

PENINSULA TOWNSHIP

13235 Center Road, Traverse City
MI 49686

www.peninsulatownship.com

**Township Board Regular Meeting and Joint Township
Board and Parks Committee Special Meeting
January 10, 2023, 7:00 p.m.
Township Hall
Minutes**

1. **Call to Order** by Chown at 7:00 p.m.
2. **Pledge**
3. **Roll Call**

Township Board: Sanger, Rudolph, Achorn, Chown, Shanafelt

Absent: Wunsch, Wahl

Parks Committee: Murphy, Dahl, Skurski, Chown, Milliken, Butler

Absent: Zebell

4. **Citizen Comments:** none
5. **Approve Agenda**

Chown: I have an update from Cherry Festival director Kat Paye to add. I would like to make that item one under business.

Rudolph moved to approve the agenda as amended with a second by Sanger. Motion passed by consensus

6. **Conflict of interests:** none
7. **Consent Agenda:**

1. Invoices (recommend approval)
2. Reports
 - A. Cash Summary by Fund
 - B. Peninsula Township Fire Department
 - C. Peninsula Township Fire Department Annual Report for 2022
 - D. Peninsula Township Ordinance Enforcement Officer Annual Report for 2022
 - E. PDR Monitoring Report for 2022
 - F. Peninsula Community Library
3. Minutes from December 8, 2022, township board special meeting and December 13, 2022, township board regular meeting
4. 2023 Annual Assessment Change Notices

Sanger: I ask that item 2E, PDR Monitoring Report for 2022, be pulled.

Cram: I would like to make it the second business item.

Shanafelt moved to approve the consent agenda as amended with a second by Rudolph.

Motion passed by consensus

8. Business

1. Presentation by Cherry Festival director Kat Paye

Murphy: Kat approached the parks director two plus years ago to discuss possible donations to the parks. That discussion took place on March 11, two days before the COVID shutdown. Kat was kind enough to reach out to me again the other day to say that yesterday was the start of registration for the Festival of Races through the Cherry Festival, and there's a donation opportunity to assist with our parks.

Paye: open registration for the Festival of Races began yesterday. The 5k, 10k, 15k, and half marathon are run out here on beautiful Old Mission Peninsula. Donations have begun to come in. We've already raised \$150. When someone registers for the Festival of Races, they have the option to add donations in whatever monetary value they would like. We have specified that donations will go towards the parks and recreation needs of Peninsula Township where we are so graciously allowed to run our beautiful races. Thank you for allowing us to be here for the last 50 years. After the festival, we would cut a check.

Board applause

Chown: thank you very much. It's a pleasure to meet you, and thank you for circling back.

Paye: we do not yet have our full application in for the Festival of Races; it will be forthcoming. We'll go through the normal permitting process, but this was one of the ways we wanted to say thank you. We wanted something that would be permanent out here year over year so we can continue to develop the strong relationship we have with you guys that we want to continue into the future.

Chown: so individuals who sign up have an option of making a donation, and we are one of the projects?

Paye: you are the only project. When you go to register for the Festival of Races, a pop up says, "By the way, would you like to make an additional donation to Peninsula Township parks?" It's very broad so that the funds can be used for whatever you guys need. We want to make sure we are continuing to support the community that supports us.

Chown: I'll include a blurb in the newsletter.

2. PDR Monitoring Report 2022.

Sanger: reviewing the report, I noticed that 12 properties have been identified as having a violation or two. Eight properties are listed as having a change in ownership, with the new deed not mentioning the restriction. One has two violations, so essentially there are nine violations of this transfer process, which is nothing new. The auditors have reported two violations of situations where someone has established a dwelling. I wanted to bring to the board's attention a question I don't have an answer for: who is enforcing these violations? The ordinance enforcement officer has been engaged in the last month to enforce a use violation on one property; that situation is under control in terms of court action. It's great to report all this, but what are we doing about it?

Cram: as the director of planning charged with helping to manage the program, I had the same conversation with Sally [Murray] and Christina [Deeren] who did the monitoring. There hasn't been a lot of enforcement in the past. Failing to record the deed for the

conservation easement is common and most people come into compliance pretty quickly. But we do have a couple of pretty egregious violations. We need to establish a process for dealing with them.

Shanafelt: the new PDR assessment supplies enforcement dollars, right?

Cram: correct.

Shanafelt: we should be able to leverage that. It's just figuring out how we utilize that money, correct?

Chown: the monitoring report says at the bottom, "We would welcome an opportunity to meet with an elected township enforcement official to discuss options for remedy and or further action." I would be happy to have the board give me some direction on how to move ahead with [supervisor] Isaiah not present tonight. Marge, Isaiah, and I make up the personnel committee, and we can discuss this when Isaiah is back. We can also discuss it with our attorney and figure out our next steps. There's no question that we need to pursue this. We're starting the next cycle of purchasing development rights. It's vital that we enforce the easements we have on the books.

Cram: the PDR program is voluntary. We want to establish a relationship with all the people who have conservation easements with us. The goal is to try to work in partnership to bring violators into compliance; we want to maintain those relationships. As part of the monitoring process, the conservation easement holders have received a letter letting them know there is a violation. It won't be a surprise when we follow up, but we should discuss how we plan to do that.

Rudolph: is there a process now that when somebody enters the PDR program, it gets automatically put on their property deed at the county level?

Cram: I'm not sure about the previous ordinance, but amendment #3 outlined the steps for closing and monitoring.

Rudolph: it should be recorded in the county, right? So then when property changes hands, it's automatically part of the deed?

Cram: it should be but sometimes people just forget.

Sally Murray: usually it's not a problem when people initially enter the program and encumber their property. What we see fall by the wayside are the successive transfers. The title companies either don't know or aren't fastidious about entering into the deed the specifics of the conservation easement. There is a standardized little snippet they use: "Subject to any and all easements, if any." They think that's sufficient, but our ordinance is very specific. It says, "Those successive deeds shall specifically reference that PDR." One of the greater violations we have was on a property that did not include that reference. It begs the question, was the buyer aware of the easement?

Rudolph: do we need to be talking to the title companies?

Murray: I was thinking about that today, maybe putting out a general "Did you know?" I'll often follow up with property owners directly from my office and say, "There is a remedy; here's a sample affidavit you could record to address this." It could be as simple as us having an attorney-drafted template that we automatically file and record ourselves. As soon as something doesn't reference it, we go to the county, file that affidavit, and then it

becomes part of the chain of title. I call those technical violations. They're a big deal but they're easy to remedy. In the past five or six years that Christina and I've been monitors, we haven't had a lot of non-compliance or violations. It does seem as though we are getting a lot of new transactions with people who aren't particularly familiar with the program, and we're seeing greater violations creep in.

Chown: I like the idea of keeping it simple. If we learn that an easement hasn't been recorded with the title company, we have that template and can simply take care of it ourselves. It might be easiest to just get it done.

Sanger: good discussion. I think the board with staff should adopt a new plan for enforcement. Talking to our township counsel is a good first start. As a board we will accept this report tonight, but that's only the first step. The board should be involved in the closeout of these violations so we can have a clean report for 2022.

Shanafelt: should we pass a resolution tonight to have an enforcement plan in place by March 1?

Sanger: makes sense to me.

Shanafelt moved to pass a resolution to have an enforcement plan for the PDR program past, present, and future in place by March 1, 2023, with a second by Chown.

Roll call vote: yes – Shanafelt, Chown, Achorn, Rudolph, Sanger Passed unan

Chown: we'll date that retroactively to tonight then [see attachment]

Shanafelt: I had another question. I noticed in the report a number of properties that had no check marks on them.

Murray: the PDR reports are more comprehensive than the synopsis. This was more of an internal spreadsheet that Christina and I were using to assure ourselves that we were appropriately reporting to the ACEP (Agricultural Conservation Easement Program) coordinator in Lansing. They're for easements that we used state monies for. We share our reports with them, and they also provide some oversight into the easements. Every property owner who participates in PDR gets a report. Those who also use state monies get a report forwarded to the Lansing office.

Shanafelt: back to the ones that don't have a checkmark. I took it that those in compliance had a check mark on the left, those not in compliance had a check mark to the right, but they are blank.

Murray: every property is in compliance with the exception of those that have information in the detail column.

Shanafelt: I see. For the internal spreadsheet, they just happened not to be checked.

Cram: all of those full reports are on file in our office if anyone wants to review them.

Murray: we've started to scan and send copies of the big PDR easements themselves. Sometimes they're 23 or 56 pages. I thought it was a good idea to keep shooting those out to folks so in whatever spare time they have they can review them and continue to stay familiar with the terms and conditions.

Shanafelt: to be clear, those property owners who buy the property not realizing there's an easement on it, it doesn't matter, right? The easement is still there. They have to come into compliance regardless.

Murray: yes. they are still subject to it.

Cram: that's why the annual monitoring is so important. Things change so quickly. I did have the opportunity to go out and meet with one of the property owners with Sally. It's an opportunity to build that relationship with the property owner and make sure they understand the details of their conservation easement.

3. Update on candidates selected to serve on Peninsula Township's PDR Selection Committee.

Cram: this afternoon at 2:30 we conducted interviews. We had 10 very qualified and passionate individuals apply for the five positions. I'm hoping I'll have an opportunity to work in another capacity with those folks who were not selected. There's lots of work to do to make improvements to our zoning ordinance related to agriculture. The five are Dennis Arouca, Rebecca Couch, Eric Dreier, Susan Tarczon, and John Wunsch. I will be reaching out to all the candidates to let them know what the results are, and I'm excited to start working. I hope to have our first meeting in late January, first part of February.

4. Public hearing via joint meeting with the parks committee on the newly drafted and updated Peninsula Township Five-Year Parks and Recreation Plan with action to be tabled to January 24, 2023, after a second public hearing.

Chown: the plan has been available on our website since January 6.

Rudolph moved to close the regular meeting and the joint township board and parks committee special meeting with a second by Sanger. Motion passed by consensus

Murphy moved to close the parks meeting and open the public hearing with a second by Butler. Motion passed by consensus

Public hearing opened at 7:27 p.m.

Chown: before we take public comment, I'd like to ask Parks Committee Chair Mike Skurski, Planner Jenn Cram, and Barry Hicks, the community planner from LIAA, Land Information Access Association, to give us an update on the timeline and next steps.

Skurski: back in 2017 we had a series of public hearings on the Bowers Harbor expansion. We came up with a lot of projects and a cost analysis. We did a very similar process for this 2023 plan. We used LIAA in early 2022 to query the public on what they're looking for and added more projects. During COVID, we used a web page and got a lot of information on community priorities. We worked with Barry and others to look at the cost structure and spending and revenues in the park system. Tonight is the first of two meetings. We have a document to give comments on. We think we've followed what the public wants. It's bathrooms in all the parks, trail improvements, and new playgrounds. We're also looking at anything else the public has brought forward such as the boat launch, the lighthouse, and some of the historic structures. We really need to have as much public input as we can get. We're trying to bring more into this plan than you see in the 2018 one.

Cram: this five-year plan is very important. It allows us to apply for DNR grants. It's important that it continues to stay relevant. In order to meet this next round of grant cycles, we have a tight deadline of February 1. We will conduct the second public hearing on the 24th, incorporate public comments or changes, and submit this guiding document. We're very grateful for the work Barry has done to move it forward in a timely manner.

Barry Hicks, LIAA: thanks to everyone for the quick turnaround. I'm going to walk through a few highlights. The plan is posted online on the township's website in draft form. The reason we're postponing passing this until the 24th is to be sure we are following proper procedures so that we are eligible for grant dollars this coming April. I was unable to get clarity on whether or not January 1 constituted the expiration of the last plan so I wanted to hold a second hearing on January 24 to give us 30 days from the December 24 posting. We drafted the funding feasibility study last year. That's when we got a lot of public input. We had 121 respondents to the online survey. We've now held at least two more parks meetings where input was received. You can go back and review the funding feasibility study. It has a lot more detail on some of the budget analysis we looked at as well as some of the capital improvement goals. Some of the other things you see on the screen are the administrative and organizational structure, the public input process, and amended goals, objectives, and action plans. These are required by the DNR whenever a parks and recreation plan is submitted.

Hopefully [on] the 24th we will receive a certified resolution from the board of trustees that will allow us to send a transmittal letter to the local planning agencies. Then we can submit everything through MI grants to the DNR for their review and you can apply for grants during the April 2023 round. If you want more detail about specific parks or facilities, accessibility, all that's on the plan. Overall township acres are 17,755, and acres of parkland are 1,192. Not every single one of those acres is under township ownership or operation, but a very significant chunk are. There is information from the 2010 census as well as the 2020 census. There is an aging-in-place population and also increased growth in population overall. The last time we went through this process, the parks had an elected commission. Now it's an appointed committee. For the purpose of your plan and any future grant applications, that doesn't really have any impact.

Murphy: regarding the the seven-member appointed parks committee, I would change that to "with one town board representative." Because it's not eight people; it's seven inclusive of Becky [Chown].

Hicks: thank you. Looking through the funding feasibility study, part of the appendices include the capital improvement projects. It was interesting to see some of the things that jumped to the top, like flushing bathrooms.

Part of the plan submission is a summary of your budget. Those numbers were already adjusted to account for COVID, which had a significant impact on your parks. Usage increased, but the lighthouse park saw a pretty significant drop in revenue. We adjusted everything in anticipation that it would return to normal going forward. Whenever you see "average annual revenue" or "average annual expenditures," that's an average of I believe the last three years adjusted for COVID. When we did that funding feasibility study, it was interesting to see that the current needs right now are about \$172,000 versus the \$87,620 that is set aside for parks. That's not just maintenance; that's everything. So there's a pretty significant gap. That potential capital improvement project list is at about 3.9 million. There's all kinds of capital improvements people want to see. Going after those grants through the DNR is one way to find some of that extra money. One section that will

get updated when I go back and edit the budget is to add some information specific to lighthouse park. It doesn't change the numbers necessarily but they'll be more specific to Mission Point Lighthouse Park because of the way it operates. It has its own revenue it generates. None of the other parks are like that.

In the plan, you can see where all the parks are located, including public lands that may not necessarily be owned by the township but are owned by other entities like the county or the state. We get more specific about who's responsible for what in the plan.

Some fun facts: six township-owned parks have about 160 acres or more, but there are actually seven parks owned and operated by the township. There's a lease agreement with the state of Michigan for Old Mission State Park that entirely surrounds the lighthouse park at the northern tip of the peninsula. There are three historic sites the township has some form of responsibility for in terms of budget and operation and maintenance. That brings your total acres to about 840.2 acres when you consider all the other land the township is responsible for maintaining. There's Power Island, which is county operated. Also mentioned are efforts with non-motorized plans that may include county or state roads. We didn't get into that in this plan but it's brought up as something to look into. The plan has three major goals that came out of the last two meetings with the parks committee. There are objectives underneath each goal. The idea was to be broad and encompassing; the objectives are much more specific. We then go into an action plan that describes projects park by park. All three of those things are required by the DNR if you want to be eligible to receive a grant.

Next steps: we have a public comment period January 24. Hopefully we'll see a resolution passed. Then the transmittal letters can be sent to the local planning agency and county. Then we'll submit the application online, including minutes from this meeting and the next meeting, so you have all your public input. Then we'll be ready to apply for grants.

Cram: if you're not able to attend the January 24 meeting, you can submit comments in writing at planner@peninsulatownship.com.

Chown: it's now time to open the floor for public comment.

No public comment submitted.

Chown closed the public hearing at 7:52 p.m. and reopened the joint township board and parks committee special meeting.

Chown: are there any comments or discussion among the two boards after hearing this presentation and reading this very comprehensive plan?

Sanger: is there a reason there are no toilets at Pelizzari Natural Area?

Murphy: the number one reason is that the town board at the time it accepted Pelizzari said there will never be toilets. The number two reason is there's no budget to maintain them. That park, based on its location, will become a stopping point for tourists just to use the restroom. Number three is that it's so heavily used by locals. The need for bathrooms may be a little bit less because of that. When you have no budget to maintain something that's going to get very heavy use, you're inviting problems trying to put something in that you can't maintain.

Sanger: it doesn't make sense. Sanitation is sanitation.

Shanafelt: no one's using the woods so we don't have a sanitation issue.

Sanger: we don't know that.

Shanafelt: have you walked Pelizzari?

Sanger: probably three-fourths of it.

Chown: many of the folks who use it walk from nearby neighborhoods. People typically are able to make it from their homes to the park and then back again. I actually went round and around with Dave [Murphy] about this years ago thinking we had to have a bathroom, but the more I thought about it, the more I walked that park myself, the more I talked to the folks who use it, the more I realized we really would be biting off an enormous problem because so many folks would just use it as a pit stop.

Sanger: my point is, we're concerned about people with handicaps. You might think of a wheelchair, but there are other types of handicaps that would preclude people from using that beautiful park. If it's monetary, then I think we should address it.

Murphy: when we achieved Pelizzari, the volunteers and the conservancy wanted a water source to take care of vegetation and to allow for the potential for restrooms. It was a flat-out no by the town board. Our parks have become busier, and we have one contractor who has a hard time keeping up with the needs at all the parks. The conservancy, our partner with Pelizzari, is opposed to a restroom for the reasons just discussed. It would invite use that we couldn't keep up with. The conservancy is not going to run a restroom. It's going to be a township responsibility. Under ideal circumstances, if we had park staff and could maintain it, yes, it should have a restroom.

Sanger: why don't you put it in the plan? If it's an issue, we should address it.

Skurski: I think there would be enough things ahead of it in priority. You could add it to the list but it's such a low priority that it's not something we need to focus on right now.

Shanafelt: the five-year plan is a valid document today that will evolve over the next five years. If and when we actually get a budget to do everything we want to do, then clearly this is going to be a component. It's not something we can solve today.

Sanger: we put in a portable toilet in at Archie Park without this concern. I think it's something we should surface because the public is going to ask why.

Shanafelt: a bathroom in Pelizzari was not listed by anybody in the survey.

Chown: Pelizzari is a natural area. Archie has picnic tables, a grill, a swing set. It's a place for families to come and recreate, and when you have families and small children, you need a bathroom. I see that as a very different usage with different requirements. It might be nice to have a bathroom at PNA but I don't think it's vital.

Milliken: you go to Pelizzari to walk around; you don't sit down or anything like that. Also, if you're coming from town, there are facilities close by. If you go a little further [north] past Pelizzari, there's the boat launch, there's Archie. It's not as though there's a huge gap. I think you might invite use having a bathroom there.

Murphy: the use pattern is very valid. Not everyone walks the entire park, which is three miles. Archie is a staging area; it has more bathroom needs. I think long term we'll have to look at bathrooms at Pelizzari but we're not going to get there in five years.

Rudolph: thank you to Barry for this work. I was happy to see the Kelley Park Boat Launch

on the list. I've heard a lot of public comment wanting that.

Chown: Kelley Park is a DNR-owned park that we lease. There are two leases, Old Mission State Park and Kelley Park. That will have to be updated in the plan, Barry.

Skurski: I want to point out to the township trustees goal number three, an objective to get a much better handle on the finances and start to make sure our priorities line up. We're limited in our funding. We have to leverage what we have as much as possible.

Achorn: I have nit-picking things I can email, but on the map, I think we should add the Dougherty House, the Hessler Log Cabin, and Mission Point Lighthouse. They are discussed but not on the map.

Skurski: we'll have to add those.

Dahl: we haven't mentioned the Veterans Memorial at the state park. It's not included but it needs maintenance.

Chown: yes, that's an oversight. Let's add that.

Achorn: can we add that to the map also?

Chown: Barry, what is your timeline? When will you need to receive changes so that we can get the draft back out before the January 24 meeting? Would Thursday by 5:00 work for you?

Hicks: if you got them to me by Thursday that would be great.

Murphy: this plan and the efforts that have gone into it are different from everything I've seen going back to the 1990s. Never before did we have a recording secretary, never did we have a planner involved, never did we have a town board member involved. We have seven appointed citizens who were hand selected by the township board so they could collaborate. I just want to compliment where we've arrived with this work. I hope it's a model for what we continue to do, that we don't take any steps back, that we always have a town board member and planner involved with the parks committee. I look at what we went through with the master plan. We really worked to get parks into that plan. It wasn't really referenced in the past. When you look at the [855] acres of township-managed land and these historical structures that are so important...I think this is a different animal we've created, and it took this kind of appointed group reporting to the town board with staff support and a town board member at every meeting to get there. So thanks for that.

Chown: thanks for not giving up on our parks.

Shanafelt: my compliments to the committee. I think you've done a great job.

Achorn: this is a vast improvement to the 2018 plan. I think we should be proud of it.

Rudolph moved to table action on this item until January 24, 2023, at which time a second public hearing will be held with the expectation that action will be taken that evening, with a second by Shanafelt.

Roll call vote: yes – Achorn, Chown, Rudolph, Shanafelt, Sanger

Passed unan

Butler moved to table the agenda item until January 24 with a second by Milliken.

Motion passed by consensus

9. Citizen Comments

Grand Traverse County Commissioner TJ Andrews: I want to check in and raise for your awareness three items. You're probably aware that we've had some changes on our

county commission. While we do not have changes in the leadership, the composition has changed substantially with five new members. The majority of members are new, and we have a bigger board, with nine members up from seven. The new commissioners bring enthusiasm for community service and for this board and the work we have ahead. I see enthusiasm among existing members to hear our voices and have us participate. I think across the board and with staff, there's enthusiasm that our county commission is going to become an effective board that tackles real issues in our community. We moved the meeting time from 8:00 a.m. to 9:00 a.m. We have asked staff to investigate the possibility of evening meetings at least occasionally so we can increase accessibility of this public body to the community we serve.

One item I anticipate we will spend a lot of time on is mental health and access to mental health services. I understand our county has taken the lead working with a consultant with five other counties that are part of Northern Lakes Community Mental Health to rewrite the operating agreement for that organization. I expect that'll come back to the board maybe in May. Hopefully we'll look at ways to improve how that organization operates. Second, we've reserved \$5 million out of our ARPA funds for mental health services in our community. I expect we will have some discussions in the coming months on how best to allocate those funds to make a meaningful impact. This was already a need before the pandemic; it's now far more exacerbated for people in crisis, for children, for people with chronic mental illness. These are issues we have an obligation to address and have neglected for a long time. I suspect this is going to be a prominent issue on our agenda this term and I would welcome your input, prospective, engagement.

Finally, I'd like to make the point to acknowledge and compliment and also thank the people who volunteer on citizen boards. This evening has been a great example of that. We have lots of committees just as you do, some more ad-hoc for short amounts of time, some permanent. It's a thankless job. It's hard work. It's lots of hours. It's immersion in details in complicated issues. It's rarely compensated. If it is, it's at a stipend level. In my experience and from what I've observed, people who volunteer on local committees do so because they believe in our community and put community first. I sincerely appreciate that. I am aware of a report that came out this week from the ACLU that raises serious concerns about how we treat community members who are appointed to county committees. It's hard enough to recruit people who are willing to give their time and serve. I'm concerned about anything that makes it harder or disincentivizes people. I encourage participation. We have lots of people in the township who are involved, and we have lots of opportunities in the county. I encourage you to sign up, apply, put your application on file. Our community needs to hear your voices. We welcome as much perspective as we can get. I personally am happy to sit down and discuss boards, opportunities, timelines, schedules, and anything else related to our county that will encourage participation and more perspective and voices. Thank you very much for your time. I look forward to partnering with the township in the coming months and to seeing those grants roll in.

Deputy Mugerian: I have some statistics. I've been updating the Next Door app and will continue to do so. I'll post our statistics for 2022 shortly. I just want to provide some

important statistics and information from January 1, 2022, to December 31, 2022.

Deputy France and I responded to a total of 1,086 calls for service. Complaints within the fourth quarter of 2022 include stolen vehicle, larcenies, shoplifting, crashes with injuries, domestic assaults, natural deaths, frauds, juvenile offenses, suicide attempts, the filing of a false police report, drag racing, and others. In 2022 we performed a total of 293 traffic stops. These stops resulted in 103 tickets being issued. As mentioned previously, local residents are responsible for approximately 80% of the stops we made, so please stop blaming the tourists. Deputy France and I will continue to enforce excessive speed, but we will also transition to different traffic offenses. A major one we've been seeing recently is people passing on the right. That's very annoying and also dangerous. This is your warning: if we see it and we can perform a traffic stop, you will likely get a ticket. Please refrain from passing on the right. Be patient.

Last, I want to touch on 911 calls. Deputy France and I carry department-issued cell phones. Those cell phones should only be used for non-emergency phone calls. We've received a lot of people calling to report a suspicious situation or something that needs an officer presence immediately. Please refrain from doing that. You can either call the 911 number or the non-emergency number. Use our cell phones in the event that you have a question or a non-emergency issue.

The Peninsula Township Fire Department also wanted to me to mention that they've had a lot of people contact their regular phone number to report a crash or smoke. Please call 911 instead. They've also had people drive to the fire department to report something. That wastes a lot of time. 911 response times are a lot better than driving to the department. If you guys have any questions, my phone number is listed on the township website. Feel free to give Deputy France or me a call. Hopefully 2023 is a good year.

10. Board Comments

Milliken: I saw the ARPA funds were distributed. Peninsula Township wasn't listed.

Chown: from the county? Yes. We applied but got nothing. We were very dismayed.

Skurski: because the normal park meeting would be scheduled on January 23, can we cancel the parks 23 meeting?

Chown: yes. If you have agenda items, we can add them to the 24th meeting agenda.

11. Adjournment

Sanger moved to adjourn with a second by Shanafelt.

Motion approved by consensus

Millikan moved to adjourn with a second by Butler.

Motion approved by consensus

Adjourned at 8:24 p.m.

Peninsula Township
Resolution 01-10-23 #1
Enforcement of Conservation Easement Violations

Whereas; Peninsula Township has adopted the Purchase of Development Rights Ordinance 23, as amended (“the ordinance”), by approval of the Peninsula Township Board on July 12, 2022; and

Whereas; the ordinance requires that the township shall monitor all properties with established conservation easements to ensure compliance; and

Whereas: the ordinance requires annual site visits for all properties with conservation easements held by the township to determine compliance; and

Whereas; monitoring contractors were directed by the township board to conduct a review and site visit of all properties with conservation easements to determine compliance with the terms of each conservation easement by December 31, 2022; and

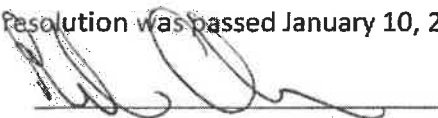
Whereas; the results of the 2022 Annual Compliance Audit were presented to the township board at its regular meeting on January 10, 2023; and

Whereas; the report submitted to the township board stated that 11 properties were not in compliance with the terms of their easements; and

Whereas; the ordinance requires that the township board shall enforce the terms of all conservation easements held by the township.

Now, therefore, be it resolved that the Peninsula Township Board directs township staff to develop a specific plan (the plan) for enforcement of the PDR ordinance(s), including but not limited to the compliance issues identified by the 2022 Annual Compliance Audit of Conservation Easements held by the township. The plan shall identify the township department(s) or other resource that will be responsible for implementing the plan as well as a timeline for its implementation. The plan and on timeline shall be presented to the township board by March 1, 2023.

This Resolution was passed January 10, 2022.



Rebecca Chown, Clerk



Margaret Achorn, Treasurer

File: Resolution 01-10-23 #1, Enforcement of PDR Violations