

East Bay Charter Township  
1965 Three Mile Road N.  
Traverse City, MI 49686

Special Meeting Minutes  
March 30, 2009

**Call Meeting to order:** Supervisor Lile called the meeting to order at 6:30 P.M.

**Pledge of Allegiance:** was recited by those in attendance.

**Roll call:** Board members present: Matt Courtade; Tracey Bartlett; Glen Lile;  
Susanne Courtade; Dale McAllister; Butch Strait  
Excused: Bryan Marrow

Others in attendance: Tina Allen, contracted acting deputy planning and zoning administrator-grant writer; Laura Truelove, Jeffrey Brown and Clarence Smith, Park Commission board members; Louis Grouleau, past Park Board member; Tom Strait owner of 70.9 acre parcel of land subject to the Grant Proposal.

Eleven (11) members of the public were in attendance.

**Review of Conflict of Interest:** No conflicts were stated.

**Public Comment:** No comment was offered at this time.

**1.) Michigan Department of Natural Resources Trust Fund application- Land adjacent to Killingworth Park**

Tina Allen addressed the board. The Park Commission approached her for assistance in writing a proposed Grant to acquire the property adjacent to the Townships' Killingworth Park owned by Tom Strait. Allen gave the board background on the process of applying for a Trust Fund Grant available through the Oil and Gas Resources Division. She also stated that the board that controls the budget for the township, the Township Board, is required to make this decision, not the Park Commission. Allen further stated that this is the time for the "draft" document to be molded into the final submitted project. Areas may be changed, as directed by the board this evening.

The timeline in which the grant documents would be accepted to completion of the process is as follows:

April 1, 2009	Application due
June 1, 2009	Receipt of Preliminary Results
August 1, 2009	Improved Application Due
August 19, 2009	Preliminary drop for those projects not selected
December 2, 2009	Final recommendation for funding

Allen provided the handout; "Proposed Application Scoring Criteria for 2009." This document gives a breakdown of the possible points in regards to projects and how they are scored.

Allen went over the application addressing the section of costs. The dollar amount used for purchase price is the SEV multiplied by two (2). If and when the grant application is accepted, the estimated incidental costs of approximately \$23,400.00 would need to be paid for by the Township. This number is an estimate; two independent appraisals will be required to determine the final purchase grant amount.

Supervisor Lile opened the meeting to Public Comment at 6:42 P.M.

- ❖ Scott Huiskens 2125 Windy Ridge Drive, Traverse City, MI 49686  
Is in favor of the purchase of the property to be used as a park using it as a natural area but is against any access to the park from Windy Ridge Drive. He is concerned with snowmobile traffic accessing the power lines from this property. Protecting the wildlife in the area is a plus by having this property as an extension of the park.
- ❖ Bruce Hess 2172 Windy Ridge Drive, Traverse City, MI 49686  
Is in agreement with Mr. Huiskens and also stated that the property is a really nice place, a quiet place. He has walked the property many times with Mr. Straits' permission, and it would make a nice Frisbee/ walking park. He believes the property does not have a legal access to it from Windy Ridge, he has an attorney opinion that states this. He is concerned with the effects of wildlife and the water heads along the property if motorized vehicles are allowed. He supports the park without the access at Windy Ridge Drive.
- ❖ Marjorie and Don Halverson 2078 Windy Ridge Drive, Traverse City, MI 49686  
In agreement with the other speakers. Approves of parks and wildlife, does not want the access in their back yard.
- ❖ Pat Hess 2172 Windy Ridge Drive, Traverse City, MI 49686  
Park is wonderful. Does not want access down their road.
- ❖ Dr. Kevin Clayton 2377 White Tail Drive, Traverse City, MI 49686  
Is in favor of this proposed park, it is better than ten to fifteen houses. He uses this property and the trails often with his horses and has allowed access to the property from his own. He welcomes discussion to allow crossing away from the homeowners at Windy Ridge.

Currently, no motorized vehicles are allowed on any Township Park properties. Allen can remove that language if the board desires. Adding snowmobile recreation was a way to offer more possibilities and add points to the application but does not need to stay.

Lile wanted to know with assurance that if the language is removed from the grant regarding the snowmobiles and the access to the park at the end of Windy Ridge Drive that it is no longer a viable option.

- ❖ Roger Kaley 632 Four Mile Road, Traverse City, MI 49686  
Is not opposed to the Park Land Purchase. East Bay has a designated trail head located at Rasho Road by the Township Compactor Station. Does not feel another one is needed in this area, also believes that Right of Way would not be granted by the power company.
- ❖ Missy Huiskens 2125 Windy Ridge Drive, Traverse City, MI 49686  
Supports the Park but is against the snowmobiles and the access to the property at Windy Ridge Drive.
- ❖ Laura Truelove 1656 High Lake Road, Traverse City, MI 49686  
As one of the seven member Park Board members, she wanted to thank the residents for their input this evening. The Parks Board has been working on this project for a very long time, is open to revisiting other options and access to the proposed property and is ready to move forward with the acquisition. The Windy Ridge entrance is not necessary for the project to move forward. A second access was desired for additional activities throughout the park property such as the Disc Golf proposal and future trails. Snowmobile use was not something that the Park Commission had desired.
- ❖ Tom Strait 1398 Farmington Drive, Traverse City, MI 49686  
  
The access to this parcel is stated on Survey documents and purchase agreements as a 66 foot wide easement now called Windy Ridge Drive. The land divisions were created with this in mind. Strait has owned the property for a good many years and feels that the property is large enough to accommodate many activities and is suited to the Park addition.

Board members questioned the process of the Grant.

How many points does the second access site and also the snowmobile trailhead add to the grant. At this point, the trails and description of the activities within the property does not need to be worded in the application. \$100,000.00 is in the Parks and Recreation Plan for trails throughout the park already. If snowmobile language is left in the application the township must allow them in the park. S. Courtade praised the property as a gift to all the community. Stating that most if not all of those that spoke were in agreement that the parks, without the second access is a good thing, to have the beautiful property for the community to enjoy it would be an asset to all of us. S. Courtade also requested clarification regarding a second entrance to the park land. McAllister is comfortable with the application with or without the snowmobiles. M.

Courtade stated that access is the real issue. Does not feel Tom Strait would intentionally land lock his property when Windy Ridge was developed. His intention would have been to expand the development given that he is a builder. M. Courtade would like to know for sure about a second entrance. B. Strait noted that a road way under the power line is not allowed. Carpathian Estates subdivision ran into that issue several years ago.

Allen stated to leave the option open to explore future options of a second access. Bartlett feels it is a good project that could be improved exploring the of a second access Lile wanted to make it clear that he was not interested in any legal matter with the Windy Ridge Drive easement. The issues of the easement date back to 1997 and the Township should not be involved. It is a great idea to get the park, as a natural park, He also stated the reference to snowmobile activity could be removed.

- ❖ Louis Grouleau stated that Tom Strait is a good neighbor and should be allowed to use access to his property.
- ❖ Roger Kaley felt that use of the land is key in development of the land. Creating loops throughout the trails would enhance the park experience.

***Butch Strait made the motion to direct Tina Allen to remove reference to snowmobile activity and the second entrance, and to add the verbiage to allow for community groups to improve the trails. Bartlett seconded the motion. Upon Roll call vote the following voted:***

**Yes: B. Strait; Bartlett; McAllister; Lile**

**No: M. Courtade; S. Courtade**

**Absent: Marrow**

**The motion passed.**

## **2.) TCAPS agreement request**

Bartlett provided a spreadsheet showing the breakdown of costs for collecting summer taxes and went over the letter received by TCAPS Chief Financial Officer; Paul Soma.

Two other Townships, Blair and Peninsula, were also not ready to accept the \$2.50 per parcel request offered by TCAPS. Bartlett has listened to the recording of the County Commissioners meeting in March that indicated that Bill Rokos; County Treasurer, is willing to enter into an agreement with TCAPS at the proposed rate for whichever townships did not sign the agreement. Strait stated that based on the spreadsheet, we should offer to collect the taxes at \$3.00 per parcel to cover our costs. Bartlett indicated they will not accept any other amount. Lile stated that Bill Rokos has accepted the lower rate and that by doing so took our right to negotiate away, we either accept the \$2.50 or not. M. Courtade wanted to know if Bartlett had discussed the concerns that they (Rokos/ Soma) took this step away from this board. M. Courtade did research on this, looking at the way the State came up with the \$2.50 per parcel figure if there is no collection for the school tax. M. Courtade states

that with the economic times as they are, we are accepting less than what we determine is feasible to allow the township to break even. Bartlett felt it would be inconvenient for our residents to not collect taxes at the township. TCAPS contracted TBA, NMC and now Bata to allow them (TCAPS) to do the negotiations for all entities as one. M. Courtade asked if we could accept a term of one to two years instead of the three that is in the current agreement, to allow us to see where we stand at the reduced rate. It doesn't seem unreasonable to revisit. Strait asked the question why it would be an inconvenience to our residents. Bartlett responded that the residents would have to pay their taxes at two different locations; the County for the summer collection and the Township for the winter collection. It could end up frustrating and confusing them which is not our intent.

***M. Courtade made the motion to accept the agreement based on the \$2.50 per parcel for collection for two years.***

Bartlett asked for clarification; If TCAPS were to come back and say that they would not negotiate the term of the contract what would the board say then as the township only has until the 15<sup>th</sup> to decide?

***M. Courtade asked to restate his motion to accept the TCAPS agreement based on the \$2.50 per parcel collection for the term listed on the agreement. McAllister seconded the motion.***

***Strait asked that the minutes reflect that it appears that the Township will be subsidizing TCAPS by nearly \$4,000.00 according to our figures. The motion passed without opposition.***

Public Comment: None was presented at this time.

Meeting adjourned at 8:10 P.M.

Respectfully submitted,

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Susanne M. Courtade, Clerk Date

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Glen Lile, Supervisor Date