



PENINSULA TOWNSHIP

13235 Center Road, Traverse City
MI 49686

www.peninsulatownship.com

Township Board Special Meeting

March 28, 2023, 7:00 p.m.

Township Hall

Minutes

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

2. **Pledge**

3. **Roll Call**

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

Absent: Wahl

4. **Citizen Comments:** none

5. **Approve Agenda**

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

Motion approved by consensus

6. **Conflict of interest:** none

7. **Consent Agenda:**

1. Invoices (recommend approval)

2. Minutes from March 14, 2023, Township Board Regular Meeting

3. Old Mission Peninsula Historical Society request to hold annual Log Cabin Day celebration at Mission Point Lighthouse Park on June 25, 2023

Rudolph moved to approve the consent agenda as presented with a second by Sanger.

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

8. **Business**

1. Second public hearing on fire fund millage rate for next fiscal year

Wunsch: closed the special meeting and opened the public hearing on the fire fund millage for the next fiscal year.

Chief Gilstorff: I'm sorry I couldn't attend the last meeting due to illness. Thank you to Jenn Cram for giving my PowerPoint presentation. I already talked to the resident who asked the questions last time. One question was, am I still being paid \$100 each time I attend a run. The answer is yes; it's part of my contract. I responded last year to 29 of these significant events. As we've increased staff, my need to do that has lessened. As far as where I rate in the county with salary, a chief elsewhere in the county did a study a year or so ago and I came in third. The budget is balanced. There's extra money in case something happens and we need to dive into it. As the supervisor stated, the millage rate will stay at 2.6. Any questions?

Chown: for the benefit of the residents here tonight and those who are listening, can you please give us an overview of the union contract that's expiring and what we can expect next

year.

Gilstorff: thanks for bringing that up. It expires March 31, 2024. We are required to start negotiations for the next contract by December 1. I'd like to see that start a lot earlier. Having studied other area contracts and wages and so on, I want to get going on this and hopefully settle it sooner rather than later. We still have two fulltime spots to fill and we need to be competitive with what we're paying folks. We're all trying to steal from the same pot. We need to draw interested people. We've done a lot of good things but we're not yet where we need to be to keep the three stations staffed 24/7. The negotiations are going to be complicated and it's going to take a long time. I strongly suggest the board pick those people who are going to negotiate this. I did talk to the supervisor about the law firm we're going to work with. I had a conversation with Lizzie [Helen Mills from Fahey Schultz]. She has dealt with quite a few contracts up here. I am pleased with that. The union wants to get going on this as well. It will ease everybody's mind. From a budgetary standpoint, it also helps me.

Chown: that's why I brought it up. The current contract is good for this upcoming year and then it expires. We're good for this upcoming year at 2.6 mils.

Gilstorff: correct. That's not going to change. But the negotiation coming up could be long, with a lot of back and forth. The sooner we get on it and start figuring it out, the better for everyone. I appreciate the time everyone took to see my budget and how much time and thought I put into it. Without the support of this community, we wouldn't be where we are now. But we still have things we need to do.

Wunsch: any public questions or comments on the fire millage rate?

Nancy R. Heller, 3091 Blue Water Road: thank you to the chief for the time and patience he took to answer my questions. I'm still hung up on the salary. His base salary is \$102,000. I think the \$100 cost should be a separate line item because it is separate. Many times people seek information regarding salaries. Unless they see the chief's contract, they won't know so it should be separate. Thank you.

Achorn: starting April 1, I can add that line item and will coordinate with payroll.

Sanger: my recollection is that when we sought a new chief years ago, part of the package was \$5,000 if you were a resident. That should be on the public record. I want to recognize and thank our chief.

Shanafelt: there is a line item for Peninsula residency bonus.

Sanger: did I miss that? I'm sorry.

Chown: all of this is in the chief's contract. It's not something we decide to do or not do each year.

Achorn: it's not only for the chief. It's for all...

Gilstorff: we have a \$2,500 residency bonus for a firefighter paramedic. Currently we don't have any residing in the township but hopefully that will change before long. The money for going on the runs does show on the payroll. It is broken out there.

Heller: as I stated before, this is no reflection on the chief. He has done a fine job. I want it made clear I'm not questioning what he makes; I'm only questioning how it's presented on the budget.

Wunsch: closed the public hearing on the fire fund millage rate and resumed the special meeting. Closed the special meeting and opened the public hearing on the police fund millage

rate for next fiscal year.

2. Second public hearing on police fund millage rate for next fiscal year

Achorn: the first two pages in the packet, fire and police, were from the first public hearing. The second time, when you find police, note the change for the electric speed sign management as determined at the prior hearing. It went down from \$4,250 to \$1,500. Once again, the millage stays the same at .23 mils. No change from the prior year.

Wunsch: any board comments or questions?

Shanafelt: we're approving the same amount as last year so it feels like enough. My question has more to do with the concept of enforcement and also ordinance enforcement. We're looking to do better with that. Does our sheriff support help us with ordinance enforcement?

Wunsch: not generally but they will accompany township staff if they feel there's a safety issue.

Shanafelt: or in a short-term rental situation if people are misbehaving, presumably. Maybe we should increase the millage to cover a third officer. Short-term rentals are only going to get worse. I wanted to bring it up for conversation.

Sanger: I wish Lt. Brinks were here tonight. Lt. Oose, the previous patrol lieutenant and departmental director, said the role of the CPO is to assist the ordinance enforcement officer. I've had terrific support from our CPOs. The one technicality is that ordinance violations are prosecuted by the township whereas a normal citation by a police office is prosecuted by the prosecutor's office. We end up with a little bit of an issue.

Shanafelt: are you saying it's a good idea?

Sanger: we are getting support. If I need help when neither of our two CPOs are working, central dispatch sends out an officer. I like your idea, but given that we have additional funding here, we could look at our after-hours needs such as at the boat launch after fireworks, for example, or at our parks. We could perhaps obtain additional hours for when the police officer is the only one who can do the job. In tonight's parks ordinance, we've done a good job of specifying who can take action in our parks.

Wunsch: we'll be setting up a three-person negotiating team with the fire department. We can flex up or down in the millage rate, and we have a fund balance right now. We're between CPOs at the moment and have the option of increasing if we want to. My preference is to put a bit of pressure on the sheriff's department to demonstrate that it can staff up.

I don't know if you're all aware that Sean Megurian is leaving us. He's moving to Long Lake Township, and there's an opening for a CPO, so he's taking that. In preliminary conversations with Lt. Brinks, the liaison for the sheriff's department and the townships, we're looking at bringing someone in who can do more of that after-hours work.

Township discussion.

Wunsch: closed the public hearing on the police fund millage rate and resumed the special meeting. Closed the special meeting and opened the public hearing on the general fund budget for the 2022-2023 [actually 2023-2024] fiscal year.

3. Public hearing on general fund budget for fiscal year 2023–2024 [these are the corrected dates]

Achorn: your eyes will go blind if you look at page after page. I provided a summary of the totals for each of the departments and funds thereafter. Rather than go through each one, I will assume you have looked at them and can ask questions.

John Dolton, 10862 Eagles Landing Dr.: confirmed that this is the 2023-2024 budget discussion.

Chown: yes, this is a misprint.

Dolton: my concern is with the legal fees. We had nearly \$637,000 in legal fees at the end of the year. Only \$54,000 were matched against the budget at \$46,000. That includes \$493,000 in WOMP expenses. This next year, we're only budgeting \$250,000 for next year, none of which is under the WOMP line item. That seems surprising to me with a trial coming up.

Achorn: I don't know where the legal fees are going to be. It depends on what happens day by day and month by month. So it is only on the main line and not sub-classified.

Dolton: so you're comfortable budgeting \$400,000 less next year in legal fees than you spent this year?

Wunsch: we essentially had a gap in legal coverage where the township was not fully satisfied with the legal coverage provided by the insurer and a number of issues came up in the brief period between the preliminary decision [in June of 2022 by the federal judge] and what was an impending August trial. There was a lot of research and prep work needed for what was anticipated to be an August trial baked into that budget. We've also been negotiating with our insurance carriers to provide some stepped-up legal coverage. Marge and I discussed it and are comfortable significantly reducing the legal budget for next year because we feel we have better insurance coverage now. We were concerned that with the track we were on, if we didn't dip into general fund reserves, we would be exposing the taxpayers to a lot of financial risk if things had gone to trial last August.

Dolton: thank you for that explanation. I appreciated Marge's comment earlier as well. I see that she has that \$250,000 in one line item.

Achorn: when the bills come in, they'll be classified. Regarding the actual revenues versus the projected ones from a year ago, we had increased revenues from the 1% property tax administration fee. Additionally, the state decided to give us an extra bonus for the COVID years, so we had an increase in state funding this year. This year, it will go back down again, but it helped us this year. Also, interest rates have gone up. We haven't gone into our savings account. We have only worked with our general cash accounts.

Susie Shipman, 14735 Shipman Road: quick question to follow up on John's comments about the legal fees. I appreciate the transparency of noting what these legal fees are tied to. I think that's important in our community. To that point, I want to confirm, when the planning department goes through applications and has legal review, that's captured in the line for legal in that department and is completely separate from the township board section. Also, in the planning budget, there is a line specific to one entity, Mari Vineyards. It's in planning and also in the general legal fees. I'm curious as to why Mari Vineyards is in the planning budget and also general legal fees. I'm curious as to why it's in planning and in the other budget with significant numbers.

Achorn: I think the one in planning had to do with a specific issue...If it had anything to do with a SUP, it was in planning.

Susie Shipman: as a general comment, I'm glad to see there are some bumps in salary in a few different places; they are well deserved.

David Taft, 952 Neahtawanta Road: I'm still trying to understand. The moratorium that was put in place, the first one, expired last July?

Cram: correct. But the most recent moratorium that was adopted as a zoning ordinance amendment expired February 15, 2023.

David Taft: that was the six-month extension of the first one?

Cram: no, that one was adopted as a zoning ordinance amendment and had its own timeframe. The police power moratorium that was adopted prior to the zoning ordinance amendment – because there were questions about transparency and process – was an extension to the original resolution. There were actually three moratoria: there was a resolution and then there was one police power ordinance and then one zoning ordinance amendment.

Taft: I'm not trying to waste time. I'm trying to understand the process and get to the facts. As I understand, during the moratorium, Family Orchards sued you in federal court – same court, same judge as WOMP – saying he felt his rights were interfered with. In October, he sued you because he wanted to go ahead with his SUP. As a citizen, I really feel you guys were caught between a rock and a hard place. You have a judge and a lawsuit and how can you go forward and take an SUP when you have an ordinance that's in flux? I'm trying to understand. The typical time to prepare an SUP for approval, on the fast side, would be four to six months?

Cram: yes.

Taft: the fact that he presented a lawsuit in October on an ordinance or amendment to an ordinance that lasts six months and to end in February – he might have spent his time more fruitfully preparing his SUP, correct?

Cram: one could assume that.

Taft: I want to bring it up. It seems logical to me. I see you've now separated those legal fees as separate fees. Do you feel those fees will balloon? So far, we have \$18,000. Will they balloon in the next year? Why doesn't someone tell him he can prepare his SUP? He can present it now, correct? I'd like to make sure that's in the record.

Number two, I have the same question as relates to Mari Vineyards. When did he file his lawsuit? His suit is a state suit rather than a federal suit. He's using the same lawyer as WOMP. Is that correct? I want that in the record too. When did he file?

Wunsch: we were served on March 23, 2023.

Taft: when did the moratorium expire?

Cram: February 15.

Taft: wouldn't his time be better spent working on his SUP?

Cram: I don't know how we can address this without exposing details of the lawsuit.

Taft: I'm not asking for details. I just want the public to know that he could be spending his time better on an SUP rather than suing the township, which he has already done once. I'd like that to be in the record so the people can read that. Thank you.

Nancy R. Heller, 3091 Blue Water Road: this is not an amended budget. It's a true factual budget but not an amended budget. I hope you can answer this question. I was under the impression that the insurance company retained Greg Meihn. Is he still their attorney? It's okay if you can't answer it.

Wunsch: I believe it's public record. He's no longer listed as an attorney on the WOMP versus Peninsula Township litigation. It's also fair to say publicly that during the time I've been township supervisor, I haven't spoken with Greg Meihn even though he was listed...

Heller: who is the attorney now through the insurance company?

Wunsch: Tom McGraw. I can look up his firm.

Heller: I appreciate knowing for the record the name of the attorney and firm.

Sanger: he has an office in Grand Rapids per my recollection.

Wunsch: it's a relatively new appointment.

Heller: you can give the name of the firm later.

John Dolton, 10862 Eagles Landing Drive: when the insurance company reimburses some of our legal fees, how does that get recorded?

Achorn: all revenues are listed under revenues. If they were legal reimbursements, they would appear there.

Dolton: so in 2022 and 2023, we did not get any at all.

Wunsch: no. we were concerned about protecting the financial and policy interests of residents so we took action more hastily than our insurance company was willing to. We were looking at that August trial date, and it took our insurance company until a few weeks ago to come to the same conclusion. I don't want to speak for the whole board, but I feel like that was a good choice even though it was an expensive choice.

Dalton: [some words are unintelligible] seeking reimbursement?

Wunsch: I'll certainly be pushing for it. Closed the public hearing on the budget for 2023-2024.

4. Designate \$10,000 for work on the Kelley Park boat launch concept plan and \$18,000 for comprehensive signage to the Parks Fund from ARPA funds (Achorn)

Achorn: when we were looking at the parks budget, we saw that we had the opportunity to use ARPA funds for some of these smaller projects, but we need a special vote to designate them accordingly. We've already designated \$30,000 for the north playground at BHP, which is here and waiting to be installed. This request is for formal approval of use of the ARPA funds.

Achorn moved to use \$18,000 of ARPA funds for the parks signage project and \$10,000 for the Kelley Park grant application with support by Shanafelt.

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

5. Appropriate \$10,000 from Tower Fund to Parks Fund to replenish cash bank account to cover ongoing operational expenses (Achorn)

Achorn: as I was going through the detailed numbers and looking at the bank balance, I didn't want parks to run out of money before March 31st, so I'm requesting that we appropriate \$10,000 from the Tower Fund to put in the Parks Fund.

Motion by Achorn with a second by Rudolph to appropriate \$10,000 from the Tower Fund to the Parks Fund to replenish the cash bank account to cover ongoing operational expenses.

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

6. Proposed increase in cemetery rates for non-residents (Chown)

Chown: we last increased our cemetery rates two years ago. We barely nudged the resident rates up at that time but we sought and implemented a higher increase for non-residents. Our acreage is limited, even though we are expanding the green section this year. Interest is great at these beautiful memorial parks and needs are great too, as we have maintenance needs we have not undertaken in many years. Because they require perpetual care, because it is our obligation to provide that care, and because we do not have a dedicated budget for cemeteries, Marge, Isaiah, and I felt it wise to raise the rates for non-residents.

Please see the proposed rates on the information in the packet.

We added a line item this year called Perpetual Care Fund. Going forward, one-third of the sales price of every plot that's sold will go into this restricted fund to be used exclusively for the care of our cemeteries.

We've also never had a cemetery ordinance, but I've been working with an attorney with Fahey Schultz and expect to bring that forward in May.

Rudolph: can we name the cemeteries?

Chown: yes, the one on Peninsula Drive just north of here is Peninsula Township Cemetery. It's the newest cemetery, created in 2010, and it was prescient of the individuals who worked to create this cemetery – Mary Swift, Nancy Heller, and others – to research and create a green section. We also own and oversee Ogdensburg Cemetery next to the Methodist Church on Center Road and Bohemian Cemetery at Neahtawanta. The rates would apply to all the cemeteries but we don't have any plots available at Ogdensburg or Bohemian.

Rudolph: so Seven Hills is the only cemetery that has plots available.

Chown: correct. Seven Hills changes into Peninsula Drive before you reach the cemetery.

Rudolph: can anyone tell me the status of the cemetery at Bagley Pond? Is that township property?

Chown: I think it is. I need to talk to Bob [Wilkinson, cemetery sexton] about that. It's been on my list. You're talking about the cemetery in the village of Old Mission, correct?

Rudolph: Yes. there are some old graves there.

Chown: I believe it was privately owned and then there was a change of ownership and the cemetery had to be assumed by the township. I think.

Sanger: these costs are for the land –

Chown: they're not for the land. The land is owned by the township. They're for the right to bury –

Sanger: that's right. We all know there are additional operating costs involved in burials. Grave opening and closing and so forth. As you manage the cemeteries, does the family deal directly with Bob, for example, or does the township have a standard set of fees in terms of these services?

Chown: we sell the burial rights and we pay Bob an annual sum to be our sexton of \$4,000/year. Above and beyond that, he has opening and closing fees and deals directly with the family and the funeral home. We don't deal with that but I know what those fees are.

Sanger: do you have standards regarding body burial versus cremains?

Chown: oh sure. All that information is available on our website. The website isn't as comprehensive as our ordinance will be, but it gives a good idea of what is allowed and of how to proceed. I update it pretty regularly.

Sanger: I applaud you and Marge for adding the concept of perpetual care. It's easy not to think about. It's a great idea.

Chown: we have a little bit of money right now in the Cemetery Fund. It's been a busy couple of years and we've sold a lot of plots, but Bob has been so busy – he's our maintenance man for the entire township as well as sexton for other cemeteries in other townships – that he hasn't had time to make these improvements. The money has been sitting and it's waiting. We will make some significant improvements this spring at Peninsula Township Cemetery. We will also

fix the split-rail fences at the other two cemeteries. We took out dangerous trees a year ago and cleaned things up considerably, but these are memorial parks and they need care too. It's a lot more gratifying for folks to go there and reflect and feel a sense of peace and beauty when the properties are well cared for.

Shanafelt: I second Dave. It's great to have this perpetual care fund set up. Is the idea for the fund to last forever? Have we done financial projections on what the costs will be for all the cemeteries and is the revenue we will bring in sufficient to fund them in perpetuity?

Chown: it is not.

Shanafelt: then we need to raise the rates.

Chown: I don't see any way to do some of the improvements that are desperately desired. There's been talk since 2010 – when the township board approved a plan – to construct a rural columbarium, but that's a very expensive undertaking. There's never been money to do it.

Sanger: I can tell you from my work down the road that a columbarium is a very expensive proposition, but it does address issues of land use and running out of space down the road.

Chown: that's just it. We could conceivably accommodate people forever with a series of columbaria, so I'm beginning to research that and I have people coming up to chat with us. I do think there would have to be some hard thought given to creative ways to bring in more money.

Wunsch: regarding the perpetual care fund, there's a finance project that needs to be undertaken where we look realistically at the forecasts and future costs of maintaining these cemeteries.

Shanafelt: my reaction is that these are incredibly modest increases and we should think about the fund concept in its entirety. The other place to potentially get funding is from Bob's work. I'm not saying reduce what he gets but increase that fee so the township gets a piece of it. I actually don't want to approve this fee increase now because I don't think it's right yet. We need to get a better handle on it and what better numbers might be.

Wunsch: to be fair and totally transparent, we hadn't thought about a perpetual care fund until Becky became the clerk. Our cemeteries have basically operated as a Ponzi scheme where the people buying plots today are funding maintenance for everyone so we do need to look at forecasts realistically and figure out how to achieve that, whether it's plot fees or other fees. I don't feel good about leaving an ongoing financial burden for others to deal with.

Shanafelt: I do think the non-resident differentiation is really important. We're far below the ceiling on what that price could be.

Sanger: I would add too that the columbarium is something we really should plan for. My experience with [St. Joseph Catholic Church] is that we're running out of land. At the same time, the demand for columbariums will grow. More than half the interments today are for cremations. Twelve or 13 years ago, the columbarium down the road cost \$200,000. My other question has to do with selling a plot. Do they have to sell it back to the township or can they sell it on their own?

Chown: they have to sell it back to the township. I want to emphasize that. Otherwise our records will be inaccurate.

Ahorn: in the past, the cemetery was buried within the clerk's budget. I divided it out and set up its own checking and chart of accounts so at least we know what's going on in there. The

money was going into the General Fund and all the expenses were coming out of the General Fund so there was no way to track the cost of the cemeteries.

Chown: in 2022, we sold 19 regular plots at Peninsula Township Cemetery and 11 green plots. That number is down. Typically we sell more green plots. Right now, I'm contacting all the families who have someone buried in the green section – 25 people are buried there now although many more plots have been sold. The rule back in 2010 was not to allow any headstones or memorial markers in the green section for a variety of reasons. The prevailing desire and belief has evolved and now most green sections do allow a flat marker made of fieldstone or natural stone that's flush with the ground. Our area funeral homes have told me a lot of people want to be buried in our green section but when they learn they can't have a marker, they go away. I am regularly contacted by family members asking me to please allow a memorial. It hurts to come to the cemetery and not see their loved one's name or to know exactly where they are buried. I am contacting every one of these families because the rule was different when their loved one was buried. I want to let them know what we're contemplating and see if they have any concerns. Allowing a flat marker will help us sell more green plots. Adding a flat natural stone would be an additional cost. Bob and I have to have a conversation about that.

Rudolph: I think you have to be careful where you place the stone.

Chown: yes, it has to be at the head.

Rudolph: it's very important for genealogical tracking for people to be able to come and see the headstone.

Chown: Isaiah can vouch for this. For a long time now, I've been trying to locate a large stone to use as a memorial for the green section. That was the original vision and the plan was to engrave peoples' names on it. We have found several appropriately sized stones but their composition is inappropriate for engraving. I've talked to Isaiah, Rob Manigold, Andy Valdmanis, and Lou Coulter and have pretty much given up on finding the right stone. That's why I want to explore allowing the flat individual memorial markers in the green section. Armen, I'd like to count on you to help with the numbers if you're willing.

Shanafelt: I'll follow Marge's lead.

Chown: we've not done the projections. So you'd like to hold off on the price increase?

Shanafelt: I would. That being said, we should hold off on selling more plots until we figure this out.

Chown: I'm not comfortable telling someone who comes in that they can't buy a plot because we're trying to figure out how much to increase our rates.

Shanafelt: I am.

Chown: no, I'm not comfortable with that. I think we'd better just get the job done [of doing the projections and raising the rates].

Shanafelt: okay.

Achorn: I think we need to raise the rates now because we have a lot of projects that have to be done.

Chown: we can raise the rates now and still do the projections and then raise them again.

Shanafelt: okay, that's fine.

Wunsch moved to adopt the increased cemetery rates as proposed by the clerk –

Sanger: can we add effective April 1 or something like that?

Chown: yes, it's actually on the information sheet that the rates become effective April 1, 2023.

Wunsch: sure.

Sanger: I'll second that motion to adopt the increased cemetery rates as proposed by the clerk effective April 1, 2023.

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

7. Public hearing on Peninsula Township Parks Ordinance 57 (Cram and Sanger)

Wunsch: closed the public meeting and opened the public hearing on the proposed parks ordinance.

Cram: the latest draft of Peninsula Township Parks Ordinance #57 is in your packet. This has been in the works since the fall and winter of 2022. It's been vetted by the parks committee, staff, and legal counsel. It's an improvement over the existing ordinance and helps clarify rules and regulations and makes them enforceable. We recommend the township board adopt the ordinance as presented. It will repeal and replace ordinances 5 and 7. The parks committee asked if alcohol would be addressed. As proposed, the ordinance says everybody has to abide by state and local laws. We feel that covers us adequately. There doesn't seem to be any concern about this. People like to pack a cooler and go watch the sunset. As long as they operate under the law, we see no reason to address it, but I did want to note the parks committee asked the question.

Sanger: the existing ordinance is really no longer effective because it refers to the parks board. That was part of the motivation to move on this quickly. From an enforcement perspective, I'm pleased that we have defined a number of terms. We looked at the Grand Traverse County Parks Ordinance. The enforcement of this now can be taken by an enforcement officer. See p. 2. This means a sheriff's deputy or the sheriff, a DNR officer, a Michigan State trooper, or the Peninsula Township Enforcement Officer. I like this as a template for all our ordinances. On p. 7, thanks to township legal counsel Chris Patterson, it makes sure that persons using the parks cannot retaliate or refuse to comply or interfere. This allows the law enforcement official to write a citation. It doesn't have to escalate to physical assault for the officer to be able to write the citation.

Rudolph: will this cost us in terms of needed additional signage? Do we have to address that?

Sanger: I assumed the money we approved earlier for signage would incorporate these changes.

Chown: yes, the timing is perfect. Our signage is inadequate physically but also in terms of what it says. We have to give our enforcement officer teeth, and the signage goes hand in hand with the passage of the ordinance.

Cram: those were some of my questions when I got involved. Basically, does the public know these things? I am highlighting where we need to address items that are referenced in the ordinance with signage.

Mike Skurski, 14696 Mallard Drive: I'm chairman of the parks [committee]. This is a very good reset. Jenn did a good job of pulling everything together and taking everyone through it and incorporating their comments. The only thing that's missing is large events and the whole process of doing that. Addressing that would make the lives of the parks committee members a lot easier.

Nancy R. Heller, 301 Blue Water Road: I understand this covers all parks. On p. 4, I couldn't help but notice, have you discarded the pavilion rentals at Bowers Harbor Park? There's no mention of that.

Cram: pavilion rentals are still available and all that information is on our website. This ordinance specifically addresses the regulations of use at our parks –

Heller: it led me to believe they aren't allowed any longer. I think they should be included.

Sanger: on p. 3 B, it says any group or person wanting to rent a facility should apply for a permit, so I read that to say you would still be able to rent one of the pavilions at Bowers Harbor Park.

Heller: I think there will be confusion. That's just me.

Sanger: that can get into the signage issue we just discussed.

Heller: just so it's clear. I'd hate to see a disagreement over a pavilion.

Achorn: in B, it says "park facility" – that means any facility, including a pavilion. We don't want to limit it just to the pavilion. Might be baseball, soccer, or something else.

Heller: the bottom line is, there's a fee for the pavilion rental whereas you don't charge –

Achorn: maybe not now but we're not limiting what can be charged.

Cram: or what could be reserved.

Heller: you're not limiting but you're not informing the public who might possibly request a use of this facility. It just wasn't clear. You used to have to be a resident also to rent a pavilion. I don't know if that's a prerequisite, for what it's worth.

Chown: could we just add under B "any person or group wanting to reserve or rent a park facility"?

Sanger: I think the word "reserve" is very strong. You're not just going to show up unannounced and expect that you can use it, whether it's a bench or a covered pavilion. You have to apply for that.

Achorn: it might be the tennis court, it might be the basketball court...

Cram: and then you'd go to the website to see that and/or call to ask questions. Generally, you want an ordinance broad enough to cover everything but not so specific that if something changes we have to go in and amend it. I believe we are covered. I hear Nancy's concern. We don't want to miss out on revenue or have any misunderstandings, but the ordinance does cover us. Future signage will help, and we will need to continue to update our website as well.

Wunsch: we want to be careful too because we don't want a list in the ordinance that excludes the volleyball court, for example. It's easier to update a fee schedule or item schedule than an ordinance. I would guess that's what the parks [committee] is doing currently with item fees.

Sanger: you don't put fees in an ordinance. The only thing you might put in is a maximum penalty for a civil infraction.

Achorn: it also says under 5 C "a person with a permit for a facility has priority use," so I think we're covered without being too specific.

Sanger: there are three prongs to it. If you show up unannounced, you can use almost anything if it's open. It talks about freeing up the grills and picnic tables for others to use. Second, if you are fewer than 50 people, there are some regulations regarding if you want to reserve. The number 50 is a large group that requires proof of insurance.

Wunsch: Jenn, what's the next step?

Cram: our legal counsel has advised us that we should not adopt something the night of the public hearing, so we could adopt this at our next regular meeting on April 11.

Wunsch: so we can table it.

Cram: yes, table your action so we don't have to re-notice this.

Wunsch: as a public hearing, we can stay open for any other comments or feedback.

Susie Shipman, 14735 Shipman Road: I commend the team for doing this. It's a substantial improvement and much needed so thank you very much. Seeing an improved ordinance makes me think of the township newsletter and how important it is to keep letting the residents know what they can't do in the parks but it shouldn't just be what you can't do but also what you can do. I think of the Grand Traverse Regional Land Conservancy's wonderful signs – here's what you can do next to what you can't do. Things that jump to mind here: you're not allowed to do commercial things in parks without getting a permit. Many people may not realize that. Let's keep pushing these things out there. Shoreline regulations...There's a long list, and we need to keep educating people about our township resources.

I have one quick comment on the document itself. It seems a bit silly when we are talking about police and fire budgets and memorial parks, but in the interests of having the very best ordinance possible, I'd like to request a very small change to the binomial for cat and dog. The second word should not be capitalized. I apologize for not catching it before now.

Wunsch: closed the public hearing on Peninsula Township Parks Ordinance #57.

Shanafelt moved to table a decision on Peninsula Township Parks Ordinance #57 until the next meeting with a second by Rudolph. Motion approved by consensus

8. Citizen Comments: none

9. Board Comments

Shanafelt: thank you, Marge, for all the budget work. You've done a nice job of parsing it out.

Ahorn: it started with four people gathering all the information and going back and forth, back and forth. My biggest challenge was learning how to put it all into the computer.

Shanafelt: I also want to talk about the meeting I wasn't at where you talked about the Bayshore Marathon. Reading the minutes was quite enlightening. A few things came to mind: just in participant revenues, they pull in \$100,000 plus ad revenue. They're taking advantage of the peninsula. We get a single dollar per person. That feels negligible and silly. It raises the question, how do we take advantage of situations where people are taking advantage of the peninsula? For things like this, I'd like us to consider a much higher registered participant fee, at least \$10, so it's a significant return to the township for making it available and dealing with all the hassle it causes. Some people like the marathon in front of their houses. I do not. We could put the money in the General Fund or Parks Fund. I particularly want to consider it for these for-profit entities that are making a lot of money off of us. We could have exemptions for township-based entities so there is no fee. I really want to do this for the big three – the triathlon, the Cherry Festival race, and the Bayshore. They are all really disruptive.

Chown: the Bayshore is put on by the Traverse City Track Club. Is that a for-profit?

Ahorn: no.

Shanafelt: it doesn't benefit the township, is my point.

Chown: I understand that.

Ahorn: that is an example of what was put into an ordinance that we are stuck with right now.

Cram: I can't wait to update it.

Achorn: I have been pushing for an event ordinance because we have many times heard about small events that have closed roads that nobody knew about. There could have been an ambulance run through there but there were a lot of people on the streets because of a small group that no one knew about. That's another good one to work on.

Shanafelt: that's another good one for Jenn.

Wunsch: my sense reading the large events ordinance was that it was written for events to be held on private property but then modified over time to create a nebulous path for events that use a lot of public infrastructure, so Jenn has definitely been talking about proposing some major overhauls to it.

Shanafelt: it just stuck out to me while reading those minutes. I thought, "Are you kidding me?"

Cram: I agree it could really benefit our parks and the community here.

Shanafelt: and that's how we should frame it.

Chown: it's high on her priority list. We've talked about it many times.

Achorn: the small fees we do get are put into the parks budget.

Sanger: I looked it up and can report that the law firm is McGraw Morris PC with offices in Troy and also Grand Rapids. The individual who came to the board meeting was Tim McGraw –

Cram and Chown: Tom McGraw.

Chown: Jane, I have your recipes and will scan them in and email them to you tomorrow.

Wunsch: I'll reiterate my gratitude to Marge, Chief Gilstorff, everyone who put together a budget. I know it's a lot of work. We've done a solid job of putting it together for the next fiscal year, and I appreciate all the effort that's gone into it.

10. Adjournment

Sanger moved to adjourn with a second by Shanafelt.

Motion approved by consensus

Meeting adjourned at 8:40 p.m.