

PENINSULA TOWNSHIP

13235 Center Road, Traverse City
MI 49686

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Township Board Regular Meeting

February 13, 2024, 7:00 p.m.

Township Hall

Minutes – Corrections Made

March 13, 2024, by the clerk

1. **Call to Order** by Wunsch at 7:00 p.m.

2. **Pledge**

3. **Roll Call**

Present: Wunsch, Achorn, Sanger, Sanders, Shanafelt, Rudolph, Chown

4. **Citizen Comments**

Wunsch: before we open citizen comments, a few things. Alan Leman is here from the Grand Traverse County Road Commission; he asked to give an update during first public comment. Does anyone on the board object?

No board objection

Wunsch: if anyone is here for item two, public hearing on Peninsula Shores Special Use Permit #123, the applicant is still submitting information for review and asks for that item to be tabled until the March 12 meeting. We will not open for citizen comment for that item.

Todd Wilson, 782 Nehtawanta Road: three comments. First, I support your efforts in the WOMP [Wineries of Old Mission] lawsuit and your continued efforts to clarify and enforce zoning ordinances. You've been under a lot of pressure and sort of vilified recently and it's a difficult time to do your job. I also wanted to ask about the Friday Record-Eagle story about our previous attorney and the lawsuit. If anybody could please tell me and the rest of the township anything you know that would not violate any of your professional ethics or obligations... Last, I want to emphasize the letters you received, providing support and also asking the wineries to negotiate instead of litigate. If anybody would like to write additional letters, there's a template you can use on friendsofoldmissionpeninsula.org. Thank you.

Alan Leman: I'm your representative on the road commission. I discussed with Trustee Sanger in a couple of phone conversations the road commission's jurisdiction over the road ends on the Great Lakes. Our attorney and the County Road Association of Michigan's attorney thinks Michigan law is quite clear: the road ends are to be used as access and not for parks. They're not for beach fires, they're not for picnics, they're not for sunbathing. They are designed for emergency and non-emergency use to all citizens of Michigan. We encourage you, if you know road ends are being blocked, to have some enforcement people there. We support you in keeping them open. I understand that you have some

regulatory powers for things like parking within our right of ways. I think our board would be supportive of any ordinances the township would enact about certain hours and the limits of parking. If there's to be any enforcement of these ordinances, we really don't have police powers. We would not be enforcing them unless we saw something egregious like somebody blocking it and then we would probably call the sheriff's department or the state police. But unless it's really out of the ordinary, we probably wouldn't be involved. We would want to work with you to help you with problems you might have at the road ends. I've been told that people back their fishing boats in there if the site's accessible. That's okay. You want to carry your windsurfer in and out or kayaks. You want to walk the beach below the high-water mark where it's the public's property and not the property owners. Those are good access points. But it's not to set up picnic tables and make a road easement a park.

The other thing is Bluff Road. We had a good meeting last month about practical solutions and affordable fixes to reopen the road. We have some new leadership at the road commission behind our efforts to do this. We are going to look at ways to affordably get this road back into service. I believe we're gonna meet again next month. We've had some people within the township offer to help with specific fundraising ideas. We're really looking forward to getting some movement on that and getting Bluff Road opened back up. Thank you for your time. If you have anything you want to talk about, email me.

5. Approve Agenda

Chown: I have an amendment to G on the consent agenda. Under reports, it should be, "Parks Litter Collection," not "Parks Little Collection."

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

Approved by consensus

6. Conflict of Interest

Chown: I have a conflict of interest with item two under business and will ask to be recused for that discussion.

Cram: I'd like to give a brief verbal update as well under business if that can be added.

7. Consent Agenda:

1. Invoices (recommend approval)
2. Reports
 - A. Peninsula Community Library
 - B. Cash Summary by Fund
 - C. Revenue and Expenditure Report
 - D. Fire Department
 - E. Fire Department 2023 Annual Report
 - F. Ordinance Enforcement Officer
 - G. Old Mission Peninsula Lighthouse Park ~~Little~~ Litter Collection 2023 Annual Report
3. Minutes from December 11, 2023, Township Board Special Meeting, December 12, 2023, Township Board Regular Meeting, December 13, 2023, Township Board Special Meeting, and February 5, 2024, Township Board Election Commission
4. Grand Traverse County Board of Commissioners Meeting Notice for 2024
5. 2024 Annual Assessment Change Notices

6. Board of Review Appointment
7. Old Mission Women's Club Barn Sale
8. Old Mission Peninsula United Methodist Church Chicken Barbeque
9. Old Mission Peninsula Historical Society Log Cabin Days
10. Amendment to List of Election Inspectors Working at the February 27, 2024, Presidential Primary
11. Election Guidelines for Public Bodies in Compliance with MCFA (MI Campaign Finance Act)
12. Art and Mary Schmuckal Family Foundation grant award to construct sustainable trail at Pelizzari Natural Area
13. Correspondence
 - A. Dennis Arouca and Anne Treadway Arouca
 - B. Todd Wilson and Deb Crowe
 - C. Scott Phillips
 - D. Lissa Heald Skurnik
 - E. Judy Arnold
 - F. Louise Ladd
 - G. Bill Carruthers and Jim Carruthers
 - H. Jeremy Gibson
 - I. Pete and Kim Morrison
 - J. Molly Lewis
 - K. Dorothy Morrison
 - L. Anna Taylor
 - M. Ben Begley and Kathleen Wills
 - N. Elise Chapin
 - O. Diana Rowe
 - P. Sarah McKune
 - Q. Liz Lancashire
 - R. John Eaton
 - S. Ken and Susan Morrison
 - T. Brit and Amy Eaton
 - U. Jean Chapin
 - V. Jessica Ladd
 - W. T. Chris Remsperger
 - X. Sam Todd
 - Y. Jill (Gray) Hutchinson
 - Z. Jenny Magro
 - AA. Sally Van Vleck
 - BB. Nancy and Chris Shotwell
 - CC. Fran Bailey
 - DD. Susan Abrahams
 - EE. Lew Roubal
 - FF. Grant Parsons
 - GG. All correspondence contained within the January 9, 2024, Township Board Regular Meeting Packet

Shanafelt: I found two typos in the December 12 minutes. On page 5, Isaiah [Wunsch] says “Deal with these low timelines.” It should be “slow timelines.” On page 11, the second time I’m speaking, it’s written, “but he’s not one of us.” I actually said, and it matters in terms of the meaning, “and he’s not one of us.”

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

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

8. Business:

1. Peninsula Township Fire Department Awards (Gilstorff)

Chief Gilstorff: I appreciate you allowing us to present our annual awards for 2023 tonight. I have a host of dedicated firefighters. I'd like to thank them personally. They make my job easy. They enjoy working for this community, and I appreciate all their efforts. I'd like to start by going through the list of awards. There's a few of who aren't here. I will read what the award says to give them the accolades they deserve.

Lieutenant Kyle Sarber: receiving a fire department citation award in “recognition of hard work and dedication to the fire department team. Your leadership of the Department of Emergency Medical Services is much appreciated as you work to improve every aspect and spend hours training our staff in continuing education. Your work ethic to become a great officer of this department is admired. Completed Fire Officer I and II training and Fire Inspector trainings. Your dedication to become a good leader and improve our department is deeply appreciated by all our members. Job well done.”

Nick Haines: department citation award in “recognition of hard work and dedication to the fire department team. Your work ethic is deeply appreciated. You're a great asset to the department as you're always willing to try to fix any issue we have with department equipment, whether on the trucks or in the stations. You keep all the trucks in order and functioning properly and will work on any item you feel you can fix. Having you on the department makes our team better. The department appreciate your hard work.” He will fix anything. He's saved this township a ton of money.

Joe Sicoli: “For recognition of hard work and dedication to the fire department team. Your work in training the community, businesses, and schoolteachers in CPR and fire department staff in basic life support skills is greatly appreciated. Your willingness to tackle these tasks on short notice is admirable. The department commends you for all your efforts.” Joe does all our CPR training. He was instrumental in getting quite a few of the teachers over at the school trained in CPR, which is a big deal.

Cobey Taylor: “Recognition of hard work and dedication to the fire department team. Your work and training the community, businesses, and schoolteachers and leading fire safety events is deeply appreciated. The management of the department fire safety message is a large task that you handle well. Our community is safer because of it. The department thanks you for all your hard work.” Cobey ran the Touch a Truck event at the school this year that the kids absolutely loved. I heard nothing but good things about this event. I appreciate that and everything he does. He's also involved with the Peer Support Network

for mental wellness for first responders. It's great to have him as an asset in case one of our folks is struggling. He does a great job.

Laura Martin: "Recognition of hard work and dedication to the Fire Department team. Your work in completing Firefighter I and II training along with the basic Emergency Medical Technician is greatly appreciated. The department appreciates all your time and effort you put into completing these trainings and looks forward to you becoming a great asset for our department." That's a year's worth of training, two nights a week and weekends. There's a lot that goes into it for our new people.

Logan Shananaquet: "Recognition of hard work and dedication to the fire department team. Your work in completing Firefighter I and II training along with basic Emergency Medical Technician is greatly appreciated. The department appreciates all the time and effort you put into completing these trainings and looks forward to you becoming a great asset for our team." Same as Laura; he went through the program with her and put in the time and effort to get that done. It's nice to have young people getting into our ranks who will hopefully stay here for a long time and continue to serve this community.

Luke Miller: "Recognition of hard work and dedication to the fire department team. Your work completing Firefighter I and II training is greatly appreciated. The department appreciates all the time and effort you put into completing these trainings and looks forward to you becoming a great asset to our department. Great job."

The next one is a department citation for a response we had on August 12, 2023, where a boat got stranded on the rocks outside the lighthouse with a family aboard.

Cobey Taylor: "For actions taken on August 12, 2023. Peninsula Township Fire Department was called for a boat in distress near the lighthouse. The boat was stuck in shallow waters on rocks with a family of six on board, four of them children. You and the team's actions using Marine One to safely remove each person from the stranded vessel is commended. The fire department thanks you for your dedicated skill while wading through the water to get to the stranded vessel and willingness to help others out of harm's way. Great job."

Nick Haines: for his actions taken on the same day. Nick operated the boat, and it took a lot of skill not to damage the boat in shallow waters; our boat is kind of big. But he was able to navigate that back and forth with Cobey going into the water to utilize the floatation type device. One by one, he took the family off the vessel and got them onto our boat and then we took them onto shore, got them in a warm ambulance, then arranged for a ride home. Great job by Nick as well.

Luke Miller and Dan Drew were on that event as well.

Griffin Dunn: Griffin was with me on the beach at the lighthouse and we were watching through binoculars, assisting them to get to the boat.

Next was a boat fire in May.

Jordan LaPoint: "For actions taken on July 23, 2023. Peninsula Township Fire Department was called for a boat on fire in West Bay. The crew responded with Marine One to a working fire. Your actions in providing assistance to the operator of Marine One are to be

commended. Your actions and skills that day brought that situation under control rapidly. Great job.”

Grant Blackmer: “For actions taken on July 23, 2023. Your actions in operating Marine One were well noticed as you navigated and used our deck gun to apply water to the fire. The fire was contained in less than five minutes. Your actions and skills that day brought the situation under control rapidly. Great job.” The three of us were on that boat, and Grant has been here so long, I asked him if he’d ever responded to a boat fire and used the boat. He said, “No.” He did a great job and put it out quickly. It sank, but we put the fire out. Next I have some years of service awards.

Thomas VanderMey: “Recognition of 15 years of service to the Peninsula Township Fire Department and the residents of the township. The fire department thanks you for all your hard work and dedication to the Peninsula Township community. To provide service for more than 15 years is an outstanding accomplishment and deeply appreciated by the township fire department.”

The next one is for five years of service that basically reads the same and it's for Lieutenant Paul Lipke, who was recently promoted in October.

Joe Sicoli: five years of service. He was one of the initial batch of paramedics we hired before we started ALS. When he, Lieutenant Lipke, and one of the other individuals came, that allowed us to start the ALS program, which has been greatly beneficial. Of all the things we've been able to do since I've been here, getting ALS going has been the greatest benefit to this community. So for Joe, for “recognition of five years of service to the Peninsula Township Fire Department and residents of Peninsula Township, the fire department thanks you for all your hard work and dedication to the Peninsula Township community. To provide service for more than five years is an outstanding accomplishment and deeply appreciated by the Peninsula Township Fire Department.”

The last one I have is for Dan Drew for five years of service. Unfortunately, he chose to resign. I wanted to recognize him for five years of service and appreciate everything he did for the fire department.

Last is the Chief Richard VanderMey Firefighter of the Year award. I want to recognize his wife Pam, here with the firefighters. She does so many things for us, feeds us, is involved with our events and anything she can do. Thank you, Pam.

This guy has been on our department for three years. He came to us from Florida. I knew when I talked to him the first time, “This guy is good.” He got notice on a Friday, was here on Monday, sitting in the chair in front of us [for an interview]. He wowed us. [He’s] been awesome since he came here. So with that, the fire department’s firefighter of the year 2023 award goes to Calep Adams. Calep has been with the fire department since April 2021. He quickly established himself as a good team member, a dedicated individual, and a person who is trusted and relied on. During 2023, Calep passed his paramedic certification and became a great asset from a paramedic standpoint. He is dedicated to becoming the best paramedic he can be and has enhanced our paramedic service to the residents. Calep is willing to work whenever needed. He worked the most overtime of any member in 2023, many times with very short notice. I think he had almost 400 hours of overtime for the

year, which is a tremendous amount. Calep has great knowledge of the pumps on fire trucks and has worked to train others in the pump operations. He did a lot of work on the specifications you approved for the new fire engine. For those reasons and many more, it's an honor to name Calep Adams the Chief Richard VanderMey Firefighter of the Year for 2023.

2. Public Hearing on Peninsula Shores Planned Use Development Special Use Permit #123, Amendment #4 (Cram)

Rudolph moved to recuse Chown with a second by Shanafelt. Approved by consensus

Cram: the property owner has requested that the item be tabled. He would like some additional information to be considered by staff and legal counsel and included as part of the public record. We did advertise this as a public hearing, so it will save money on the legal notice if we table to a date certain of March 12. We did receive some public comment that has been included in your packet for reference. The applicant asked that I address the comments related to condition two of amendment three. There has been concern that the condition to plant a double row of evergreen trees has not been met satisfactorily. I have been out in the field and observed the trees: they are being watered, they're in good health, and they meet all the requirements of the condition of approval and the landscape plan that was submitted. The applicant went above and beyond. One row of evergreens is nearly 20 feet tall, so it exceeds the height. The trees are spaced 8 to 10 feet on center. As the director of planning and zoning and the zoning administrator, I believe the condition has been met. I wanted to address that concern this evening so that when we conduct the public hearing next month, we can save time.

Sanger moved to table the public hearing for Peninsula Shores Planned Use Development Special Use Permit #123, Amendment #4, to the March 12 meeting of the township board with a second by Sanders. Motion approved by consensus

Sanders moved to bring Chown back to the board with a second by Achorn. Motion approved by consensus

3. PDR Monitoring Report for 2023 (Cram)

Cram: there is a memo in the packet from Susie Shipman, who has been contracted by the township to monitor our PDR easements. She notes that all 120 parcels subject to both the purchase of development rights and donation of development rights contracts were reviewed in 2023. Assessments included both a physical assessment of the site, interviews with landowners as available, an inventory of land features and uses, determinations of compliance and contract terms, photographs, maps, and final report preparation. Of the 120 parcels, 22 are also subject to the ACEP agreements. Separate reports were prepared and delivered to the Michigan ACEP coordinator in Lansing. Final written reports were shared with landowners in January of 2024. These reports exist on file in the Peninsula Township offices and are available for review.

It was found that most properties are being managed in compliance with the terms of the conservation easement contracts. Violations were noted in the summary spreadsheet. I'm happy to report we only had two violations this year, both related to not recording the

appropriate note within the deed that transferred. I will be working with our assessor, Sally Murray, to reach out to those property owners and get those deeds into compliance.

Last, Susie has some suggestions on how to improve the program. One is a systematic review of all digital and hardcopy annual monitoring files to ensure files contain copies of original easements, easement amendments, baseline documentation reports, deeds, etc. Two is, following a transfer of PDR land, new owners are to receive a letter of introduction from the township program director and monitor with a copy of their easement and the PDR ordinance.

Third is implementing a tracking system for parcels within the Peninsula Township scenic viewshed to assist landowners and staff in understanding which parcels or portion of parcels are subject to viewshed restrictions.

I support these suggestions and look forward to working with Susie in the upcoming year to bring them to fruition. The attached spreadsheet provides a summary of the properties that were monitored, parcels that are subject to the ACEP-ALE [Agricultural Conservation Easement Program – Agricultural Land Easements], and the violation citations. Questions?

No board comments.

While we're on PDR, I would like to say that the appraisals for the applications that were submitted for round five are taking longer than anticipated. The new opportunity to sell not only residential development rights but development rights for a future farm processing facility or the like has proven to be more challenging than anticipated. I have been meeting on a regular basis with Laura Rigan from the Grand Traverse Regional Land Conservancy, John Wunsch, the chair of the selection committee, and Steve Nichols, the appraiser, to answer questions. Steve has the information he needs to complete the appraisal. We hope to have an update for you in the coming months.

4. Joey Jackson Development Sewer Closeout (Cram)

Cram: as a matter of housekeeping, Jennifer Graham [township engineer of record with Gourdie-Fraser] has reviewed all the appropriate documentation and prepared a letter. She noted that, in the past, items like this were placed under consent, but the property owner requested a more formal record. This item concerns accepting the sewer extension to the Joey Jackson development that includes the four lots off Center Road just north of Vineyard Ridge. The sewer line was extended there. Gourdie-Fraser supervised that installation to make sure it met our requirements. The township can now accept that sewer extension if you're comfortable with the information.

Achorn moved to accept this report for the Joey Jackson sanitary sewer extension with a second by Sanger.

Achorn: I'm glad we're doing this formally because it has an impact on our financial statements. We have to record that we are adding this piece of sewer to our list of assets, and it will be recorded in our audit for this year.

Sanders: I echo what Marge [Achorn] says, but out of curiosity, why did the owners want it on the agenda for discussion?

Cram: because they have certain commitments such as with bonding, so they wanted to make sure they were doing what they need to do to complete the process. They also have a land use permit for a single-family dwelling that they can't connect [to the sewer line] until the board officially accepts this extension.

Chown: if it's added to our list of assets, that's something we need to talk to our insurance company about, correct?

Achorn: I don't know about underground. We have to formally add it to our inventory of sewer property.

Chown: I will look into that.

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

5. Resolution 2024-02-13 #1, Peninsula Township Board Resolution to Sign Agreement for Collection of Summer School Property Taxes with Northwest Education Services (Achorn)

Achorn: this is a housekeeping item for Northwest Education Services. They used to be be **TBA**ISD. They've completed their legal documentation to their new name. They're updating records so they require us to formally accept this in a resolution. Normally TCAPS just sends us a notice and there's no formal acceptance.

Achorn moved to accept Resolution 2024-02-13 #1 authorizing the treasurer to sign the letter and the supervisor and clerk to sign the agreement [to collect summer school property taxes with Northwest Education Services] that was passed through a resolution with a second by Sanders.

Roll call vote: yes – Sanders, Shanafelt, Rudolph, Chown, Wunsch, Achorn, Sanger **Passed unan.**

6. Charter Township Discussion (Shanafelt)

Shanafelt: the reason this item is on the agenda is that, following our prioritization discussion, there are a number of items we wanted to discuss on a continuing basis. Moving to charter township or however you want to word it, funding our local government, was an item for discussion. The purpose of this initial discussion was to try to get a handle on what we believe we want to do as a local government, which in a lot of ways defines how we want to move forward with whether or not we'll move to charter township. Do we find some other ways to support ourselves or do we do nothing? It was the intent to get an understanding amongst ourselves and the public of the consequences of doing nothing. If we want to do something different than we're doing, what are the potential ways we could get there? And, again, what are the consequences of those different choices? This may be just the beginning of that discussion, but at least we can start with what are we looking for, with what we want to provide to our residents as a local government.

We essentially have three parameters to work with: quality, speed, and cost. In almost all situations, you can pick any two, but it's very difficult to have all three. If we don't do anything, what suffers? Is it quality or speed? If we want to try to reach a different level of

service overall, that's going to cost money. People are paying for the services we provide. The amount of things our planning department has to deal with is huge. Planning, as far as addressing a number of different aspects of what we do as local government, is the only support we have for getting those things. It doesn't affect everybody all the time. But when it does affect you, it's super important.

The other thing that is hidden is a treasurer's department that has a huge responsibility, is phenomenally complicated, and requires a great deal of institutional knowledge to execute. At its core, the treasury group and the treasurer are responsible for the funds that run the township. It's hugely critical to be correct so that everything works. Government structure in terms of accounting is very complicated; it's not like the accounting in the corporate world. It's more intertwined and egregiously difficult to work through. The simple effort of managing that is huge and maintaining that institutional knowledge is critical, as treasurers come and go over time. That department has to be staffed or we can't run.

The other thing of critical importance is elections. That is only the tip of the iceberg that the clerk is responsible for, and we haven't touched on the supervisor, who is easy to ignore. But I think that leadership role is critical because it all starts from the top. Putting it all together, dealing with the strategy, understanding how and thinking about the ways we need to address interesting issues like lawsuits, like how we plan for the future and think about what the community is going to look like, largely falls on the shoulders of the supervisor.

Planning is critical. Our ordinances need to be rewritten. We're already working on that, and we need to finish the master plan. We need to enforce our existing ordinances. If we do nothing in terms of raising funding, I think one consequence, and I'll be provocative, is that we go ahead and accept permit applications and SUPs and LUPs, but we put them on hold until we finalize a new ordinance.

We're significantly understaffed for even maintaining what we're trying to do. If we have a fixed budget, we can only work with the amount of money we have. I would frankly argue that we need to bolster the treasury department to ensure that transition is successful. We need to make sure the clerk's office runs [appropriately]. We need to make sure the assessor's department is going to be functional. We probably need another person to make that go. I can imagine reshuffling what we do to make those things happen, but the consequence is going to be no SUPs or LUPs are approved for 18 months to 24 months until we get the new zoning ordinances in place. And that's fine because that is a consequence of not funding what we need as a local government. If we don't want to provide that service, that's fine. That doesn't get to what's the right structure of government, but it does get to consequences about funding.

Sanders: I have loads to say about that. I don't think a moratorium on any of that –

Shanafelt: I didn't say moratorium.

Sanders: I know, but a stop is not the way to go.

Shanafelt: I agree.

Sanders: talking to Sally [Murray], the number of new sales that came into the township in just 2023 is huge. She hasn't published that dollar amount yet; you guys will see that soon. It's a lot of money and it's going to continue in 2024. So that's not the way to go, but there's a path in there somewhere.

I want to go back to the charter township study group. This is something that came in on an email from somebody in the public. It [the name] was a great way to get attention to get that group up and running, but because you brought in all the other pieces that are involved in the township – to quote you, “Everything goes back to money” – maybe we should rename it so it won't be so inflammatory.

Shanafelt: I don't think it's inflammatory. I don't care what it's named; the point is it's looking at what we need to do.

Sanders: that's fine. To keep everyone on the same page, looking to move this forward, maybe we take “charter study group” out; maybe call it “finance committee” –

Shanafelt: it's not a finance committee.

Sanders: whatever it is, it's going to sound better than “charter township” because that sounds like we've already made a decision and we're going that way.

Shanafelt: it was one letter from one person.

Sanders: but I also have my opinion on that. I would rather not see that name because I think it looks like we've made a decision, and I am not on that train.

Shanafelt: so what do you want to see in terms of our government?

Sanders: I'm starting to do a process map for the whole township with each office. How are they all interconnected? I think that once we can all see that and actually see how stuff flows through the office, we can start working off of that. I one hundred percent agree with you that those offices need to be fully staffed. They need to be staffed with people who know what they're doing and who can afford to work at Peninsula Township.

Rudolph: we need continuity of staff. You have to be able to pay your staff enough that they can stay. Otherwise they're going to head out somewhere else where they can make more money. It's important not only to have it fully staffed but also that it pay enough that people can afford to work here.

Chown: the fire department knows all about that. It's true for the staff in the office as well. My immediate observation when I was appointed in 2019 was that we needed to professionalize these largely professional positions. They are professional positions, and we are public servants. People come in because they need something. They need the land use permit, they need to understand their taxes, they need to register to vote, they need to buy a cemetery plot. There's so much that they need, and we want to provide these services. We are residents too. It's frustrating not to have adequate space to work in, but it's also not sustainable. My office is crammed. Election administration is getting ever more complicated and is always essential. It's incredibly difficult to administer three elections from my tiny office in Peninsula Township. I don't know what to do about that because we can't spread out. My deputy clerk and I are overwhelmed with work. We both work very long hours, evenings, weekends, and early mornings, and we still struggle to keep up.

There's too much for us to do, but we don't want to stop doing what we're doing because we're public servants. The sustainability issue is huge for me, but [I also want to continue] professionalizing. That means paying staff enough to keep them working for us and not going somewhere else. It's clear that our funding mechanism is woefully insufficient. But there's an issue of timing that I think is an elephant in the room. Is this the right time?

Sanders: going back to the money piece, hiring the right people, having the continuity, being able to pay a wage that allows people to work here and do their jobs, I was putting together a year-to-year comparison report of home sales, single-family homes in Peninsula Township. The median sale price was \$885,000 for 2023. The year prior it was \$784,000. And that was the median. That's just single family. Even if you're looking at the low end for something out here, you're not finding anything below \$385,000. Take that number and assume it's a single person and extrapolate what it's going to cost to live in that house at that price out here. Will a job in this township office be able to cover those costs? It just won't.

Chown: to emphasize what you're saying, the individuals by and large moving into the community have more wealth than the average individual. These people expect to have a degree of professional service and not to have to wait six months for a land use permit. They want to be able to come in and have service with a smile and we want to provide it, but it takes resources to do that. I think there is an expectation for service that we are struggling to provide because we're not being funded at a level that allows us to provide what an increasingly sophisticated and constantly growing community is seeking.

Wunsch: I think it's also important, as I've seen in my role for the last 18 months, to note that the past hasn't worked terribly well. This board has been caught by the frugality of our predecessors. Every piece of litigation this board has faced, that it's had to pour resources into defending against, has been a result of inadequately funding legal and professional resources in the past. We're in a situation now where we have a gap in public trust. We've had pushback against the idea of going to a charter township. I think there's a lot of concern on the part of board members about asking our residents for more. But I think it's important for our residents to understand that we got to the point we're at because we failed historically to adequately fund planning, zoning, and legal review. There are some things we can do in the short term to try to shore that up. Historically, Peninsula Township has subsidized development to a large extent. Our taxpayers have borne the cost of permitting large-scale development of things that in many cases they are not strongly in favor of. Something we've been working on is shifting legal and engineering fees to the beneficiaries of those projects. In 2018, we established an escrow policy to make sure our residents aren't subsidizing development. Even with those changes, there's a pretty significant gap between where we are currently and where we need to be from a funding standpoint to really do a good job as fiduciaries of protecting our residents from legal risk.

Sanger: you've all raised great points. Each has been a segue into the request for proposals that Armen [Shanafelt] and his team put in the marketplace in January. I want to highlight the scope of work and it's going to ring true to what you've commented on. The first scope of work is to review and analyze the current organizational and financial structures of the

township. Number two is to identify specific implementation alternatives. What we're looking for is help in terms of the advantages and disadvantages of remaining a general law township versus incorporating as a charter township. It could be staying a general law township with different ways of funding, such as setting a millage for each item we need. It may be a possibility to incorporate part of the township as a village. Number three is to analyze the current organizational structure and propose specific structural changes going forward, looking, for example, at the changes due to growth in population. Look at all the statutory requirements and obligations. Number four, based on the analysis, is to provide one-year, five-year, ten-year inflation-adjusted projections of the ability of the township to meet mandated requirements. Armen has highlighted those: assessing, elections, tax collection, planning, zoning enforcement. Also, the add-ons to non-statutory duties. These are tasks your government has taken on that state law does not require the township to do. But over the years, the people in the township have determined these programs make sense. I'm talking about our parks, cemeteries...the library to an extent is a separate part of our government but very much a part of it. The last piece really is to help us understand graphs and charts that will help us explain all this research and analysis to the board and public. That RFP is due to come in this week.

Shanafelt: I think the the deadline is February 15.

Sanger: the RFP went out to almost 30 organizations. A number of those are members of the Michigan Chapter of the American Planning Association. This is the type of work they do professionally. Our general counsel, Chris Patterson, recommended MSU programs to give you some idea. Of the 29 that have gone out, we've only had three come back saying, "We're not going to respond." I'm pretty optimistic.

Shanafelt: the reason we did an RFP is that our study group had done a bottom-up analysis and realized it was too complicated to address in a reasonable period of time. As Isaiah pointed out, we probably should have done something as far as figuring out funding mechanisms for the township years ago. Delaying another year and having a group of volunteers try to figure it out didn't make sense. What I'm hearing is that we do feel we need more funding to be effective. The question is, how do we get that funding? We can save that for another night. Once we see what these proposals look like, we'll be able to get one selected. The thing to consider is how to make that work and what is practical. One idea that floats around is to run a millage for everything. One issue is that someone, not the township, needs to lead that effort. Who is going to do that each time and try to get public support for that? That's also a very reactive way to try to get things funded. If you need something for x and you run the millage and you're successful, you get that funding, but say you really only need it for two-year period. It's not fungible, it has to go for that thing. The lack of flexibility with that approach is limiting. It does not allow one to be proactive; it requires one to be reactive. And in terms of professionalization, say we ran a millage and were successful getting one for operations. That'll be ten years, five years, however much we can get. It doesn't provide security for anyone we're trying to hire who is at the level of experience and expertise we're looking for. I see that as a huge issue in using a millage strategy. It's the lack of security and stability it implies. As soon as that

millage is not renewed, all that goes away. Again, I am not saying we should go to a charter township. What I am saying is, a charter township provides a functional avenue to make our government work. And I'm more than open to other ways of funding ourselves that are functional and practical. I just don't know what that looks like.

Achorn: these proposals are good, but what are we going to do now? What can we do that will sustain us until a solution is arrived at? One way it can be done now is through a Headlee rollback. That lasts as long as Headlee is there and goes down gradually like it has for the last 40 years or so. It's a short-term solution that will bring in perhaps \$300,000, maybe \$400,000 at the most, but it will help in the meantime while we come up with a long-term solution.

Shanafelt: it will help to alleviate some of the stress on the system, but it's not sufficient. It gives us a little bit but we still have to figure out what we really need.

Chown: it buys us a little time.

Shanafelt: it helps alleviate some of the acute issues. It doesn't really buy time.

Chown: it buys time for trees. I'm thinking specifically of my work on the parks committee and the fundraising I've been doing. Having \$300,000 potentially come in that we could siphon a bit off of to construct the trail we so desperately need at Pelizzari...That's hugely meaningful and concrete; it's something we could accomplish in the next year.

Achorn: I'm not sure there's money for that. This Headlee rollback money needs to support operations. Not parks, not anything else. Parks is draining at least \$200,000 out of the other funds that we have.

Shanafelt: this is a point I wanted to bring up earlier. Parks are near and dear to my heart; it's how I got involved in all this. One of the consequences of not doing anything is to essentially stop funding parks.

Sanger: we have a great success story with our fire department. The fire department was able to increase its funding and deliver the services we've heard about tonight. I sat at this table 12 years ago when the fire board struggled with how to obtain the funding to bring the fire department up to a level the township needed. We didn't have a question of what we should do; we knew the answer. The answer was to hire a professional chief and fund the department as required, and that's what you see today. I support a Headlee rollback; four tenths of a mill takes us back to one mill. In case the public doesn't know, townships started out with one mill 30 years ago in the early '90s. Headlee came in and over time that has been chipped away. It's now down to .61 I think.

Wunsch: we are victims of our own success. The Headlee rollback is more severe the more valuable our properties become.

Sanger: the only way you keep a township going, to provide the services the public needs, is number one through increased taxable value. That works; it goes up each year. New homes coming in, new properties being built, add to the tax base. But when you have factors such as retaining employees, being able to compensate them, offer them career growth, when you have changes in state laws that add to your job such as happened to the clerk with elections, and I can say the same for the planning department, how can we

make up what is happening? We're growing. The tax base is increasing but it's not keeping pace with the demand for services that come with that growth.

Shanafelt: one of the points we all are aware of but wasn't explicitly brought up is that the amount of taxes collected far exceeds the actual dollars that come into the township for operations. We get a tiny fraction. Even though home values go up, taxes go up, the net effect to us is incremental and relatively decreases. The intent of a Headlee rollback is for a general law township to stay a general law township and not get complicated. If we were a largely agrarian community, it makes perfect sense because you don't need the breadth of services that we are trying to provide. The difference is, we are not a largely agrarian community, and we have complicated needs for our community to provide.

Rudolph: in fact, we're less and less of a rural community all the time. Just looking at the growth here in the last 20 years, it's incredible the amount of people coming in, and we know there's property being sold and new houses going up all the time. The new houses are more complex, and the people coming here demand more services. And that's one of the issues that has been coming to mind for me. I've only been on the board maybe 18 months. It became apparent to me after a few months that we're still trying to run a township operation as if it's 1975 or 1980. We haven't grown with the growth of the population and the growth of the demands out here. That really is the crux of the problem. If people are going to demand the services, they have to be willing to pay for them and we have to find a way to make that happen.

Sanders: I think when election season is over, so early next year, that's when we get our next survey done. [The township is] going to be different in demographics and stuff like that. [It will help us figure out] how do people want their township to operate?

Chown: I like that timing. It gives us time to get that survey done and incubate the results a little bit and mull over what it means and what this community has an appetite for. And what it values.

Shanafelt: I think that's a great idea; a survey like that helps in thinking about the long-term plan. That's really what it's going to be good for. I frankly don't see how this survey is going to change the need for more funding for us to operate.

Sanders: It's not so much that. We know that that funding needs to go up. It's going to help the community as a whole better understand that the funding is needed.

Chown: it's part of the outreach and education.

Shanafelt: don't misunderstand me. I think it's hugely important to do. I just see it as two different issues.

Wunsch: I think our board has put a good amount of stock in the survey historically. I think a lot of the basic policy disagreements that I have with some of our residents are based on the fact that when I'm trying to make a decision about where I ought to go on the issues, I look at the survey. I hope the rest of the board members do the same. We have a limited number of data points we can use to inform our decision making. But even immediately after we had the 2019 survey done by one of the best regarded polling firms in Michigan,

anyone who disagreed with the basic results said, "It's completely invalid." The folks who are on the other side are still going to immediately question the validity of the survey.

Shanafelt: you'll never make everybody happy all the time. Why don't we stop this discussion here for the moment? I gather that all of us feel that in order to provide the necessary level of services and the number of services our community expects, we need more funding than we currently have. Eliminating the Headlee rollback is a short-term solution that allows some acute alleviation of some of the issues but it's not a final solution. I would argue one action item is figuring out how we do the Headlee rollback and make that happen.

Wunsch: we as a board are going to have to make a decision at some point relatively soon about whether we put any of these issues on the ballot. Headlee rollback would have to go on the ballot. Charter township might not need to go on the ballot. But I think there's consensus with past board conversations that the board would want to put that to the public. What's the deadline to get an item on the November ballot?

Chown: I think it's early summer for the November ballot. I'll doublecheck that.

Sanger: because the responses are due back this week, I'm hopeful we can go through them quickly and bring back to the board one or two, maybe three, of the respondents. I went through the highlights, and if we can get our arms around these issues in a reasonable period, that's going to factor into what we should be looking to do this year.

Wunsch: I would guess if we selected one of the applicants for the RFP process, we would be limited for the next couple of years to either the status quo or to the Headlee rollback. Based on my almost 10 years of experience with municipal government, I'm not optimistic we would be able to select an applicant for a consulting project and get a result before the board by summer if we wanted to put charter on the ballot.

Shanafelt: the RFP is not about should we go to charter. Funding is independent from the survey, is independent from do we put charter township on the ballot. It's related, but really, they're independent.

Wunsch: we need to understand that if there's an action that's going to be taken within the next election, it would need to be a decision we would have to make before we were able to get either a survey done or RFP completed.

Shanafelt: hypothetically, the analysis would help us understand how we structure ourselves moving forward in the context of charter township, what we should do, how we should consider staffing, organization, etc. A lot of this I see as preparing for whatever we do going forward. Again, charter township is a way of doing it. There are other ways of doing it, I think, with the RFP and what we're asking for. If we were to put charter township on the ballot and it got rejected, we would still have other options we could act on based on what we expect to get out of this.

Sanger: we're trying to fast track, to be able to do a deep dive into the operation of the township and substantiate what we've talked about in the last 45 minutes. But, again, this is news for the public. And the analysis done by this group, if we proceed, will really substantiate what we're all concerned about.

7. Supplemental Fee Agreement for Special Counsel on the Meihn State Court Litigation
(John Turck of Blaske & Blaske)

Wunsch: this is a fee agreement for the litigation that was recently filed on behalf of Peninsula Township by Blaske & Blaske regarding legal malpractice claims.

Turck: good evening, everyone. My name is John Turck. My firm is Blaske & Blaske. The board approved the pursuit of this claim, which has now turned into a lawsuit. I came up to the township board and met in a closed session meeting in early September. On February 1, 2024, I caused to be filed in the Grand Traverse County Circuit Court a legal malpractice complaint against the township's former lawyer Mr. Meihn and his partner Matthew Wise and their firms. The township previously hired me on a fee agreement that authorized the filing of the lawsuit but which contemplated a \$10,000 capped fee. That work has been done and now has resulted in the filing of a lawsuit. This proposed fee agreement that's in your meeting packet essentially would permit me to continue my work on behalf of the township going forward with a legal malpractice suit. Only recently was it sent to the defendants because it was only filed a little more than one week ago.

Conn [attorney from Fahey Schultz present by Zoom]: we have reviewed the standard contingency fee agreement. We didn't see anything that raised a red flag.

Sanger: I understand this is a contingency agreement, not a fixed price or a holding rate, and that's important. Perhaps one of the two lawyers could highlight that.

Turck: the township has the right to hire counsel on an hourly fee-for-services basis, which means an hourly rate multiplied by a number of hours worked, irrespective of result. In a contingency fee agreement, a lawyer is only paid for his or her time spent if there is a recovery earned for the client. In that situation, you are aligning as the client your financial interests with the lawyer, which is to provide a financial incentive to maximize the client's recovery. It allows the township to avoid the fees that are going to be many tens of thousands of dollars if this case is fully litigated. I can't give any prediction on how the litigation will go. It's too soon to know that. But I think it's safe to say that given what's already happening, what's already been spent in terms of time and fees in the winery's lawsuit, it's probably going to rival that in some significant way. There are pros and cons to both an hourly fee agreement and to a contingency fee agreement. If the township is confident it will quickly receive a significant favorable result, it's in the township's best interests to hire the lawyer on an hourly basis. If the township is wrong in that estimation, it may end up being in the township's best interests to hire the attorney on a contingency fee. But that's a decision that has to be made now, not at the end after everything is known. The board will of course do what it thinks is in the best interests of the township. What I would represent is a standard contingency fee agreement that is ethically aboveboard and I think lays out the obligations of the township and my firm.

Chown: thank you, John. I am comfortable with the contingency fee, and I think it is the fiscally responsible thing to do at this time for Peninsula Township.

Achorn: it looks like a signature is needed. I think we need some type of motion.

Sanger: I heard Mr. Conn say that he has reviewed this document and is comfortable with it; is that correct?

Conn: yes. We reviewed and we're comfortable with it.

Achorn: can you explain the \$10,000 and how that's going to work?

Turck: thank you. Before it was clear whether this legal malpractice lawsuit would be needed, the board began its investigation and consideration of this issue. At least as far back as June of 2023, the board wanted to be sure it had its ducks in a row and that it made sense to file a lawsuit, so it authorized the spending of \$10,000 towards my time to help get my perspective on what that lawsuit might look like and what the claims in that lawsuit might be. I spent that time, spent those hours. We spent more than \$10,000 of time but I'm not going to invoice the township for more because that was our agreement. If there's a recovery in a legal malpractice lawsuit, that \$10,000 fee will be credited dollar for dollar against any fee charged to the township for my time spent in that case. To draw a number out of the air, if hypothetically there was \$30,000 earned in the legal malpractice lawsuit, \$10,000 would essentially get deducted from that fee for money already spent, resulting in a total fee in that hypothetical of \$20,000.

Achorn: and we've paid none of that yet.

Turck: correct. But that's only because I've not submitted an invoice.

Sanger moved to authorize the supervisor to act on behalf of the township board in signing a contingency fee agreement with Blaske & Blaske to represent the client in connection with claims for damages arising out of an incident or event of legal malpractice with a second by Chown.

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

8. Litigation update from Chris Patterson

Wunsch: Chris Patterson had a conflict. Eric Conn is going to give us an update. John, while you're here, the thing that we've had a lot of questions about in the last couple of weeks is the litigation that was basically covered in item number seven. To the extent that either of you could fill in the residents on that, we haven't spoken about it publicly. Is there any update you would be willing or able to provide?

Turck: let me be clear, Eric and Chris and their good firm represent the township on the winery's lawsuit. The legal malpractice is mine. The legal malpractice lawsuit was filed on February 1 [2024]. The summons that is issued to each defendant requires that they be served with a summons and the lawsuit papers within 91 days of February 1, which is May 2. I have mailed the complaint and the summons to each of the four defendants, Mr. Meihn, Mr. Wise, the Gordon Rees firm, and the Foley & Mansfield firm. I think those went out on February 5, after I got the papers back from the Grand Traverse County Circuit Court. I mailed them to those defendants by certified mail. I have not received the United States Postal Service return mail process yet, but I'm aware that at least one of them has been received by one of the defendants. Typically what happens is they will hire counsel, contact your insurance carriers, reach out to me, and we will talk about the bigger picture going forward and what to do next. From the court perspective, after I receive notice that the defendants have been served, I will file certificates of service with the court essentially telling the court the defendants have been served. That will, through the court, initiate either a scheduling order, setting various deadlines for completing work in the case, or, more likely, for our assigned judge, Judge Charles Hamlin, to establish a status conference

date, essentially rounding up the lawyers to talk about the work that needs to get done on the case. I'll likely have more information to share in 60 to 90 days about who's appeared for each of the summons and what Judge Hamlin is telling us we will be doing. At this point that's all I have.

Wunsch: thanks, John. Eric, if you want to go ahead with your update on other matters on behalf of Fahey Schultz?

Conn: the Family Orchards litigation is pretty much status quo. Most of the summary deposition has been filed and briefed. We are waiting for action to be taken by the court, and as soon as we hear from the court, we'll have an update. Then there's the winery litigation. We were in court last week for that particular matter. There are multiple motions currently pending, some on the basis of being in court last week, and there was oral argument on some. There's oral argument that needs to take place on others and we expect that to be scheduled at some point in the near future. There's also a settlement conference coming up in Grand Rapids in March in that case.

Cram: planning and zoning updates. I am sorry to report that the planning and zoning administrator position is still vacant. We thought we had filled the position but it didn't end up being a good fit. We will be reposting that position. In the interim we will continue to use the services of Beckett & Raeder's Sara Kopriva, who will be helping me with both the zoning office and the planning office. The number one priority right now is the master plan. We have a master plan committee that includes Maura [Sanders] from the board, Randy Hall and Kevin Beard from the planning commission, Erica Primo with Beckett & Raeder, and myself.

I've been working with Sara since September; we've done a thorough review of the master plan. The planning commission received the latest draft from December 8, 2021. I asked them to review it and provide comments, questions, concerns. Comments from the planning commission were due Monday. I've received comments from most planning commissioners; we'll be evaluating those to move the master plan forward.

The plan is that Sara and I will incorporate comments in a format that allows the community to see the changes that are being made. It will be very transparent. We'll be working on a PDF so we'll have to be creative because it's not as easy to track changes in a PDF, but everything will be represented. Our goal is to get it back to the planning commission to make sure they're comfortable with it.

The number one concern right now is the accuracy of the future land use map because that guides us in how we want the township to look in the future. Our hope is to have this back before the board for adoption in April to meet our goal of getting the master plan adopted in the first quarter of 2024.

The first part of the second quarter, we will be bringing shoreline regulations forward. A shoreline regulation study group was formed as a subcommittee of the planning commission. There are 13 diverse people on that study group. We are meeting every other week to work through the issues related to our shoreline regulations.

The other thing I've been working on with Beckett & Raeder is an update to our stormwater ordinance. I hope to soon have examples to share with the board. I'll be working with Andy Smits with the drain commission and our engineering firm to make sure the updated stormwater ordinance meets our intents and purposes.

Building height is moving along. We have draft language that the planning commission will be looking at again. We held a public hearing at the January meeting and received comment. I'll be bringing revisions back to the planning commission and to the [township] board in March.

The next thing I will be focusing on is value-added agricultural amendments to the zoning ordinance, including signage.

I plan to bring you very quick updates at every meeting to keep you and the community informed of the work the planning and zoning department is doing outside of our day-to-day work of moving land use permits and special use permits forward.

Chown: when you're working on the master plan, do you need to take it back to the master plan steering committee or is that portion of the work complete?

Cram: that has been done. The master plan steering committee passed it off to the planning commission. The planning commission passed it off to the board. The board authorized the master plan to go out for review to outside agencies. That review period ended in February of 2022. We did receive some comments. We've been working behind the scenes to get other things done to move this forward. [Those individuals are] certainly welcome to comment and participate in upcoming meetings but they did an excellent job and it's a beautiful document. I'm really excited to get it adopted.

9. Citizen Comments

Grant Parsons, 6936 Mission Ridge: I appreciate as always the quality of discussion that's taken place. Some of these are just ideas for you to float on the various issues talked about tonight.

Before the meeting, I submitted correspondence asking for production of some records regarding this [Mari Vineyards] 5k run. If you are unable to comply or if you need a FOIA, let me know. I just wanted to keep it casual if I could. I'm asking for information about the application that should be completed by now for that 5k run. What is the mechanism to verify information? There's a question here whether this 5k run application, if it's been submitted, actually qualifies as a large event. Then it goes on to the large event ordinance that has a bunch of requirements for the applicant to satisfy before the permit is processed. As I understand it, 250 participants are the trigger level for a large event. If somebody misrepresents the number of participants to get around doing the application, all the health, safety, and welfare requirements to do a large event, is there a mechanism for requiring an affidavit of some sort, some sort of verification in advance, making sure that attestation of the size of the event is in writing so that somebody doesn't just casually after they have 500 people or 300 people show up say "Whoops, sorry"? I'd like you to think about the verification. And that would encompass a situation where somebody makes a bad faith estimate of an intended event.

The next point very briefly goes to Becky's comment about the parks. I live next to the hemlocks. It's a very important part of my life. That forest is going to come down if the roots are not protected. It's getting overused. The roots are exposed; the traffic is killing the hemlocks. I want to emphasize that point; those hemlocks are starting to come down.

And then finally the question about charter versus general law township. I assume MTA is able to provide a wealth of information and advice and counsel that would facilitate our

analysis. The question raised in relation to the charter versus general law township is whether we remain an agrarian township. It involves PDR. We all know PDR was enacted to help us maintain our status as an agrarian township. American Farmland Trust and the grandfathers of this thing really put a lot of effort into this. As Gordon Hayward said at the time, "Cherry trees don't call 911." The idea was, we were going to raise millions of dollars, which we are paying in taxes to maintain our agrarian status. But because of what we're trying to do as far as direct sales and changing the economic livelihood and sources of income for farms, are we killing our agrarian status and defeating PDR on one hand while taxing ourselves for PDR on the other? I just wanted to throw that out there. Again, thank you very much.

Nancy R. Heller, 3091 Blue Water Road: if there is such an urgent need for funds, you seem to be hesitant about making a decision until you get this person that is going to advise you. Why aren't you going out for an operating millage and the rollback for Headlee immediately? Why aren't you starting it? You're just, "We're going to wait and see." As far as charter township, I'm apprehensive about giving... We have what, seven people on the township board who may change every four years? You're giving permission to possibly unknown people to run this township. That's a given. That's how we operate. But the apprehension is cutting loose with up to five mills forever. I would rather see, which is tedious, individual requests to go on the ballot. You can put these things on the ballot. The residents know how long their financial commitment will be. I'm apprehensive about turning someone unknown loose with five mills. If that happens, only the very rich are going to be able to afford to live here. You have a large agricultural community. It hasn't been real great the last couple years. If an individual experiences a lack of income, how are they going to pay their taxes? They have commitments. You all run your own households. Some of you, businesses. We in the agricultural community, when hard times come, we tighten our belts. We look over the expenses. Have you looked over your expenses? Can the belt be tightened? I review the invoice list every month. Needless to say, I'm not privy to the complete operation of Peninsula Township, but I've been widowed for about 40 years and running businesses. Yes, I can use money every year. Yes, I have to delay things because the money just isn't coming in. I would suggest you do some soul searching about these things. Thank you.

TJ Andrews, County Commissioner District Seven: I just wanted to give you a quick update. As you know, it's been reported that the county commission has initiated an ad hoc committee consisting of Commissioner Sieffert, Commissioner Jewett, and myself to study other models for how to run a road commission in Michigan. This was decided at our January 17 meeting. It was not an item on the January 17 meeting agenda, but it also didn't come entirely out of the blue. To the contrary, I know it was an issue in Peninsula Township. The road commissioners' roadkill stance was the subject of numerous meetings and a lot of headlines. It was a subject of some time and consideration for members of your board. In the county's efforts to try to figure out what we could and should be doing about that situation, our board passed a motion last June to direct our administrator and legal counsel to look into alternatives or solutions to the roadkill situation, and I quote, "including the option for dissolution of the Grand Traverse County Road Commission." That decision passed six to three, a bipartisan vote last June. Since then, we have met with

our attorney; we've studied the issue. Our attorney has led counties through this process in the past. We have decided that while things have improved with new administration, we see systemic and long-term issues that have been building at the county road commission that are the result of what appears to be a system that supports cronyism by appointing commissioners for long terms with very little ability to oversee them. This is the only board we have such little control over once appointed. We don't control their budgets. We control the court's budgets, the sheriff's... Everybody else, we control it. We don't have almost any control [of the road commission] other than who we appoint. Michigan law changed in 2012 to permit counties to do this. So far in Michigan, seven counties have made the decision to switch from an appointed to a department or a county transportation department not unlike animal control and the health department and the building inspection permit department. Some other counties have also studied it and made the decision not to go that way. We also have the opportunity to convert to an elected board. Those are all the options. Our ad hoc has met. We are working with our administration to gather information and move that along. I wanted you to understand that it's a process that's ongoing. The decision in January when we made the motion to create the ad hoc was a unanimous decision of our board. It's an ongoing process and hopefully will lead to, if nothing else, some better understanding of what the alternatives are and what improvements we can make regarding the direction our road commission should be going.

We have a packed agenda of study sessions coming up in the next couple of months. We will be having a study session to consider our facility's master plan. The main issue there is a proposal to separate the county and city, to move the county out to LaFrainer and move the jail out to LaFrainer. That's a big chunk of the budget. I think there's some challenges around that part of the proposal in particular. It's really kind of presented at least as a package deal. It's going to take some work to see if we can tease out some lower hanging fruit. If anyone ever goes into the governmental center and you need to use the bathroom, you might notice there are none on the first floor of that building. You have to go upstairs or downstairs to use it. That seems like a pretty easy no-brainer. It's a project that's been put on the back burner for a long time and needs to happen. There are some similar things that we need to move forward while we think through some of these much bigger investments.

We also will be having a county study session regarding the housing situation and particularly the component of it that deals with summer nights at the homeless shelter, Safe Harbor. That's been an issue that's been widely reported on; the county was invited to the MOU on that. I brought the proposal to the county that we start by studying it first before jumping into that proposal.

Then finally we've got cannabis money that we're going to have a study session on this cycle to figure out how we want to invest those dollars.

I'm always happy to meet and talk about anything of mutual or divergent interests. Please don't be a stranger. Thank you for your service.

10. Board Comments

Ahorn: the first comment has to do with our deputies. A couple months ago, we were brought a proposal to authorize the purchase of a handheld speed detector that was

super-duty and could see through rain, snow, and fog. We authorized that. After that an anonymous resident donated funds for a second one. Each of our vehicles and each of our deputies will have one of these super-duty speed detectors. This last weekend, they were reading the directions and practicing, and they will be in force now, so beware.

The second comment is about reports from our litter control. We have volunteers who go along the roadsides at our lighthouse and pick up litter, from cigarette butts to unmentionables to furniture. I don't know how you can describe them.

Chown: heroes.

Achorn: they've grown in number and they have teams that do it now and I want to commend them. Like our fire chief, I think they deserve an award and applause. [Applause]

The third comment is perhaps some of you received one of these notices from the treasurer's department that said you still have not paid your taxes. And you said, "What in the world! I just paid them yesterday." This is the first year we've sent something like this. Last year when so many [overdue tax bills] were sent over to the county for collection, we were criticized to no end. "Why didn't you remind me? Why didn't you tell me I had forgotten?" It was my decision when, on February 1, we ran the report, and found that more than \$3 million was still not collected for summer and winter taxes on more than 1,500 individual parcels. I asked our staff to come up quickly with some type of report that would provide information that by the 14th, "Yes, you were on time," [or] "This is how much you owe." But after the 14th until the end of February, you would have additional interest that you would have to pay. I finished at 5:00 this evening answering all the emails and voicemails that I received. It's my fault. I sent the notices. We've taken sort of an impromptu survey. It's about 80 percent positive. We did help quite a few people, including me. I got two notices. And 20 percent raked me over the coals for wasting township money. We will refine this for next year. We tried to help you out. But with \$3 million still sitting out there, we knew we would be buried this week, and we have been. I apologize if I have offended you with my little letter. I take responsibility for it.

Shanafelt: hitting 80 percent approval is about as good as you can do.

Achorn: the problem was mainly that we had two people working with this printing of 1,500 pieces of paper. There was no time to batch them together because the system does not know your name or your company's name or match addresses and put them in order so that we could quickly put them in one envelope. I was criticized for wasting township dollars, but I felt it was worth it to do a service for all our taxpayers.

Sanger: it's another example of an increase in professionalism that requires more staffing. We're learning more that when we give good service, that's a good thing. But again, there's a cost to it. Not only financial cost but the time cost. It was a good move.

Chown: I was also going to mention the litter collection. If you haven't read the report, do. It's interesting, all the stuff they collect and how often they do it. And it is a tremendous service for everyone. I applaud that group.

I also want to call everyone's attention to the \$5,000 grant that Peninsula Township received from the Art and Mary Schmuckal Family Foundation to go toward the construction of the sustainable trail in Pelizarri Natural Area to save the hemlocks. The hemlocks are struggling and we're going to lose them. This is one of the only old-growth sections of hemlock trees in northern Michigan. It's very significant ecologically, and I'm

not about to let those trees die because we can't find the money to construct that sustainable trail. I've been working hard for more than a year and have raised almost \$100,000. We've got to keep going.

And Nancy, to your comment that you think this board is not prepared to put something on the ballot, I don't think that's accurate. I think this board is quite prepared to put the Headlee rollback on the ballot because it's something we can do quickly. And I repeat what I said earlier, it will buy us a little time and save the trees. I will be battling earnestly for that in the budget process that's coming up. We've got to do something more. The trees are our canary in the coal mine. I want to call your attention to the fact that there are people in this community working very hard to fundraise for things that our township budget cannot support. It means a lot and it means a lot in perpetuity. Not just today, not just for this board, but forever and for this planet. And it is worth doing and we need to keep the big picture in mind as we proceed.

Rudolph: we were happy to to host the fireman here and give out awards and things for them. We as a community are very lucky to have the professional fire department we have here. We gave rounds of applause to all the firemen, but I think we also need to give a round of applause to the fire chief. We have a professional man guiding this whole effort and it's really making a difference out here. [Applause]

11. Adjournment

**Sanger moved to adjourn with a second by Rudolph. Motion approved by consensus
Adjourned at 9:22 p.m.**