



PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686
www.peninsulatownship.com

Township Board Special Meeting March 7, 2022, 9:00 a.m. Township Conference Room MINUTES

1. **Call to Order** by Manigold at 9:03 a.m.

2. **Pledge**

3. **Roll Call**

Present: Manigold, Chown, Achorn, Bickle, Sanger

Absent: Wahl and Wunsch

Also present by phone: township attorney Meihn

4. **Brief Citizen Comments (for agenda items only):** none

5. **Approve Agenda**

Bickle moved to approve the agenda with a second by Sanger.

Motion approved by consensus

6. **Conflict of Interest:** none

7. **Consent Agenda:** none

8. **Business:**

1. Delayed uncapping for parcel ID No. 28-11-109-029-00

Manigold: briefly summed up the prior township board special meeting on this matter. Invited township counsel to convey the results of his research.

Meihn: asked for a few minutes because he was in court on another matter.

Brief pause.

Meihn: has researched the pending tax issue and whether or not there is in fact a pending tax issue.

Determined that there was no taxable event and nothing for the family or the township to worry about.

Achorn: can you provide that in writing?

Meihn: Yes, will do that today.

Achorn: what research did you base your opinion on?

Meihn: Michigan case law, our township statutes, our zoning ordinance, and three other local townships that have experienced this situation.

Bickle: 17 examples of Michigan case law if I'm not mistaken.

Meihn: yes, exactly 17.

Discussed his research.

Achorn: can you give it to us in English?

Meihn: the vagueness of the law allows the township to decide whether or not this was a taxable event.

Bickle: so the township should make a motion to decide whether or not to tax the parcel?

Meihn: No. Because the township does not need to treat this as a taxable event, the township doesn't need to do anything, including make a motion.

Bickle: supports accepting the attorney's verbal decision.

Sanger: wants to emphasize that the township has been in communication with the county. We need to make sure that everyone knows we have made a legal determination.

Bickle: This is why we need a written opinion. The point is, if there's no taxable situation, there's nothing to tax.

Manigold: so do we need a motion?

Meihn: no.

Bickle: does everyone concur with this position that there's nothing to tax?

Board members all concur.

Virginia Coulter: will you send us a letter?

Bickle: yes. This is the right thing to do and a nice conclusion for a longstanding farm family.

Meihn: will send the written opinion to Becky to disperse.

9. Citizen Comments: none

10. Board Comments: none

11. Adjournment:

Bickle moved to adjourn with a second by Sanger.

Motion approved by consensus

Meeting adjourned at 9:17 a.m.