

SUTTONS BAY TOWNSHIP: NOTICE OF PUBLIC MEETING:

The regular meeting of the Suttons Bay Township Board is hereby called for 5:15 PM Wednesday, February 10, 2021. Due to current isolation guidelines this and all future Meetings will be via Zoom.

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

REPORTS:

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

OLD BUSINESS:

1. **Approval of the Minutes: Previous Meetings**
2. **Payment of the Bills**
3. **Board Appointment: PC**
4. Public Input: MNRTF Grant Request for a Public Bathroom at Herman Park
5. Resolution to Support to the MNRTF for Funding for a Public Bathroom at Herman Park
6. **Civil Infraction Ordinance**
7. Resolution 2021-9: Poverty Exemptions

NEW BUSINESS:

1. **Salary Resolutions**
2. **Open Meeting Standards / Compliance: Memo from Figura**
3. **Preliminary Budget Review**
4. Herman Park-Pump Track Proposal
5. Herman Park- **Investigation into the composition, usage or disposition of overburden soil**
6. Re-Appoint Barbara Graves to Suttons Bay Bingham Library Board
7. Set 2021 Budget Hearing for March 10, 2021

PUBLIC COMMENT:

BOARD MEMBER COMMENTS:

ADJOURNMENT:

Suttons Bay Township is inviting you to a scheduled Zoom meeting.

Topic: Suttons Bay Township Board Meeting 2-10-2021

Time: Feb 10, 2021 05:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88681011395?pwd=RlBrRm9XOGQ1WXdRNXdzMUROnlpFZz09>

Meeting ID: 886 8101 1395

Passcode: 276518

One tap mobile

+13126266799,,88681011395# US (Chicago)

+16465588656,,88681011395# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 886 8101 1395

Find your local number: <https://us02web.zoom.us/j/88681011395>

Suttons Bay Township
Treasurer's Report (unaudited)
1/31/2021

Account Description	Balance 12/31/2020	Funding December	Expenditures December	Interest* Income	Balance 1/31/2021
General Account	\$393,066.87	\$ 69,699.84	14,965.90		\$447,800.81
Technology	\$1,722.61			\$0.00	\$1,722.61
Roads and Parks	\$11,115.41			\$0.00	\$11,115.41
Pickle Ball Court	\$38.00			\$0.00	\$38.00
Soccer Field	\$38,805.50	\$250.00		\$0.00	\$39,055.50
Refundable Deposits	\$0.00			\$0.00	\$0.00
Township Office-Sinking	\$0.00			\$0.00	\$0.00
Cemetery	\$13,000.10			\$0.00	\$13,000.10
Metro Funds	\$8,813.07			\$0.00	\$8,813.07
	<u>\$466,561.56</u>	<u>\$69,949.84</u>	<u>14,965.90</u>	<u>\$0.00</u>	<u>\$521,545.50</u>
Tax	\$600,662.11	242,597.06	756,247.15	\$0.00	\$87,012.02
	<u>\$600,662.11</u>	<u>\$242,597.06</u>	<u>\$756,247.15</u>	<u>\$0.00</u>	<u>\$87,012.02</u>

RECONCILIATION SUMMARIES

Bank Account Summary-General and Restricted	1/31/2021			1/31/2021
	Stmt. Balance	O/S Checks	O/S Deposits	Adj. Balance
General Checking - Independent Bank	\$298,811.10	(1,288.24)		\$297,522.86
Pitney Bowes Reserve Fund				\$0.00
ICS Insured Cash Sweep	\$224,022.64	\$0.00	\$0.00	\$224,022.64
	<u>\$522,833.74</u>	<u>(\$1,288.24)</u>	<u>\$0.00</u>	<u>\$521,545.50</u>

Bank Account Summary - Tax and Special Election	1/31/2021			1/31/2021
	Stmt. Balance	O/S Checks	O/S Deposits	Adj. Balance
Point & Pay Deposit Acct - Independent Bank	\$0.00	\$0.00		\$0.00
Tax Checking - Independent Bank	\$92,019.86	(5,007.84)		\$87,012.02
	<u>\$92,019.86</u>	<u>(\$5,007.84)</u>	<u>\$0.00</u>	<u>\$87,012.02</u>

Recent audit report available for y/e 3/31/19

DRAFT MINUTES

**SUTTONS BAY TOWNSHIP
REGULAR MEETING- JANUARY 13, 2021**

Due to current isolation guidelines the January 13, 2021 meeting will be via Zoom.

CALL TO ORDER – REGULAR MEETING

Rich Bahle, Supervisor, called the regular meeting of the Suttons Bay Township Board of Trustees to order at 5:15 p.m., January 13, 2021, at the Suttons Bay Township Offices, #95 W. Fourth St., Suttons Bay, Michigan.

ROLL CALL - Quorum Present

Present: Rich Bahle, Supervisor, live in Suttons Bay Township, in my business office; Dorothy Petrosky, Treasurer, in office in Suttons Bay; Tom Nixon, Trustee, at home in Suttons Bay; Sandy VanHuystee, Clerk, in township office; Debbie Slocombe, Trustee, at home in Suttons Bay.

Absent and excused: None

Also in attendance via Zoom: Marge Johnson, Bill Drozdalski, Eric Carlson, Steve Patmore, Christy Brow

APPROVAL OF THE AGENDA

Rich Bahle/moved, Debbie Slocombe/supported, to approve the Agenda as amended, adding #6 under New Business - Removal of parcel from the tax roll. Motion passed.

PUBLIC COMMENT

None

REPORTS:

- **Treasurer** -Report presented.
- **Planning** - Officers for 2021 - Chair Dennis Rathnaw, Vice-Chair - Don Gregory, Secretary - Amy Coleman. Planning Commissioners finished up Southwell Farms (Barnes) Special Use Permit. Seeking legal counsel regarding January 5 Meeting.
- **Fire Authority** - Meeting held last nite. Department had significantly fewer calls in 2020. Gary McGhee, a longtime employee of the Department retired on December 26th.
- **Parks & Recreation** - Bill Drozdalski - hope to get budget completed at the February 2021 Meeting. Debbie Slocombe - at Wednesday's meeting, talked about what the next development would be, and unanimously decided to work on the soccer fields. Have tentative numbers to work with to get budget together. Committee would like to dedicate some of the \$34,273 unexpended monies park monies, if \$20,000 of

that could be rolled over into the soccer field development from this year, then have a smaller amount for next year's budget. Herman Park has water and electricity. Need to replace four (4) of the 24' lifesaving rings at the pond area which is 9 feet plus, cost \$344.78. There are boxes to protect them. Debbie Slocombe said she will order the life rings.

- **Facilities** - No report.

NEW BUSINESS

6. Removal of parcel from tax roll

Rich Bahle said Ray Pezzi owner of land on Broadway, donated that land to the Conservancy as Stites Family Preserve. The Conservancy wanted the land taken off the tax roll, but information was not submitted to Christy Brow, Township Assessor, before a certain deadline to put this matter before the Board of Review. Stites Family Preserve made an application to the Tribunal for hearing on this. Christy Brow doesn't dispute this, and there is no reason to go to a hearing, but because now there has been a filing with the Tribunal, the Tribunal has recognized that it is a timely petition and valid. The Township Board can now stipulate and tell Christy Brow, Assessor, to strike that parcel from the tax roll.

Rich Bahle/moved, Dorothy Petroskey, to accept the Stipulation regarding parcels nos. 011-029-004-10, 011-029-015-00 and 011-029-015-01 to strike these parcels from the tax roll, motion passed.

Christy Brow said she will notify the Petitioners and the Tribunal of the action that the Township Board took.

OLD BUSINESS

1. Approval of the Minutes -

December 9, 2020 Regular Meeting

Dorothy Petroskey/moved, Rich Bahle/supported, to approve the December 9, 2020 Minutes as corrected with the spelling change from Steve Ludke to Steve Lutke, motion carried.

December 21, 2020 Special Meeting

Dorothy Petrosky/moved, Sandy VanHuystee/supported, to accept the December 21, 2020 Minutes as presented, motion carried.

2. Payment of Bills

Clerk Sandy VanHuystee submitted bills for payment in the amount of \$23,528.45.

Rich Bahle/moved, Tom Nixon/supported, to pay the bills in the amount of \$23,528.45, motion passed.

3. Board Appointments - ZBA, PC & BOR

Rich Bahle/moved, Tom Nixon/supported to appoint Jerry Battle to the Suttons Bay Township Board of Review for a two (2) year term, motion passed.

NEW BUSINESS

1. Township Board Committee Assignments: Review

Rich Bahle said he will remain as President of the Fire Board. Bahle asked Dorothy Petroskey if she would be interested in serving on the Fire Board in the future.

Rich Bahle said Debbie Slocombe is interested in serving on the Planning Commission Tom Nixon said he is interested in serving on the Parks & Recreation Committee. Rich Bahle said he thinks the Fire Board enabling legislation should be changed to make it more flexible. Right now, it is mandatory that representatives of Suttons Bay Township and Bingham Township be on the Board. Sandra Grant, the Fire Board's Treasurer is also the Bingham Township Treasurer. Rich Bahle said we should make the Fire Board more open to the community if there was someone with expertise who didn't have to be a township official.

2. Poverty Exemption Standards - Rich Bahle said the State Tax Commission changed the standards. Bahle asked Dorothy Petroskey to review the poverty exemption standards.

3. Civil Infraction Ordinance - Draft Review - Study Document

Rich Bahle asked Dorothy Petroskey and Debbie Slocombe to take a look at the Draft Civil Infraction Ordinance. The zoning ordinance references this ordinance. A ticket book has been ordered which is a State form.

4. Resolution 2021- 01 - Authorization to allow written petitions to the Board of Review
Rich Bahle/moved Debbie Slocombe/supported, to adopt Resolution 2021-01 Authorization to allow all resident taxpayers, or their agents, to protest too the Board of Review by letter. Roll call vote: Yes: Tom Nixon, Sandy VanHuystee, Rich Bahle, Debbie Slocombe, Dorothy Petroskey. No: None. Resolution adopted.

5. Resolution 2021-02 - Retention of audio and/or visual recordings

Rich Bahle/moved, Tom Nixon/supported, to adopt Resolution 2021-02 that the Suttons Bay Township Board hereby adopts the policy regarding the retention of audio and/or video recordings of any Township Board, commission, or committee meeting that is subject to the Open Meetings Act. Roll call vote: Yes: Tom Nixon, Sandy VanHuystee, Rich Bahle, Debbie Slocombe, Dorothy Petroskey. No: None. Resolution adopted.

6. MNRTF Grant Request: Re-submittal of request for bathroom at Herman Park
Bill Drozdalski said the township did not receive the MNRTF Grant for the bathroom at Herman Park last year. This grant request will be resubmitted again,

with a new resolution at the February 2021 Meeting.

PUBLIC COMMENT

No public comment.

BOARD MEMBER COMMENTS

Tom Nixon said the township can appoint someone who lives outside of the township to the Planning Commission.

Appointment to Planning Commission

Rich Bahle/moved, Debbie Slocombe/supported, to appoint Paul Audette to the Planning Commission for a three (3) year term (January 1, 2021 - December 31, 2023. Motion passed.

ADJOURNMENT

Rich Bahle adjourned the meeting at 6:02 p.m.

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

Suttons Bay Township
Unpaid Bills Detail
 As of February 11, 2021

Type	Date	Num	Due Date	Aging	Open Balance
Christy Brow					
Bill	02/10/2021		02/20/2021		444.67
Total Christy Brow					444.67
Debbie Slocombe					
Bill	02/10/2021		02/20/2021		127.45
Bill	02/10/2021		02/20/2021		327.68
Total Debbie Slocombe					455.13
Dorothy Petroskey					
Bill	02/10/2021		02/20/2021		1,694.84
Bill	02/10/2021		02/20/2021		412.08
Total Dorothy Petroskey					2,106.92
DTE Energy					
Bill	02/10/2021		02/20/2021		112.49
Total DTE Energy					112.49
Federal Tax Deposit					
Bill	02/10/2021		02/20/2021		2,288.41
Total Federal Tax Deposit					2,288.41
Integrity Business Solutions					
Bill	02/10/2021		02/20/2021		94.98
Total Integrity Business Solutions					94.98
Jill Williamson					
Bill	02/10/2021		02/20/2021		75.00
Total Jill Williamson					75.00
Leelanau County Treasurer					
Bill	02/10/2021		02/20/2021		849.42
Total Leelanau County Treasurer					849.42
Leelanau Enterprise					
Bill	02/10/2021		02/20/2021		70.80
Total Leelanau Enterprise					70.80
Marge Johnson					
Bill	02/10/2021		02/20/2021		147.76
Total Marge Johnson					147.76
Michigan Assessing Service					
Bill	02/10/2021		02/20/2021		3,689.58
Total Michigan Assessing Service					3,689.58
Michigan Township Association					
Bill	02/10/2021		02/20/2021		60.00
Total Michigan Township Association					60.00
Netlink					
Bill	02/10/2021		02/20/2021		147.99
Total Netlink					147.99
Networks Northwest					
Bill	02/10/2021		02/20/2021		700.00
Total Networks Northwest					700.00

Suttons Bay Township
Unpaid Bills Detail
 As of February 11, 2021

Type	Date	Num	Due Date	Aging	Open Balance
Northern Building Supply, LLC					
Bill	02/10/2021		02/20/2021		448.71
Total Northern Building Supply, LLC					448.71
Pete Ostrowski					
Bill	02/10/2021		02/20/2021		2,308.75
Total Pete Ostrowski					2,308.75
Pitney Bowes					
Bill	02/10/2021		02/20/2021		229.47
Total Pitney Bowes					229.47
Richard Bahle					
Bill	02/10/2021		02/20/2021		1,181.11
Total Richard Bahle					1,181.11
Sandra Van Huystee					
Bill	02/10/2021		02/20/2021		2,083.10
Total Sandra Van Huystee					2,083.10
Spectrum Business					
Bill	02/10/2021		02/20/2021		265.01
Total Spectrum Business					265.01
State of Michigan					
Bill	02/10/2021		02/20/2021		318.74
Total State of Michigan					318.74
Steven Patmore					
Bill	02/10/2021		02/20/2021		2,825.16
Bill	02/10/2021		02/20/2021		18.61
Total Steven Patmore					2,843.77
Team Elmer's					
Bill	02/11/2021		02/21/2021		120.00
Total Team Elmer's					120.00
Tom Nixon					
Bill	02/10/2021		02/20/2021		127.45
Total Tom Nixon					127.45
Village of Suttons Bay					
Bill	02/10/2021		02/20/2021		64.84
Total Village of Suttons Bay					64.84
TOTAL					21,234.10

Suttons Bay Township

Public Input MNRTF Recreation Passport Grant

The Board is requesting public input for a **MNRTF Recreation Passport Grant** application for the for the purpose of continuing the development of Herman Park and specifically to discuss the need for a permanent restroom facility. You need not be a citizen or resident of the Township to attend. We encourage surrounding community members to attend also. Persons with disabilities are also encouraged to attend and provide input for Universal Accessibility Design. Please join the meeting by clicking on the following link.

Suttons Bay Township is inviting you to a scheduled Zoom meeting.

Topic: Suttons Bay Township Board Meeting 2-10-2021

Time: Feb 10, 2021 05:15 PM Eastern Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 886 8101 1395

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+1 301 715 8592 US (Washington D.C)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 886 8101 1395

Find your local number: <https://us02web.zoom.us/j/88681011395?pwd=RIBrRm9XOGQ1WXdRNXdzMUROnlpFZz09>

RECREATION PASSPORT GRANT PROGRAM
TOWNSHIP OF SUTTONS BAY
RESOLUTION NO. 3 of 2021

WHEREAS, Suttons Bay Township Board of Trustees supports the submission of an application titled, "Construction of New Restrooms" to the Recreation Passport Grant Program for development of new Universal Accessible Restrooms at Herman Park; and,

WHEREAS, the proposed application is supported by the Community's (2019-2023) 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, Suttons Bay Township has made a financial commitment to the project in the amount of \$39,000 matching funds, in cash and/or force account; and,

NOW THEREFORE, BE IT RESOLVED that Suttons Bay Township hereby authorizes submission of a Recreation Passport Grant Application for \$110,000, and further resolves to make available its financial obligation amount of \$39,000 (26%) of a total \$149,000 project cost during the 2022-2023 fiscal year.

AYES:

NAYES:

ABSENT:

MOTION APPROVED.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by the Trustees of Suttons Bay Township at their regular meeting held on February 10, 2021, at 5:15 p.m. as an on-line (ZOOM) meeting, with a quorum present.

Clerk

Dated: _____

admin@suttonsbaytwp.com

From: Timothy Figura <tfigura@figuralaw.com>
Sent: Friday, February 5, 2021 2:03 PM
To: admin@suttonsbaytwp.com
Subject: Municipal Civil Infraction Ordinance

Dorothy,

After reviewing the attached ordinance, I believe that the ordinance complies with the requirements of MCL 600.8707 and would appropriately assist the Township in enforcing other ordinances.

I suggest removing "Amended 6-12-2018" from the definitions for "Repeat Offense" and "Second or subsequent repeat offense", as this appears to refer to amendments made by a different public body.

Removing the fee schedule is fine, but I should note that Section 7(A)(1) refers to fees established by "ordinance". If your other ordinances (zoning, blight, etc) contain fee schedule already, then you are all set. Otherwise, this provision should be changed to indicate where a fee schedule can be found. This just depends on how the Township wishes to organize and amend fee schedules.

In summary, the ordinance complies with the statutory requirements of MCL 600.8707 and is a good candidate for the Board's consideration.

Please let me know if we may assist further,

Timothy J. Figura, Esq.

FIGURA LAW OFFICE
11470 S. Leelanau Hwy, Ste. 105
PO Box 447
Empire, MI 49630
412-616-2792 (Cell)

"Working for a better community through law"

Of counsel to Simen, Figura & Parker, PLC, Flint, MI

From: "admin@suttonsbaytwp.com" <admin@suttonsbaytwp.com>
Date: Monday, February 1, 2021 at 11:58 AM
To: Timothy Figura <tfigura@figuralaw.com>
Cc: "treasurer@suttonsbaytwp.com" <treasurer@suttonsbaytwp.com>
Subject: RE: Poverty Guidelines

Tim

I have attached the proposed civil infraction ordinance. The only thing I removed was the fee schedule. The Ordinance had listed all the fines for the various police power ordinances and I just thought that should not be included. Let me know your thoughts.

treasurer@suttonsbaytwp.com

From: Norene Kastys <nkastys@86thdistrictcourt.org>
Sent: Thursday, January 21, 2021 10:47 AM
To: treasurer@suttonsbaytwp.com
Subject: Re: Civil Infraction Ordinance

Dorothy, looks like you are the right track. Once you have this finalized and approved through the Township, please file a copy of the Ordinance with both the County Clerk and the District Court. Thanks. Norene

On Thu, Jan 21, 2021 at 9:26 AM <treasurer@suttonsbaytwp.com> wrote:

Good Morning Noreen,

Last week Debbie Slocombe, contacted you regarding Suttons Bay Township adopting a civil infraction ordinance. We have "borrowed one" from Michigan Township Association and tailored it to the Township. The highlighted portion in the Ordinance we will most likely remove.

I have also attached a copy of the ticket book that was ordered. Will this meet the court's expectations?

We will be sending the Ordinance off to the attorney for final review. We just want to make sure that before we go any farther, we are on the right track.

Thank you for looking this over!

Dorothy Petroskey, Treasurer

Suttons Bay Township

231.271.2722 ext. 1

**Suttons Bay Township
Municipal Civil Infractions Ordinance
Ordinance No. 2021-**

AN ORDINANCE TO DEFINE MUNICIPAL CIVIL INFRACTION AND RELATED TERMS, TO PROVIDE FOR PENALTIES AND SANCTIONS FOR VIOLATION OF TOWNSHIP ORDINANCES, TO ESTABLISH A MUNICIPAL CIVIL INFRACTION ORDINANCE VIOLATIONS BUREAU, TO AUTHORIZE CERTAIN TOWNSHIP OFFICIALS TO ISSUE MUNICIPAL CIVIL INFRACTION CITATIONS, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE TOWNSHIP OF SUTTONS BAY COUNTY OF LEELANAU, AND STATE OF MICHIGAN ORDAINS:

Section 1. Definitions.

For purposes of their use in this Ordinance, the following words and terms are herein defined. Any word or term not herein defined shall be considered to be defined in accordance with its common or standard definitions.

- A. "Act" means Act No. 236 of the Public Acts of 1961, as amended.
- B. "Authorized Township Official" means a police officer or other personnel of the Township authorized by Ordinance to issue municipal civil infraction citations or municipal civil infraction violation notices.
- C. "Bureau" means Suttons Bay Township Municipal Ordinance Violations Bureau as established by this Ordinance.
- D. "Municipal civil infraction" means an act or omission that is prohibited by Ordinance of the Township, but which is not a crime under this Ordinance or other Ordinances of the Township, and for which civil sanctions, including without limitation, fines, damages, expenses and costs, may be ordered, as authorized by Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended. A municipal civil infraction is not a lesser and included offense of a violation of the Ordinances of the Township, which is deemed a criminal offense.
- E. "Municipal civil infraction action" means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.
- F. "Municipal civil infraction citation" means a written complaint or notice prepared by an authorized Township official, directing a person to appear at the Suttons Bay Township Municipal Ordinance Violations Bureau regarding the occurrence or existence of a municipal civil infraction violation by the person cited.
- G. "Municipal civil infraction determination" means a determination that a defendant is responsible for a municipal civil infraction by one of the following: (1) An admission of responsibility for the municipal civil infraction, (ii) An admission of responsibility for the municipal civil infraction "with explanation," (iii) A preponderance of the evidence at an

informal hearing or formal hearing, (iv) A default judgment for failing to appear as directed by citation or other notice.

H. "Municipal civil infraction violation notice" means a written notice prepared by an authorized Township official, directing a person to appear at the Suttons Bay Township Municipal Ordinance Violations Bureau and to pay the fine and costs, if any, as authorized under Sections 8396 and 8707(6) of the Act.

I. **"Repeat offense" means a municipal civil infraction violation of the same provision of a Township Ordinance committed by a person within twelve (12) months of the date of an earlier municipal infraction violation for which the person either admitted responsibility or was determined to be responsible. (Amended 6-12-2018)**

J. **"Second or subsequent repeat offense" means a municipal civil infraction violation of the same provision of a Township Ordinance committed by a person within twelve (12) months of the date of the most recent of earlier civil infraction violations for which the person either admitted responsibility or was determined to be responsible. (Amended 6-12-2018)**

Section 2. Municipal Civil Infraction Action: Commencement.

A municipal civil infraction may be commenced upon the issuance by an authorized Township official of (1) a municipal civil infraction citation directing the alleged violator to appear in court; or (2) a municipal civil infraction violation notice directing the alleged violator to appear at the Suttons Bay Township Municipal Ordinance Violations Bureau.

Section 3. Municipal Civil Infraction Citations: Issuance and Service.

Municipal civil infraction citations shall be issued and served by authorized Township officials as follows:

A. The time for appearance specified on a citation shall be within a reasonable time after the citation is issued.

B. The place for appearance specified on a citation shall be the District Court unless the person cited for a municipal civil infraction is under the age of 17 at the time of the occurrence of the violation, in which case the matter shall be referred to the Probate Court.

C. Each citation shall be numbered consecutively, shall be in the form approved by the state court administrator and shall consist of the following parts:

(1) The original, which is a complaint and notice to appear, shall be filed with the District Court;

(2) The first copy shall be retained by the Township and/or the ordinance enforcing agency;

(3) The second copy shall be issued to the alleged violator if the violation is a municipal civil infraction; and

(4) The third copy shall be issued to the alleged violator if the violation is a misdemeanor.

D. A citation for a municipal civil infraction signed by an authorized Township official shall be treated as made under oath if the violation alleged in the citation occurred in the presence of the official signing the complaint and if the citation contains the following statement immediately above the date and signature of the official: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief."

E. An authorized Township official who witnesses a person commit a municipal civil infraction shall prepare and subscribe, as soon as possible and as completely as possible, an original and required copies of a citation.

F. An authorized Township official may issue a citation to a person if:

(1) Based upon investigation, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction; or

(2) Based upon investigation of a complaint by someone who allegedly witnessed the person violate an ordinance, a violation of which is a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for an infraction and if the prosecuting attorney or Township attorney approves in writing the issuance of the citation.

G. Municipal civil infraction citations shall be served by an authorized Township official as follows:

(1) Except as provided in subsection 3(g)(2) below, an authorized Township official shall personally serve a copy of the citation upon the alleged violator.

(2) If the municipal civil infraction action involves the use or occupancy of land, a building or other structure, a copy of the municipal civil infraction citation does not need to be personally served upon the alleged violator but may be served upon an owner or occupant of the land, building or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first - class mail to the owner of the land, building, or structure at the owner's last known address. A citation served in accordance with this subsection for a violation involving the use or occupancy of land or a building or other structure shall be processed in the same manner as a citation served personally upon a defendant.

Section 4. Municipal Civil Infraction Citations: Contents.

A. A municipal civil infraction citation shall contain the name of the Township and the name and the address of the alleged violator, the municipal civil infraction alleged, the place where the alleged violator shall appear in court, the telephone number of the court, and the time at or by which the appearance shall be made.

B. A municipal civil infraction citation shall inform the alleged violator that he or she may do one of the following:

(1) Admit responsibility for the municipal civil infraction by mail, in person, or by representation, at or by the time specified for appearance.

(2) Admit responsibility for the municipal civil infraction "with explanation" by mail, in person, or by representation by the time specified for appearance.

(3) Deny responsibility for the municipal civil infraction by doing either of the following:

(a) Appearing in person for an informal hearing before a judge or district court magistrate, without the opportunity of being represented by an attorney, unless a formal hearing before a judge is requested by the Township.

(b) Appearing in court for a formal hearing before a judge, with the opportunity of being represented by an attorney. A party requesting a formal hearing shall notify the court and the Township or other named party or parties of the request at least 10 days before the hearing date, which request may be made in person, by representation, by mail or by telephone.

C. The citation shall also inform the alleged violator of all of the following:

(1) That if the alleged violator desires to admit responsibility "with explanation" in person or by representation, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time for an appearance.

(2) That if the alleged violator desires to deny responsibility, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified to appear for a hearing, unless a hearing date is specified on the citation.

(3) That a hearing shall be an informal hearing unless a formal hearing is requested by the alleged violator or the Township.

(4) That at an informal hearing the alleged violator must appear in person before a judge or district court magistrate, without the opportunity of being represented by an attorney.

(5) That at a formal hearing the alleged violator must appear in person before a judge with the opportunity of being represented by an attorney.

D. The citation shall contain a notice in boldfaced type that the failure of the alleged violator to appear within the time specified in the citation or at the time scheduled for a hearing or appearance is a misdemeanor and will result in entry of a default judgment against the alleged violator on the municipal civil infraction. Return of the citation with an admission of responsibility and with full payment of applicable civil fines and costs, return of citation with an admission of responsibility with explanation and with full payment of applicable civil fines and costs, or timely application to the court for a scheduled date and time for an appearance under subsection 4(c)(1) or a hearing under subsection 4(c)(2) constitutes a timely appearance.

E. If an authorized Township official issues a citation as set forth in this section, the court may accept an admission with explanation or an admission or denial of responsibility without the necessity of a sworn complaint. If the defendant denies responsibility for the municipal civil infraction, further proceedings shall not be held until a sworn complaint is filed with the court. A warrant for arrest for failure to appear on the municipal civil infraction citation shall not be issued until a sworn complaint relative to the municipal civil infraction is filed with the court.

Section 5. Municipal Ordinance Violations Bureau.

A. BUREAU ESTABLISHED. The Township hereby establishes a Municipal Ordinance Violations Bureau (the "Bureau") as authorized under Section 8396 of the Act to accept admissions of responsibility for municipal civil infractions in response to municipal civil infraction violation notices issued and served by authorized Township officials, and to collect and retain civil fines and costs as prescribed by Ordinance. The expenses of operating the Bureau shall be borne by the Township, and the personnel of the Bureau shall be Township employees.

B. LOCATION; SUPERVISION; EMPLOYEES; RULES; AND REGULATIONS. The Bureau shall be located at the Suttons Bay Township Hall and shall be under the supervision and control of the Township Treasurer. The Township Treasurer, subject to the approval of the Township Board, shall adopt rules and regulations for the operation of the Bureau and appoint any necessary qualified Township employees to administer the Bureau.

C. DISPOSITION OF VIOLATION. The Bureau may dispose only of municipal civil infraction violations for which a fine has been scheduled and for which a municipal civil infraction violation notice (as compared with a citation) has been issued. Nothing in this Chapter shall prevent or restrict the Township from issuing a municipal civil infraction citation for any violation or from prosecuting any violation in a court of competent jurisdiction. No person shall be required to dispose of a municipal civil infraction violation at the Bureau and may have the violation processed before a court of appropriate jurisdiction. The unwillingness of any person to dispose of any violation at the Bureau shall not prejudice the person or in any way diminish the person's right, privileges and protection accorded by law.

D. BUREAU LIMITED TO ACCEPTING ADMISSION(S) OF RESPONSIBILITY. The scope of the Bureau's authority shall be limited to accepting admissions of responsibility for municipal civil infractions and collecting and retaining civil fines and costs as a result of those admissions. The Bureau shall not accept payment of a fine from any person who denies having committed the offense or who admits responsibility only with explanation, and in no event shall the Bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to an alleged violation.

Section 6. Municipal Civil Infraction Notices: Contents, Issuance and Service.

A. SERVICE OF NOTICE. An authorized Township official may issue and serve a municipal civil infraction violation notice instead of a citation under the same circumstances and upon the same persons as provided for service of municipal civil infraction citations. In addition to any other information required by this Ordinance or other Ordinances, the violation shall indicate the time by which the alleged violator must appear at the Bureau, the methods by which an appearance may be made, the address and telephone number of the Bureau, the hours during which the Bureau is open, the amount of the fine scheduled for the alleged violation, and the consequences for failure to appear and pay the required fine within the required time.

B. APPEARANCE; PAYMENT OF FINES AND COSTS. An alleged violator receiving a municipal civil infraction violation notice shall appear at the Bureau and pay the specified fine and costs at or by the time specified for appearance in the municipal civil infraction violation notice. An appearance may be made by mail, in person, or by representation.

C. PROCEDURE WHERE ADMISSION OF RESPONSIBILITY NOT MADE OR FINE NOT PAID. If an authorized Township official issues and serves a municipal ordinance violation notice and if an admission of responsibility is not made and the civil fine and costs, if any, are not paid at the Bureau, a municipal civil infraction citation may be filed with the District Court and a copy of the citation may be served by first-class mail upon the alleged violator at the alleged violator's last known address. The citation filed with the court does not need to comply in all particulars with the requirements for citations as provided by Sections 8705 and 8709 of the Act but shall consist of a sworn complaint containing the allegations stated in the municipal ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation.

Section 7. Municipal Civil Infractions; Sanctions, Continuing Violations, Injunctive Relief.

A. The sanction for a violation which is a municipal civil infraction shall be a civil fine in the amount as provided, plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

(1) Unless otherwise specifically provided for a particular municipal civil infraction violation by Ordinance, the civil fine for a violation shall be not less than \$50.00, plus costs and other sanctions, for each infraction.

(2) Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of Ordinance. As used in this Section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by a person within any 12 -month period (unless some other period is specifically provided by Ordinance), and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by Ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:

(a) The fine for any offense which is a first repeat offense shall be no less than \$250.00, plus costs.

(b) The fine for any offense which is a second repeat offense, or any subsequent repeat offense shall be no less than \$500.00, plus costs.

B. A "violation" includes any act which is prohibited or made or declared to be unlawful or an offense by Ordinance; and any omission or failure to act where the act is required by Ordinance.

C. Each day on which any violation of Ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.

D. In addition to any remedies available at law, the Township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of Township Ordinance.

Section 8. Authorized Township Official.

The Township Zoning Administrator, members of the Leelanau County Sheriff's Department assigned to the Township, members of the Leelanau County Sheriff's Department whose services are contracted for by the Township, and any other individuals who from time to time may be appointed by resolution of the Township Board, are hereby designated as authorized Township officials to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the Suttons Bay Township Municipal Ordinance Violations Bureau) as provided by this Ordinance.

Section 9. Severability and Captions.

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 11. Repeal.

All resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, are hereby repealed.

Section 12. Administrative Liability.

No officer, agent, employee or member of the Township Board shall render himself or herself personally liable for any damage which may occur to any person or entity as the result of any act or decision performed in the discharge of his or her duties and responsibilities pursuant to this Ordinance.

This ordinance will take effect 30 days after publication.

Approved by the Suttons Bay Township Board _____

Published in the Leelanau Enterprise _____

- C.I.
- MIS.
- JUV.

**State of Michigan
Municipal Civil Infraction
Notice of Violation**

Ticket No.	Dept. No.
Complaint No.	Offense Code
Local Use/Arrest No.	

The People of: the State of Michigan
 Township City Village County

OF:
 THE UNDERSIGNED _____ Month _____ Day _____ Year At approximately A.M. P.M. Date of Birth _____ Month _____ Day _____ Year
 SAYS THAT ON:
 State Oper./Chauff. CDL Driver License Number _____

Race	Sex	Height	Weight	Hair	Eyes	Occupation/Employer
------	-----	--------	--------	------	------	---------------------

Name (First, Middle, Last) _____

Street _____

City _____ State _____ Zip Code _____

Vehicle Plate No.	Year	State	Vehicle Description (Year, Make, Color)	Veh. Type
-------------------	------	-------	---	-----------

THE PERSON NAMED ABOVE, in violation of § _____
 Local Ordinance State Law Administrative Rule

UPON _____
 AT OR NEAR _____

WITHIN CITY VILLAGE TOWNSHIP OF _____

- COUNTY OF _____ DID THE FOLLOWING
- | | |
|---|--|
| <input type="checkbox"/> Nuisance Ordinance | <input type="checkbox"/> Building Code |
| <input type="checkbox"/> Licenses Ordinance | <input type="checkbox"/> Plumbing Code |
| <input type="checkbox"/> Zoning Ordinance | <input type="checkbox"/> Electrical Code |
| <input type="checkbox"/> Sign, Lighting & Display Ordinance | <input type="checkbox"/> Mechanical Code |
| <input type="checkbox"/> Animal & Fowl Ordinance | <input type="checkbox"/> Other _____ |

Describe: _____

Person in Active Military Service Yes No

THIS VIOLATION IS A CIVIL INFRACTION and is your _____ violation.
 The fine for this violation is \$ _____ and must be paid at the violations bureau
 by 5:00 p.m. on _____ unless you contact the violations bureau before this time.
SEE BELOW FOR AN EXPLANATION OF YOUR RIGHTS AND INSTRUCTIONS.

WARNING: If you fail to pay the fine specified above or fail to contact the violations bureau on the date and time specified above, a civil infraction citation will be issued. You are alleged to be responsible for a civil infraction. You must either: 1) admit responsibility; 2) admit responsibility with explanation; or 3) deny responsibility. If you are not able to pay due to financial hardship, contact the court immediately to request a payment alternative.

ADMIT RESPONSIBILITY: If you wish to admit responsibility and pay your fine, you may do so by appearing in person or by mailing your fine along with this notice to the violations bureau.
ADMIT RESPONSIBILITY WITH EXPLANATION OR DENY RESPONSIBILITY: If you wish to admit responsibility with explanation or deny responsibility and have a hearing, you must contact the violations bureau on or before the date specified above. A citation will be issued and filed with the court where you will have the right to an informal hearing before a magistrate or judge or to appear in court for a formal hearing before a judge.

Violations bureau address & phone number _____

I personally served a copy of this notice upon the defendant.
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable	Month	Day	Year
Officer's Name (printed)	Officer's ID No.		
Agency ORI	Agency Name		

MI-UC-02, Rev. 9/20

VIOLATION BUREAU COPY

Press Hard - You are making multiple copies

This form is available from Target Information Management, Inc. (517)337-1211

C.I.
 MIS.
 JUV.
 Ticket No. _____
 Name _____
 Case No. _____

admin@suttonsbaytwp.com

From: Timothy Figura <tfigura@figuralaw.com>
Sent: Friday, February 5, 2021 12:58 PM
To: admin@suttonsbaytwp.com
Subject: Re: Poverty Guidelines

Dorothy,

After review, I find that the attached Resolution No. ^{9 of 2021} 2020-017 meets the statutory requirements of MCL 211.7u. Further, the Resolution properly accounts for the recent changes signed by the Governor on December 23, 2020. Seeing that the Resolution meets these statutory requirements, I do not suggest any changes to the Resolution.

Please let me know if we may assist further,

Timothy J. Figura, Esq.

FIGURA LAW OFFICE
11470 S. Leelanau Hwy, Ste. 105
PO Box 447
Empire, MI 49630
412-616-2792 (Cell)

“Working for a better community through law”

Of counsel to Simen, Figura & Parker, PLC, Flint, MI

From: "admin@suttonsbaytwp.com" <admin@suttonsbaytwp.com>
Date: Thursday, January 21, 2021 at 9:31 AM
To: Timothy Figura <tfigura@figuralaw.com>
Cc: "treasurer@suttonsbaytwp.com" <treasurer@suttonsbaytwp.com>
Subject: FW: Poverty Guidelines

Dear Mr. Figura

The Township Supervisor asked that I send a copy of the proposed 2021 Poverty Guidelines Resolution to your office for review. We will need to adopt the attached at our next meeting on February 10, 2021. Please let me know if you see anything that needs to be changed.

Dorothy Petroskey
Township Treasurer
231.271.2722 ext. 1

admin@suttonsbaytwp.com

From: admin@suttonsbaytwp.com
Sent: Thursday, January 21, 2021 9:31 AM
To: 'tfigura@figuralaw.com'
Cc: 'treasurer@suttonsbaytwp.com'
Subject: FW: Poverty Guidelines
Attachments: 2021 Poverty Guidelines Res. 2021.docx; Changes to the Poverty Exemption.pdf

Dear Mr. Figura

The Township Supervisor asked that I send a copy of the proposed 2021 Poverty Guidelines Resolution to your office for review. We will need to adopt the attached at our next meeting on February 10, 2021. Please let me know if you see anything that needs to be changed.

Dorothy Petroskey
Township Treasurer
231.271.2722 ext. 1

Resolution No. 9 of 2021

A Resolution to Modify Guidelines ("Exhibit A") for Poverty Exemptions from Property Taxes

At a regular meeting of the Suttons Bay Township Board of Trustees of the Suttons Bay Township, Leelanau County, Michigan, held at the 95 W 4th Street, Suttons Bay Township on February ____, 2021.

PRESENT:

ABSENT:

The following Resolution was offered by Trustee _____:

WHEREAS:

1. 1994 PA 390, which amended Section 7u of Act No. 206 of the Public Acts of 1993, being Section 211.7u of the Michigan Compiled Laws, requires that the local governing body of the unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions;
2. The adoption of guidelines for poverty exemptions is within the purview of the Township Board;
3. The principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u);
4. Section (5) of the Guidelines for Poverty Exemptions from Property Taxes provides for the establishment of maximum standards in Exhibit A;
5. Based on the Federal Poverty Income Standards, the maximum standards set in Exhibit A may be modified from time to time by resolution of the Suttons Bay Township Board of Trustees; and
6. Pursuant to PA 390 of 1994, Suttons Bay Township adopts the following guidelines and policy as provided in Exhibit A for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and

asset levels of the claimant and all persons residing in the household, including any property tax credits, returns filed in the current or immediately preceding year.

THEREFORE BE IT RESOLVED THAT: to be eligible for a property poverty exemption in Suttons Bay Township, an applicant must:

1. Own or occupy as a principal residence the property for which an exemption is requested;
2. File a completed application in the form required by the Township Assessor that has been witnessed and signed by the Board of Review Member, or Notary Public;
3. File copies of federal income tax returns, state income tax returns (MI-1040), or a Poverty Exemption Affidavit, as appropriate and Homestead Property Tax Credit claims (MI-1040CR 1, 2, 3, or 4), and documentation for all income sources, including any property tax credit forms and/or statement of benefits paid from Michigan Department of Social Services or Social Security Administration for all persons residing on the property/homestead;
4. Demonstrate that the applicant's and any persons residing in the homestead, assets shall not exceed the amounts in Exhibit A, excluding the principal residence and one automobile. The applicants and any persons residing on the property shall not have an annual income level that does not exceed the federal poverty income guidelines and maximum asset standards provided in Exhibit A;
5. Produce a valid driver's license or other form of identification if requested;
6. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested; and
7. Have on file with the Assessor's Office a current Principal Residence Exemption (PRE) affidavit.

BE IT FURTHER RESOLVED THAT:

1. The Board of Review may request from the applicant any supporting documents that may be utilized in determining a property poverty exemption request;
2. The completed property poverty exemption application must be filed after January 1, but one day prior to the last day of the Board of Review in the year for which the exemption is sought;

3. The Board of Review shall follow this Resolution and Suttons Bay Township's 2021 guidelines and policy for property tax poverty exemption in granting or denying an exemption.

4. That the Board of Trustees rescinds all prior resolutions that are inconsistent with or in conflict with this Resolution; and

5. That to conform to the provisions of 1994 PA 390, the Poverty Exemption Guidelines (Exhibit A) are hereby effective January 1, 2021.

AYES:

NAYES:

ABSENT:

The foregoing Resolution declared adopted on the date written above.

EXHIBIT A

SUTTONS BAY TOWNSHIP
POVERTY EXEMPTION GUIDELINES

Minimum Income Standards

To be eligible for a poverty exemption, the applicant and all persons residing in the principal residence/homestead (combined) must have an annual income level that does not exceed the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services. Income sources include, but are not limited to, salaries, Social Security, rents, pensions, IRA's (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, and any other source of income. The guidelines are as follows:

Persons in family/household	Poverty guideline
1	\$12,760
2	17,240
3	21,720
4	26,200
5	30,680
6	35,160
7	39,640
8	44,120

2020 Poverty Guidelines for the 48 Contiguous States
and the District of Columbia

SUTTONS BAY TOWNSHIP

RESOLUTION # 4 of 2021

ADOPTED AT MEETING OF FEBRUARY 10, 2021

RESOLUTION TO ESTABLISH TOWNSHIP OFFICIALS SALARY

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting. The salary for officers composing the Township Board shall be determined by the Township Board.

BE IT RESOLVED, that as of April 1, 2021 the salary of the following Board Member shall be:

SUPERVISOR: \$18,035.00 PLUS PENSION

The foregoing resolution offered by Member _____
Supported by Member _____

Upon a roll call vote, the following voted:

“AYE”

“NAY”

ABSENT:

The supervisor declared the Resolution adopted.

Sandra Van Huystee, Clerk

SUTTONS BAY TOWNSHIP

RESOLUTION # 5 of 2021

ADOPTED AT MEETING OF FEBRUARY 10, 2021

RESOLUTION TO ESTABLISH TOWNSHIP OFFICIALS SALARY

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting. The salary for officers composing the Township Board shall be determined by the Township Board.

BE IT RESOLVED, that as of April 1, 2021 the salary of the following Board Member shall be:

CLERK: \$26,887.00 PLUS PENSION

The foregoing resolution offered by Member _____
Supported by Member _____

Upon a roll call vote, the following voted:

“AYE”

“NAY”

ABSENT:

The supervisor declared the Resolution adopted.

Sandra Van Huystee, Clerk

SUTTONS BAY TOWNSHIP

RESOLUTION # 6 of 2021

ADOPTED AT MEETING OF FEBRUARY 10, 2021

RESOLUTION TO ESTABLISH TOWNSHIP OFFICIALS SALARY

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting. The salary for officers composing the Township Board shall be determined by the Township Board.

BE IT RESOLVED, that as of April 1, 2021 the salary of the following Board Member shall be:

TREASURER: 27,940.00 FOR WINTER AND SUMMER TAX COLLECTION PLUS PENSION

The foregoing resolution offered by Member _____
Supported by Member _____

Upon a roll call vote, the following voted:

“AYE”

“NAY”

ABSENT:

The supervisor declared the Resolution adopted.

Sandra Van Huystee, Clerk

SUTTONS BAY TOWNSHIP

RESOLUTION # 7 of 2021

ADOPTED AT MEETING OF FEBRUARY 10, 2021

RESOLUTION TO ESTABLISH TOWNSHIP OFFICIALS SALARY

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting. The salary for officers composing the Township Board shall be determined by the Township Board.

BE IT RESOLVED, that as of April 1, 2021 the salary of the following Board Member shall be:

TRUSTEE: \$1,551.90 PLUS PENSION

The foregoing resolution offered by Member _____
Supported by Member _____

Upon a roll call vote, the following voted:

“AYE”

“NAY”

ABSENT:

The supervisor declared the Resolution adopted.

Sandra Van Huystee, Clerk

SUTTONS BAY TOWNSHIP

RESOLUTION # 8 of 2021

ADOPTED AT MEETING OF FEBRUARY 10, 2021

RESOLUTION TO ESTABLISH TOWNSHIP OFFICIALS SALARY

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting. The salary for officers composing the Township Board shall be determined by the Township Board.

BE IT RESOLVED, that as of April 1, 2021 the salary of the following Board Member shall be:

TRUSTEE: \$1,551.90 PLUS PENSION

The foregoing resolution offered by Member _____
Supported by Member _____

Upon a roll call vote, the following voted:

“AYE”

“NAY”

ABSENT:

The supervisor declared the Resolution adopted.

Sandra Van Huystee, Clerk

Feb 5, 2021

Investigation into the composition, usage or disposition of construction overburden soil at Herman Park

Summary: A year ago we had a group interested in putting in a **bicycle pump track** at Herman Park. Over the course of the year they made several presentations to the Parks & Rec Committee. At one of the presentations late last year they indicated that they would like to place the track at the south west corner of the property and use an existing pile of dirt as a base for the track design.

The pile they were referring to is the overburden soil (540 to 1083 cubic yards) that was removed when the initial construction started in the 2010-2011 time frame and was moved south of where the tennis courts are. Prior to the construction, assessments were made and with the assistance of Brownfield Grants all known hazardous soils were removed and properly disposed of. The construction overburden soils were placed on the south side of the tennis courts. The composition of the soil included silt, metal, glass and plastics. When the Pavilion project was approved this mound of dirt was moved to the south west corner of the property.

A letter dating back to 2011 indicated the composition of the soil and included that “some” of the soil was a dark color and had a petroleum odor.

The concern is if these soils can be safely used as a base for the track or for other usage at the park or if proper disposal is required.

I contacted Jeff Hawkins of Envirologic, explained the situation and asked for quote to perform sampling on this mound (approx. 150' x 300' x 3' high). His estimate to complete this assessment is approximately \$6 K. This includes taking samples, lab testing and analyzing the results which may take about six weeks.

If the results are negative we can reuse this soil. If the results are positive for contamination, we will need to look into proper disposal. The 2011 estimates, if contaminated, could run anywhere between \$33K and \$62K.

I contacted Leelanau County Planner Trudy Gala and Jeff Hawkins of Envirologic to investigate if there are any Federal or State monies available for assessments and possibly disposal.

We advised the group proposing the pump track of the issue and suggested they may want to use a different location at Herman Park which require the purchase of additional soils for their project.

William Drozdalski

Parks Supervisor

Jan 11, 2021 –

Correspondence to Trudy Gala asking about fund/grant availability for disposal of soils at HP. This included the following info from Jeff Hawkins:

Info from May 5, 2011 Envirologic Communications:

The subject communications provided two different scenarios about the overburden soils that were to be removed. The volume of material would be estimated to be within the range of 541 to 1,083 cubic yards or a range of 811 to 1625 tons of material.

The cost for transportation and disposal was estimated between \$33,000 and \$62,000.

Feb 3, 2021-

Correspondence from **Trudy Gala** about potential funds/grants availability. I expressed that I would bring this to the attention of the Board for their approval on Feb 10th 2021.

Feb 3, 2021-

Correspondence to **Jeff Hawkins** about the above. I asked him what the cost would be for Envirologic to prepare application paperwork for either Federal Grant Cleanup funds or EGLE Grants. He said either way the assessment cost would be approximately \$4K to \$6K for either one.

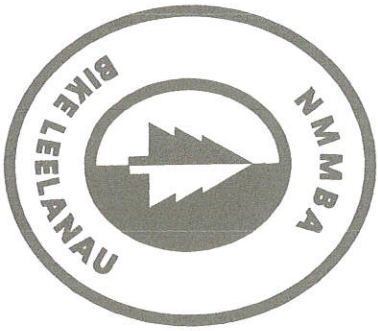
The next step will be to have Envirologic perform the testing of the soils in question.



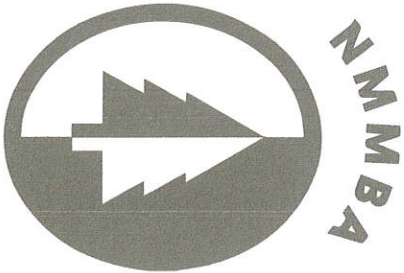
HERMAN PARK PUMP TRACK

A BIKE LEELANAU DESIGN AND PROPOSAL





BIKE LEELANAU is a chapter of Northern Michigan Mountain Bike Association (NMMBA). Our board consists of 6 members that live in Leelanau County. It is our mission to provide more bicycle access to our community and natural area. Some of our recent accomplishments include: The Bike Library at Grove Park Lake Leelanau, The 3rd Annual Bike Skills Clinic, and partnerships with Leelanau County organizations that are instrumental in bringing bicycle trails to our natural area such as, Palmer Woods, winter Fat bike grooming along the Leelanau Trail. BIKE LEELANAU will continue to develop, improve and maintain access to biking in Leelanau County for years to come. More information can be found at our [website \(here\)](#).



MTB

NMMBA Northern Michigan Mountain Bike Association (NMMBA)- Has been advocating for bicycle recreation for over 30 years. We are comprised of a 10 person board representing Cadillac Pathway, Glacial Hills in Bellaire, Traverse City Trails Network and Bike Leelanau. We are a 501(c)3 non profit working and partnering with many local regional and State entities. We build manage and maintain over 100 miles of trails and 50 miles of groomed trails. Our most recent accomplishments are the completion of: The VASA Skills Park, the rebuilding of the VASA Single Track, permitting to build 15 miles of trails at the Cadillac Pathway and a fundraiser to resurface parking, add a water source and purchase a new four wheeler for maintenance at the Glacial Hills Pathway. More information can be found at our [website \(here\)](#)

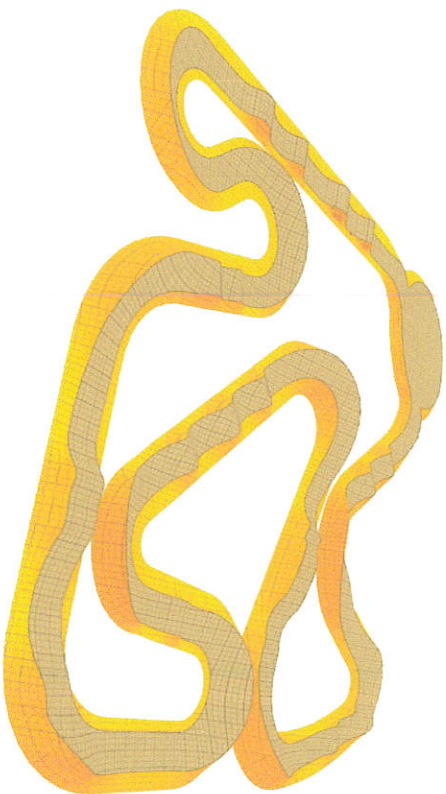
BIKE LEELANAU would like to provide the Leelanau community with a new custom designed and engineered pump track at Herman Park. A pump track is a dirt circuit of rollers, banked turns and features designed to be ridden by cyclists "pumping"; generating momentum by up and down body movements, while minimizing pedaling. Pump tracks are relatively simple to use and inexpensive to construct. They cater to a wide variety of rider skill levels. Pump tracks are great tools for cyclists looking to sharpen their skills, improve overall health and fitness, and have a good time.

[youtube video link](#)

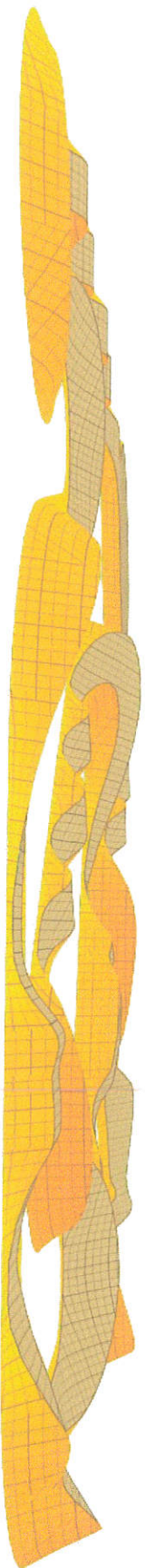


The proposed pump track will be built of a specific mixture of sand, aggregate and clay. This mixture will generate a smooth and sticky surface for traction while also allowing for proper drainage through the riding surface. The features of the proposed track have been engineered to meet beginner to intermediate skill level. Design considerations were made and followed in order to develop a safe, low risk yet challenging pump track for all ages and skill levels. As such, the design will cater to the largest user group of riders in the region.

Our region is currently experiencing exponential growth in bicycle advocate groups, bike trails, and organizations determined to bring more bicycling features to the community and natural area. The implementation and development of such a pump track at Herman Community Park would draw the attention of said groups, organizations and users. This pump track will increase the value of Suttons Bay's footprint within this growth structure. It will enhance the character of Suttons Bay as a community seeking to execute a diverse and progressive parks and recreation growth structure.



SUSTAINING
diverse growth in changing times



Emergency Response Overview – Herman Park

In an effort to expand community enjoyment, and engage various demographics, Bike Leelanau has proposed the building of a pump-style bike track at Herman Park. The proposed track location is in the southwest corner of the park grounds. As with all sports, the safety of participants is a concern for all involved. Bike Leelanau feels it is necessary to address the issue of emergency vehicle access to the proposed location.

Park Address: 1060 S Herman Rd, Suttons Bay, MI 49682

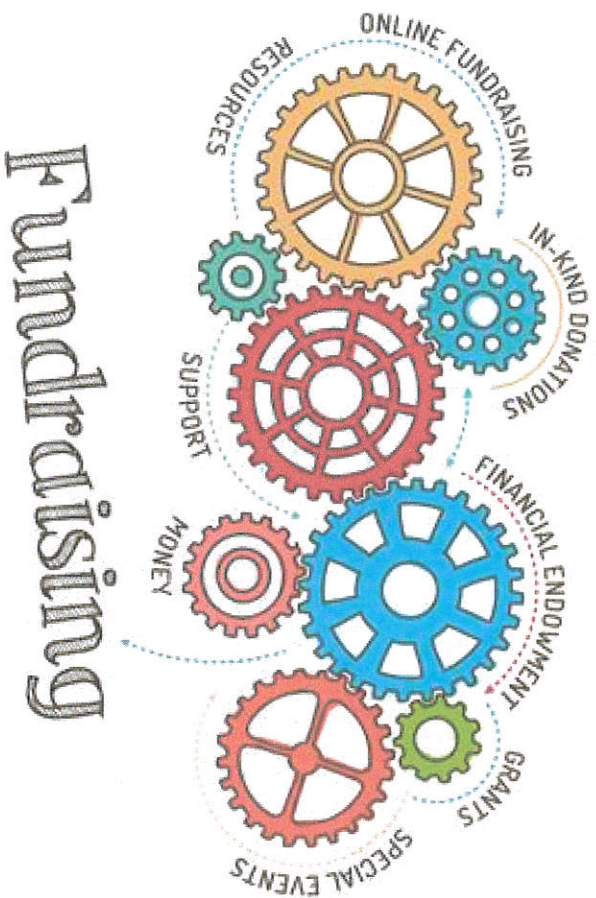
Suttons Bay/Bingham Twp Fire and Rescue: 201 S St Marys Ave, Suttons Bay, MI 49682

Distance from station to park entrance: approximately .5 miles.

Currently, there is an asphalt walking path from the parking lot. This path heads south and circles the pond. This access point would provide a paved surface to within 150 yards of the proposed track site. Within the township's plans, a future asphalt path will head west from the pond and encircle the future soccer fields. Upon the completion of this path, emergency response vehicles would be within 50 yards of the track. Keep in mind that these distances are from a SOLID surface path. Based on current aerial views, it is a reasonable assumption that portions of the grounds of Herman Park are firm enough to tolerate the weight of a vehicle. A UTV, such as a Mule or Gator, should be able to easily access all parts of the park, including the Pump Track and proposed adjacent soccer fields.

In comparison to most other bike trail networks in NW lower Michigan, Herman Park provides excellent access for emergency responders. The Leelanau Trail, though asphalt, has several points with county road access ½ mile away. Both the Leelanau Conservancy and Grand Traverse Regional Land Conservancy manage property containing extensive trail systems, such as Palmer Woods, Arcadia Dunes, and Glacial Hills. These networks cover dozens of miles of difficult terrain, with very limited access via maintained roads. These popular locations draw riders from all over the state, adding a unique amenity to the community and local businesses.

In the past year, NMMBA also paired with TART to build the widely popular Skillz Building Loop at the Vasa Bike Park in Acme. This venue, located on county property, contains rock gardens, jumps, and banked turns. It offers emergency vehicle access similar, if not more difficult, than what Herman Park provides. Bike Leelanau, and NMMBA, are committed to working with local communities to help provide safe, fun, and sustainable recreation that benefits the local community members, kids, and businesses.



**THIS BUILDING OF THE
HERMAN PROJECT WILL BE
100% FINANCED THROUGH
BIKE LEELANAU'S EFFORTS.**

After approval for the Hermn Park Pump Track we would like to use the winter to fundraise for this project. THIS BUILDING OF THE HERMAN PROJECT WILL BE 100% FINANCED THROUGH BIKE LEELANAU'S EFFORTS. We would like to raise between \$15k-\$30. After our fundraising goals are met we would like to proceed in building in the spring of 2021.



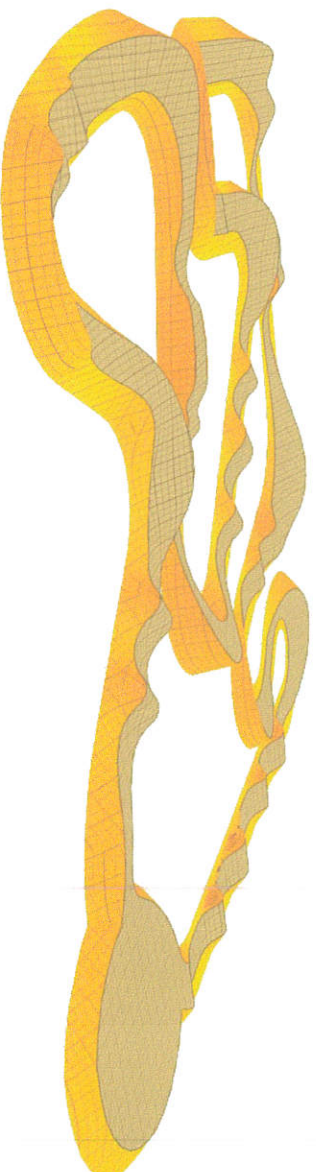
BUILDING IT...

We will use our own building crews to manage and build the Herman Park Pumptrack using a combination of light-duty mechanized equipment and hand labor. The natural materials used in the build will be sourced from local contractors and mostly consist of road gravel and clay.

LABOR OF LOVE

CALL TO ACTION

PLEASE GRANT APPROVAL to BIKE LEELANAU to build the :



HERMAN PARK PUMP TRACK

February 3, 2021

Richard Bahle
C/o Suttons Bay Township
P.O. Box 457
Suttons Bay MI 49682

Dear Richard,

I have enjoyed serving as a trustee on the board of the Suttons Bay Bingham Library for the past eight years. This is a wonderful organization and a real asset to the community.

It would be my pleasure to serve another term on this board if this is the wish of the township.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Graves".

Barbara Graves