



PENINSULA TOWNSHIP

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MI 49686

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Township Board Regular Meeting
December 12, 2023, 7:00 p.m.
Township Hall
Minutes – Corrected 02-14-24

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

2. **Pledge**

3. **Roll Call**

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

4. **Citizen Comments**

Wunsch: I'd like to note that my language and behavior at our last meeting were inappropriate and to apologize to the community for that. I try to hold myself to a high standard. Things were heated and I shouldn't have responded the way I did. I'm sorry for that behavior.

Dennis Arouca, 850 Nehtawanta Road: I'm here tonight as president of the Friends of Old Mission Peninsula to read into the record a letter I sent last Thursday. It's about the WOMP dispute and the debate about insurance:

"Writing on behalf of Friends of Old Mission Peninsula, a Michigan nonprofit corporation, LARA number 126298. Organized to inform and educate residents, taxpayers, and other interested citizens about the challenges facing Old Mission Peninsula and spark action in response thereto. This includes efforts by the wineries operating on Old Mission to increase commercialization of agricultural zoned land. You can learn more about Friends at our website, friendsofoldmissionpeninsula.org. Friends posted on our website and issued a media release informing that WOMP is seeking through its litigation damages from the township defendants over \$200 million. WOMP is also seeking attorney's fees in addition to the damages. Damages and fees would be paid by the township from tax increases and/or assessments. WOMP responded to our assertions through a posting of its own on December 6 at ompwinetrail.com in which they said they did not dispute that WOMP is seeking damages in excess of \$200 million. They reinforced that WOMP was also seeking attorney's fees on top of \$200 million. They asserted that township taxpayers would not have to pay damages, citing: "During a June 8, 2021, town board meeting, counsel for Peninsula Township... advised that if the township lost the case, it would be fully covered by insurance except for the cost of the deductible... this is consistent with a review of the township's insurance policies." Then they cited to a document link which if you go there is a 2014 insurance contract document. WOMP also said that the township public statements and behavior have reflected that the insurance coverage is adequate. Fourth thing they said was criticizing friends statements that recent mailers are inaccurate and intended to

scare the township residents. [three-minute timer]

Monnie Peters transferred her three minutes to Arouca.

Arouca: there's a number of statements by township representatives that the township has some insurance, but it would only cover a small fraction of the damages claim and the balance would be paid by taxpayers. In the letter you see the citation. All of this has created a good deal of confusion and anxiety among taxpayers, residents, and other citizens about a very important part of the WOMP lawsuit. Who pays the damages if they are awarded? This has affected confidence in elected officials and staff and interfered with the efficiency and effectiveness of public services. Therefore, we request that the township provide copies of all insurance contracts that provide insurance benefits to the township and any other employer or person who's been authorized to act for and obligate the township. We understand that WOMP's assertions are rather extensive, and identification of the appropriate time periods is going to be a challenge in responding to this. We respectfully suggest that a look back 10 years to that 2014 insurance contract WOMP referenced would be a good start. We've been advised that since that 2014 contract was put in effect, the township has changed insurance carriers at least twice.

5. **Approve Agenda**

Patterson: consider adding a new item to be addressed in business after item three that relates to the winery litigation. Talking to insurance defense counsel, which is lead counsel to the township, we have a request to make related to pursuing public settlement discussions with the other parties. We ask for authorization of township counsel to proceed with a public settlement framework for the Old Mission Peninsula Winery litigation.

Sanders moved to approve the agenda and add business item four, approval of pursuing public settlement discussions, with a second by Shanafelt. Approved by consensus

6. **Conflict of Interest:** none

7. **Consent Agenda:**

1. Invoices (recommend approval)
2. Reports
 - A. Cash Summary by Fund
 - B. Fire Department
3. Minutes from November 14, 2023, Joint Planning Commission and Township Board Special Meeting and Township Board Regular Meeting; November 30, 2023, Township Board Special Meeting; and December 4, 2023, Township Board Special Meeting
4. Ticker article titled "Walking, Biking Take the Spotlight as Communities Focus on Nonmotorized Plans"
5. Correspondence
 - A. Jed Hemming

Rudolph moved to approve the consent agenda with a second by Sanders. Passed unan

8. **Business:**

1. Verbal update on Building Height Study Committee and process for submitting applications to Planning, Zoning, and Assessing (Cram)

Cram: the work of the building heights study group formed after the November 14 joint special meeting with the planning commission and township board has been very

productive. That study group includes 13 members: three planning commission members, Kevin Beard, Randy Hall, and Armen Shanafelt; Ellis Wills-Begley, a resident and graduate of the architecture program at the University of Michigan; Sally Erickson, a resident and builder; Laura Howe, a resident with a home currently under construction; Ray Kendra, a resident and licensed architect; Pete Morrison, a resident with plans for a future home to be constructed on the peninsula; Scott Naumes, a builder with Mapleridge Construction; Scott Norris, a builder with Scott Norris Construction; Lew Seibold, a resident, farmer, and retired architect; Lauren Tucker from the Home Builders Association; and myself.

We first met on November 29 for two hours and on December 6 for two hours. I am pleased to say we came to a unanimous consensus with policy recommendations that will go before the planning commission next Monday after the December 18 meeting. We'll hear from the planning commission if they're comfortable with the direction and then the plan is to work with Randy Hall and Kevin Beard as well as legal counsel to draft possible amendments to the zoning ordinance related to building height.

The second item I wanted to bring to your attention is our active policy where we require appointments for people to submit applications for land use permits, land divisions, variances, and special use permits. This allows us to schedule time to do prior research so we're prepared when we meet with applicants and can move applications through the process more efficiently. When we have a complete application, things move pretty quickly. I wanted you to be aware of that. We have been utilizing that process and it's been working well.

2. Verbal update from Charter Township Study Group (Shanafelt)

Shanafelt: there's a lot of chatter around the charter township issue, mostly negative, sometimes with misinformation or misrepresentation to bolster the negative. What strikes me most is the aspect of "us versus them," as in the residents of the township versus the township itself. I find this baffling. We at this table are residents of the township. We happen to represent the current township government. The effort to consider a change in government structure is driven by a desire to determine what is best for Peninsula Township as a whole. Whatever decision is made, it affects all of us in the same way. A general law township is the simplest form of government defined in Michigan. It is very effective in the context of a largely agrarian community. Peninsula Township is a general law township. However, we are a complex community made even more complex by our geography, a narrow land mass surrounded by water and all the issues that come with it. I'm not arguing for moving to a charter township. However, I am pushing to understand what we need for Peninsula Township to operate effectively and efficiently for its community. To that end, we established the charter township study group chaired by myself with members who are residents of Peninsula Township who are not board members: Wes Cowan, Ron Staken, Fred Woodruff, and Dave Murphy, all of whom spontaneously volunteered. By the November township board meeting, we had what we thought was a summary understanding of the overall functions and interactions within our township and expected that a follow up with township officials would confirm this understanding and address any assumptions we had made.

However, this deeper dive resulted in the realization that the township is far more complex than we could address ourselves. As a result, we are recommending issuing a

request for proposals [RFP] to consulting groups expert in municipal government to analyze our township government structure, processes, and needs to guide us towards developing a structure that creates efficiencies that are effective for residents as well as strategies to fund these needs. The study group has agreed to manage this process but needs supportive township staff to issue the RFP. We don't know yet what this might cost. I anticipate we will bring this back to the board for discussion once we have determined the best group with whom to work.

Sanger: I think it makes sense. In the past we've engaged consulting firms to tackle some small problems such as trying to determine the job description for the planning director. That seemed like a pretty simple job, but it turned out to be complex. We did engage a local consulting firm. It makes sense to pull this apart, analyze it, research it. We have been faced in the last month with a lot of information on social media. Some accurate, some I don't think too accurate. The best way to get the bottom of this is to bring in professionals who are skilled in collecting data, analyzing it, and coming up with recommendations.

Shanafelt: particularly from an arm's length, third-party perspective.

Rudolph: we can get some experts in here who have looked at situations in a number of other townships so they've got a good basis to start making recommendations. We have seen amazing growth in the last 20 years, mostly in the residential area but also in the push for commercial activities. That has caused a lot of pressure on the community as a whole. That's why we as a board are looking at trying to figure out if there's a better way to manage than the way we manage now.

Sanders: ultimately the public would vote on going charter?

Shanafelt: from a legislative perspective, there are two ways we can get there. One is that a general counsel board can vote to move to a charter township, or you can put it on the ballot for the residents to vote on. There are pros and cons to both from a legislative perspective.

Sanders: as long as the cost is not astronomical, I think it's a good idea to seek outside consulting. If we get feedback back that "You should really think about this," I will tell you it needs to go to a public vote.

Sanger: how many land use permits have been issued so far this year?

Cram: I don't know off the top of my head. I know we have exceeded previous years and on average there were more than 200 land use permits per year.

Sanger: these land use permits are complex; it's not just a matter anymore of walking in, dropping a check on the desk, and walking out with a permit. This is an indication of the impact on staff to provide good service to an ever-increasing workload. It gets down to the question of how can we afford the resources to get the job done?

Rudolph: the processing of applications has become more complex in terms of residential buildings. When you start getting multi-story houses built in areas where you have to move a lot of dirt and worry about drainage and how it affects your neighbors, those applications become more complex, and it takes more resources to deal with them.

Wunsch: the challenge many organizations face is that you can only choose one of the three: cost, quality, or expediency. We hear a lot from the contractors that they want things processed faster. We hear from residents that we are spending too much on legal costs. The downside of processing things quickly without adequate resources is we wind

up involved in litigation. Many of the challenges of this current board are challenges we face because previous boards or administrations have chosen to do things hastily rather than pursue quality. We're now facing the third pushback, which is we don't want to look at more costs. We need to communicate effectively to the residents that they can only choose one of the two options. You're either going to have to pay a little more, or you're going to have to deal with these ~~low~~ slow timelines on pushing permitting through. Or you're going to get sloppy on quality, which is going to cause unforeseen litigation issues.

Ahorn: everything you said impacts the treasurer's office. This tremendous growth has put a tremendous burden on time spent and volume of transactions that have to pass through the treasurer's office. Becky [Chown, township clerk] isn't here to tell you about the cemetery and the elections and the number of people who come in with questions about all these issues. With this volume of activity, the volume of processing and properly coding, getting approvals for all the bills that are coming in from all these other sources, [has exploded]. Because we have grown so much even in the seven years I've been here, I can see the volume of paperwork that passes through the clerk's office has doubled. We need more people. But where are we going to put these people? How are we going to pay for them if we don't have the methods to fund these additional costs? All this adds complexity to this question that Armen [Shanafelt] is trying to answer.

Shanafelt: it supports the overall conclusion. I don't know exactly what, but we need more resources to make it work.

Sanders: I applaud that your group got to the point, "We need to seek outside," to be able to get that third party at arm's length.

Shanafelt: the arm's length is useful. Anyone who actually dug into it would come to the same conclusion. What we need are experts who understand the complexity and come up with specifics for what is actually needed to achieve what we want to achieve. That's the role of the experts. An added benefit is that'll be coming from a third party. We really thought we had it. Digging a little bit farther, we realized we're totally out of our depth trying to understand how it all works or how it needs to be put together.

Sanders: you got to that point in a fairly short amount of time, which is awesome.

Regarding the RFP, what is your timeline going forward, if that's what we're going to do?

Shanafelt: it'd be cool to get it out this year, but let's say January.

Wunsch: will you guys be taking the lead on putting together a proposal?

Shanafelt: we need help. I have no idea how we put out an RFP. I guess I work with Becky to sort this out. Want to get the support that it's okay for us to utilize resources within the township to make this happen.

Wunsch: you have people in the study group who have experience putting together an appropriate scope of work over this type of project. The clerk's office can help you push it out. If there are people in your volunteer group who've got ideas about how to scope it...

Sanders: I'll be happy to offer my services.

3. Litigation update (Chris Patterson from Fahey Schultz Burzych Rhodes)

Patterson: I'll start with positive news related to the Villa Mari litigation related to the scope of the zoning approvals, particularly as to specific phases for the construction of the scope of single-family residences and guest houses. Those approvals were back in 2016. There's been some discussion in the claims as to whether those can still be built. There

was also an Open Meetings Act claim in the complaint. That case was assigned to the insurance defense counsel. The board was able to settle that case at a special meeting. The terms are put on a record before a facilitator that works with the Grand Traverse circuit courts. The facilitator has the reporting that there's been a confirmed agreement between the parties. The result will end up with no guesthouses but converted instead into bed and breakfasts that have to comply with the zoning ordinance subject to a few minor tweaks. Insurance defense has to complete the consent judgment, which is the formal document that allows the judge to enter that and have the case closed.

I did want to also report on pending tax appeals involving certain wineries and the filing of certain personal property statements particularly related to whether certain personal property used at the wineries was eligible manufacturing personal property with certain tax exemptions. We appreciate the coordination of plaintiffs' counsel and representatives to allow the township assessor to conduct additional inspections of the wineries to try to confirm compliance with the personal property tax rules. Due to the coordination, eight of the 10 matters are being processed and finalized. The final paperwork still needs to be filed. Two remaining matters are being coordinated among the assessor and party representatives. We will report back in January on the final status.

The winery litigation case was headed to trial in August of 2022. Since the sixth circuit allowed PTP [Protect the Peninsula] to intervene as a party, that trial got adjourned. It's currently on schedule for April of 2024. Since August of 2022, there's been a host of reopened discovery to do some additional deposition by PTP with a lot of dispositive motions. That means parties have filed a motion suggesting to the court that these issues do not need to go to trial, they can be resolved by the judge on the pleadings and evidence filed. The court has a lot of discretion in the federal court system to decide the timeline. Those cases are fully briefed. That means the township has filed necessary documents in response, PTP has filed its necessary documents, and so have the wineries. They're all waiting to be processed by the court. The court can decide those without any oral arguments. One day we could get notice on an opinion ruling on them. There is one motion pending by PTP. Technically it is not fully approved; there's some action the courts have to take. But essentially, pleading has reached a stalemate there. We are moving forward in a different direction with respect to seeing if we can work with the parties on some type of resolution of that case.

The last piece I wanted to mention with respect to that litigation is the insurance coverage. We are working to make sure we can make those policies available, assuming there's no issue with that. The coverage is not quite as straightforward as you might think. We're trying to do our due diligence to make the number when released to the public a number we can rely on. The issue with respect to the policies and the reservation of rights letters that have been sent by the carriers is trying to figure out which claims are with which part of the coverage policy. There are also excess liability policies. Then you get into individual years. Then there's two different policies that apply to that litigation. We're trying to make sure we've got confirmed information for the board and public.

On the other case, my update remains the same for the last four months. It's pending in federal court by an applicant who filed suit during the moratorium alleging they were attempting to complete a process that had been removed under Amendment 201. That

case has motions pending for both parties. There haven't been any specific deadlines sent and the motions haven't been decided.

4. Request to authorize the township insurance counsel in the winery litigation pending in federal court to propose to plaintiffs and PTP a public framework for settlement discussions (Patterson)

Patterson: there haven't been any further settlement discussions with the magistrate judge. We are figuring out if that process is going to move forward and how exactly counsel can help continue those settlement discussions. What we want to do is continue the negotiation process, but we want township board authorization directing insurance defense that has been in litigation mode. Trying to put together a different model, some other framework to see if something different would work here. Looking at authorizing some type of public settlement framework to allow a lot more public discourse related to what the settlement discussions would look like. Want to find a process to attempt to have those discussions. You were engaged to proceed through the federal court system. Now we're looking to engage in a process that's outside that system and authorization to get one of these alternative processes. None of the parties can be ordered to do this. Since it's outside the federal process, we want to bring it to the board for purposes of authorization. Working with insurance defense, I put together a proposed motion that I sent to the supervisor to make sure the language in front of you is consistent with what I just told you. We want someone to move to authorize the township insurance counsel in the winery litigation pending in federal court to propose to plaintiffs and PTP a public framework for settlement discussions with both plaintiffs and PTP, and if they agree to have those discussions regarding settlement, then we would move forward with putting together those settlement discussions for all the parties in that litigation. We can't do anything without the consent of everybody. We are trying to go outside the typical court process to see if there's some alternative forum we can reach.

Sanders: this is counsel to counsel, not mediated or anything else? This is separate from all things court system?

Patterson: a couple of things we should clarify to make sure we're on the same page. The motion just authorizes the township insurance defense to put together this idea and work with plaintiff's counsel and PTP. If we can find a framework to work in this sort of public forum that all the parties think would be conducive to a resolution, then we would be seeking to engage in that process. This is not authorizing only counsel-to-counsel negotiation. Would like to have the process involve the party representatives. The second question you ask is a good one. We don't know if it would involve a mediator because we need the parties to agree to what this would look like first. It is true that it would not involve the federal court system. This would be a separate sort of private approach to see if we could reach a settlement among the parties. It could be that everybody agrees we should hire a mediator. If we want to do this in a public forum, it does make sense to have a meeting facilitator. We were trying to draft a motion giving us authority to know what the other parties will engage in.

Wunsch: are you able to provide an update for anyone who's not up to speed on where the court mediation process stands right now?

Patterson: the mediation process with the court is difficult to provide an update on

because there is an order that was entered by the magistrate judge restricting our ability to discuss the settlement proposals. There's some discussion under that order as to what is the scope of the order, what exactly does it implicate related to those settlement discussions and the proposals that were shared? For background, the township engaged in a settlement process with the federal court system and there's been an order entered on the record in relation to records that have been shared. Given the strength of the language used in that order, that's probably the scope of what I can provide at this point.

Rudolph: is there any indication from the other parties that they would be amenable to outside mediation?

Patterson: I don't directly correspond with some of the representatives. We didn't want to reach out and get ahead of the board before getting authorization from you because we are seeking an alternative process. If we were to come back and recommend that you engage in this process, and then you use a mediator, you'd be expending additional funds. We would have to come back and get that authorization to go through some of these processes. This is our initial approach, seeing if the board is willing to let us do some work putting this framework together and then corresponding with the other parties. I haven't had any specific conversations. I think there's probably public record related to PTP's interest in open discussions, but I don't really know the answer to that either.

Sanger: between now and the trial scheduled to take place in April, would the federal court system hold a settlement conference? Is there anything on the horizon in the federal system for settlement between now and April?

Patterson: I believe the answer is yes because the process you recently went through was the date for the settlement conference in August. My memory is there is another date, which is a final pre-trial. That includes a settlement conference that precedes the April trial date.

Sanger: if this plan comes to fruition, with an agreement reached, would it be binding such that it could not be unwound prior to the trial?

Patterson: if we reached agreement with all the parties, yes. The court would be excited to receive consent from all the parties that they have reached a resolution. As long as it resolves all the claims, the judge would be done with the case. He does have some obligations in the entry of certain types of documents to resolve the case to make sure they're in the best interests of the public. But barring that sort of rejection of the proposed settlement from the parties, most federal judges would be willing to enter that to resolve the case and then the trial would not proceed.

Sanger: is there any precedent in the federal system for this? I'm concerned that the federal system and in particular the judge might feel he's being upstaged. Are we treading on thin ice here?

Patterson: it's pretty common that judges have a process where they require some type of settlement discussions to occur as part of the litigation. Typically, you get one chance at some type of mediator-facilitated resolution. But even when that is done, it's very common for courts to allow the parties to have settlement discussions outside the federal framework. The federal courts have a vested interest in case settlements. There's a lot of statistical research that they rely on a mediated process to get the parties to decide their own fate as opposed to the court spending staff resources, hearing hours, etc. So in state

court and federal court, parties can consent to whatever settlement process they want. It happens a lot.

Sanger: will this process involve the resolution discussion, resolution of damages?

Patterson: we wouldn't have a settlement without resolving the damages claim. They would have to have some interplay in whatever resolution the township would want to engage in.

Shanafelt: when you say, "public forum," what do you mean? And what might that look like when we get there?

Patterson: since we haven't yet reached out to the other parties, we don't have the scope of what the other parties want to engage in. If we get the board together, we're subject to the Open Meetings Act. We have to be engaged in a public forum as a board if we are the representative with authority to settle the case, regardless. As a base threshold, we would assume the board would be convening. There are certain exemptions in the Open Meetings Act if you're seeking attorney client consultation as to what would be a settlement proposal, etc. That public forum nature is really going to satisfy our open meeting requirements.

Shanafelt: what I'm imagining is an actual negotiation process happening in an open meeting. I guess that'd be one extreme. But clearly any decisions made would occur in an open meeting, but actual negotiations may occur in closed session. Going public is basically moving it outside of the federal system into our world, if you will, so that we can come to an agreement.

Patterson: exactly. That is one part of the process. One thing about the closed session is that exemption that has allowed us to go into closed session for purposes of settlement negotiations that would have a detriment to the township. There are legal rights for evaluating a proposal that would be the basis, but that decision process, the approval, would have to happen in open session.

Wunsch: I think this is a good idea. There's been a lot of turnover on the board during the time we've had to look at various proposals. Even if agreements have to be hashed out by a committee of the board with representatives of the other parties or whatever the other parties are willing to agree to, I like the idea of having some level of public transparency in the process. I'm certainly interested in looking at options to get this resolved.

Sanders moved to authorize the township's insurance counsel in the Old Mission Peninsula winery litigation pending in federal court to propose to plaintiffs and PTP a public framework for settlement discussions with plaintiff wineries and PTP, and if plaintiff wineries and PTP are in agreement with the public discussion regarding settlement, subsequently move forward with transparent public settlement discussions with all parties in the Old Mission Peninsula winery litigation with a second by Sanger.

Sanger: we haven't heard from Marge [Achorn].

Achorn: we need to move to bring this to some kind of conclusion. Thus far we have been unable to get responses. Perhaps this will encourage a response.

Wunsch: I feel comfortable authorizing counsel to speak with other counsel parties in litigation and come back to us with options. It serves the interests of the public well, and ultimately, we are here to serve the interests of the public.

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

Patterson: one correction going back to the Villa Mari case: I just got an email update from insurance defense. There was a report made, the settlement is before the court, and there is a formal consent judgement that will be entered. When that gets done, we will be able to provide official notice on that case being resolved.

9. Citizen Comments:

Sally Erickson, 2228 Kaukauna Court: I am part of the Port of Old Mission development. I want to thank you very much for the citizen involvement in the building heights committee. It was exceptional. I want to continue my participation in the shoreline. I'm not sure if those dates have been set up for that study committee, but I'm really looking forward to positive solutions for that too. Thanks for your hard work. Last month was really tough and we all really do care about the peninsula. Appreciate your efforts.

Lisa Trombley, 7961 East Shore Road: retired up here five years ago and absolutely love it. I'm going to comment on the charter township. I have not yet formulated my opinion. I've attended all the meetings and had many discussions with a lot of residents. I have a 35-year career dealing with complex problems for the federal government, many of which had global implications. I understand the challenges. And one comment on cost, time, and quality: those are the three factors, but you actually get two of the three, not just one of the three. There are almost always options to throwing more money at things. As a citizen, I'm on a fixed income. When we have challenges and complexities in our lives, there's not a magic bucket of money where we get to throw more money at it. Sometimes we have to think hard about how we can solve some of these problems. I would comment on the fact that just because opinions may differ doesn't mean they're based on bad information or misinformation. There's a lot of really good comments on both sides. And I think maybe what you're hearing a reaction to is it feels like there is a foregone conclusion that's the best and only answer.

I have two comments from my experience. If you're going to bring in a consultant, be sure to bring in one who doesn't only have one solution in his tool bag. Bring in one who's recommended both ways because there are 139 charter townships in Michigan out of 1,240. That's 11 percent. The rest of Michigan townships are also dealing with complexities similar to what we have, and they are not all running to become charter townships. I think that's a bit of what you're hearing the constituents react to. In the event that you go forward, I would highly recommend you do take it to a public vote. Given all of the emotion and thoughts and feelings around this, it would be best to have the public speak. Thank you all for what you do. You have a tough job and I love living here so I love most of what you're doing. Thank you very much.

10. Board Comments:

Sanders: I'm glad we got the legal update because that was a positive for everybody to hear tonight and hopefully it's a sign of good things moving forward. But what I wanted to focus on was how we desperately want to get back to focusing on the future of the township. The work that Armen [Shanafelt] has been doing, the planning session we're having tomorrow morning at nine o'clock, that's open to everybody. It's about what we want the township to look like both inside the office and as a whole going forward. Please bring a friend and everybody come out to that. We need the public's input. As the board, we have a very sincere respect for the people who have served and volunteer their time

and talent in all areas of the township. It has benefited all of us. We respect that the public comes out to these meetings and watches on YouTube and reads the minutes and has stuff to say and sends in letters and writes emails. The township's website has all our personal contact info. You can reach out at any time. If you don't feel comfortable talking about something in front of everybody or even writing a letter, I encourage you to give me a call to talk about whatever's on your mind. I think everybody on the board would agree to that. Let's keep the conversations going, because they benefit all of us. We can all better connect with our community and learn, discuss different strategies for our current issues, and what future planning should look like.

I am determined to get the master plan done and published as soon as possible in 2024. With this we can all commence a well-organized approach and input from the community to update all areas and departments within our township. Back in 2016 I spoke a lot about the master plan and getting the survey done. Now I'm back on the board and I want to see it published so we can move forward. We all know there's potential legislation coming down from the state and things can change swiftly, but let's get that umbrella up and open so we can work on everything that falls underneath that for the township.

Shanafelt: after going through this process, looking at how we operate and what we're able to do today, I think the meeting tomorrow is going to be more tactical than strategic. I think what we're going to do is identify the big things we want to accomplish next year. Prioritize them, and then figure out at least what's going to lead the charge on trying to get those done. The master plan is a perfect example. That's top of my list as well. After we think about what we need to get done next year, we can work together to prioritize those in context. We don't have a lot of extra funds to even think about how we implement a strategic plan were we to build one. If we get to a point where we have more operational flexibility, we'd probably need to bring in a facilitator to help us run through that strategic process. I don't know if any of us have the experience leading them.

Sanders: I have a husband I already volunteered.

Shanafelt: ~~but~~ and he's not one of us. I remember you volunteered him; I thought that was great. Tomorrow we'll be tactical and figure out what we do next year.

Sanger: the year end is approaching. We've had some really good news tonight from our township attorney. A lot has happened this year. I hope each of us takes an opportunity to think back on all the frustrations and uncertainty, the dark clouds hanging over this township as recently as just a month ago. I'm proud to be a member of this board because I believe throughout this year and for the time I've served, we try our best. I'm pleased that the seven of us work closely together. There are times we may not agree but we have not seen a fight around this table. I'm proud of the township's history. Realize that for some of the problems we face, there's no quick fix. It's important to be patient. I know that's very hard at times. I want to thank my fellow members for what I think has turned out to be a very good year.

Rudolph: we don't sit back and recognize the good things that have happened too. Look at the acquisition of land at Pelizzari and the work that went on in the park systems this year. The fundraising that went on so we can move forward with the boat ramp. We just added this year another patrol to our law enforcement. We are able to let the chief buy a new frontline pumper to replace a truck that's 25 years old. Good things have happened

because of the work of the board here. We face problems. There are challenges. But I think on the whole we're serving the public pretty well. At least that's my opinion.

Achorn: I would like to thank Jenn [Cram]. She is a tremendous person in bringing the community together to help solve a problem. She does this tirelessly. She has not taken a vacation this year because she has been burdened by additional work regarding these lawsuits and with trying to operate two departments. Yet she has the composure and the dedication and the love of this community to bring people together with opposite agendas and work with them. That is tremendous pressure on this woman. I think she deserves the thankfulness of this entire community and especially this town board. [Applause]

Wunsch: having tried to run a number of committees when I was on the planning commission before I joined the board, Sally's [Erickson's] feedback about the building height committee was powerful. We tend to be very opinionated out here. The fact that Jenn was able to get a group of people together and come up with a policy recommendation in [two] meetings is really impressive. I can recall lots of seemingly innocuous policy issues that were debated for months and months and ended up just dropping. Thanks, Sally and everybody who participated in that group, and thanks for putting it together and facilitating, Jenn.

Cram: I did not do all the facilitation. I give a lot of credit to Randy Hall, the chair of the planning commission. He helped to run great meetings and set me up for success. It was absolutely a team effort.

Achorn: I want to emphasize that it is not our rules. It is what the community wants that we're trying to put into documented zoning ordinances. What is in there now is from 20 to 30 years ago. It may not be what needs to be in there now. It's not up to us to say. It is the community that needs to tell us, like they do in these meetings. The consensus of the community is what will be documented and put into the zoning ordinance. It is the will of the people, not the will of the board that goes into the zoning ordinance.

11. Adjournment

**Sanger moved to adjourn with a second by Sanders. Motion approved by consensus
Adjourned at 8:17 p.m.**