

PENINSULA TOWNSHIP

13235 Center Road, Traverse City
MI 49686

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**Township Board Regular Meeting
October 8, 2024, 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, Shanafelt, Achorn, Sanger, Sanders, Rudolph, Chown

4. Citizen Comments: none

5. Governmental Updates:

TJ Andrews, County Commissioner District Seven: you may recall a conversation in this room back in May about septic. You were interested in a township discussion about point of sale. I noted that other townships in Grand Traverse County, including Garfield, East Bay, even Blair, which shares part of Silver Lake with Garfield Township, were also discussing this. We're also hearing that the state is looking at a statewide septic code. Michigan is the last state in the country to have one. Currently, version eight is going through the legislature. It would immediately phase out township point of sale septic ordinances but would grant county existing ordinances a 10-year sunset period. Counties that already have an ordinance in place would be able to continue theirs and have a longer time to transition into the statewide-based code. There is concern that a statewide code, should it be enacted yet this term, is going to take years. The prediction is at least four or five years by the time the rules and standards and requirements are sorted out. There is interest at the county level. We have created an ad hoc committee. I am a member alongside our chair and vice chair. We will meet this Friday at 11:00 a.m. It will be an open meeting. Also on our committee, which is led by the Environmental Health Department, is Aspire North, the realtors, and the Watershed Center to represent the water quality perspective. Hopefully we will have a productive discussion.

Along similar lines, the county has under state law moved forward with the materials management plan. This is a statewide change in the law that requires more of our waste to be diverted from landfills to reuse, composting, recycling, reductions on the front end. It creates a forward-looking plan for reducing waste. Grand Traverse County collaborated with Leelanau and Benzie to join forces. That gave us access to additional planning and implementation dollars. Grand Traverse County will lead that effort for the three counties, and I have been appointed to that committee. I think it's important to our community. There's a budget cycle going on in the county right now. We're looking at our budget for the next cycle. I'm always happy to answer questions about anything going on at the county and for opportunities to collaborate and help our county serve our community better. Thank you.

6. Approve Agenda

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

7. Conflict of Interest: none

8. Consent Agenda:

1. Invoices (recommend approval)
 2. Reports
 - A. Cash Summary by Fund
 - B. Second Quarter Unaudited Budget Review
 - C. Fire Department
 3. Minutes from September 10, 2024, Township Board Regular Meeting
 4. Campaign Close-out Challenge Grant Appeal Letter to Save the Hemlocks at Pelizzari Natural Area
 5. Article from *Wine Spectator*: "Wineries Sue Napa County in Federal Court"
 6. Article from the *Record-Eagle*: "Former Governors Launch Group to Defend State's Election System"
 7. Article from *Township Focus*: "Cemeteries As a Community Asset" with a shout-out to Peninsula Township
 8. 2024 Tax Rate Millage Request Report to County Board of Commissioners
 9. Notice of Intent to Regionalize Materials Management Planning
 10. Notice of Absent Voter Electronic Notifications System
 11. Request to hold the Old Mission Women's Club annual Christmas Cookie Sale at the Township Hall
 12. Request from Fire Chief Fred Gilstorff to Deem Outdated Fire Hose as Surplus
- Sanders moved to approve the consent agenda as presented with a second by Sanger.**

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

9. Business:

1. Litigation Update (Chris Patterson)

Patterson: we have two cases, consistent with the last update. In WOMP versus the township, on October 28 at 9:00 a.m. in Kalamazoo at the federal building, the case is set for oral arguments on the post hearing briefs. There was a question by the public related to access to the pleadings. They're available on PACER, but there is a per-page charge. I don't know that the list is comprehensive of all the pleadings because the case has been pending for some time and there have been a lot of filings, but you can go to the township's website and it will direct you to individual links. As you scroll to the bottom, there are three documents identified as "Post Trial Briefs." Those are from each of the parties, the township, the wineries, and Protect the Peninsula. They basically summarize what occurred at trial and the final position of all parties, including the township's position that the wineries were not able to prove any actual claims against the township. It's a good summary; it does give a procedural history. It tells you some of the issues that were already decided that I've given updates on last year and throughout the beginning of this year. We've had a lot of community questions about it. You can probably get most of your answers from those documents; they are available without paying the PACER fee. The judge could ask for more briefings, but I doubt that will happen. After oral arguments, the judge will work through the paperwork and we will get a notice of an opinion. There's no specific timeline. That can be just as frustrating for the public as it is for the lawyers. There could be an opinion in a couple weeks or it could take a couple of months.

The second case that remains pending is Family Orchards LLC versus the township. That was filed in 2022. It's related to an individual who had an interest in property and intended to apply for the winery chateau special use permit. There were different variations of a moratorium in place that

prevented processing that application. Ultimately Amendment 201 was put in place removing that special use permit in exchange for three other uses that currently exist within that framework. When the case was filed in 2022, there was an immediate motion to dismiss filed by the township's council. That remained pending for a long time. It wasn't until this summer that the court entered an order indicating they were booting out the order, allowing an opportunity for an amendment. That complaint was amended, and we were allowed to renew our motion to dismiss. We filed it in August of 2024. The final briefing was filed on September 27. Previously, the same kind of motion practice happened, and there was no oral argument asked for by the court. There has not been another notice of oral argument. If the prior way the court handled it is any indication of how it would handle this pending motion, we presume there will be no oral argument. I don't know how long that case will remain pending either. It is the judge's prerogative. If there is a notice of oral argument, the court typically does that upon the final briefing. I would have thought we might already know that because it's been about 10 days since it was fully briefed. We'll certainly let everybody know. If they deny the motion, that case will proceed through discovery. It'll go down the longer track as the winery case has. If the judge agrees with the township's position that it's not a valid complaint, that would end it subject to any appeal by the plaintiff.

2. PDR Update (Laura Rigan and Willy Manty)

Rigan: I've been the primary conservancy representative for the PDR [purchase of development rights] contract for the last several years. I've been doing farmland protection work on the peninsula for the last eight years. I am transitioning to a new position at the conservancy and changing some job responsibilities. We were able to hire within the conservancy to take over my position as farmland protection specialist. I want to formally introduce you to Will Manty, who will be the representative moving forward on the PDR contract. Will and I have spent the last couple months getting fully transitioned, getting him up to speed on PDR, meeting landowners, and meeting with the PDR selection committee. He is getting well equipped to make a smooth transition. With that, I'll hand it over to Will to give you an update on PDR.

Manty: we currently have appraisals for five different properties owned by four different landowners. We've heard the process might be taking longer than expected. It takes time to get the appraiser out to the property, do the fairly complicated appraisal, then get those in front of the landowners and for them to consider what can be a serious decision for their families. We're close to being teed up to our first completed project in November, the Nicholas Farm Vineyards property. It's roughly 40 acres on the west side of Center Road just south of here. We've submitted to the township a conservation easement for your legal counsel to review. We're working through final details with some of the title work. Barring anything unforeseen, we're hoping to bring that project to the board next month to vote on. We want this project as complete as possible.

Shanafelt: you said you had five properties that had been appraised or completed. When do you expect the next several to come up?

Manty: we are shooting for the end of this month.

Shanafelt: for the rest of them?

Manty: not for all the properties that are in the round but for three landowners we haven't gotten to yet. We're hoping at the end of October to get out to three more properties and continue working our way down the list.

Sanger: how many are you working on in total?

Manty: eleven properties in this round.

Rigan: with seven property owners. One landowner has several applications.

3. Make ZBA appointments and interview Kris Prescott for ZBA opening (Cram)

Cram: the ZBA [zoning board of appeals] currently has two openings for three-year appointments.

Larry Dloski, who serves on the planning commission and has been its representative to the ZBA, has expressed an interest in being reappointed. Mike Dunn, who fulfilled a one-year term, was not interested in reapplying, but he is willing to serve as an alternate. With Kris Prescott's interest, we would have a full five-member ZBA with two alternates. So thank you, Kris.

Wunsch: give us a brief bio?

Kris Prescott: sure. I've been coming up since I was born. We're getting up on the 70th anniversary of my grandmother purchasing the property. In 2010 when my husband and I were living overseas with our kids, we wanted a U.S. home base for them and for us to retire in. There was no other place we would ever think of, so we bought property up here in 2010 and moved here full time in 2017. I threw my hat into the ring for the ZBA because I believe the zoning ordinance protects us, our properties, our community, and the environment. I like to be active in my community. I'm the treasurer for the Old Mission Women's Club, and I work with Becky [Chown] in the clerk's office. I really enjoy the opportunity to contribute.

Cram: I did provide Kris with the bylaws and sections of the zoning ordinance. I feel she has a good idea of what the role entails. If you appoint her, she will step into her first meeting next week.

Wunsch: any questions for us?

Prescott: I really don't. Jenn provided a lot. I went through some prior minutes of the meetings and read some, not the entire zoning ordinance manual, but some of it. I think I can do it.

Rudolph: are you related to the Prescotts that the Swaney Road Prescott Lake is named after?

Prescott: no. Prescott is my married name. West was my maiden name.

Shanafelt: you said you read over the minutes from the meetings. Which [case] did you feel was the most ambiguous and how do you think you might have addressed the issues underlying it?

Prescott: I honestly cannot answer that. I was reading to see, can I do this? Can I understand the language? I didn't come at it from trying to make a decision or see how I would have decided it. It was more, can I handle the information, do I understand it? Do I have time? I wish I could answer that. That would be really impressive.

Sanders: are you here year-round?

Prescott: yes.

Chown: I've worked with Kris off and on for a couple of years in the clerk's office, where she assists with elections. She also chairs one of our absentee voter counting boards. It's hard to think of anybody in this community I have more faith in than Kris. She is reliable and meticulous, and this is a wonderful opportunity for the township.

Shanafelt: let me rephrase my question. In moments of ambiguity, how do you approach such moments and how do you reach a definitive conclusion yourself?

Prescott: I think you need to be prepared. Read your cases before, attend the site visits. You need to completely listen. Be impartial. Know exactly what your parameters are to make a decision that is fair to the people in front of you and also to our community.

Shanafelt: great answer. Ambiguity is tough. You have to make a decision and live with it.

Prescott: right. I think I can live with it as long as I know I'm prepared, I'm listening to the details, following the ordinances, and being impartial.

Sanders moved to appoint Kris Prescott to the ZBA with a second by Rudolph.

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

Sanger moved to reappoint Larry Dloski to a full term of the ZBA with a second by Shanafelt.

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

Sanders moved to appoint Mike Dunn as an alternate to the ZBA with a second by Chown.

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

4. Appoint Tori Wolever (Formerly Westmoreland) to Act as Zoning Administrator (Cram)

Cram: Tori made it through her 90-day probationary period very successfully. She has a wonderful rapport with our community and contractors. I am impressed with how she handles difficult conversations and stays calm. She is ready to take on the responsibility to act as the zoning administrator. In the first 90 days we've been reviewing land use permits, and once we come to the conclusion that the application has met the required zoning ordinance sections, I am the one who signs the land use permit. Moving forward, Tori will be the primary signatory. I would still act as zoning administrator in the event she is sick or on vacation, but she would be the primary signer moving forward. In my experience as the director of planning and zoning and acting as the zoning administrator, it is helpful to have a team approach. We do better work when we have two sets of eyes. If we ever had a situation where we had a different interpretation of the zoning ordinance, we would take it to the ZBA for them to make a determination on. We did talk to legal counsel to make sure it was okay to have two individuals as zoning administrator, and [Chris Patterson] did not see a problem with that reading through our ordinance. The team approach is helpful because it also keeps one person from being in the hot seat. Decisions are made together. With that, the suggested motion is in your packet.

Sanger moved to appoint Tori Wolever as zoning administrator with a second by Rudolph.

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

5. Introduction and Discussion to Commence the 2025 Community/Resident Survey

Sanders: the goal is to get that up and going after the new year. I'd like to get the new board in place so those discussions can start, and then we will figure out how we want to move forward. The last survey was done in the summer of 2019 by Epic MRA. I've heard great things about them, but there's always room to check out other entities. On page 43 of the master plan, there's a good description of how it went down the last time, with telephone calls and postcards that went out with codes where residents could log in online and take the survey. This will be a community effort. Once the new board gets into place, it would be great to hear what everybody thinks.

Wunsch: I recommend you reach out to University of Michigan and Michigan State University. Both institutions have helped communities do survey work in the past.

Shanafelt: what is your biggest concern about the survey?

Sanders: what are the questions? Nobody wants to take a survey where it looks like the questions are staged. I also want to get the maximum response we can. 2019 looks a lot different than 2024. It's a lot easier to get information out right now, good, bad or indifferent. There are several channels we can use, such as "Hey, the survey's coming" or "Watch your mailboxes for a postcard," something like that, so we can get a good response.

Sanger: I remember MRA telling us the participation was much greater than they expected. The public contributed more than you normally get, both in the mail survey and the phone survey.

Wunsch: they told us that a 10 percent response rate is really good, and we had almost 25 percent. They felt the results were well validated.

6. Resolution 2024-03-27 #2, Amendment #1, to add MI CLASS to the list of approved financial institutions for online banking (Achorn) tabled from September 10, 2024, Township Board Regular Meeting (Achorn)

Achorn: it seemed the board was requesting additional information, so I gathered a little bit more. The first is the resolution that the board passed in March of this last year that authorized the treasurer to utilize financial institutions of her choice as provided by law. The investments that are allowed by the state are bonds and other obligations of the United States or an agency or instrument of the United States, certificates of deposit, savings accounts, deposit accounts, depository receipts in the bank, which is a member of the FDIC, or a savings and loan association, which is a member of the Federal Savings and Loan Insurance Corporation, or a credit union which

is insured by the National Credit Union Administration, but only if the bank savings and loan association or credit union complies with subsection two.

Achorn read aloud from the material published in the packet to further explain the financial institutions and investments allowed by the state.

These are the instruments that the board approved that I have the authority to invest in. Because there were questions as to what MI CLASS was, my deputy Katie [Clark] sent an email to Jeff Anderson, the senior director of investment services at MI CLASS, and he responded, "Thank you for reaching out about MI CLASS. For your reference, I have attached some general information about the pool. Some of the benefits our participants receive are number one safety. MI CLASS is a triple 'AAAm' rated by Standards and Poor's. This is the highest safety rating we offer. MI CLASS has been in existence since 1991. Today we have over 850 participants and 5 billion in Michigan local government funds invested. Since inception, no participant in MI CLASS has lost one cent. When a local unit puts in \$1 to the MI CLASS Pool, it is automatically divested several 100 different ways. This diversity creates safety. In addition, all MI CLASS funds and banks are 100 percent insured or collateralized, which means there is zero bank risk in MI CLASS. Two, liquidity. Unlike a bank CD, funds in your MI CLASS account are liquid and can be transferred to your bank account for spending at any time. Three, yield. MI CLASS pays interest each night. Today, the MI CLASS interest rate is 5.01 percent."

That was as of the 27th of September. I checked it today, and it was almost the same. A 30-day deal was 5.1466 percent. There is no cost to join MI CLASS, no transaction fees, no minimum balances. The diversity of the pool and the simplicity to move funds to and from are my favorite parts of the MI CLASS pool.

He sent us some additional information about MI CLASS repeating some similar items he said in his cover letter. I want to highlight that the funds of the participants are invested in prime or high grade, short term, fixed income investments, selected with the goal of providing program safety, liquidity, and competitive yields as further defined by the board's investment policy. Both MI CLASS portfolios are rated AAA by a nationally recognized statistical rating organization. That is well within my authority as treasurer to invest. The investments are directed by a board of trustees that consists of up to 13 elected by the participants. The board of trustees approves the program's investment parameters that must also fall within the investment stipulations mandated under the Michigan statute for the investment of surplus funds of the participants. The board of trustees has entered into an investment advisory agreement with Public Trust Advisors LLC. This Public Trust LLC is responsible to the board for all program investments and administrative activities and services provided on behalf of the participant. It says, "Our objectives [are] safety, liquidity, convenience, flexibility, competitive returns and legality." It also lists the board of trustees. There are 10 pages of Michigan municipal governments that have invested. Katie went to East Bay Township yesterday to speak to the treasurer there and mentioned this, and she said, "You don't invest in it? This is crazy. We all do."

I think it is prudent for the treasurer to utilize safe vehicles to enhance the revenue of the township when we desperately need funding. In addition, I read the Maner [Costerisan] report this weekend. On page 60, it recommended that the township explore investment pools such as MI CLASS, saying, "Many local governments have found that these pools offer higher returns and increased flexibility in accessing and managing funds."

I hope I have been able to provide you with additional information to support me in trying to do my job, to invest in safe vehicles and to approve the resolution.

Achorn moved to approve the addition of Michigan's Cooperative Liquid Assets Security System, MI CLASS, as an approved investment operation, whereas the MI CLASS is compliant with Public

Act 20, and whereas the MI CLASS board of trustees oversees the pool and directs the pool administrator's public trust advisors to emphasize safety, liquidity, and convenience while providing diversification of investments and the advantage of a competitive return, and whereas MI CLASS investments are fully compliant with all appropriate Michigan investment laws, and whereas MI CLASS has over 800 funded participants, ranging from the very large to the very small, with nearly \$4.6 billion in shares outstanding, and whereas this investment has no restrictions regarding withdrawals or contributions, affording the township the ability to use MI CLASS as it best suits our individual needs.

Sanders: if we were going to approve this tonight, what amount would you look to move in?

Achorn: I would have to look at each one, perhaps monthly, perhaps less/more often than that, to see where we need the money, where we don't need the money currently that it could earn additional interest.

Sanders: and our accounts would stay open at our current institutions?

Achorn: absolutely. It has the ability to have multiple bank accounts within it, so we can keep track of each fund and how much interest each fund earns. It would come out, as I understand it, into the common fund, which would then be dispersed to the individual bank accounts as needed.

Sanger: how much would you put into MI CLASS? How much excess cash do you have?

Achorn: it depends on the day. In PDR right now, we have more than five million.

Sanger: my question is, how much would you keep with the two banks in ICS versus how much would you put with this group?

Achorn: as I said, it depends on the day. You don't want to be going in there to take out a month's worth of bills. You do it longer term. You would want to have a certain amount, like one year's worth of invoices, maybe a little less, to see where your flow is. Each account has to be analyzed separately based on its need for cash, payment of bills. I would not jeopardize our relationship with our two banks by pulling everything out. You want to have a certain amount of activity in your banks.

Sanger: do you not draft out of the two banks every night now? I understand you're moving money out of the two banks into ICS –

Achorn: they stay within those banks. They don't move out of those banks.

Sanger: I understand. I'm trying to get a feel for if you're talking about taking 10 percent to this new group? I don't understand what you're doing. I know you want to increase yield.

Shanafelt: let me take a stab. The investments MI CLASS has are similar to the types of things back in the day that my companies would use for their stable, safe investments. It helps with cash flow. The investment vehicle of MI CLASS looks very attractive. I agree with the letter that being able to pull money out whenever you want it is an incredibly interesting feature and actually creates some interesting challenges in the respect of, if you are earning one percent more in MI CLASS, and you can access it whenever you want, why don't you put everything in MI CLASS? Because highest yield, easiest access at anytime. I think that's the bigger question. I do think we need to maintain relationships with our existing banks. I think having something with a single manager presents a certain level of risk, although their strategy largely eliminates risk. I think the question is germane, but it's not helpful to know today how much one would put in there. But having the option to utilize it would be useful.

Sanger: I raise the question on risk. Is there any insurance? I'm familiar with FDIC insurance, which covers the first couple hundred thousand. But if we have ten million in the bank, how much of that is at risk and not covered by federal guarantees?

Achorn: currently? None. Everything is guaranteed. If you'll read the report, the pages I told you today to look at, 100 percent is insured.

Sanger: how are you getting around the fact that the amount we have with Independent Bank today, I'm assuming, is much more than the 200,000? Is ICS only buying government securities, or is there additional help? What insurance do we have that's over over the FDIC insurance we have within Independent Bank?

Achorn: it's a program the banks have access to, to move money from our bank account daily to an account through ICS. It moves just like this MI CLASS. Every day, it moves the money into a pool of banks so that we don't have more than –

Sanger: I understand that. Let me now talk about MI CLASS. I did look at the 10 or 12 pages. Help me understand the risk involved. You're saying no risk. I read on page eight a disclaimer in small print: "MI CLASS is not a bank. An investment in MI CLASS is not insured by the Federal Deposit Insurance Corporation or any other government agency." I'm having trouble with the risk involved in putting taxpayer funds into an account that is not federally guaranteed. Or I look at their securities. I look at their report in June: 92 percent of securities are in commercial deposit slips, commercial paper. I would expect a high percent in treasuries, but that was not the case. Help me understand the risk.

Achorn: I can only go to the same theory that our ICS accounts have. It is put in an enormous pool that is invested in multiple companies, multiple products, relatively short term, which makes them less likely to have a problem. I cannot answer the question to the degree you want. It is not federally insured.

Sanger: that's what bothers me. If ICS is taking money out of our two bank accounts and putting that money in a way that they are able to satisfy the FDIC maximum deposit amount, and all of the monies we have today with the two banks are federally guaranteed by FDIC, I am comfortable. But I have a problem putting taxpayer monies into any account that's managed by an investment firm, that is telling us ahead of time, "These investments are not insured." As trustee, I have a fiduciary responsibility. I can't take that risk.

Wunsch: it's fine for us to have disagreement on this issue, if we get chief consensus. It's a question of different appetites for risk. I'm personally comfortable with the level of oversight that the State Department of Treasury has over which investment vehicles are allowed into this fund. The state does have a level of oversight in determining what is an appropriate level of risk for us to take with taxpayer dollars. My personal sentiment is that it's an acceptable level of risk to take.

Rudolph: I was impressed because the MC [Maner Costerisan] draft report mentioned their name and suggested this was a possible way for us to improve revenue generation. It's 33 years of history where municipalities and government agencies in Michigan have pooled their money. I saw the listing from May of 2023 of the participants, and I was impressed because Grand Traverse County, Leelanau County, Grand Traverse County Road Commission, Grand Traverse Public Schools, Elk Rapids, Garfield, and East Bay Township [are] on there. We are talking about more than a one percent increase on possible revenues. There is risk reward. It states clearly there's no federal guarantee. I think if it's managed properly, the risk is relatively low. I would be concerned about putting all of our eggs in one basket. It's always a good idea to diversify. Putting a part our excess funds in there, I would be okay with that. The other thing we have to be concerned about is, look at the MC report. This township is not well positioned from the standpoint of reserve funds.

Wunsch: it's not well positioned from the standpoint of reserve funds with regard to our general fund, but we have several funds like PDR or the fire fund that are substantial and slow moving. We do have several million dollars of reserves, so a one percent increase on some of those restricted funds would certainly be beneficial to those specific funds.

Shanafelt: the other side of fiduciary responsibility is taking advantage of things that you should be taking advantage of. What is clear about MI CLASS is that it appears to be a best practice. The fact

that so many municipalities have overcome this discussion of risk speaks volumes. Thinking about how much money and which pools of money we leverage MI CLASS in is going to take some work. You don't know today what that is, and I think that's reasonable. You have to look at some things to figure that out. To me, it's totally reasonable to include this as one of the options we can take advantage of as appropriate.

Achorn: to the point of putting all the money in, we don't want to babysit MI CLASS. How much are we going to put in? It's going to sit there for a while because we don't need it.

Shanafelt: use this as your long-term investment vehicle.

Sanders: I appreciate all the additional information provided. I am comfortable moving forward with this, but I think we should maybe take baby step and not throw everything into something that not everybody is okay with due to the risk involved. Can we set a cap on how much we would originally start with? Then maybe the board can review. Maybe just the first year. Or do we just say, treasurer's office, you're in charge, you roll with it?.

Achorn: you gave me the authority.

Sanders: I know, but I also like to have a level of comfort.

Achorn: it will be in your balance sheet reports.

Sanders: that's not what I'm asking. What I'm saying is, how about we start with a million dollars?

Shanafelt: it's a slippery slope. I don't think I want to go there.

Wunsch: if we want to have more board and public oversight, it would be appropriate for the treasurer's office to provide us with monthly or quarterly updates on what's invested. Statutorily, and I think per our internal operating rules, we delegate. The board doesn't micromanage.

Achorn: you did not micromanage me when I was dealing with one bank and another bank and a third bank and how I was able to balance the three banks.

Sanders: I already said I'm comfortable with this. I'm not arguing; I'm suggesting. I have money I invest, and it's diversified across an incredible amount just to keep the risk low and to be able to move things around. I don't know if I would want to say, "Here's our ten-million-dollar bank account."

Shanafelt: all Marge [Achorn] is doing is adding another investment vehicle to the pool.

Sanders: I get it. But do we want to draw down our other accounts and put a lot in this one?

Shanafelt: it is the treasurer's prerogative to determine –

Sanders: it is a treasurer's prerogative; I get it. But when we're talking about restricted funds like PDR and fire, if all the money got lost for whatever reason –

Shanafelt: go back to when Silicon Valley Bank failed. When multiple banks start failing, and we're worried about several regional banks failing, the FDIC system is going to fail. And we got lucky. I don't see FDIC as being a reliable insurer. I think using that as an argument that protects us from risk is a false argument.

Sanders: I'm not trying to protect everything under the umbrella, just trying to say, maybe just this sliver.

Shanafelt: why?

Sanders: because I'm risk adverse.

Shanafelt: the only thing I hear is that it's new.

Sanders: no, it's not new.

Shanafelt: it's new to us.

Sanders: but it's not new to people who have lived outside of the area. Oakland County's on this and several cities. I've been very aware of this for a while. It's not new.

Shanafelt: so where does the cap concept come from here?

Sanders: there's a lot going on in the township right now. There's this big, ugly thing out there

where we don't know if we're going to have to pay a lot of money. In the event that we had to, I'd like to make sure all our investments are diversified enough so that if there was a bank failure...I just want a smaller sliver and to take baby steps into it.

Shanafelt: do we have an investment policy that talks about the distribution of funds or the type of funds?

Achorn: the only investment policy I could find was the one I read to you that you agreed to. I looked in the audit report. They talked about an investment policy. We would have to look at it.

Shanafelt: we might want to develop one.

Wunsch: the treasury rules I was referencing earlier are basically a uniform risk adverse policy.

Shanafelt: statutorily, we wouldn't be able to violate that.

Wunsch: we cannot take more risk than the Michigan Department of Treasury will allow.

Rudolph: that's established by the state.

Wunsch: even if you're at a fixed income stage of life as an individual, it's likely you would have more appetite for risk than the State Department of Treasury will afford municipalities and schools.

Sanger: discovering I do not fully understand the risk the township is taking with anything more than what is FDIC guaranteed bothers me. I am not prepared tonight to move forward. We're dealing with two banks, and the treasurer told me this afternoon that's been funding this ICS organization. I do not understand if that is enabling us to get FDIC insurance on all with these two banks, or it's another one of these, putting it off to this MI CLASS, which, again, we have no insurance, no guarantee. When the township is facing financial issues, the last thing you can do, and what is prudent to stay away from, is taking any risk. This needs to be aired publicly. I think it's great to chase one point of interest, but I'm not prepared tonight to take any risk because I'm really concerned. When I looked at this group, I thought they would be FDIC insured or invest only in federal securities. The investment as of June 30 in treasuries was miniscule. They are chasing yield. When you chase yield, you have to be comfortable with risk.

Achorn: my motion is on the floor.

Shanafelt seconded Achorn's motion.

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

No – Sanders, Sanger

Motion passed

Achorn moved to amend Resolution 2024-03-27 #10 to add MI CLASS authorizing the treasurer office to access online banking through Independent Bank, Savings Bank, Huntington Bank, and MI CLASS with a second by Shanafelt.

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

No – Sanders, Sanger

Motion passed

7. Request for Factual Corrections to Maner Costerisan Organizational Analysis (Shanafelt)

Shanafelt: we included for your reading pleasure a hundred-plus-page document that our third-party firm provided us that looks at our organizational structure, how we operate, etc. I personally have not read this yet. I'm putting a deadline on myself to go through it and see if I can identify any mistakes. The reason we're going through this process is that there were extremely limited touch points with Maner Costerisan throughout this process to ensure they could operate as independently as possible. With the help of my fellow board members and our residents, we can do a very good job of finding any details that may be incorrect so they can incorporate those and provide us with a final report that is as close to using accurate information as possible. We are not looking for commentary on conclusions or assumptions. I want to make sure the facts are as good as they can be. When we do have that final report, the new board can take it under consideration for any actions they may or may not want to make. In the document, I gave both my and Becky's [Chown] email addresses. Please submit your comments by email. I will relay that back to [MC]

once it's done, shortly after October 27. That letter will publish with the packet so everyone sees what I sent back so you verify that things were included. I don't know how long it will take them to make changes. Shouldn't be too long, certainly not before the election, but probably in November.

Rudolph: I did read through it. I was fairly impressed. I encourage citizens to read through it. It's quite eye opening regarding the data they presented on how our community is changing from the standpoint of how fast it's growing in relationship to other communities in the area. Also how the demographics out here are changing. We're becoming older. Both things put pressure on the resources of the township to support the aging population and also the increase in population. It was encouraging to me that they didn't come out and say, "Here's the path you have to take." They gave many options. As a community, we're going to have a chance to look into this and discuss it to try to come to the best solution for the township.

Chown: I have some corrections, but overall it's well done.

8. Resolution 2024-10-08 #1, to Update the Class 2 Definition in the Group Pension Plan Document (Wunsch)

Wunsch: Peninsula Township operates two defined contribution programs, one for our administrative employees in the office and a separate one for our union firefighters. This resolution is to clarify language in the class two definition. These two classes already operate separately; this is just to add a level of clarity. The resolution will amend the 401 A plan to update the class two definition to full-time firefighters. The original language predated the formation of the union.

Sanders moved to approve Resolution 2024-10-8 #1 [to update the Class 2 definition in the group pension plan document] with a second by Shanafelt.

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

Shanafelt: what is the date for the amendment to be effective?

Achorn: April 1?

Chief Fred Gilstorff: correct.

Wunsch: of 2024. We are backdating it.

Wunsch: I want to update the board that the fire union contract has been approved and signed by both parties. We have a union contract with our firefighters for the next three years.

9. Resolution 2024-10-08 #2, to Protect Unspent ARPA Funds (Achorn)

Achorn: municipalities are trying to utilize all their ARPA funds. We had plans when we got ours, and we're not going to be able to meet the deadlines. We need to go through a procedure that has been suggested to us by Maner [Costerisan]. I delayed presenting it at the last meeting because the seminar was a couple days later. I wanted to get the resolution and detail on what exactly we have to do. It's several different steps, according to the federal and state government.

As introduction, we received a total of \$613,718.12 in ARPA funds. We approved and spent \$88,424.98. That leaves the balance of \$525,293.14 unspent. We had thought the parks projects were going to come along faster than they have. The board has to approve the resolution that the remaining ARPA funds in the amount of \$525,293.14 be spent on revenue loss as allowed in the U.S. Treasury Rule and that the government service identity is employee wages allocated within the general fund during the period of April 1, 2021, through December 2026. The buzzwords are revenue loss, government service identity, employee wages, and general fund. First, we have to declare that we have spent that money. I used April 1 because that's when our fiscal year begins and it was easy to accumulate the information based on that. I ran proof that we had spent money on salaries and only on full-time employees because they were paid during the covid close down. We definitely spent more than \$525,000. Once this resolution is approved, we have a next step.

Achorn moved whereas under the federal Coronavirus Local Fiscal Recovery Fund, CLFRF, which

was established under section 9901 of the American Rescue Plan Act of 2021, ARPA, Peninsula Township received \$613,718.12, and whereas the eligible use under the CLFRF is replacing lost revenue supporting the COVID 19 public health and economic response, premium pay for eligible workers, and investing in water and sewer and broadband infrastructure, and whereas under the revenue loss category, the final rule published by the U.S. Treasury presumes that up to 10 million dollars in revenue has been lost due to the public health emergency and recipients are permitted to use that amount not to exceed the award amount, \$613,718.12, and whereas Peninsula Township has \$525,293.14 in remaining funds that must be spent or obligated by December 31, 2024, now, therefore, be it resolved that Peninsula Township elects to use its remaining CLFRF funds under the eligible category of revenue loss, and that the government service identified is employee wages, allocated within the general fund during the period of performance, April 1, 2021, through December 31, 2026, with a second by Sanders.

Rudolph: to clarify, we're telling ARPA we have spent this money already, and we have proof that we have committed those funds.

Achorn: and spent them.

Sanger: what is the revenue loss? What revenue did we lose during the covid period?

Achorn: it does not matter.

Sanger: aren't we setting ourselves up to prove that we did not receive revenue because of covid?

Achorn: they changed it to the 10 million dollars.

Sanger: so we're coming in under the wire.

Wunsch: the plain text is that the boat launch in Kelley Park is tangled up in red tape with EGLE permitting and construction timelines. The board has effectively committed these dollars will be spent on our half of the Kelley Park boat launch, but because we are running short on the federal government's timeline, we're moving money from one bucket into another.

Chown: it's still committed for the boat launch. We just aren't going to be able to spend it by the year-end deadline.

Sanger: of the \$525, how much of that have we committed already?

Achorn: no that's the unspent. \$525 is the uncommitted.

Sanger: we have a 50/50 match, which is, what, \$600,000?

Chown: approximately. It is a 50/50 match.

Sanger: where is that money shown in the analysis? Is it part of the \$525, or is that already booked?

Wunsch: it's what we had earmarked the \$525 for previously.

Chown: that's what the bulk of it is going to plus \$60,000 has been earmarked toward the Hemlock Wing at Pelizzari Natural Area.

Sanger: to clarify, so the public understands, is the \$525, as of tonight, not committed?

Wunsch: we've committed it in our budget, but because of the delays, if we don't have an allocation for those funds by the end of this year, there's a clawback. But the federal government has created these new rules so you can allocate the spending to your past general fund expenses and then put it back into your general fund.

Sanger: is there anything left after what we've already –

Chown: no, there's nothing left.

Shanafelt: although we have committed the dollars so we know where we want to spend them, they're not committed in the eyes of ARPA. What we're doing is putting it someplace so we can then use it as we've already committed to.

Sanger: our intent is to use quite a bit of it for the Kelley –

Shanafelt: and some of it for the Hemlocks.

Chown: furthermore, the \$125,000 sum of money that the county committed to Peninsula Township one year ago, that money is gone too. It's committed toward the boat launch. It's going to take all that money to pay our half of what we've committed to.

Wunsch: thanks to Becky's work on the parks, we've doubled the amount of money we got from ARPA, effectively.

Shanafelt: the federal government basically knows it's hard to do things. What they've said is, it's going to be more trouble to pull it back than to figure out a way to let you guys keep it. They gave us an umbrella to act under.

Wunsch: they want to get out of the business of monitoring ARPA accounts.

Achorn: clarification on the county money: it's to be spent on parks capital. Not specifically any park.

Chown: correct. It's capital improvements. It's at our discretion. But we couldn't come up with our half of the sum we need to pay for the boat launch without that county money coming in, committed over a five-year period.

Achorn: second, what we think is committed, the government says must be signed contracts. And we cannot get signed contracts for anything, right?

Shanafelt: two different definitions of committed.

Chown: that's right, Marge. we're waiting on two permits. It's not just EGLE; we also need a permit from the Army Corps. We have to have both. We'll know by the end of the year. All of that is in process right now.

Achorn: so now we've got the money. It goes into the general fund.

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

Achorn: we saved the money. We had already committed by board approval parks uniform signage of \$18,000, Pelizzari Hemlock raised walk \$50,000. We had to have that committed in order to get grant money. \$50,000 was committed for the Kelley Park grant match for a total of \$118,000. We can put this into a committed account. Committed has a special meaning for how funds are held, in accordance with our audit report. They're not restricted. When they're restricted, it's by law. These are committed by vote of the board. If we commit these funds, \$525,293.14 to a fund for capital improvement for our parks and cemeteries, then we will save it and separate it from any other general fund so it cannot be spent for any other use than these. Specifically, we will move what we had committed under ARPA to commit it under our new restricted account.

Achorn moved to delete the previously committed ARPA capital projects and the amount of \$119,000; these same amounts for capital projects are identified as specifically listed committed spending out of the \$525,293.14 restricted account for parks and cemeteries with a second by Shanafelt.

Roll call vote: yes – Rudolph, Sanders, Sanger, Achorn, Wunsch, Chown, Shanafelt **Passed unan**
10. Planning and Zoning Department Update (Cram)

Cram: I want to remind the board that we have a special meeting coming up on Monday the 14th from 2:00–5:00 p.m. to interview the candidates for the Agricultural Advisory Committee. Questions from the committee are due on Thursday, October 10. My plan is to get those questions to all of you by end of day on Thursday so you can review over the weekend and be prepared for the interviews on Monday. Once the committee has been appointed, we'll work on some bylaws. Maura [Sanders] volunteered to be the board liaison along with Kevin Beard from the planning commission, so we'll hold a subcommittee meeting and set things up to get the group started, hopefully in the new year.

The big news is that our zoning ordinance is now fully codified. I've been working on this for two years. We now have a zoning ordinance with all 204 amendments in one location. I am grateful to

many people who helped. It was uploaded to the website today. It should make it a lot easier for us to do our jobs and for the community to understand what the current regulations are. Master plan across the finish line, zoning ordinance codified...It's been a productive summer and fall. I look forward to working with the new board and talking about our plans to do a comprehensive review and update of our zoning ordinance. We're not starting from scratch. We have the zoning ordinance rewrite that has a lot of good work in it. We'll be looking at a lot of things, but having use tables and diagrams to make our zoning ordinance more user friendly will be wonderful. A request for the board: please consider holding some study sessions, maybe every other month. It would be wonderful if the planning and zoning department had some time with the board. We are working on our shoreline regulations. The study group has made recommendations on how we might approach single and shared ownership. We need to discuss how we deal with development standards, if we allow hardened landscapes and things like that on the shoreline, with the potential of the water elevation coming up again. It's going to require time with the planning commission and the board to talk through some of those issues. We talked a couple meetings ago about doing an educational session where we bring in guest speakers to talk about the issues of hardening the shoreline, of preservation of natural resources, how we can balance the desires of our community with also sustaining and protecting the natural resource that we have. Also, everybody wants to finish space above their garage. They want to have another dwelling. We're looking at traffic impacts and our density increasing and also wanting to allow opportunities for families to age in place. We need to weigh those things. There are quite a few topics that would be helpful to get feedback on so we can move forward. The public would be welcome to listen and provide comments. I know everybody is busy, but this would help us advance some important things in the planning and zoning department.

We also have new application forms and process documents. We're trying to make our office more professional and user friendly. We've already initiated online appointments, and we'd like to have online applications.

10. Citizen Comments

Fred Swaffer, 1045 Gray Road: question. It's a little hard to hear back here; the whole ARPA discussion got a little confusing. What I heard was that we got \$613,000 or something like that. We spent \$88,000, which left us with \$525,923.14. We're moving that from whatever those projects were to the parks and another project, but the way we're keeping it is by saying that we used it to pay salaries during covid? Is that what I heard? So we didn't use the money at that time to pay salaries. We're just going back and saying that we did. I don't know. We didn't do it, but now we did do it? Seems like we're fabricating something to keep the money.

Shanafelt: you should really try to understand how things work before you make assertions such as we're fabricating things. I appreciate that you don't understand it, but to make assertions that we don't and we're faking it is obscene.

Swaffer: you may believe that, sir, but that's what it sounds like.

Shanafelt: it's not a belief. If you read the document, if you go into governmental statements about this, you will understand why we're doing this. Your assertions are out of line.

Swaffer: I asked a question. I was confused. It doesn't sound proper. You think it is; that's great.

Shanafelt: no, I don't think it is. It is. You didn't ask a question. You accused.

Swaffer: I told you what I heard, sir.

Rudolph: what you're maybe not understanding is that we had already committed the money budget wise, but we couldn't write the checks because the permits to do the jobs have not come through from the state. We as a board had already committed that money, and the federal government said we have to actually have a contract in place in order to spend that money before

the end of December. We can't do that, even though we are in the process of doing that for these two projects. What we've done is gone back and said, "Okay, federal government, we spent the money here. We have the proof that amount of money was spent by the township," and then we're taking that money that we would have spent on salaries and putting it into the parks, into a special fund so we can fund these contracts when they come. That's what we explained.

Shanafelt: the point is the federal government said that's okay, and that is clearly stated in the meeting packet. This is why we're doing it. We're not making this up. The federal government has allowed us to do this process, so we take advantage of it.

Swaffer: what I am saying is you didn't use the money to pay the salaries. You didn't. You used general funds to pay it. And we didn't lose revenue during covid, did we?

Dave Murphy, 6943 Shorewood: regarding the survey first. Thank you. It's timely. It's needed. In 2019 when we did the survey, there was a citizen group appointed, and it was an offshoot of the master planning process. So this is going to be different unless there will be an effort to tie it to future master planning work. I'm curious how that will play out and how the group that determines the questions comes up with the questions. From what pool of citizens will you be drawing? I thought the town board did a great job. They put out an application process. People submitted those applications. I don't think we were interviewed, but it was a large group of folks who got together. It was an arduous task. We sat down for a couple of months of meetings to develop the questions. The Epic group that facilitated the survey, I didn't always agree with them, but I very much respected their process. As the saying goes, the questions are more important than the answers. I was frustrated by some of the questions. A lot of detail went into some areas, didn't go into others. For example, parks are a big personal issue to me. We were lucky to get a parks question in the survey. Over the past five years, we've seen how difficult the parks are to manage, especially since Covid, and how much utilization they're getting. PDR commanded a ton of attention, and rightfully so, because it was about to expire, and it was being used as a guide as to whether another millage should be done. That's off the table this time. With the report that Armen [Shanafelt] has done such a tremendous job in ushering along from Maner Costerisan, I'm curious how that's going to be put out to the public. I want to make sure it's understood and then likely incorporated into this survey. I see this as a big challenge, and I'll volunteer right now to be on a committee looking at the development of the survey questions.

Fred Woodruff, 4824 Shorewood: I did read the report, and two things popped out at me. One is a suggestion with respect to the PDR program: someone do a long-term analysis to determine what the plan is and how much is going to be used and on what basis. The PDR program has collected money for two years. We don't have any projects to fund. I think I just heard from the report that 40 acres may, in fact, be committed to the program. There's been only 700 acres that have been applied for. My understanding is there are 4,000 acres left in the the agriculture protection area that would be eligible, but there isn't enough money to cover all of it unless you have grant funds. Is somebody discussing the strategy and looking at the long term? Are we, for lack of a better term, reacting simply to the applications we receive? Second, the report talks about fiscal management. I think they're saying the law requires the township to have a quarterly review of the budget? It's a very difficult document to read. It was part of the consent agenda, and I thought about getting up and moving it, but you've got enough to worry about. But as you move forward, I don't think fact finding in the report is going to change the recommendation that the township board get a monthly report on the budget and do a quarterly review. Last question, the agenda list says there's a meeting on October 16, at 11:00 a.m. Special meeting. Anybody know what that's about?

Cram: the meeting is for Peninsula Shores SUP #123, Amendment #5. The applicant has brought forth a new proposal related to that amendment for the board to consider. The agenda was posted

to the window today. The agenda and packet will go out tomorrow.

Chown: sometimes when we know we have a special meeting coming up, we'll put a placeholder on the website even if the agenda and packet aren't ready yet. It's a "Save the date."

Cram: with regard to the PDR fund balance, when we went through the third amendment to the PDR ordinance, it was specific that we set up different accounts for the money that would be collected from the PDR millage. One account is going to generate money to create an endowment for future maintenance and administration of the PDR program. Another account is set up and has to be funded for enforcement of that. The plan is to spend all the money until it's gone, and there will be accounts left for a future endowment for enforcement and so on. We are currently in round five, the first application period of the PDR program. We received 11 applications. Those were ranked, we're working on appraisals, and once we've gone through those 10 or 11, we will open up another application period. We will keep going until we have conserved as much land as possible within the APA with the funds that we have. In order to make the money go further, we are looking at federal and state grants. That's why this appraisal process has taken a bit longer. We did have applicants who chose to look for matching funds so the PDR balance would go further.

Woodruff: I guess what I was asking is, is there a strategy for how you approach the acreage for which there has been no application?

Cram: yes. We will continue to advertise that the PDR program is ongoing. While we have money, we will continue to accept applications.

Woodruff: you don't go knock on doors and say "You're eligible"?

Wunsch: the conservancy does that for us. It has had a long-term contract with the township when we have active PDR runs and tries to get the word out.

Woodruff: I understand you have your ranking, but do you have priorities?

Cram: yes. We also have a waiting list for people who are ready to apply when the next application period opens.

Wunsch: the way we handle it is, we do rounds because we have to have an appraiser go through and do a bunch of appraisals to determine the scoring. There will be a round that opens up, and then there will be a lengthy process of scoring, appraisal, and negotiation of easements between land owners and the conservancy primarily and then approval by the board. Once the township gets to the end of a round, they open up another round. We have 10 projects moving through the process right now. When those are done, or when Jenn [Cram] and the conservancy tell us we should open up another round for applications, we'll open it back up.

Woodruff: sounds like part of the thing that's driving the process is that once you identify a piece of property, you've got to go hire an appraisal, and that costs \$5,000.

Cram: yes, we do have to have an appraisal.

Woodruff: you don't start focusing on a piece of property until it's on the list and you deem it appropriate to get an appraisal?

Wunsch: yes.

11. Board Comments

Sanger: I want to add to Jenn's suggestion of having a study session. I believe it's common in other municipalities for the board to meet in what is more of a working session as opposed to a decision-making session. We talk a lot about communication, but it's the only time the seven of us get together and express our thoughts and concerns and try to provide feedback to the public but also feedback to the planning commission and our parks committee and probably this newly formed committee on agriculture. We need to be careful that the township board doesn't take over and take work away from these groups. This coming together of the seven of us once a month, and I like the fourth Tuesday concept, would enable us to discuss, identify, and set priorities and

determine where in our organization of volunteers and elected officials the work should be done. I think it would open up communication and take us further ahead towards setting strategic goals and being sure that we are using the resources we have. The dedicated people in our parks [committee], planning commission, let's give them some direction as opposed to having them try to figure out what's in our thoughts when they come to us on the second Tuesday.

Sanders: it's a good idea to have everyone get together. Once a month might be a bit much. At least once a quarter for sure.

Chown: I'm in for once a quarter.

Sanger: we've got to be careful. The meetings going on to 11 o'clock are not productive. If we're going to have full agendas, we need to set a hard stop, which we did years ago when I chaired the zoning board. We can work towards that hard stop and be sure if we have to pack the agenda that we have that fourth Tuesday as an escape valve, both for the benefit of those of us who are putting the time in and the public who are watching it and coming. We don't want people driving home at 11:30 or 12:00 at night because we had an agenda that was way too big. It's not productive to work much after 10 o'clock.

Shanafelt: you illustrate a great point. There's a lot of work to be done. We meet once a month, which is fairly frequent for a township, and we still run over time and don't get to everything we need to. Today is an exception. It's sad that it's an exception. It struck me when I first got involved that the complexity of this township far exceeds what this governmental structure can provide, and we're just seeing the consequences of that. The practical thing is we do go long because we have to. Meeting more frequently is a way to solve that. Finding other ways to do it is another way to solve it.

Chown: I am going to correct the agenda. I'll do it in red and post it on the website. Our resolution numbers are off. I also want the resolutions themselves to be corrected. We number them in the chronological order that they appear on the agenda. I will make all of those corrections in red so the documents are correct.

I want to make a comment too that my office runs the cemeteries. We are super busy right now assisting voters and individuals who want to register to voter or need an absentee ballot. This is a plea to the community: if you can wait till after the election for cemetery needs, please do. We were four deep in the clerk's office all afternoon, four people assisting our residents with either cemetery needs or election needs with a line down the hall. It's too small of a room. We can't hear ourselves speak. We love our cemeteries. We love helping our residents, but these things take time. Put cemetery inquiries off if you can, and if you can't, we will help you to the best of our ability. Thank you.

Achorn: the audit report has been completed and filed with the state. I put hard copies in the trustee mailboxes. Just as soon as our auditor is able to translate their computer language to our computer language, we will put it on the website.

Wunsch: I'm appreciative to Marge [Achorn] for figuring out how to preserve our ARPA funds and for the board for taking the time to understand the complexity of that issue and approve a process for holding onto the money instead of turning it over to the federal government.

Chown: and breaking our signed contract with the DNR. We had to sign a grant agreement that, assuming the permits are issued to the township, we will, in fact, come up with our \$600,000 to construct the boat launch. We have imperiled ourselves if we break our contract.

Rudolph: I am grateful to the ARPA administrators for giving us the option of doing this. I want to echo Armen's [Shanafelt] comments to Mr. Swaffer that this was some kind of nefarious thing that the township board has done. This is a way to protect funds that were granted to the township for this purpose, and we're doing our best to act as a fiduciary responsible for making sure that money

stays in the township. I appreciate that very much. Thank you, Marge, for figuring that out.

Shanafelt: we have an election coming up. Every election is important. Please get out and vote.

This is how we manage our democracy.

Chown: I put in the consent calendar a copy of the fundraising appeal letter that was sent to every household within five miles of Pelizzari Natural Area last week. We've already had a number of donations come in to construct the sustainable elevated trail. If you would like a copy of that letter, I will happily send it to you. I will be putting it out on the township's email list soon, but I don't have everybody's emails. If you are feeling inclined to save a stand of old-growth hemlocks that protects our drinking water, sequesters carbon from the air, and is quite rare in this part of the world, please reach out to me. We are seeking to raise \$80,000 by year end. We have a dollar-for-dollar match of \$80,000, so every dollar that anybody puts into this project will be matched up to \$80,000.

Also, I think in almost six years as clerk, this was the first time we didn't have public comment at the start of the meeting.

12. Adjournment

Sanders moved to adjourn with a second by Shanafelt.

Motion approved by consensus

Adjourned at 9:12 p.m.