PENINSULA TOWNSHIP

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

Township Board Special Meeting
August 11, 2026, 7:00 p.m.
Township Hall
Minutes

1. **Call to Order** by Sanders at 7:00 p.m.
2. **Pledge**
3. **Roll Call**
   Present: Sanders, Milliken, Alexander, Sanger, Chown
   Absent: Clark
4. **Governmental Updates**:
   Noah Karberg, Board of Public Works: DPW is looking into a legacy water arrangement of several homes connected to a common well. Two residents share a service connection through non-standard architecture, with one service line tapped off the other. One line developed a leak, and an assessment discovered that the shared service line was galvanized steel. Not being able to prove through the administrative record that the line was never connected to a lead service line, we have to replace the entire line from the copper junction to the home per regulation. Peninsula Township as the owner of the public utility is responsible for repairs. There is no evidence of lead contamination in the water systems, which is currently being tested on a three-year cycle. If residents have any questions, contact DPW at 231-995-6039 or email pubworks@gtcountymi.gov.
   Alan Leman, Grand Traverse County Road Commission: the steering committee of South Airport Road has been working on the corridor between Park Drive and the railroad tracks. They will have updates every 60 days. Your supervisor had a FOIA request for information on roads from the road commission and asked for a waiver from those fees, which was voted down. I encourage citizen involvement. You will want to form an advocacy group to represent township concerns to the road commission.
   Board expressed appreciation for Leman's work representing them on the commission.
   Dave Murphy, Parks Committee: the ribbon cutting for the Hemlock Wing boardwalk at Pelizzari Natural Area event was a success, with a strong show of support from the community. Bowers Harbor Natural Area flooding is on the agenda. Glad to be working towards understanding and addressing the problem.
   Andre France, Sheriff's Deputy: 47 stops, 14 [unclear] citations, one personal injury accident, two regular traffic accidents, no arrests. Fraud reports seem to be down from last year. Residents know not to give out personal information.
   Chris Hackbarth, DTE: some construction in town, new gas lines. Preparing for a new regulator and pressure station north of the intersection of Peninsula Drive and M37 before Sheridan Road starting in September.

5. **Conflict of Interest:** none
6. **Consent Agenda:**
   A. Invoices
   B. Reports
      1. Fire Department
      2. Treasurer
      3. Grand Traverse County Sheriff's Office Citation, Accident, and Arrest Statistics
      4. Peninsula Community Library
   C. Minutes from July 28, 2026, Township Board Regular Meeting
   D. Correspondence
      1. Grand Traverse County Road Commission
      2. Northwest Michigan Fishing Club
      3. Christy Summers and DNR
      4. Dave Murphy
      5. Randall Kurzman/Andy Smits
      6. Brad Niergarth
      7. Brad Niergarth and Maura Sanders
      8. Jane Phillips and Maura Sanders
      9. Eric Dreier
      10. Paula Kelley and Maura Sanders
      11. Fred Woodruff and Becky Chown

   Alexander moved to approve the consent agenda as presented with a second by Chown.
   Roll call vote: yes – Milliken, Alexander, Wunsch, Sanger, Chown, Sanders **Passed unan**
7. **Approve Agenda**
   Alexander moved to approve the agenda as presented with a second by Milliken.
   Motion passed by consensus
8. **Brief Citizen Comments (for agenda items only):**
   Robert Eckstein, 248 Peninsula Hills Drive: item C, zoning amendment 207. The petitioner talked about the parcel being surrounded by R1A, but those parcels are generally on flat land. If you look to the north, the largest parcel on top of the hill is zoned R1A. This parcel should remain R1A or continue as a split. The petitioner has said that they will reduce the number of potential homes by one unit if they're given the R1C zoning. It is a hilltop; it should remain in the lower density zoning configuration. Going to have to cut in roads and fill to get the driveways. It would be a lot easier to do that if it has lower density than their proposed number of units. They're going to use that road to access the parcel they own. That's not part of this. It's an R1A zoning to the southeast. Take the whole configuration, the hillside, what they propose, the cut and fill for the roads, the slopes, access for emergency vehicles. They [say] they won't go onto the slopes that are more than 20 degrees. They're primarily talking about the escarpment on the eastern side of that parcel, but it's a very steep hill there; the majority of it is probably outside the building envelope. I think they're offering you something that they won't be able to build on in any case. [Three-minute timer] I hope you consider this and also the impact it will have on [the] future. Thank you.
   Jim Raphael, 14826 Mallard Drive: I am here on behalf of homeowners in Mission Hills about tonight's agenda about the Mallard Drive streetlights. You have a memo from me outlining the issue. 37-year-old lights. Mostly high-pressure sodium. They were put in before the dark sky ordinance. They need to be changed. We have 14 lights, 13 of which are non-dark sky compliant. Our

subdivision has been working on plans to reduce the number of streetlights on Mallard. We came up with a plan that we shared with Supervisor Sanders to permanently reduce eight of these fixtures. Consumers a few years ago started a new policy whereby they would not replace the old sodium vapor bulbs, instead started installing LEDs. That transition has not gone smoothly. They have installed four of the five LEDs that are not dark sky compliant, and the light trespass into neighboring homes is worse than before. We thank Maura [Sanders] for working with us on this. One of the issues is that we don't own the lights; the township is Consumers' customer. We can't go directly to them with anything. We have to work through the township, both on getting these LEDs replaced and also in terms of having poles removed. We're here tonight to talk about pole removal and possibly replacing these LEDs. Don't have to do them all at once, but we have until the end of August to let Consumers know whether or not the lights we currently have turned off get turned back on or removed. According to Consumers' contract with the township, the cost of this is borne by the customer, not the HOA. Since I've been president in the beginning of June, I've worked with my board and the HOA members and talked with Maura, and we would like to cooperate with you in a mutually agreeable way to get the poles removed and make all the lights dark sky compliant. [Three-minute timer] I want to let you know that while we have a proposal in front of you, I've talked to a lot of our board members, and I'm optimistic that we're able and happy to share the cost with you if you are so willing to do so.

Deb Larimer, 3802 Blue Water Road: thank you for putting business item letter B, the water flooding issue, on the agenda. I'm grateful for your attention to this matter. The water flooding issue was shared with me by friends who were affected by this flood firsthand. It's a major issue that needs to be resolved, and I know that you are dedicated to doing that. Thank you. Second, I'm amazed at the extreme number of issues you, as trustees, study, listen to, research further on your own, help Peninsula citizens work through, and resolve those issues. For instance, the business agenda for tonight's meeting has seven different and important issues, and I want to thank you all. You are wonderful trustees. You give your time, your hard work, and your dedication to taking care of our peninsula and the citizens who live here. I really appreciate you. Thank you.

Curt Peterson, 1356 Buchan Drive: item C, the minutes from the last meeting. A request: at your June meeting, there was mention of a public discussion of the joint defense agreement between this board and PTP that was confirmed by a board member. I asked via email and then also in the packet from that July 28 meeting for clarification. I looked for that, but I can't find anywhere where that public discussion occurred prior to Maura [Sanders] joining the township board. If somebody could point me to that public discussion that occurred, I would appreciate that very much. Thank you.

Brad Niergarth, 8718 Peninsula Drive: I'm here to follow up on the letters I sent to you.

Sanders: for everybody's awareness, if it's in the consent agenda and you want it discussed during business, we have to pull it out of consent and put it into the business agenda.

Niergarth: it can also relate to [business] F. I agree with Dave. We need to be thankful for the things we enjoy here, the parks, the police, the fire, and the volunteer efforts to help those. We should say thanks every day. My comments related to the tax rate were in the email I sent. Encourage you to consider that you don't need to have the fire fund at four tenths of a mill, to go from 2.6 to 3. You've got $645,000 budgeted to the debt service that won't be needed because you won't have the building completed and have debt on it by the end of this fiscal year. I ask you to relieve the taxpayers of that burden of the extra four tenths of a mill. You'll have an increase in your fire fund

this year anyway without 645,000 being spent, even with rolling back the millage by the four tenths. This deserves some discussion and consideration. In the overall business, I will accept your invitation, Maura, to meet with Katie [Clark]. But the responsibility for budgeting and financial reporting is yours as the supervisor. You're the one encouraging the board to break the law by not doing proper budgeting and financial reporting. I ask that you reconsider that.

Bill Catinella, 2600 Bowers Harbor: regarding flooding at our house and neighbors, we moved in in 1987. We didn't have any problems for about 10 years, and then around 1998, there was a slight flood. My kids got off the bus, screaming, "Hey, we got ducks in our front yard!" But it wasn't a big deal. It was a small amount of water. Lasted about two days. Over the years, it got worse. There was more water more often. In 2014, we got hit with a big one. My whole garage was destroyed. We lost about seven or eight fruit trees. Came up close to the house. It stayed for about three, four weeks. Cost me $13,000 in repairs to the basement. Put in a whole new system to get the water pumped out. Two years later, we lost an entire fence line of forsythia that had been growing there for about 15, 20 years. It's gotten worse now. This year, we've had the pleasure of having Maura come out and see it in person. Other people have shown up and seen how ridiculous it's gotten. Went from just going to the front yard now to our backyard. It has now flooded into the basement, flooded our septic field. Going to cost more money. I've been to the township just about every time this has happened. Everyone says the same thing. "This is terrible. We got to get on it and make sure we do something." But the next year, nothing happens because there's no problem. In the next three or four years, there's no problem. Then it happens again. There's never any progress made on what to do or how to do it. The last note we found was I think Rob Manigold [a previous township supervisor] got ahold of a company in town and came up with a $350,000 fix that we could share. The reality is the water coming into our property comes from the park property. I'm hoping everyone here sees the seriousness of it and at least starts to come up with a way of solving this. My last estimate was my house would probably lose about $100,000 in value if we were to try to sell it just because of these water problems. I'm 75. My wife is 78. We hope to stay there for a while longer, but things change quickly. I can't afford being put on a back burner. [Three-minute timer] Let's take this seriously. There are solutions. We have to work together. I hope we do something.

Louis Santucci, 12602 Center Road: as a point of order, I checked this before I came in. Anything that appears on the correspondence is fair game for comments. You don't have to wait until the end of the meeting. If you don't believe me, check with Robert's Rules of Order. In that regard, I want to talk about Brad's [Niergarth] letter with a suggestion. It drives me nuts, and it always has, that you only get three minutes to talk about something, and that a lot of times under the business items, you don't get any input after we hear what people on the board have said. You only get to make three minutes of citizen comments at the end. The situation Brad raised in his letters is serious. I spent a little time reading Public Law 2 that he refers to, and you as members of the board need to take a look at that. Ask your lawyer about it. My suggestion is, instead of having three minutes to talk, have an open meeting where we can discuss Brad's letter and the township's reaction to it, and we can have more than three minutes to have some discussion. Maura, you recommended that he have a one-on-one. I don't think that helps the rest of us, and I'm sure Katie or you would not want one-on-ones with everybody who is concerned about this. Let's try to get an open meeting. There are some valid issues raised here, and I don't think sluffing it off to three minutes is to the benefit of us or to you.

Sanders: next time, please ask during consent agenda to add it to business for a broader opportunity for discussion.

Michele Zebell, 2616 Bowers Harbor Road: here to speak to the flooding. I'm asking the township board to recognize that the floodwaters are crossing onto our property from Bowers Harbor Natural Area. In the 38 years that we've owned the property, we've gone from zero water issues to a level that threatens the integrity of our home and is eroding the value of our property. Awareness and recognition of the problem is a first step. I appreciate that you included our letters and the slideshow in the packet as well as on the business agenda. It's a picture of how serious it has become. We are looking to you, the county drain commissioner, and perhaps the road commission for a solution to stop the flow of water from the park onto our property. Since this involves the park, we encourage some creative solutions. We are seeking input and guidance from the Grand Traverse Regional Land Conservancy and the work they did on Three Mile Road, the Department of Natural Resources, the Watershed Center, Department of Public Works, and EGLE. We would appreciate being a resource and having input as well as updates as you work to find a solution.

We bought our property on a land contract from the Catinellas. They were looking for a young couple that was going to start a family. We succeeded in fulfilling the second part of the contract the following year when our son was born. We have modest incomes; we built our home. Our four-year-old son did the transit work part of the time and helped stack foundation blocks. We've built a life. Our home is our greatest asset, and I'm afraid that if this situation isn't rectified, it will be emotionally and financially catastrophic for us. We appreciate what you do, and we would like to work with you on solving this. Thank you.

Justin Helton, 9755 Montague Road: I'm here representing item C, the rezoning at the Bella Vue parcel. Suzanne usually is here to do this with you. She's worked with you guys for the last year on this parcel. She's unfortunately at Mayo with her daughter; I'm sure you saw that in the packet. I wanted to talk to you more about the work we've done to get here. We've worked with you, tried to follow the future zoning plans and the future master plans for the township. I've lived out here my entire life and bought this parcel. I grew up on East Bay. I'm trying to build a nice community. It's my living. It's where I like to live and where I like to be. We're trying to be fair and we're looking for a fair shake on this; I don't know what else we can do. There's been some upset about us taking down the trees, but we didn't break any laws, and we didn't break any ordinances. The trees were diseased. The trees were bad. The trees were a fire hazard. Some things just don't make it forever. We want to build a new community, change and stay with the master plan zoning, and build some nice stuff. That's what I'm here to represent, and I believe everything else is in that packet. Thank you.

9. Business:

A. Resolution 2026-08-11 #1, Supplemental Resolution for Kelly Farm PDR Purchase Agreement (Sanders)

Sanders: this is a supplemental resolution to purchase the Kelly Farm, extending payment term over four years. Interest earned on money held during payout will stay in the PDR fund.

Wunsch moved to approve Resolution 2026-08-11 #1 with a second by Alexander.

Chown: clarified that her recusal on the same matter last month was unnecessary and she is not recusing herself from the vote today.

Roll call vote: yes – Alexander, Wunsch, Sanger, Chown, Sanders, Milliken **Passed unan**

B. Water Flooding Issues at 2600, 2608, and 2616 Bowers Harbor Road and 13956 Peninsula Drive (Sanders)

Chown: will contact the Watershed Center for a site visit to get their opinion on how to proceed. There will be no cost. They are concerned about erosion and pollutants washing into the bay due to runoff. We want to work with the residents who are affected. Andy Smits, hydrologist and drain commissioner, has seen the flooding and will be involved. Currently we are in the research stage and want to dig into the history of the use of this land in order to move forward with an actionable plan. Hope to make it a win for everyone, including the park, perhaps with bioswales and other sustainable solutions.

C. Further Discussion of Proposed Zoning Ordinance Amendment #207, Conditional Rezoning of Parcel #28-11-009-029-10 from R-IA/R-1C to R-1C (Sanders)

Sara Schroeder, township zoning administrator: introduced the informational packet detailing the proposed conditional zoning change and best practices to consider with rezoning.

Board discussed concern about building on a steep slope and road access. The rezoning would not guarantee a building permit approval. PC forwarded the request to the board as they felt the conditions as proposed by the applicant were important when considering the use of the land. Property currently could build three homes. Rezoning with conditions would allow four buildable lots. Chown expressed opposition to rezoning a rural hillside to any other designation. Milliken and Alexander expressed support, as the applicant will have to go through the approval process for building permit and road construction, and if it passes an engineering study, it's no issue to add another lot. Sanders clarified that, historically, the township does not change zoning, and while the master plan does include moving away from dual zoning, it does not specify to which zoning. Community feedback in the master plan shows support to maintain rural character and historic landscapes. Wunsch also supported the idea that residents, in voting to keep the PDR program, reiterated this desire to limit development.

Sanders moved to deny the conditional rezoning of Parcel #28-11-009-029-10 from R-IA/R-1C to R-1C with a second by Sanger.

Roll call vote: yes – Wunsch, Sanger, Chown, Sanders, Alexander
No – Milliken **Motion passed by majority**

D. Discussion on MDARD's Invitation for Public Input on Agricultural Management and Food Processing Practices (Sanders)

Sanders: reviewed a change under the farm market section, with removal of the sentence, "However, farm markets are permitted in such areas if authorized by association rules or pursuant to a local ordinance designed for that purpose, unless prohibited by association roles." This is in reference to plotted lots within a subdivision for expanding farm markets, which is not applicable to the township. Invitation for any input on GAAMPS to be submitted to MDARD.

Alexander: brought up new guidelines for managing airborne particulate emissions from agricultural processing.

Sanders: expressed that the PC should not get derailed from other agenda items but agreed this topic could be introduced.

E. Continued Discussion on Mallard Drive Street Light Approval (Sanders)

Board discussed a 1989 agreement stating that the responsibility for the operating costs of the street lighting system rests with Mission Hills. Board discussed the cost of replacing the lights, estimated at $12,701, versus removal of the problem lights at an estimated $11,000. Sanger proposed spreading the cost over a few years for the HOA to pay back. Wunsch stated that half the cost is below the supervisor's discretionary spending cap and proposed allowing the supervisor to approve such an agreement. Sanders explained that negotiations with the HOA have not reached a consensus and hopes for a board motion to determine responsibility of cost. Chown added that the

township is contributing; the labor costs from the clerk's office to manage the contract with Consumers is high, with an estimated 120 hours in the past few years to deal with the various issues.
Milliken moved to allow the supervisor to work with Mission Hills to arrive at an agreed-upon resolution with a 50 percent split of costs, that all lights must be dark sky compliant, that the township must offload management of the contract with Consumers, and that capital maintenance going forward is the responsibility of Mission Hills HOA with a second by Sanger.
Roll call vote: yes – Sanger, Chown, Sanders, Milliken, Alexander, Wunsch **Passed unan**
F. 2026 Tax Rate Request (Clark)
Sanders: there is a memo from Katie Clark in the packet on the budget, highlighting operations, PDR, and the fire department. Board at the last meeting voted to increase the fire millage from 2.6 to 3 in preparation for new fire station 1. We are currently waiting for the feasibility report for building on current township property. Board discussed deadline of getting the budget to the county by September 30. Wunsch supported rolling back the fire millage to 2.6 and expressed disappointment that this item was not put on the ballot for residents to decide. Sanger stated the increase was not tied to the start of construction.
Wunsch moved to table the discussion to the September 8 regular meeting with a second by Alexander. **Motion Passed by Consensus**
G. Granicus Short-term Rental Violation Software Presentation (Sanger)
Sanders: asked Schroeder for her review of the company based on working with other townships.
Schroeder: support can be hard to contact. Any changes or updates can be difficult to process through their customer service. You use the township's BS&A to match information on property rentals online and prepare reports for township to use in court.
Sanger: presented an overview of the software package as presented in the packet. Current system for identifying illegal STRs [short-term rentals] is through neighbor complaints. Granicus identified in the month of July an estimated 81 active short-term rentals in Peninsula Township. Calculated mean nightly cost of $590 and an estimated $52,000 in revenues for the month. Rental listings up 18 percent year over year. Granicus also provides services for townships that allow STRs to help manage them. The most useful tool for Peninsula Township is the reports they generate identifying specific properties with documented infractions. Modular pricing is available, with an estimated first-year cost of approximately $11,000. Civil infractions in court must provide a preponderance of evidence. Milliken asked how much more of a service the software provides over using an AI to search online listings.
Schroeder explained the verification process has expanded services over just finding postings from internet searches. Sanders requested cost benefit analysis, feedback from other municipalities using Granicus and an understanding of cost recouping of pursuing violations.

8. Citizen Comments:

Jim Raphael, 14826 Mallard Drive: I apologize for the outburst during your discussion. Thank you for meeting us halfway to get this problem resolved. The reason I was a little upset is that I had given additional information after you got that letter today that didn't make the packet. We have a provision that authorizes the board to pay for the streetlight utility bill out of our annual assessments. Period. The rest of the streetlights, which are part of your system and were accepted into the township in 1989–1990, are governed by the contract between Consumers and the township. Consumers is responsible for maintaining and repairing the equipment all over the peninsula. When there are modifications to be made, typically that is the customer, the township, that pays for them. We are glad to split the cost. It's controversial because the lights are strictly in

that subdivision. But that was what the township agreed to do. You basically got stuck. We appreciate all the work the clerk's office has done. I know it's a lot of hours. On a personal note, just remember how many hours Carol [Raphael] put into elections training you, staff, recruiting people, writing the handbook, etc., over five election cycles. In her last election, she was 76 years old. Seven of the 13 workers at that northern polling place were volunteers from Mission Hills, and three others came from women Carol recruited from the women's club. We do try to give back in kind. Thank you again. We look forward to talking to you about where we go from here.

Tom Barnhart, 10895 Peninsula Drive: the ordinance enforcement officer, and maybe Schroeder, the zoning administrator, are reviewing section seven 1.14 of the code, "Exterior lighting regulations," as to whether they might apply to interior lighting, specifically chandeliers. The caption, section, and clear language in the intent section relate solely to outdoor light fixes. There is no reference at any point to interior lighting. Anyone can file a complaint, but this should be a quick review. What does the section cover? Outdoor lighting? Is this an outdoor light? No. No further analysis. I'm reasonably confident that's going to be the outcome. But to the extent that this is an introduction to a broader review of possibly bringing a review of interior lighting into review of upper lighting and things like that, it's a significant expansion. Thank you.

Brad Niergarth, 8718 Peninsula Drive: I don't know how many complaints you've had on the short-term rentals. That would make a difference in my decision. If it's 20 or fewer, deal with it on a complaint-by-complaint basis. Back to my other topic, I usually add to my comments to you with, "I want to be part of the solution," so I have offered to come in. I don't think a 15-minute meeting will get any good out of helping you get in compliance with budgeting and financial reporting. The lack of financial reporting is a pretty serious matter. It's a violation of state law that you don't provide a quarterly comparison, budget to actual. I wish you would care more about that than you care about 10 or 20 violations of housing of short-term rentals. It's a serious matter, and I will come in and meet with you. It won't take long. We can dig into the public act if you don't know what I'm talking about. We can look at BS&A software to see if there are reports we can print out. But the citizens of this township deserve to have financial reports on a quarterly basis, as state law indicates. I wish you would take that seriously. Glad to help you with it. I'm not offering professional services. I'm retired, but I have some knowledge I can share with you. And certainly, you could hire for $10,000, if you could spend that, you could hire an auditor, another consultant, who could show you how to do it properly. Thank you.

Fred Swaffer, 1045 Gray Road: I want to back up what Mr. Niergarth just said. I noticed also that Mrs. Paula Kelley had a letter in the packet along the same lines. I appreciate that you offered to meet both of them and with Katie and maybe with the rest of the board and perhaps the auditor if he's able to zoom in. It's interesting to me that there were two people who wrote in about financial issues about the same things, and that is a serious business. We need to put that in the appropriate context. I certainly would be appreciative of any professional help I could get. My knowledge of budgeting would be very limited, and I'm sure most of you are similar. State law is quite complicated. People who are professionals, people who have helped to write the programs, who have been auditors…I think that would be helpful. I encourage you to seek their help and appreciate your time. Thank you.

9. **Board Comments:**

Chown: thanked the August election inspectors and chairs. The election went well, with no questions from the board of canvassers. Expressed gratitude for all the resident involvement, now and in the past.
Alexander: we are audited annually, and we do well. If there were concerns with an audit, that would be made public.
Sanders: the treasurer has an open and clear line of communication with the auditors. Everything has been satisfactory.
Sanger: we have an epidemic of signage thanks to the signage moratorium. New language for signage is being reviewed by the planning commission, which is requesting public input at those meetings.
Sanders: finishing the FOIA request to the road commission. Act 51 guides the road commission, exploring what would allow the township to make repair requests. Some private road repairs have been requested that are not shared with the township. Gathering information for those HOAs. Supervisor's door is always open; we can talk as long as needed. I can open the BS&A software and print out the reports that are available there.
Wunsch: let's put the question to our auditors: are we in violation of Public Act 2 as we have been accused? If we are ignoring state law, I would hope the auditor would catch that. Let's pursue passing on the cost of replacing water service lines to the private owners. It's not good practice for taxpayers to pay for shoddy work on private properties. If state is mandating, state should be paying. Would have to increase costs on everyone's bill to cover.
Sanders: planning to bring up discussion of the water service lines repair at the board of public works meeting this week. How do we alleviate the municipality from having to sink costs towards individual property owners?

10. Adjournment

Alexander moved to adjourn at 9:24 p.m. with a second by Milliken. **Passed by consensus**