

## SUTTONS BAY TOWNSHIP: NOTICE OF PUBLIC MEETING: **DRAFT**

The Regular Meeting of the Suttons Bay Township Board is hereby called for 5:15 PM Wednesday, July 14, 2021.

This meeting is being held face-to-face at the Suttons Bay / Bingham Fire and Rescue Authority meeting room at 201 N. St Mary's Avenue in Suttons Bay. Due to continuing concerns about Covid transmission there will also be a Zoom link for remote attendance. Any unvaccinated member of the Public in attendance is required to wear a mask. Others should use their own judgement as to mask wearing.

### PRELIMINARY AGENDA

#### **CALL TO ORDER**

#### **Board Members: Announce Name, Position, Present Physical Location**

#### **APPROVAL OF THE AGENDA**

#### **PUBLIC COMMENT:** and communications about items not on the agenda

- Leelanau Watersports / Letter from ZA
- Correspondence with Village re: Leo Creek
- Letter of Support / Invasive Species Network

#### **REPORTS:**

- Treasurer
- Planning & Zoning
- Fire Authority
- Parks & Recreation
- Facilities

#### **OLD BUSINESS:**

1. Approval of the Minutes: Previous Meetings
2. Payment of the Bills
3. Memorandum of Understanding: Leelanau Soccer Club
4. OMA Training Session: Figura Law
5. Recreation Committee Bylaws

#### **NEW BUSINESS:**

1. Accept Jerry Battle's resignation from the Board of Review
2. Appoint Robert (Bob) Weyand to fill open BOR position through Dec 31, 2022
3. Coronavirus Local Fiscal Recovery Fund (CLFRF) application
4. Consideration of PILOT Resolution for Marek Road housing project
5. Second Right of Refusal / Foreclosed tax parcel
6. *Replace pea gravel by concrete walk - budget adjustment*

#### **PUBLIC COMMENT / BOARD MEMBER COMMENTS / ADJOURNMENT**

Agenda 2021 Township: Regular Meeting

June 7, 2021

Suttons Bay Township Board  
PO Box 457,  
Suttons Bay, MI 49682

RE: Township Request for Hydrology Study

Dear Suttons Bay Township Board of Trustees;

The Village of Suttons Bay Council would like to extend its gratitude to the Suttons Bay Township Board for proposing a partnership regarding a Hydrology study performed on Leo Creek. After several weeks of research and discussions with various agencies, we are requesting further clarification on the study.

On May 5, 2021, an email request was sent (attached). The email states;

*"At the June Committee of the Whole meeting, we ask that the Township consider providing a Resolution from the Board that describes the Township Board's reasoning for requesting the project, and it's potential benefit from completion, along with written documentation that shows the project was discussed and is supported by LCRC, and MDOT."*

We certainly understand that this type of request can take time, so we are requesting that the Township provide us with a timeline or some type of indication regarding an intent to move forward. The Village Council was generally supportive of discussing this further, once we receive clarification to the above-mentioned request.

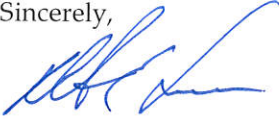
It is my understanding that discussions have now turned to the creation of a *drainage district*, in the same area of Leo Creek being proposed for the study. The first step to creating a drainage district is typically to initiate this type of study, so we respectfully request clarification on the Townships intent, by way of resolution. As you may be aware, we have traversed this path recently (Broadway Road), which we resolved without a drainage district and without additional taxation to our residents.

To reiterate the above email request, we ask that a resolution, documentation and response to the questions below, be provided to the Village.

- What are the Townships reasonings for requesting this project?
- Has the proposal morphed from a fish passage and stream restoration project, as presented, to a county drain initiative?
- Is the Township moving forward with the request and if so, is there written confirmation of support from MDOT and LCRC to study their infrastructure?
- Being that the township does not own the infrastructure proposed to be evaluated, what does the Township anticipate as a result from this study?

I have attached my latest report (VSB-2021-37) provided to the Village Council at their June 2, 2021, meeting. This report was discussed briefly, however, due to the various questions outlined above, we are requesting further clarification from the Township Board itself. If the proposal is no longer a priority or it has evolved to a form in which it is no longer desired, we would ask that decision to be relayed to us.

Sincerely,



Rob Larrea, AICP  
Village Manager

Suttons Bay Township  
PO Box 457  
Suttons Bay, MI  
49682

Village of Suttons Bay  
Rob Larrea, Village Manager  
PO Box 395  
Suttons Bay, MI  
49682

July 1, 2021

Re: Letter of June 7, 2021

Rob;

I think we have gotten off track on some of the issues noted in your letter.

For clarification, I am not now proposing the formation of a Drainage District. Nor am I hoping to generate the proposed Hydrology Report in an effort to justify formation of a District or any other particular result. I am very familiar with the formation of and reasoning behind the formation of Drainage Districts having participated in the formation of three such districts. Such an effort may be justified in the Leo Creek watershed but that is not a part of this discussion.

Regarding the health of Leo Creek and the waters of Suttons Bay I still strongly believe that there are areas of mutual interest and concern which can best be addressed through a partnership between the Village and the Township. I believe that it is premature to reach out to MDOT or even the Road Commission prior to us, the Village and Township, clearly being on the same page. To best do so, to identify those areas and interests, to chart a way forward is for a small committee of myself and Township Trustee Tom Nixon to sit down with either the Committee of the Whole or some other appropriate Committee or working group to make sure there is clarity on any mutual goal.

As you mention, there can be significant time involved in generating some of the information requested. Prior to devoting effort to doing that I request we have that meeting. Please consult with the Chair of the Committee of the Whole for inclusion on their next agenda unless you think there is another more appropriate venue or group.

Respectfully,

 Copy  
Rich Bahle, Supervisor



Suttons Bay Township  
PO Box 457  
Suttons Bay, MI  
49682

July 1, 2021

Gina Owens  
Regional Forester, Eastern Region  
626 East Wisconsin Ave.  
Milwaukee, WI 53202

Dear Ms. Owens,

It is with great enthusiasm that we offer this letter of support for the Grand Traverse Conservation District's proposal on behalf of the Northwest Michigan Invasive Species Network (ISN) as part of the Spring 2021 US Forest Service GLRI CWMA grant program. Suttons Bay Township recognizes ISN's collaborative approach to invasive species management as crucial to the northwest lower Michigan region's strategic efforts to restore the Lake Michigan watershed. Suttons Bay Township has worked collaboratively with ISN on several projects over the past few years and strongly believe this continuing effort is essential to the health of the local waters both lake and stream.

Suttons Bay Township holds ISN's continued success as an important part of successful management of invasive species in Michigan. This proposal to involve and empower organizations from government agencies to lake associations to control invasive species is a strong step forward in long-term stewardship of our natural resources. Specifically, continuing monitoring and treatments of invasives along the shores of the Great Lakes, in road-side ditches, and the maintenance of Dumpspters for disposal of invasives are essential for our area. That is regardless of property ownership or governmental boundaries.

Suttons Bay Township is excited to see the collaborative effort of the Northwest Michigan Invasive Species Network taking the next steps to combat the spread of invasive species in Michigan. We strongly support this grant proposal and are excited to continue as a part of this regional network.

Sincerely,



Rich Bahle,  
Supervisor

# ZONING ADMINISTRATOR'S REPORT

## SUTTONS BAY TOWNSHIP

June 2021 (to-date)

For July 2021 Planning Commission and Township Board Meetings

Prepared by Steve Patmore  
As of June 27, 2021

### LAND USE PERMITS ISSUED

DATE	TOTAL	NEW HOMES	ADDITIONS	ACCESSORY STRUCTURES	OTHER
June 2021 (to date)	5	2	2	1	0
Year To Date	22	12	4	5	1
Year to date 2020	13	3	3	6	1
Year to date 2019	19	11	5	3	0
Year to date 2018	23	12	4	7	0
Year to date 2017	22	6	4	9	3
Year to date 2016	16	4	5	5	2
Year to date 2015	10	3	3	3	1
Year to date 2014	5	0	2	3	0

1986 S. Simon Rd – deck addition  
2101 N. Our Majesty Tr. – new single-family dwelling  
418 N. Stony Point – Roof expansion  
1212 S. Peck Rd – accessory building  
381 S. Nanagosa Tr. – remove existing home – new single-family dwelling.

2 revisions or extensions to existing Land Use Permits

### Land Divisions:

- Land Division Application approved for one division on land lying between Center Highway and Richter Rd.
- Preliminary reviews and many questions about splitting of land.

### Zoning Board of Appeals:

- No Activity

### Short Term Rentals:

- 30 Short-Term Rental Permits issued for 2021 (26 Renewal Permits– 4 New Permits).

### Other:

- Site Plan Review 1274 Peck Road
- Site Plan Review Marek Road Multi-Family Housing Project
- Follow-up on Special Use Permits previously approved by PC.
- Assist with Zoning Ordinance Overhaul Project – discussions on Special Events.
- There have been numerous questions and requests for interpretations on properties in the township that are on the market or recently purchased.
- Attending Workshop on Agricultural Tourism.

**SUTTONS BAY TOWNSHIP  
REGULARS BOARD MEETING  
JUNE 9, 2021 MINUTES**

Due to current isolation guidelines this meeting will be via Zoom.

**CALL TO ORDER - SPECIAL MEETING**

Rich Bahle, Supervisor, called the regular meeting of the Suttons Bay Township Board of Trustees to order at 5:15 P.M. on Wednesday, June 9, 2021 at the Suttons Bay Township Offices, #95 W. Fourth St., Suttons Bay, Michigan.

Board members announce name, position, present physical location

**ROLL CALL - Quorum Present**

Rich Bahle, Township Supervisor, in the Township Office  
Dorothy Petroskey, Township Treasurer, in the Township office  
Tom Nixon, Board Trustee, Stoney Pt. Rd., Suttons Bay  
Debbie Slocombe, absent  
Sandy VanHuystee, Township Clerk, in Township Office

**APPROVAL OF THE AGENDA**

*Sandy VanHuystee/moved, Dorothy Petroskey/supported, to approve the Agenda, PASSED.*

**PUBLIC COMMENT**

Wayne Livingston, 1258 S. Peck Rd. made comments about Leelanau Watersports.  
Sharon Livingston, 1258 S. Peck Rd. made comments about Leelanau Watersports.

**REPORTS -**

- Treasurer - May 2021 Report sent.
- Planning & Zoning - Leelanau Watersports, Peck Rd. Homestretch - Marek Rd.
- Fire Authority - Meeting last night. EMS account write off's, new fire truck to be delivered in December, changed the LOSAP Program.
- Parks & Rec - Big equipment pulled off at Herman Park, work done on disc golf, signs for parks hours installed at Graham Green and Vic Steimel Parks.
- Facilities - None

**OLD BUSINESS**

1.. Approval of the Minutes

May 12, 2021

*Rich Bahle/moved, Dorothy Petroskey/supported, to approve the  
May 12, 2021 Minutes, PASSED.*

May 26, 2021

*Tom Nixon/moved, Dorothy Petroskey/supported, to approve the*

*May 26, 2021 Minutes, PASSED.*

2. Bills

*Rich Bahle/moved, Sandy VanHuystee/supported to pay the amended list of bills in the amount of \$76,199.09, PASSED.*

3. Memorandum of Understanding: Leelanau Soccer Field

Tom Nixon said the Memorandum of Understanding: Leelanau Soccer Field was sent to the Leelanau Soccer Club by Debbie Slocombe, should have an answer at the July meeting.

4. OMA Training Session: Figura Law

Tom Nixon said the township is waiting to hear from the Figura attorneys as to date of the training session.

5. Township Noise Ordinance

Tom Nixon said a cover letter together with the township's noise ordinance and draft noise ordinance has been sent to Attorney Figura Law Office requesting its opinion regarding enforcement.

6. Recreation Committee Bylaws

Tom Nixon said he and Rich Bahle made some edits to the document. Dorothy Petroskey said there should be an odd number of members serving on a board (up to 7 or 9 members).

**NEW BUSINESS**

1. Tobin & Co./Audit Commitment

Sandy VanHuystee submitted the Tobin & Co./Audit Commitment for approval. The cost of the audit is \$3,400.00, \$200 out of pocket, \$100.00 increase from 2 Years ago.

*Sandy VanHuystee/moved, Dorothy Petroskey/supported, to approve the Tobin & Co./Audit Commitment, and authorize Rich Bahle to sign the audit documents, PASSED.*

**PUBLIC COMMENT**

Sharon Livingston commented about Leelanau Watersports.

Susan Odom commented about Leelanau Water Sports.

**BOARD MEMBER COMMENTS**

Rich Bahle spoke about the Cares Act 2021. Under this program, Federal funding will be provided for services if the township meets the criteria. State Treasury Department will be sending a letter to the township as to what the township can do if qualified.



Dorothy Petroskey also spoke about the American Rescue Plan and how funding would benefit the township if certain criteria is met.

Rich Bahle said Homestretch who is planning to construct an affordable housing project on Marek Road has indicated it plans to request approval of a PILOT (payment in lieu of taxes) for the project because of a revenue stream shortfall.

Sandy VanHuystee said her Deputy Clerk is in the office tonight working on the August 3, 2021 election.

### **ADJOURNMENT**

Rich Bahle adjourned the meeting at 6:17 p.m.

**Minutes by Marge Johnson, Recording Secretary  
Sandy VanHuystee, Clerk**

**Suttons Bay Township**  
**Unpaid Bills Detail**  
 As of July 14, 2021

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Due Date</u>	<u>Aging</u>	<u>Open Balance</u>
<b>American Waste</b>					
Bill	07/14/2021		07/24/2021		78.00
Total American Waste					78.00
<b>Christy Brow</b>					
Bill	07/01/2021		07/11/2021	3	444.67
Total Christy Brow					444.67
<b>Debbie Slocombe</b>					
Bill	07/01/2021		07/11/2021	3	127.45
Total Debbie Slocombe					127.45
<b>Dorothy Petroskey</b>					
Bill	07/01/2021		07/11/2021	3	1,694.84
Bill	07/14/2021		07/24/2021		410.86
Total Dorothy Petroskey					2,105.70
<b>DTE Energy</b>					
Bill	07/14/2021		07/24/2021		43.02
Total DTE Energy					43.02
<b>Federal Tax Deposit</b>					
Bill	07/14/2021		07/24/2021		1,596.32
Total Federal Tax Deposit					1,596.32
<b>Figura Law Office</b>					
Bill	07/14/2021		07/24/2021		372.00
Total Figura Law Office					372.00
<b>Herman Brothers' Lawn Care</b>					
Bill	07/14/2021		07/24/2021		850.00
Total Herman Brothers' Lawn Care					850.00
<b>Image 360</b>					
Bill	07/14/2021		07/24/2021		2,600.48
Total Image 360					2,600.48
<b>Jill Williamson</b>					
Bill	07/14/2021		07/24/2021		62.50
Total Jill Williamson					62.50
<b>Leelanau County Treasurer</b>					
Bill	07/14/2021		07/24/2021		483.47
Total Leelanau County Treasurer					483.47
<b>Leelanau Enterprise</b>					
Bill	07/14/2021		07/24/2021		294.45
Total Leelanau Enterprise					294.45
<b>Marge Johnson</b>					
Bill	07/01/2021		07/11/2021	3	147.76
Total Marge Johnson					147.76
<b>Michigan Assessing Service</b>					
Bill	07/14/2021		07/24/2021		3,748.16
Total Michigan Assessing Service					3,748.16

**Suttons Bay Township**  
**Unpaid Bills Detail**  
As of July 14, 2021

Type	Date	Num	Due Date	Aging	Open Balance
<b>Netlink</b>					
Bill	07/14/2021		07/24/2021		147.00
Total Netlink					147.00
<b>Networks Northwest</b>					
Bill	07/14/2021		07/24/2021		2,142.00
Total Networks Northwest					2,142.00
<b>Northern Building Supply, LLC</b>					
Bill	07/14/2021		07/24/2021		430.61
Total Northern Building Supply, LLC					430.61
<b>Paul Whiteford</b>					
Bill	07/14/2021		07/24/2021		2,940.00
Total Paul Whiteford					2,940.00
<b>Richard Bahle</b>					
Bill	07/01/2021	1,181....	07/11/2021	3	1,181.11
Total Richard Bahle					1,181.11
<b>Sandra Van Huystee</b>					
Bill	07/01/2021		07/11/2021	3	2,083.10
Total Sandra Van Huystee					2,083.10
<b>SOS Analytical</b>					
Bill	07/14/2021		07/24/2021		40.00
Total SOS Analytical					40.00
<b>Spectrum Business</b>					
Bill	07/14/2021		07/24/2021		268.97
Total Spectrum Business					268.97
<b>Spinniken Lawn &amp; Irrigation, LLC</b>					
Bill	07/14/2021		07/24/2021		76.00
Bill	07/14/2021		07/24/2021		15,500.00
Total Spinniken Lawn & Irrigation, LLC					15,576.00
<b>State of Michigan</b>					
Bill	07/14/2021		07/24/2021		366.16
Total State of Michigan					366.16
<b>Steven Patmore</b>					
Bill	07/01/2021		07/11/2021	3	2,857.26
Total Steven Patmore					2,857.26
<b>Susan Kessler</b>					
Bill	07/14/2021		07/24/2021		100.00
Total Susan Kessler					100.00
<b>T.O.M.'S LLC</b>					
Bill	07/14/2021		07/24/2021		7,840.00
Total T.O.M.'S LLC					7,840.00
<b>Tom Nixon</b>					
Bill	07/01/2021		07/11/2021	3	127.45
Total Tom Nixon					127.45

**Suttons Bay Township**  
**Unpaid Bills Detail**  
As of July 14, 2021

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<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Due Date</u>	<u>Aging</u>	<u>Open Balance</u>
<b>Village of Suttons Bay</b>					
Bill	07/14/2021		07/24/2021		64.86
Total Village of Suttons Bay					64.86
<b>William Drozdalski</b>					
Bill	07/14/2021		07/24/2021		904.37
Bill	07/14/2021		07/24/2021		215.25
Total William Drozdalski					1,119.62
<b>Williams &amp; Bay</b>					
Bill	07/14/2021		07/24/2021		333.50
Total Williams & Bay					333.50
<b>TOTAL</b>					<b>50,571.62</b>

**Gerald G. Battle**  
11855 E. McAllister Rd.  
Suttons Bay MI 49682  
Phone 231-271-6422 or 231-649-1939  
Email: sbbotbldr@gmail.com

14 June 2021

Mr. Richard Bahle  
Township Supervisor  
Suttons Bay Township

Dear Rich,

It is with great reluctance that I wish to inform you that it's in our mutual interest that I resign from my position on the Suttons Bay Township Board of Review. My spirit is strongly for keeping the character of Leelanau County as it has been for generations while still allowing progress, but my body is no longer up to that task. I knew that aging is not linear but progressive, but didn't realize how progressive when I volunteered. It's time for younger bodies and spirits to proceed.

I will miss my short association with you all on the board. It was pleasant and I learned a lot. Good fortune for the future!

Sincerely,

  
Gerald Battle



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**SUTTONS BAY TOWNSHIP  
Leelanau County, Michigan**

**ORDINANCE NO. 2020- \_\_\_\_\_**

**PAYMENT IN LIEU OF TAXES TAX EXEMPTION ORDINANCE  
VINEYARD VIEW APARTMENTS**

An Ordinance to provide for a service charge in lieu of taxes for a housing project for persons and families with an income equal to or less than workforce income levels as related to annual medium income to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq*) (the "Act").

THE TOWNSHIP OF SUTTONS BAY ORDAINS:

**SECTION 1.** This Ordinance shall be known and cited as the “Suttons Bay Township Tax Exemption Ordinance – Vineyard View Apartments”

**SECTION 2. Preamble.**

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for persons and families earning workforce housing or less income levels, as compared to annual medium income (“AMI”) and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act.

That Suttons Bay Township is authorized by the Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing projects exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act.

It is further acknowledged that such housing for persons and families earning workforce housing or less income levels, as compared to MCI, is a public necessity, and as Suttons Bay Township will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

Suttons Bay Township acknowledges that the Sponsor (as defined below) has offered, subject to receipt of a Affordable Housing Project (AHP) Mortgage Loan from the Federal Home Loan Bank of Indianapolis, FHLBI, to construct, own and operate a housing project identified as Vineyard View Apartments on certain property located at 525 North Marek Road in Suttons Bay Township, encompassing Parcel Nos. 45-11-011-020-004-13 to serve the qualified persons and families, and that the Sponsor has offered to pay Suttons Bay Township on account of this housing project an annual service charge for public services in lieu of all *ad valorem* property taxes.

Suttons Bay Township concurs that in granting applications for occupancy in the Housing Development, the Sponsor shall give first priority to those qualified applicants who are Leelanau County Residents. This paragraph is subject to the Sponsor's compliance with all Fair Housing laws and regulations.

**SECTION 3. Definitions.**

A. Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges, exclusive of Utilities.

B. Authority means the Michigan state housing development authority developed under the Act.

C. Contract Rents means the total Contract Rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of Utilities.

D. FHLBI means the Federal Home Loan Bank of Indianapolis.

E. Housing Project means the Vineyard View Apartments located at

525 North Marek Road Tax Parcel Nos. 45-11-011-020-004-13.

F. Mortgage Loan means a loan or grant made or to be made by the FHLBI to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of the housing project and secured by a mortgage on the housing project.\_

G. Qualified Persons and Families means persons and families eligible to move into a housing project because of earnings equal to or less than the workforce income levels as compared to annual median income (or "AMI") published annually for Leelanau County by HUD.

H. Sponsor means Homestretch Nonprofit Housing Corporation and any entity that receives or assumes a Mortgage Loan.

I. Township means the Suttons Bay Township.\_

J. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

**SECTION 4. Class of Housing Projects.**

It is determined that the class of housing project to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be the housing project for qualified persons and families financed with a Mortgage Loan by the FHLBI identified as the Vineyard View Apartments.

**SECTION 5. Establishment of Annual Service Charge.**

The housing project identified as Vineyard View Apartments and the property on which they are or will be located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction or rehabilitation. Suttons Bay Township acknowledges that the Sponsor and the FHLBI have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to construct and operate the housing project, the Township agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. Subject to receipt of an AHP Mortgage Loan, the annual service charge shall be equal to 6 % of the Annual Shelter Rents/Contract Rents actually collected by the housing project during each operating year.

**SECTION 6. Contractual Effect of Ordinance.**

Notwithstanding the provisions of section 15a(5) of the Act to the contrary, a contract between the Suttons Bay Township and the Sponsor with the FHLBI as third-party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

**SECTION 7. Limitation on the Payment of Annual Service Charge.**

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt, but which is occupied by persons or families who are - not qualified persons and families under the terms of this Ordinance - shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

**SECTION 8. Annual Shelter Rent Reports and Review**

The Sponsor shall report the annual shelter rent for the housing project to the Township within 45 days of the end of the prior calendar year. The Township shall have the right to inspect the Sponsor's records for the housing project and the right to audit and re-compute any amounts determined to be annual shelter rents.

**SECTION 9. Payment of Service Charge.**

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the Township and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before April 1<sup>st</sup> of each year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et seq*).

**SECTION 10. Annual Audit Review**

Annually the Sponsor shall provide the Township Assessor with a copy of any independent audit furnished to the Authority that covers the prior year's operation of the housing project within 30 days of the Sponsor's receipt of the Audit. If the audit

discloses that the service charge paid in the prior year for the portion of the housing development occupied by qualified persons and families was greater or less than the percent of annual shelter rent to be paid under this Ordinance, the Sponsor shall pay any shortfall or receive a credit against the current years' service charge as appropriate.

**SECTION 11. Compliance and Collection**

Notwithstanding anything contained herein to the contrary, should the Sponsor fail to pay the final adjusted service charge in lieu of taxes granted hereunder, or fail to provide the verification of the calculations used to make a payment, the Township may determine that the Sponsor has violated the Ordinance and may then follow the collection procedures pursuant to the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, et seq) in order to collect the service charge.

**SECTION 12. Assignment**

In the event the Sponsor sells the housing project to a new owner, that new owner shall agree to abide by the terms of this Ordinance. Otherwise, the tax-exempt status of the housing project under the Act shall terminate.

**SECTION 13. Duration.**

This Ordinance shall remain in effect for 15 years and shall not terminate so long as the AHP Grant from the FHLBI remains outstanding and unpaid.

**SECTION 14. Severability.**

The various sections and provisions of this Ordinance shall be deemed to be severable and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

**SECTION 15. Inconsistent Ordinances.**

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.



**SECTION 16: Publication And Effective Date**

Within 30 days of the passage of this Ordinance, it shall be published and/or posted in accordance with the Michigan Townships Act, and this Ordinance shall take effect 30 days after its publication.

Date Approved: \_\_\_\_\_

Those Voting in Favor: \_\_\_\_\_

Those Voting Against: \_\_\_\_\_

Those Absent or Abstaining: \_\_\_\_\_

**CERTIFICATION**

I, \_\_\_\_\_, Clerk of the Suttons Bay Township, Leelanau County, Michigan, do hereby certify that the above is a true and correct copy of the Suttons Bay Township PILOT Tax Exemption Ordinance - Vineyard View Apartments” as adopted by the Suttons Bay Township Township Board at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, at which a quorum was present.

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, Clerk  
Suttons Bay Township

Published: \_\_\_\_\_

Filed with the County Clerk: \_\_\_\_\_

**Vineyard View Apartments**  
PILOT TERM AND 6% PERCENTAGE CALCULATION

Year	PILOT Amount
2020	\$ 4,160.00
2021	\$ 4,198.00
2022	\$ 4,236.00
2023	\$ 4,274.00
2024	\$ 4,312.00
2025	\$ 4,396.00
2026	\$ 4,482.00
2027	\$ 4,569.00
2028	\$ 4,658.00
2029	\$ 4,749.00
2030	\$ 4,842.00
2031	\$ 4,936.00
2032	\$ 5,032.00
2033	\$ 5,130.00
2034	\$ 5,229.00
TOTAL	\$ 69,203.00

Based on projected Shelter Rent and inflation factor of 2% annually



# County of Leelanau

**JOHN A. GALLAGHER III**  
Leelanau County Treasurer

Friday, June 18, 2021

*In P'town - hand picked  
very small*

To Clerk, Treasurer and Supervisor of Suttons Bay Township:

RE: 2021 Property Tax Foreclosed Parcels

Please find the list of foreclosed parcels for unpaid property taxes below. The amount due does not reflect the minimum bid. The minimum bid will include additional fees for site preparation, maintenance, publication costs, summer taxes, etc. If 1 or more claimants have filed a claim for the remaining proceeds from the foreclosed property, the minimum bid becomes the fair market value. MCL 211.78m (1) As of date above, we have not received a claim for the proceeds but please bear in mind that the claimants have until July 1<sup>st</sup> to do so.

PARCEL	TAX DUE	INT/FEES DUE	TOTAL DUE	TAX YEARS DELINQUENT
011-642-011-20	1,150.77	1,351.67	2,502.44	2020 2019 2018 2017

The State of Michigan has first right of refusal to purchase the properties at market value or minimum bid, whichever is higher.

The Township/City/Village, in which the foreclosed property is located, has second right of refusal to purchase the property at market value or minimum bid, whichever is higher.

The County has third right of refusal to purchase the property at market value or minimum bid, whichever is higher.

All purchases, by a governmental unit, must be paid for in full at the close of each day's bidding or by the date not more than 21 days after the sale. MCL 211.78m (2)

The County Treasurer has the right to charge back taxes to the local units on those parcels that sell below the minimum bid. MCL 211.78m (8d)

All local taxes, assessments/utilities are extinguished immediately for the current year. MCL 211.78m (11)

Please notify me, in writing, by July 16, 2021 of your unit of government's intention to act upon or decline your right of refusal. I thank you for your time and look forward to your timely notification of your interest, or lack thereof, in purchasing any of the foreclosed parcels.

Sincerely,

John A. Gallagher III

NW



# County of Leelanau

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**JOHN A. GALLAGHER III**  
*Leelanau County Treasurer*

## WAIVER OF RIGHT OF REFUSAL

### SUTTONS BAY TOWNSHIP

\_\_\_\_\_  
Date

Leelanau County Treasurer  
8527 E. Government Center Drive  
Suite 104  
Suttons Bay, MI 49682

SUBJECT: 2021 Property Tax Foreclosed Parcels

At this time, we are waiving our right of refusal to parcels that were foreclosed upon in March 2021.

\_\_\_\_\_  
Township Clerk (Print Name)

\_\_\_\_\_  
Township Clerk (Signature)

\_\_\_\_\_  
Township Treasurer (Print Name)

\_\_\_\_\_  
Township Treasurer (Signature)

\_\_\_\_\_  
Township Supervisor (Print Name)

\_\_\_\_\_  
Township Supervisor (Signature)

## Sandy Van Huystee

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**From:** Bill Drozdalski <onthe45th@charter.net>  
**Sent:** Tuesday, July 6, 2021 4:51 PM  
**To:** 'Rich B'; Sandy V  
**Cc:** 'William D'  
**Subject:** Budget change request

Rich

In this year's budget we had a line item in Herman Park to replace the pea gravel walk with a concrete sidewalk. That amount was \$6,000 based on an estimate I received from a person who has done previous small concrete jobs for us at the park. The assumption was that I would assist with my tractor and help out.

I also received an estimate from Elmer's (dated 6/16/21) for the subject work and their quote was \$7820.

Since I cannot go with the first estimate, are we able to increase that amount in the budget for the new quote? Since there is an upcoming Board meeting next week I thought it may be appropriate to ask now.

Bill Drozdalski