERSE CITY, MICHIGAN 49685-0987
TELEPHONE 231-947-7900
FACSIMILE 231-941-5154

Lansing Office:
2937 Atrium Drive, Suite 200
Okemos, Michigan 48864
Telephone 517-347-7720

CHARLES H. MENMUIR
1903-1987
Of Counsel:
LEWIS G. GATCH

August 10, 2015

**VIA EMAIL – supervisor@peninsulatownship.com
AND HAND DELIVERY**

Pete Correia
Township Supervisor
Peninsula Township
13235 Center Road
Traverse City, MI 49686

Re: The 81 on East Bay

Dear Supervisor Correia:

As you know, I represent The 81 Development Company with respect to The 81 on East Bay development project currently pending before the Township Board. As you may recall at the last Township Board meeting and during a public hearing on my client's project, Township board member Jill Byron articulated her strong opposition to the project. Obviously, it was very disconcerting to hear a board member prejudging the project before the public hearing process was complete and well before deliberations on the merits of the project. I am sure you know that the project has garnered a great deal of public interest, with two organizations mounting a direct campaign which appears, in our opinion, to be geared toward the defeat of my client's project. Those organizations are "Save the 81" and "Save the Outstanding Peninsula (S.T.O.P)". The **Save the 81** website clearly expresses extreme opposition to my client's development project.

In reviewing social media connections to the **Save the 81** organization, we were surprised and dismayed to find that Ms. Byron has endorsed the opposition group, Save the 81, by posting it as a "like" on her facebook page. This appears not only to my client, but to the public in general as a direct endorsement of an opposition group to my client's development project which is currently pending before the Township Board (and Ms. Byron) for review.

As you are aware, Township board members are governed under the Peninsula Township Code of Ethics adopted in 2010. Item A.13 in that Code of Ethics states:

August 10, 2015

Page 2

“When making discretionary, administrative decisions, *including but not limited to land use decisions, township officials shall refrain from making statements or taking any actions outside the formal decision-making process that would suggest they have prejudged the matter before them* or would in any way preclude them from affording the applicant and the public a fair hearing.”

Now I ask you, Ms. Byron and the Township Board, whether or not her unequivocal endorsement of the opposition group opposing my client’s development project, currently awaiting an administrative decision from the Township Board, is an **“...action outside the formal decision-making process that would suggest they have prejudged the matter...”**.

Your attention is also directed to the Peninsula Township Board “Rules of Procedure” and under Section 9.0 Conflicts of Interest, it states:

“A member of the township board shall declare a conflict of interest in connection with a nonzoning matter pending before the township board and shall disqualify himself of [*sic*] herself from deliberating and voting on the matter when any of the following circumstances exist: ...

4. The township board member’s participation in the matter would be in violation of the Peninsula Township Code of Ethics.”

I would posit to you, Ms. Byron and the Township Board whether or not Ms. Byron’s conduct, because it clearly appears to be a breach of the Code of Ethics, leaves her with no choice but to declare a conflict of interest with respect to any matter associated with the proposed development project.

Finally, the same Conflict of Interest rules, Section 9.2 under “Zoning Matters” states:

“A member of the township board shall declare a conflict of interest in connection with a zoning matter pending before the township board and shall disqualify himself of [*sic*] herself from deliberating and voting on the matter when any of the following circumstances exist: ...

4. While being a member of the township board the *township board member has made statements or taken any action outside the formal decision-making process that would suggest that he or she has prejudged the matter* before the township board or would in any way preclude him or her from affording the applicant and the public a fair hearing.”

KUHN ROGERS PLC

August 10, 2015

Page 3

Once again, I must ask whether or not the actions of Ms. Byron require her withdrawal/recusal from consideration of this project, as it appears that she has taken an **“action outside the formal decision-making process that would suggest that he or she has prejudged the matter before the township board...”**.

Finally, that same section of the Conflict of Interest rules at (7) precludes participation in township board decision-making when **“the township board member’s participation in the matter would be in violation of the Peninsula Township Code of Ethics.”**

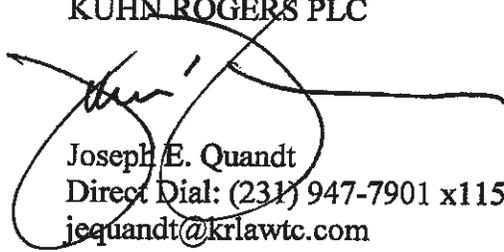
Our candid read of the information leaves us with the distinct belief that Ms. Byron has violated the Peninsula Township Code of Ethics and, under the Township Board Rules of Procedure, she is precluded from further participation in the deliberation and decision-making process associated with my client’s project. We would respectfully request that this issue be placed on the Township Board agenda under the **“Conflict of Interest”** or, if not within that category, at least within the **“Business”** category, where The 81 Development Project will be further discussed.

Candidly, we are shocked and saddened that this issue must now be considered, but it appears abundantly clear to my client that Ms. Byron’s endorsement of an opposition group unequivocally demonstrates her conflict of interest and the conflict of interest could be utilized as a legal basis to challenge the Township Board’s future decision, regardless of the final vote/decision.

Please let me know if you have further questions or comments for me, and please make this correspondence part of the public record.

Sincerely,

KUHN ROGERS PLC



Joseph E. Quandt
Direct Dial: (231) 947-7901 x115
jequandt@krlawtc.com

JEQ:shp

cc: Peter Wendling (via email)

Jill Byron

More Home

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Jill Byron

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- Kyle Grapple Mobile
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- Angela Metcalf Mobile
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- Kevin Sheridan Mobile
- Justin Ostroski A... Web
- Paul Wood Mobile
- Kyle Williams Web
- Need more... st.com Owen can... best rate... our... superfamily... JATAT Jessica N. Ostroski Mobile
- Recent Brian Cunningham Web
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- 2013
- 2012
- 2011
- 2010
- 2009
- Born

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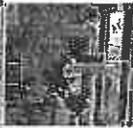
Also lives in Traverse City, Michigan

Trustee at Peninsula Township
Past, Detroit Edison

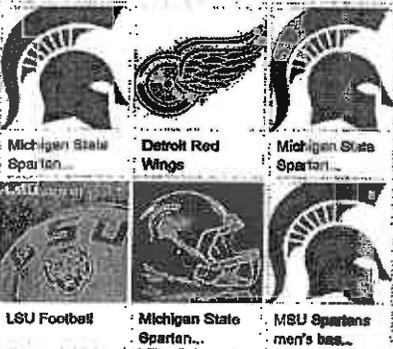
Studied Home economics at Michigan State
University
Attended from 1964 to 1988

From Saginaw, Michigan

PHOTOS



SPORTS · 6

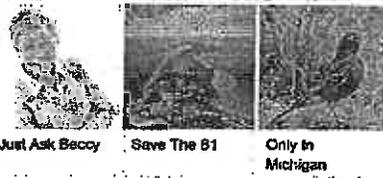


MUSIC · 1



Strings By Mail

LIKES · 35



Search

Save The 81

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35



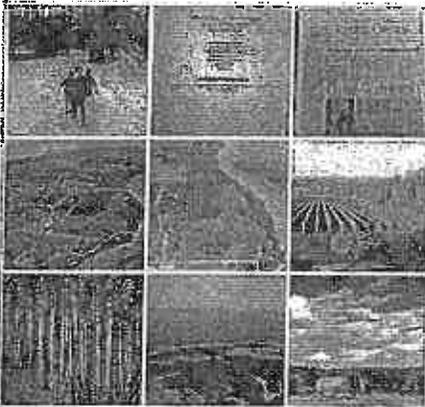
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ABOUT

To save, preserve and protect Old Mission Peninsula, MI from over development and destruction
<http://www.savethe81.com/>

PHOTOS



Post Photo / Video
Write something...
Post

Save The 81
9 hrs ·

Please sign the petition!!!
<http://www.stoptc.org>



Home : STOP - Save The Outstanding Peninsula

Your shoreline is about to change!! There is a request before the township to build 41 "site" condominiums on 2500 ft. of East Bay shoreline, with some lots less than 100ft. wide! Add to that a dock for 40 boat slips! Please ask your Board members...
STOPTC.ORG | BY THIS SITE PRODUCED AND MAINTAINED BY BYTE PRODUCTI...

Like Comment Share

10 people like this.

Top Comments

2 shares

Write a comment...

Adam Vandermay I see no problem with some development but not that much of it.
Like · Reply · 1 · 9 hrs

Jeanne Wheaton Landis Please leave these acres alone.
Like · Reply · 1 · 9 hrs

View 1 more comment

Save The 81 shared a link.
July 22 at 12:49pm ·

www.peninsulatownship.com
PENINSULATOWNSHIP.COM

Like Comment Share

CHRISTINE Lynn Welton
Save Page
MAES Land Thomas's post.

Michael Vagnini likes Jim
Reaume's post.
2015

Carolyn McKellar likes
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Colleen Ostroski A... Web

Kyle Williams Web

Arny Weisberger Web

Sally Brown Mobile

GROUP CONVERSATIONS

Kate Ann Andrew

VISITOR POSTS

Old Mission Peninsula
August 1 at 11:42am

Please share with all Peninsula Township voters

Like · Comment 5 1 Share

Jayne Phillips
July 1 at 9:32pm

Just got notice that there is a hearing on 7/14. Does anybody know the latest on the development?

Like · Comment 1

Bill Froehlich
June 15 at 11:11am

please message me or email bill@wtcmradio.com in reference to tonight's meeting! Thank!

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Save The 81
July 22 at 12:41pm ·

Here is a link to the minutes from the Township Board meeting that took place on July 14th. We have many concerns about this project/development. These concerns are shared by many peninsula residents. One major concern is with the Township's Director of Planning and Zoning. Michelle Reardon (The Township's director of planning and zoning) has been 100% in the developer's corner throughout this entire ordeal. She has completely disregarded the master plan and the outcry o...
[See More](#)

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- Michael Vagnini likes Jim Reaume's post.
- Carolyn McKellar likes Jennifer McKellar Heronema's post.
- Herb Lemcoot likes Lisa Buddey's post.

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- Sally Brown Mobile

GROUP CONVERSATIONS

- Kate Gern Andrew

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PENINSULA TOWNSHIP
Resolution No. _____ of 2010

At a regular meeting of the Peninsula Township Board held in the Peninsula Township Hall, located in Peninsula Township, Grand Traverse County, Michigan, on _____, 2010.

PRESENT: _____

ABSENT: _____

The following resolution was made by _____ and seconded by _____, to-wit:

Recitals

WHEREAS, one of the most important roles of township government is to foster public confidence in the decisions made by elected and appointed township officials;

WHEREAS, public confidence in the decisions of township government is enhanced when public officials avoid both actual conflicts of interest and the appearance of conflicts of interest;

WHEREAS, the establishment of a Code of Ethics for elected and appointed township officials which specify standards of conduct will assist those elected and appointed officials in avoiding circumstances that could negatively impact public confidence in the decisions those officials are called upon to make; and

WHEREAS, the Peninsula Township Board desires to adopt a Code of Ethics for all elected and appointed township officials by the adoption of this resolution.

Resolution

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Township Board hereby establishes the following Code of Ethics which shall be applicable to all elected and appointed officials of Peninsula Township:

PENINSULA TOWNSHIP
CODE OF ETHICS

- A. All elected and appointed officials of Peninsula Township (township officials) shall abide by all of the following standards of conduct when discharging the duties of their respective offices:
1. Township officials shall treat each other and members of the public appearing before them with respect, fairness, and sincerity.

2. Township officials shall discharge the duties of their respective offices in accordance with prescribed constitutional, statutory, and regulatory procedures and shall apply the laws and policies of the township in an evenhanded manner without partiality, favoritism, or dishonesty and not for personal gain or benefit.
3. Township officials shall not divulge to any unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public.
4. Township officials who acquire confidential information in the course of their duties that is not available at the time to the general public shall not use such information to further their private interests or the private interests of another person.
5. Township officials shall not represent their personal opinions as that of Peninsula Township or the township board, committee, commission, or board on which they serve, unless expressly authorized to do so.
6. Township officials shall not, directly or indirectly, make use of or permit others to make use of township property, equipment, vehicles, or supplies of any kind for personal gain or benefit.
7. Township officials shall not, directly or indirectly, solicit or accept any gift or a loan of money, goods, services or other thing of value which tends to influence or creates the appearance that it influences the manner in which they perform their official duties or is intended or has the appearance of being intended as a reward for any official act on their part.
8. Township officials shall not engage in or accept employment or render services that are incompatible or in conflict with the discharge of their official duties or that tends to impair their independence of judgment when discharging their official duties.
9. Except as permitted under the Contracts of Public Servants with Public Entities Act, MCL 15.321, et seq., township officials shall not, directly or indirectly, solicit or be a party to a contract between themselves and Peninsula Township and shall not solicit a contract between an entity in which they have a financial or personal interest and Peninsula Township.
10. Township officials shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision relating to any business entity in which they have, directly or indirectly, a financial or personal interest.
11. Township officials shall not participate in and vote on decisions in which the member's immediate family has, directly or indirectly, a financial or personal interest. For purposes of this paragraph "immediate family" means that member's spouse and children.

- 12. Township officials shall not participate in and vote on land use decisions when they reside on or have an ownership interest in land within 300 feet of the parcel regarding which the decision is to be made.
- 13. When making discretionary, administrative decisions, including but not limited to land use decisions, township officials shall refrain from making statements or taking any actions outside the formal decision-making process that would suggest they have prejudged the matter before them or would in any way preclude them from affording the applicant and the public a fair hearing.

B. A willful violation of these standards of conduct may be grounds for removal of an appointed township official following procedures required by law.

YES: _____

NO: _____

RESOLUTION DECLARED ADOPTED.

PENINSULA TOWNSHIP

By: _____
Robert K. Manigold, Supervisor

I, the undersigned, the Clerk of Peninsula Township, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by said municipality of Grand Traverse County at its regular meeting held on _____, 2010, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: _____

Monica A. Hoffman, Clerk

**PENINSULA TOWNSHIP BOARD
RULES OF PROCEDURE**

1.0 AUTHORITY

These rules are adopted by the Peninsula Township Board pursuant to its implied power to conduct meetings under Section 41.72a of the Compiled Laws of Michigan, as amended.

2.0 MEETINGS

2.1 Regular Meetings

The township board shall meet on the 2nd Tuesday and the 4th Monday of each month in regular session, except as otherwise provided by the township board. At its first meeting in each fiscal year, the board shall establish its schedule of regular meetings for the balance of the year. If any regularly scheduled meeting falls on a legal holiday, the regular meeting shall be held on a date determined by the township board that is not a legal holiday.

2.2 Special Meetings

The township board shall meet in special session at the call of the supervisor or upon written request of a majority of the entire township board members filed with the township clerk. No less than 18 hours before the scheduled special meeting, the township clerk, or his/her designate, shall provide each member of the board a notice of the special meeting, specifying the date, time, place, and purpose of the special meeting. With written consent of a member of the board, that member's notice may be made by email. In the absence of such written consent, notice shall be given personally to each member of the board, left at the member's usual place of residence, or otherwise delivered as authorized by law.

2.3 Emergency Meetings

Emergency meetings of the township board may be held only in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds of the members of the board elected and serving decide that delay would be detrimental to efforts to lessen or respond to the threat.

2.4 Place of Meetings

Meetings of the township board shall be held in the township hall or township office building, as determined by the township board, unless public notice of the meeting states a different location. Whenever the regular meeting place of the board shall appear inadequate for members of the public to attend, the supervisor may change the meeting location to a larger facility in the township, or surrounding area. A notice of such change shall be prominently posted on the door of the regular meeting place. The clerk shall also give notice of the change in the meeting place in a newspaper if time permits.

2.5 Time of Regular Meetings

The time of the regular meetings will be 7:00 p.m. on the 2nd Tuesday and 1:00 p.m. on the 4th Monday and shall be stated in the regular schedule of meetings adopted under Rule 2.1, unless the township board by a vote of a majority of its entire membership specifies a different starting time. The township board shall not begin considering any matter on the agenda after 10:00 p.m. at the 2nd Tuesday meeting and after 5:00 p.m. at the 4th Monday meeting, except by unanimous consent of the members present. Matters on the agenda which have not been considered shall be placed on the agenda of the next regular meeting, or on the agenda of a special meeting, if one is called.

2.6 Change in Schedule

Change in the regular meeting schedule shall not be made except upon the approval of a majority of the entire township board. In the event the board shall meet and a quorum is not present, the board, with the approval of those present, may only adjourn the meeting to a later day and time provided that proper notice to members and the public is given.

3.0 PUBLIC NOTICE OF MEETINGS

The township clerk, or his/her designee, shall provide the proper notice for all meetings of the township board. All such notices shall comply with the Michigan Open Meetings Act and shall be posted in a conspicuous location at the township office building visible from the outdoors and include, but not necessarily be limited to, the following:

3.1 Regular Meetings

A notice shall be posted within ten (10) days after the first meeting of the township board in each calendar year indicating the date, time, and place of the board's regularly scheduled meetings.

3.2 Schedule Change

Whenever the township board changes its regular schedule of meetings, a notice of the change in the regular meeting schedule shall be posted within three (3) days following the meeting in which the change was made.

3.3 Special and Emergency Meetings

If a special meeting of the township board is scheduled under Rule 2.2 or an emergency meeting of the township board is scheduled under Rule 2.3, then notice of such meeting shall be posted immediately. With written consent of a member of the board, that member's notice may be made by email. In the absence of such written consent, notice shall be given personally to each member of the board, left at the member's usual place of residence, or otherwise delivered as authorized by law. No meeting, except emergency meetings, shall be held until notice of the meeting has been posted at least eighteen (18) hours in advance of the meeting.

3.4 Notification to Media and Others

The township clerk, or his/her designee, shall notify, without charge, any newspaper or radio or television station of the township board's meeting schedule, schedule changes, or special or emergency meetings whenever such newspaper or radio or television station has filed with the clerk a written request for such notice. The clerk, or his/her designee, shall also notify other individuals or organizations of regular meeting schedules, changes in the schedule, or special and emergency meetings, but only upon their written request and agreement to pay the township for printing and postage expenses.

4.0 QUORUM AND ATTENDANCE

4.1 Quorum

A majority of members of the township board elected and serving (four members) shall constitute a quorum for the transaction of business of the board.

4.2 Attendance

No member of the township board may absent himself or herself without first having notified the township supervisor of his or her intent to be absent from a scheduled meeting.

5.0 MEETING AGENDAS

5.1 Agenda for Regular Meetings

The township clerk, or his/her designee, shall prepare the agenda of business for all regular township board meetings. Any member of the township board, a board or commission created by the township board, a committee of the township board, or a member of the public desiring to place a matter on the agenda shall notify the clerk's office of such item by no later than 10:00 a.m. of the preceding Wednesday for the first regular meeting of the month and no later than 10:00 a.m. of the preceding Wednesday for the second regular meeting of the month. Such items shall be placed on the agenda under Business or other agenda category as appropriate in the order they were received by the clerk's office. The township board reserves the right to alter the agenda, the order of items on the agenda, and remove items from the agenda by a majority vote of the members present at the meeting. In addition, the township board reserves the right to consider an item at a regular meeting not received by the clerk's office by the applicable deadline upon the consent of a majority of the members present.

5.2 Agenda for Special and Emergency Meetings

Whenever the township board is called into special session pursuant to Rule 2.2, the agenda shall be prepared by the township clerk, or his/her designee, and shall be included in the notice of the meeting, and no other matter shall be considered except when all members are present. The agenda for emergency meetings pursuant to Rule 2.3 shall be prepared by the township clerk, or his/her designee, and shall be provided along with the notice of the meeting to members of the township board, if time permits. At other times, the supervisor, or presiding

officer, shall declare the agenda upon the approval of a majority of the members present.

5.3 Distribution of Agenda and Materials

Upon the completion of the agenda, the township clerk, or his/her designee, shall distribute copies of the agenda together with copies of reports, explanations, etc., which relate to the matters of business on the agenda. Members of the township board shall be entitled to receive such materials no later than noon on the Thursday preceding the first regular meeting date of the month and no later than noon on the Thursday preceding the second regular meeting date of the month.

5.4 Consent Agenda – Defined

The consent agenda shall consist of those matters that the township board has determined to be “routine” and usually are matters about which the board commonly concurs. These matters include, but are not necessarily limited to, reports and announcements, correspondence, the approval of payroll and invoices for payment, the approval of minutes, the appointment of persons to township boards, commissions, and committees, the scheduling of public hearings, and other matters that the township board is required by statute or rule to approve.

5.5 Consent Agenda – Procedure

The township clerk, or his/her designee, in preparing the meeting agenda, shall list those matters under the heading of “consent agenda” and include the associated materials with those distributed to the members in accordance with Rule 5.3. At a meeting for which a consent agenda has been prepared, the board, upon the motion of a member, shall vote on the approval of the matters included under the consent agenda. Before putting the question to the members, the supervisor, or presiding officer, shall permit any member of the board or any member of the public to remove from the consent agenda any item on which he/she has questions or wishes further discussion. The supervisor, or presiding officer, shall then direct the clerk to remove such item and place it within the business portion of the meeting’s agenda. A vote shall not be required to remove a matter from the consent agenda.

5.6 Order of Business

The agenda shall be arranged in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Conflict of Interest
5. Brief Citizen Comments – for items not on the Agenda and for requests to remove items from consent agenda
6. Approve/Revise Agenda
7. Approve Consent Agenda
8. Business
9. Citizens Comments

10. Board Comments
11. Adjournment

6.0 CONDUCT OF MEETINGS (OTHER THAN ZONING PUBLIC HEARINGS)

6.1 Chair

Except as provided herein, the supervisor shall preside at all meetings of the township board. In the absence of the supervisor, the township clerk shall assume the duties of the chair. In the absence of both the supervisor and township clerk, the township treasurer shall assume the duties of the chair for the purpose of the board electing one of its members present to preside at the meeting.

6.2 Form of Address

Members of the township board wishing to speak shall first obtain the approval of the supervisor, or presiding officer. Other persons at the meeting shall not speak unless recognized by the supervisor, or presiding officer.

6.3 Rules for Citizen Comments to the Township Board

1. The public may only address the township board at the times designated on the agenda, unless otherwise recognized by the supervisor, or presiding officer.
2. Members of the public addressing the board shall take into consideration the rules of common courtesy.
3. Members of the public shall not use the public participation portions of the meeting to make personal attacks against members of the board or against other township officials or employees. If the intended comments constitute a complaint or charge brought against a member of the board or against another township official or employee alleging that the official or employee has violated a federal or state statute, or an ordinance, resolution, or policy of the township, the individual shall contact the township clerk under Rule 5.1 to request placement on the agenda. Any such complaint or charge shall be in writing and signed by the individual making the complaint of charge as required by Rule 15.2.
4. Members of the public wishing to speak shall first obtain the approval of the supervisor, or presiding officer, and each person who speaks shall address the entire board.
5. The persons addressing the board shall identify themselves for the minutes.
6. Each member of the public addressing the board may speak for three (3) minutes unless they contact the township clerk under Rule 5.1 to request placement on the agenda and specify the purpose of the presentation and length of time requested (maximum time allowed 15 minutes per speaker or group).
7. A member of the public who desires to submit a written statement shall give the statement to the township clerk prior to the commencement of the

meeting or any comments. All written statements and documents presented to the board by an individual are considered public documents and shall be retained in the record of the meeting.

8. The above provisions, however, shall in no way impair the right of the supervisor, or presiding officer, to control the meeting as presiding officer.

6.4 Disorderly Conduct

The supervisor, or presiding officer, shall call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated until the supervisor, or presiding officer, has determined whether the person is in order. If a person so engaged in a presentation is ruled out of order, he or she shall not be permitted to speak further at the same meeting except upon special leave by the township board. If the person continues to be disorderly and to disrupt the meeting, the supervisor, or presiding officer, may request the sheriff, a deputy sheriff, or other police officer to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting. The township board shall also have the right to adjourn the meeting if it is interrupted due to the disorderly conduct of any person.

7.0 RECORD OF MEETINGS

7.1 Minutes and Official Records

The township clerk, or recording secretary, shall be responsible for taking the minutes of each meeting of the township board. The minutes shall include all the actions and decisions of the board with respect to substantive (non-procedural) motions. The minutes shall include the names of the mover and seconder and the vote of the members. The record shall also state whether the vote was by voice or by roll call; when by roll call, the record shall show how each member voted. The township clerk, however, shall be responsible for maintaining in his/her office the official minutes and records of the township board and copies of each resolution and ordinance or other matter acted upon by the board. The official minutes, however, may refer to those matters by an identifying number and the descriptive title of the ordinance, resolution, or other matter.

7.2 Record of Discussion

Except for zoning public hearings conducted under Rule 8.0 below which require that the minutes reflect a detailed summary of all comments made during the public hearing, the clerk or recording secretary shall not be responsible for maintaining a written record or summary of the discussion or comments of the members of the township board nor of the comments made by members of the public. The clerk or recording secretary, however, shall be responsible for making an audio tape recording of each regular meeting of the board. Each such recording shall be maintained in the office of the clerk until the minutes are transcribed and formally approved by the board. Thereafter, the recording may

be erased or destroyed, unless the recording is pertinent to any pending or reasonably anticipated legal proceeding.

7.3 Request for Remarks to Be Included

Any member of the township board may have his or her comments printed as part of the record upon the concurrence of a majority of the other members present. Comments to be included in the record shall be provided in writing by the member.

7.4 Public Access to Meeting Records

The township clerk shall make available to members of the public the records and minutes of the township board meetings in accordance with the Michigan Open Meetings Act and the Michigan Freedom of Information Act. Minutes of board meetings, prepared but not approved by the board, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the board shall be available within five (5) business days of the meeting at which they were approved. Within twenty-one (21) days after a meeting of the township board, the township clerk shall publish in a newspaper of general circulation within the township either the entire minutes of the board meeting or a synopsis of the board meeting prepared by the township clerk and approved by the supervisor showing the substance of each separate decision of the board and the vote of each member on those decisions.

8.0 CONDUCT OF ZONING PUBLIC HEARINGS.

8.1 Public Hearing Procedure

The procedure for a zoning public hearing of the township board shall be as follows:

1. The supervisor, or presiding officer, shall open the public hearing by announcing the matter to be heard and by summarizing the standards or other regulations of the zoning ordinance on which the township board's decision must be based.
2. When the township planning commission has made a recommendation to the township board concerning the zoning matter before the board, the township board shall pass a motion incorporating by reference into the township board record the prior planning commission minutes and all evidence and exhibits compiled by the planning commission concerning the zoning matter before the board.
3. Determination by the supervisor, or presiding officer, whether a time limitation will be imposed on members of the public wishing to address the township board during the public hearing.
4. Staff report, if applicable.
5. Compilation of list of any additional exhibits (not presented to the planning commission) to be considered by the township board when making its decision.

6. Presentation by the applicant or applicant's attorney or other agents.
7. Correspondence not previously presented to the planning commission and/or persons speaking in favor of the application.
8. Correspondence not previously presented to the planning commission and/or persons speaking in opposition to the application.
9. Rebuttal comments by the applicant or applicant's attorney or other agents.
10. Supervisor, or presiding officer, declares public hearing portion of the case closed.
11. The township board begins its deliberations on the case.
 - a. During deliberations the township board may solicit information from the applicant, applicant's attorney or other agents, or from members of the public. However, the solicitation of additional information shall not be construed as the reopening of the public hearing, unless so declared by the supervisor, or presiding officer. If the public hearing portion of the case is reopened, then the procedures for the original public hearing shall be followed.
 - b. During deliberations the township board shall also specify in writing the findings of fact on which it bases its decision or may adopt by reference the findings of fact made by the planning, either with or without modifications.
 - c. If during deliberations the township board determines that additional information is needed to make its decision, it may adjourn the case to a specific time, date, and place to receive that additional information. At the adjourned time, date, and place, the public hearing portion of the case shall be reopened, but only to receive the requested additional information and other information relevant to that issue.
12. At the conclusion of its deliberations, the township board shall adopt a motion documenting its decision.

8.2 Members of the Public

Members of the public wishing to address the township board during a public hearing shall first be recognized by the supervisor, or presiding officer, and each person who speaks shall state his or her name and shall address the entire township board.

8.3 Limitation of Public Comments during Public Hearings

Prior to opening a public hearing, the supervisor, or presiding officer, shall determine the number of individuals from the general public who may desire to address the township board during the public hearing. Based on this determination, the supervisor, or presiding officer, may establish a reasonable time limitation for each member of the general public when addressing the township board during the public hearing. Members of the general public expressing a desire to address the township board may transfer their allotted time to another individual, who may act as a spokesperson for the group.

Provided, however, the time limitations imposed under this section shall not be less than three minutes for an individual and not less than five minutes for a group. Provided further, the time limitations imposed pursuant to this section shall not apply to the applicant or the applicant's attorney or other agents, since the applicant has the burden of proof on the matter before the township board.

8.4 Written Statements Submitted by the Public

All written statements and documents presented during a public hearing which are intended to be included in the public hearing record should be given to the township clerk prior to the commencement of the public hearing. All written statements and documents presented to the township board by an individual are considered public documents and shall be retained in the public record of the meeting.

8.5 Disorderly Conduct at Meetings

Individuals addressing the township board during a public hearing should take into consideration the rules of common courtesy. The comments by members of the public cannot be used to make personal attacks against members of the township board or township staff. The supervisor, or presiding officer, may call out of order any person who is being disorderly by speaking or otherwise disrupting the meeting, failing to be germane, speaking longer than the allotted time, yelling, shouting or speaking vulgarities. Such person shall thereupon be seated until the supervisor, or presiding officer, determines whether the person is in order. If a person is called out of order, he or she shall not be permitted to continue to speak at the same public hearing, except by a majority vote of the township board members present. If the person continues to be disorderly to the extent that the township board cannot continue to conduct the public hearing or its deliberations, the supervisor, or presiding officer, shall consider the person to be in breach of the peace and may request the assistance of a law enforcement officer to remove the person from the meeting. The township board shall have the right to adjourn the meeting if it is interrupted due to the disorderly conduct of any person. No person shall be removed from a public hearing, except for an actual breach of the peace committed at the hearing.

8.6 Rehearings

1. Except as provided in this subsection and the Peninsula Township Zoning Ordinance, a decision of the township board concerning an administrative, discretionary zoning decision (SUP) shall be final. The township board may grant a rehearing under exceptional circumstances for any administrative, discretionary zoning decision made by it. Exceptional circumstances shall mean any of the following:
 - a. The applicant who brought the matter before the township board made misrepresentations concerning a material issue which was relied upon by the township board in reaching its decision.
 - b. There has been a material change in circumstances regarding the township board's findings of fact which occurred after the public hearing.

- c. The township attorney by a written opinion states that in the attorney's professional opinion the decision made by the township board or the procedure used in the matter was clearly erroneous.
2. A rehearing may be requested by the applicant or by township staff, or a rehearing may be granted by the township board on its own motion, pursuant to the following procedure:
 - a. A request for a rehearing which is made by an applicant or by township staff must be made within twenty-one (21) days from the date of approval of the township board's minutes regarding the decision for which the rehearing is being requested.
 - b. A request for a rehearing made by township staff or a rehearing granted by the township board on its own motion may be granted at any time as long as the applicant has not been prejudiced by any delay.
 - c. Whenever the township board considers granting a rehearing, it shall provide written notice to the applicant that a rehearing will be considered. The notice may be served upon the applicant by first class mail at the applicants' last known address, or may be served personally on the applicant. The notice must be served at least nine (9) days before the time set for the hearing if served by mail, or at least seven (7) days before the time set for the hearing if served by personal service. Service by mail shall be complete upon mailing. In addition to serving the above notice on the applicant, all other notice requirements for the type of decision being heard shall be completed before the township board holds a hearing at which it considers whether to grant a rehearing.
3. If the township board grants a rehearing, then the rehearing on the merits shall not be held until all notice requirements for the type of decision being reheard have been satisfied.

9.0 CONFLICTS OF INTERESTS

9.1 Nonzoning Matters

A member of the township board shall declare a conflict of interest in connection with a nonzoning matter pending before the township board and shall disqualify himself or herself from deliberating and voting on the matter when any of the following circumstances exist:

1. The township board member or the member's spouse; the member's parent or child (regardless of where they reside); or any relative or individual who resides in the member's household has a pecuniary interest in the outcome of the matter.
2. A non-pecuniary matter before the township board, including but not limited to personnel matters, involves the child, grandchild, great-grandchild, parent, grandparent, great-grandparent, brother, sister,

nephew, niece, aunt, or uncle of the township board member or the member's spouse.

3. The township board member concludes in good faith that because of prior business or personal relationships with the individual involved in the matter before the township board, or for other reasons, the member cannot decide the matter in a fair and unbiased manner and in furtherance of the township's best interests.
4. The township board member's participation in the matter would be in violation of the Peninsula Township Code of Ethics.

9.2 Zoning Matters

A member of the township board shall declare a conflict of interest in connection with a zoning matter pending before the township board and shall disqualify himself of herself from deliberating and voting on the matter when any of the following circumstances exist:

1. The applicant is the township board member, the member's spouse, or the child, grandchild, great-grandchild, parent, grandparent, great-grandparent, brother, sister, nephew, niece, aunt, or uncle of the township board member or the member's spouse.
2. The township board member or the member's spouse; the member's parent or child (regardless of where they reside); or any relative or individual who resides in the member's household has a pecuniary interest in the outcome of the matter.
3. The township board member or the member's spouse resides on or has an ownership interest in land within 300 feet of the parcel regarding which the decision is to be made.
4. While being a member of the township board the township board member has made statements or taken any action outside the formal decision-making process that would suggest that he or she has prejudged the matter before the township board or would in any way preclude him or her from affording the applicant and the public a fair hearing.
5. If the township board member has expressed an opinion concerning a matter before the township board prior to becoming a member of the township board and cannot in good faith set aside that prior opinion and decide the matter based on the information provided at the public hearing and the zoning ordinance requirements.

6. The township board member concludes in good faith that because of prior business or personal relationships with the applicant or with other participants in the public hearing process, or for other reasons, he or she cannot afford the applicant and the public a fair hearing.
7. The township board member's participation in the matter would be in violation of the Peninsula Township Code of Ethics.

10.0 COMMITTEES

10.1 Standing Committees; Establishment; Appointment

The township board hereby creates two standing committees, entitled "Personnel Committee" and "Public Utilities Committee." Each standing committee shall be composed of three (3) members of the township board. The members of each standing committee shall be appointed by the township board and shall serve for a term of one (1) year.

1. Except as provided herein, the Personnel Committee shall be responsible for evaluating, resolving and making recommendations to the township board regarding all township personnel matters, including but not limited to, the appropriate number of township employee positions, job descriptions for township employee positions, appropriate compensation for township employee positions, the township personnel policies, workplace safety issues, the interview and selection of candidates for employment with the township, periodic employee evaluations in conjunction with that employee's immediate supervisor, and issues related to employee discipline in conjunction with that employee's immediate supervisor or to consider complaints made against or involving township employees. Provided, however, the Personnel Committee shall have no responsibilities concerning township employees to the extent the township board has delegated its personnel responsibilities over those employees to another board or committee, as authorized by law.
2. The Public Utilities Committee shall be responsible for evaluating, resolving and making recommendations to the township board regarding all township utility matters, including but not limited to, sewer, water, rights-of-way, and tower questions.

10.2 Ad hoc Committees; Establishment; Appointment

If deemed advisable, the township board by a vote of a majority of the entire township board may establish ad hoc committees. At the time an ad hoc committee is established, the township board shall specify the number of and appoint the committee members, which shall not be limited to members of the township board, shall define the responsibilities of the committee, and shall specify the duration of the committee, which can be extended by a vote of a

majority of the entire township board. The township board by a vote of a majority of the entire township board may at any time dissolve an ad hoc committee or may relive the committee from further consideration of any matter originally included in its defined responsibilities.

10.3 Committee Meetings

A majority of the members of a committee shall constitute a quorum. Each committee shall comply with the provisions of the Michigan Open Meetings Act and the Freedom of Information Act.

10.4 Exercise of Governmental Function

A committee shall not exercise a governmental function as defined by the Michigan Open Meetings Act in a meeting not open to the public unless the act permits the action to be considered in a meeting closed to the public. The responsibility of each committee is to make recommendations to the township board and to report matters considered and rejected as well as those considered and recommended.

11.0 CLOSED MEETINGS

11.1 Vote Required

The vote to hold an executive meeting shall be recorded in the minutes of the meeting at which the decision was made.

11.2 Grounds for Closed Meeting; 2/3 Vote

The township board may hold a meeting closed to members of the public upon the motion of any member and roll call approval by two-thirds of the entire members for the following purposes:

1. To consider the purchase or lease of real property, until an option to purchase or lease that property is obtained.
2. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the township.
3. To meet with an attorney to consider the attorney's written opinion.
4. To review the specific contents of an application for employment to a township position and the applicant requests that the application remain confidential. Whenever the personnel committee or township board meets to interview an applicant, the meeting shall be open to the public.

11.3 Grounds for Closed Meeting; Majority Vote

The township board may also hold a closed meeting upon the motion of any member and roll call approval by a majority of the entire members for the following purposes:

1. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent if the named person requests a closed hearing. If the person rescinds his/her request for a closed meeting the matter at issue shall thereafter be considered only in open public meeting.
2. To consider strategy connected with the negotiation of a collective bargaining agreement.

11.4 Minutes, Closed Meetings

For each closed meeting, the township clerk or recording secretary shall make a separate record of the topics discussed. This record shall not be disclosed to the public except upon the order of a court. The township clerk shall destroy the minutes after one year and one day have passed after the meeting at which the board approved the minutes of the meeting at which the board voted to hold the closed meeting.

12.0 PROCEDURAL MOTIONS AND RESOLUTIONS

12.1 Statement by Supervisor, or Presiding Officer; Motions; and Resolutions

No motion or resolution shall be entertained unless the same is seconded. No motion or resolution shall be adopted until the supervisor, or presiding officer, states the motion. All motions, except procedural motions and resolutions, may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order.

12.2 Non-debatable Motions

The motions to fix the time of the next meeting, adjourn, recess, point of privilege, to table, vote immediately, limit or extend debate shall be ordered and voted upon without debate.

12.3 Motion to Reconsider

The motion to reconsider shall be in order on any question that the township board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be

reconsidered was taken or at the next succeeding meeting at which the question may lawfully be raised. The motion to reconsider shall be made only by a member who voted with the prevailing side. A motion to reconsider a motion to amend shall not be in order if the main question has been voted upon. If the board has adopted a motion to reconsider, however, motions to amend shall be in order.

12.4 Motion to Clear the Floor

The motion to clear the floor may be made by the supervisor or a member, whenever procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all motions as though they had been withdrawn. The motion shall not be subject to debate nor, if adopted, to reconsideration.

12.5 Temporary Suspension of the Rules

These Rules may be suspended temporarily at any time by vote of two-thirds of the members elected and serving to achieve any legal objective of the township board in a legal manner.

12.6 Appeal Rulings of the Supervisor, or Presiding Officer,

Any member of the township board may appeal the procedural ruling of the supervisor, or presiding officer. On all appeals receiving a second, the question shall be, "Shall the procedural decision of the supervisor, or presiding officer, stand as the decision of the township board?"

13.0 VOTING

13.1 Abstaining from Voting

Except as provided herein, whenever the supervisor, or presiding officer, puts a question to the township board, every member present shall vote on the question. No member present shall abstain from voting "yes" or "no". Provided, however, if a township board member has a conflict of interest, such conflict of interest shall be fully stated on the record. If a question exists whether the circumstances actually present a conflict of interest, the township board may, by majority vote of the members present, adjourn the matter under consideration to a specific time, date, and place in order to obtain a written opinion from the township attorney. Once the conflict of interest is declared or confirmed, the township board member with the conflict of interest shall abstain from participating and voting in the matter under consideration.

13.2 Roll Call Votes

The names and votes of members shall be recorded on board actions to adopt final measures such as ordinances, resolutions, appointment or election of

officers, etc. A roll call vote shall be taken on other motions and actions at the request of any board member.

13.3 Votes Required

Except as provided elsewhere in these Rules and except for those decisions required by statute to have a higher majority, procedural and other questions arising at a meeting of the township board shall be decided by a majority of the members present. A majority of the members elected and serving shall be required for final passage or adoption of an ordinance, resolution, or the allowance of a claim.

14.0 PARLIAMENTARY AUTHORITY

Generally, *Robert's Rules of Order, Newly Revised* (10th Edition) shall govern all questions of procedure not otherwise provided by these Rules or by state or federal law. The township attorney shall serve as the board's parliamentarian and shall advise the supervisor, or presiding officer, regarding the Rules of Procedure.

15.0 MISCELLANEOUS PROCEDURES

15.1 Distribution of Correspondence

All correspondence received by the township supervisor, township clerk or township treasurer shall be distributed to all members of the township board either as part of the township board meeting agenda materials or independent of the meeting agenda materials, whichever method is the most efficient, given the urgency of the correspondence.

15.2 Personnel Complaint Procedures

Any complaint against a township employee or official to be considered by the township board shall be in writing and signed by the individual making the complaint. A copy of this written complaint shall be given to the employee or official prior to the township board meeting at which the complaint will be considered. The township employee or official shall then be given the opportunity to request a closed meeting of the township board to consider the complaint against that employee or official, as authorized by the Michigan Open Meetings Act.

16.0 AMENDMENTS

These Rules of Procedure may be added to, amended or repealed in whole or in part. Proposed changes to these Rules of Procedure must be submitted in

writing to the members of the township board at least one (1) month in advance of the meeting at which the proposed changes will be considered. A majority vote of the entire regular township board shall be required to amend these Rules of Procedure.

17.0 SEVERABILITY

If any section, provision or clause of these Rules of Procedure or the application thereof to any person or circumstance shall be invalid, such invalidity shall not effect any remaining portion or application of these Rules of Procedure which can be given effect without the invalid portion or application.

The Peninsula Township Board Rules of Procedure were adopted by the Peninsula Township Board at its meeting held on _____, 2013.

Monica A. Hoffman, Clerk

Subject: Pete Correia Land Division Issue
From: Robert Cooney <rcooney@grandtraverse.org>
Date: 4/10/2016 12:43 PM
To: Bryan Graham <bgraham@upnorthlaw.com>
CC: "Kahn, Nancy" <NKahn@fosterswift.com>, Andy Smits <ajs@inlandseaseng.com>

Bryan,

In case there is any question, I am still in the process of evaluating my claim against the Township and I have been in discussions with both Inland Seas Engineering (Andy Smits) and the Kahns, as well as reviewing the various documents and laws. No decision has been made, but I am absolutely pursuing the matter unless and until I am satisfied that no actionable claim exists.

-- Bob

Robert A. Cooney
Prosecuting Attorney
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Traverse City, Michigan 49686
(231) 922-4600
rcooney@grandtraverse.org