

Treasurer's Report reflects bank account balances

Treasurer's Report

<b>BONDS PROCEEDS</b>	
#101 General Fund	General Fund Huntington
#203 Metro Authority	Huntington Bank
#206 Fire Fund	Huntington Bank
#590 Sewer CD Mat May 2018	Sewer Huntington
#591 Timberlee H20	Huntington Bank
#592 Greilickville H20	Huntington Bank
#594 Marina	Marina Huntington
#701 Trust & Agency	Huntington Bank
#703 Current Tax	Huntington Bank
#816 GSAD Receivable	Savings Huntington
#820 Maintenance E.R. Rds	Huntington Bank
#821 Maintenance S.B. Rds	Huntington Bank
#861 Bayview Estates Lights	Huntington Bank

**OCTOBER 2024**

<b>RUNNING BALANCE</b>	
\$ 195,987.59	
\$ 54,764.88	
\$ 137,895.48	
\$ 157,633.44	
\$ 127,438.82	
\$ 86,772.56	
\$ 161,396.45	
\$ 3,655.60	
\$ 69,982.64	
\$ 8,341.44	
\$ 16,494.11	
\$ 12,526.23	
\$ 2,686.44	

TOTAL **\$ 1,035,575.68**

LIQUIDITY PORTAL INVESTMENTS

<b>OPENING VALUE</b>	<b>DIVIDEND AMOUNT</b>
\$ 2,982,336.61	\$ 6,793.19
\$ 1,742,745.17	\$ 6,714.55
\$ 724,856.49	\$ 3,237.27
\$ 1,321,420.99	\$ 5,374.87
\$ 281,815.86	\$ 1,146.27
\$ 73,748.14	\$ 299.97
\$ 1,824,115.21	\$ 7,566.86

TOTAL **\$ 8,951,038.47**

TOTAL **\$ 1,035,575.68**

INVESTMENT ACCOUNTS CD's

#590 Morgan Stanley	PURCHASED AMOUNT
	\$150,000.00

**CURRENT VALUE**

\$ 149,926.50
\$ 3,586.42

TOTAL **\$ 153,512.92**

GRAND TOTAL **\$ 10,171,260.05**

*Chris Mikowski*  
Chris Mikowski, Treasurer

Connie M. Preston, Clerk

To: Elmwood Township Board  
From: Sarah Clarren, Planner/Zoning Administrator  
RE: October 2024 Planning and Zoning Report

<b>PERMITS:</b>	10/2024	10/2023	YTD 2024	YTD 2023
Single Family Dwelling	0	2	17	12
Attached SFD	0	0	0	0
Accessory Building	1	1	4	4
AG Building	0	2	2	5
Residential Addition	0	3	3	10
Deck	1	0	12	8
Sign	1	0	3	3
Commercial	1	0	5	4
B&B	0	0	3	0
Misc.	2	0	7	9
<b>Total Permits</b>	<b>6</b>	<b>8</b>	<b>57</b>	<b>56</b>
<b>Fees Collected</b>	<b>\$350</b>	<b>\$577.10</b>	<b>\$6,036.57</b>	<b>\$5,640.31</b>

**Zoning Board of Appeals:**

**October 2**, Regular Meeting. *Cancelled due to no new hearings.*  
**November 6**, Regular Meeting. *Cancelled due to no new hearings.*

**Planning Commission:**

**October 15**, Regular Meeting. 1) Extension Request. SPR/SUP 2022-06 – Request by Megan Feenstra Wall regarding property at 9432 S Center Hwy (Parcel 004-008-009-20) for work described as a Distillery Tasting Room, Visitor’s Center, and offices. *1 year extension requested to the SUP; no more extensions available for the SPR. – extension granted.* 2) Introduction. Capital Improvement Plan – Review, discuss, and schedule public hearing – *Commission scheduled public hearing for next meeting.*

**November 13**, Regular Meeting. 1) SPR 2024-06 (no public hearing required). Request by TCWC Holding Company, LLC regarding property at 9432 S Center Hwy (Parcel 004-008-009-20) for a Distillery Tasting Room, visitor’s center, and offices for TC Whiskey. *Note: this review is for the site plan associated with SUP 2022-05; the SPR portion of that approval has expired.* 2) Master (Comprehensive) Plan. Commission review and discussion on prepared chapters. 3) Capital Improvement Plan. Public Hearing followed by Commission deliberations.

**Office Updates:**

**STRs.** 93 licenses for 2024 have been issued. 13 applications are on waitlist. Renewal period ran 10/1 – 10/31; office did not receive renewal applications for 7 properties.

**Trainings/Conferences.** Staff attended the NWM Housing Summit 10/24-10/25. Presentations are available on Housing North’s webpage (<https://www.housingnorth.org/nwm-housing-summit-attendees>)

**Parks.** Consultant has revised Conceptual Plan 3 pursuant to the Board’s comments; due to the number of agenda items on the Board’s November meeting, this matter will be postponed to the December agenda. Equipment update: all equipment has been delivered. The Tot’s Choice structure has been installed. Per the Facilities Director, the other equipment will be installed in the spring.

**Northwest Regional Airport Authority (NRAA) Joint Airport Zoning Board.** Meeting held on 10/16. Next meeting scheduled for 1/8/25.

**Master (Comprehensive) Plan.** Beckett & Raeder continuing to work on chapters which will likely be discussed by the Commission later this fall.

## **November 2024 Harbor Master Update**

### **Fish Grinder Update**

- 1) Additional testing of fish remains was completed by SOS Analytical showing no additional levels of Mercury than the original tests completed by Josh Lycka of Jacobs
- 2) Test results were submitted to Elizabeth Vogel who is prepared to sign off on the permit once it has been completed and submitted.
- 3) Township Engineers from Wade Trim are working with JWCE to determine the equipment that will be needed. Once that is completed a request will be submitted for a quote. Wade trim also determining any underground connection requirements needed for installation.
- 4) Pending approval by the Board, the grinder equipment will be ordered and installed
- 5) After installation of the Grinder, Township Engineers will determine the requirements necessary to retrofit the grinder within the existing fish cleaning stations by designing a prototype unit that will allow each station to feed into the grinder.
- 6) Prototype will be fabricated by local provider and installed prior to May 1, 2025
- 7) See Attached Handout of Equipment and Lab Report
- 8) For Video of grinder in action visit - <https://www.jwce.com/resource/seafood-waste-processing/>

### **Construction Update**

- 1) The installation of the Helical Piles has been anything but easy. Non penetrable objects at about 93 feet did not allow the installer to get the required pressure readings per plan requirements.
- 2) Testing by third party will provide information on next steps
- 3) Approximately 40% of Helical Piles did not meet requirements
- 4) Currently the project is 4 weeks behind schedule
- 5) As a result, the Shower Trailer has been Reserved for May 1 thru June 1

## **Marina Season Ending Update**

- 1) As of 10/31 the Marina closed for daily operations with all winterizing of equipment and storage completed.
- 2) As of 11/6 there were still 6 boats in the Marina. All owners were notified
- 3) On 11/4 an incident occurred when a Winter Storage Boat Owner reported to the Marina office that someone had boarded his 28' Sea Rey parked in the Southwest corner of the Marina lot and was either spending the nights there or using it for shelter. He did not report anything missing; however the individual had been smoking cigars and sleeping on the vessel. County Sheriff was notified, and report filed.
- 4) Storage of boats in the Marina parking lot is much different this year given construction limitations. Additional cost of \$750 per vessel were incurred by the owners of all boats that needed to be trucked to the outer parking lot for this year. For this reason, Winter storage revenue is anticipated to be down by about \$15,000.00
- 5) Fire Suppression Repair Update – No further communication was received after filing response to citation from Leelanau County Building Department. We have ordered the equipment needed for repairs and will be lining up the contractor to do the repairs beginning as early as possible next Spring.
- 6) 55% of all Slip and Buoy Contracts have been completed and returned to the Marina office using the Dockwa online process. Typically, at this stage there would be no contracts returned or payments made. Payments for next seasons slips and moorings are already over \$45,000.00. Most contracts have chosen to pay by check or cash on or before 2/1/25.
- 7) Launch Ramp Fans – See Proposal Handout
- 8) Copier – See Proposal Handout
- 9) Annual Launch Pass Recommendation – See Proposal Handout
- 10) Parking Lot Sealcoating – See Proposal Handout

## **Winter Projects**

### **Procurement**

Source and provide quotes and recommendations for the procurement of the following items that will be needed as part of the new Boaters Building

- 1) 6 BBQ Grills
- 2) 2 Large Screen TV's
- 3) Marina Signs



- 4) Furniture For Boater Day Room
- 5) Furniture for Porch
- 6) Picnic Tables for Pavilion
- 7) Security Cameras and Entry Solutions
- 8) Concrete Sealing for Porch, New Pavilion, Fish Cleaning Station, and Greilickville Pavilions
- 9) Drink Machine
- 10) Washers & Dryer
- 11) Microwave

### **Write Marina Operations Manual**

Attached will find an outline of an operating manual that I will be working on this Winter detailing all activities necessary in the opening, closing, and operating of the marina. It is my goal to have the initial draft completed by the beginning of the 2025 season. Once this draft is completed the Township will have the necessary tool to ensure their ability to operate the Marina in the event of unforeseen circumstances. Throughout the course of the next year additional detail will be added and it will be the responsibility of the Harbor Master to review and update this document each year. SEE HANDOUT

# **Elmwood Marina Dock Winter Maintenance**

Using Bubblers & Fans

# Water Circulation on A, B, and C Docks

- 5 Bubblers each are installed on A & B Docks. This system has been in place for many years.
  - Occasionally require the replacement or rebuilding of motors
  - Currently in working order
  - If one goes down, likely others will maintain water movement until repairs are made
- Underwater Circulation Fans are installed on C Dock. This system has been in place for many years.
  - If one goes down, unlikely others will maintain water movement until repairs are made
  - In the past there has been a back up fan available for installation in the event of an emergency in the winter. This is no longer available

# Launch Ramps


- While great care has been taken to protect the slips on A, B, & C docks, the launch ramps have been unprotected.
- This lack of protection appears to be an oversight as years ago these ramps were pulled onshore during the winter months, but no one thought about adding circulation for protection .
- When the launch ramps were replaced about 6 or 8 years ago, the option to pull them was lost
- Since that point in time no precautions were taken to protect the launch ramps from Winter Ice.
- Damage was incurred a few years back and repairs were required

# Proposal

- Purchase and Maintain in Marina garage one (1) Circulation Fan for emergency back up
- Purchase and install 4 Circulation Fans to be mounted in various locations on the launch ramps that should provide sufficient circulation to protect all 3 ramps.
- Cost per Fan – Kasco Marine \$818.00 x 5 = \$4,090.00
- Cost per Bracket – From Mfg - \$300.00
- Mike to fabricate – Estimated \$150.00 per bracket x 5 = \$750.00
- Installation by Marina Staff
- Estimated Total Cost - \$5,000.00

**Account Information**

10090 E LINCOLN RD  
TRAVERSE CITY, MI 49684  
2319465463

Item	Price	Qty.	Subtotal
 <b>KASCO MARINE</b> 3/4 Horsepower De-icer, 50' Cord, 120V Model #: 9244872 Mfg #: 3400D050 Country of Origin: US Harmonize Code: 8479899899	Retail Price \$1,066.99 Quote Price \$818.00	6	\$4,908.00

Quote Subtotal	
Quote Subtotal	\$4,908.00
Shipping	\$0.00
Sales Tax	\$0.00
<b>Quote Total</b>	<b>\$4,908.00</b>

If you have any questions, please visit the [Pro Customer Service Page](#) for additional information.

Thank You,

West Marine Pro Customer Service Team

Visit [pro.westmarine.com](http://pro.westmarine.com)

# Marina Copier Replacement Proposal

The current copier was ordered by Clem when the prior copier went down. The provider is Cartridge World. The copier was provided at no cost, however the ink cartridges are billed at over \$150 each when needed. In addition, this used copier has continued to cause problems with needed repairs throughout the year.

# Quote from Elmwood Twp. Offices current provider NetLink

3 Options Presented:

## OPTION 1

1. Refurbished Machine. Price at \$989. Approximate Maintenance Agreement Costs: \$360 Yearly
  - **Sharp MX-2651 Refurbished Color MFP**
  - 26 Image per Minute
  - 10.1" Enhanced Touchscreen Display
  - **Copier, Printer, Scanner**
  - Auto Duplexing
  - Network Scanning
  - Scanning: 100-sheet RSPF, 80 Images per minute
  - 550 x 550 x 550 x 550 x 100 Paper Capacity (4 Paper Drawer)
  - Postscript Kit (For Apple Products and AirPrint)
  - **Year: 2019**
  - **B&W Volume: 70,550**
  - **Color Volume: 59,668**
- **DATA SECURITY KIT**



# Option 2

- **Sharp BP-50C26 Color MFP – 60 Month Lease at \$86.11 per month**
- 26 Image per Minute
- 10.1" Enhanced Touchscreen Display
- **Copier, Printer, Scanner**, Auto Duplexing, Network Scanning, Scanning: 100-sheet RSPF, 80 Images per minute, 550 x 550 x 100 Paper Capacity (2 Paper Drawer)
- Postscript kit (for Apple Products and AirPrint)
- **DATA SECURITY KIT**
- Dimensions Approx. 24" (w) x 26" (d) 33" (h)
- **Color**
- Charcoal Grey
- **Maintenance Agreement 1 year**
- **Maintenance Agreement: Includes all toner, developer, drums, parts & Labor**
- **"Everything but paper"**
- **Estimated Volume Per Page Cost Per Year**
- 16,000 Black & White images 0.0100 -\$ 160.00
- 2,000 Color 0.0500 - \$ 100.00 \$
- Approximate / Billed Yearly **\$260**

## Recommendation

Option 3 was not presented as it was too small of a unit to meet our needs.

It is recommended after conversation with Brig Cutter at NetLink to propose Option 2 as the best alternative for the Marina. This 60 month Lease at \$86.11 per month is a full service lease that covers all required repairs.

\*NetLink was chosen as the supplier to seek bids given the existing service provider to Elmwood Township

# Elmwood Marina Annual Launch Pass Review

Request to Adjust

# Launch Pass Sales In Decline 2023 Vs 2024

- Daily Launch Pass Sales
  - 2023 - \$40,292.68
  - 2024 - \$36,708.00
- Annual Launch Pass Sales
  - 2023 - \$44,349.00
  - 2024 - \$36,708.00

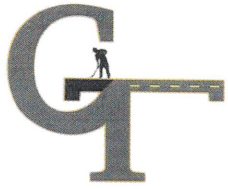
# Competative Analysis

- Consider that for competitive reasons, the Annual Launch Pass at Elmwood Marina is set too high at
  - \$110 For Single Axle Daily - \$15.00
  - \$150 For Double Axle Daily - \$20.00
  - \$180 For Triple Axle Daily - \$25.00
- Competative Rates
  - Clinch Marina - \$45.00 Daily - \$6.00
  - Suttons Bay - \$40.00 Daily - \$5.00
  - Elk Rapids - \$50.00 Daily - \$10.00
  - Northport - \$50.00 Daily - \$5.00
  - Acme - \$20 Residents \$40 Non Residents \$5.00 Daily - \$5.00

# Proposal

- While the daily launch fees are far above all competition, I advocate leaving them as they are after two years of being in place
- I would like to propose a Single Annual Launch Pass at \$110 for all size trailers. I believe that this will significantly increase the number of passes sold while leaving the Daily Fees High
- I would like to propose a Single Annual Launch Pass For Elmwood Township Residents at \$75.00
- I would like to propose a Pre-Season Annual Launch Pass Sale at \$90.00 that will be run between 4/1/25 and 5/1/25.

**Parking Lot  
Sealcote Bids  
for  
Elmwood Township  
Offices**



## QUOTE #1303

SENT ON:

Oct 28, 2024

RECIPIENT:

**Elmwood Township**

10090 East Lincoln Road  
Traverse City, Michigan 49684

SENDER:

**Grand Traverse Sealcoating & Striping**

18250 Carcajou Trail  
Lake Ann, Michigan 49650

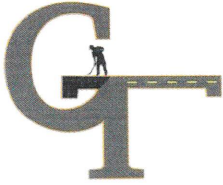
Phone: (231) 944-9713

Email: keith@misealcoating.com

Website: [www.GrandTraverseSealcoating.com](http://www.GrandTraverseSealcoating.com)

Product/Service	Description	Qty.	Total
Asphalt Sealcoating	We thoroughly clean the asphalt using power wire brushes and high-force blowers to remove all loose debris. We then apply one coat of SafeSeal asphalt emulsion sealer and barricade access to allow for proper curing.  *Our Mix Design* 500 Gallon Sealer Mix Design SafeSeal Asphalt Emulsion Sealer -Michigan Made & Produced in Grand Rapids-  10% (50 Gallons) Water Dilution 250 LBS Silica Sand (Additional Traction & Durability) 5 Gallons Black Elixir Additive 5 Gallons Iron Road Additive *Additive promotes accelerated curing times, toughness, adhesion, longevity and creates a deeper jet-black color for a pristine finish.	46100	\$8,298.00*
Hot Applied Crack Sealing	We thoroughly clean cracks approximately 1/4" to 3/4" wide of vegetation and moisture using power wire brushes or hot air heat lances. The cracks are then sealed with 380-degree liquefied Deery Super-Stretch rubber.	4560	\$4,332.00*
Line Striping and Markings	9 Grids - Yellow 66 Parking Stalls - Yellow 4 Grids - Blue 5 Handicap Stalls - Blue	1	\$906.00*





# QUOTE #1303

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SENT ON:

Oct 28, 2024

**Total**

**\$13,536.00**

**\*Accepted Payment Methods\***

Credit Card | Bank Transfer | Check | Cash

Thank you for the opportunity. We look forward to working with you on your project. Please let us know if you have any questions!

Terms | Final payment is to be made upon completion. 24% per annum will be charged on past due invoices over 30 days. All material is guaranteed as specified. All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon accidents, weather conditions or delays beyond our control.

Acceptance of this Estimate | The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

\* Non-taxable

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_





 **Cherry Bend  
Community Park**





2900 Cass Rd  
Traverse City, MI 49684  
www.MolonAsphalt.com



231-946-8269  
info@MolonAsphalt.com

**Date of Proposal:**

10-10-2024

**Proposal Submitted to:**

Dan Jenuwine  
Dan Jenuwine  
10090 E Lincoln Rd, Traverse City, MI 49684  
231-946-5463 harbormaster@elmwoodmi.gov

**Proposal Number:**

6462

**Proposal Jobsite Detail:**

Commercial Sealcoat

TOWNSHIP HALL

**Proposed Services:**

Asphalt Services	Quantity	Amount
SEALANT - Thoroughly clean and edge proposed area removing all debris with brushes, edgers and blowers. Apply GEM Seal PolyTar sealer mixed to manufacturers specifications.	46519 Sq.Ft.	\$10,699.00
CRACK FILL – Cracks 1/4" in width, and larger, to be cleaned and filled with commercial grade hot rubberized compound sealant.	7172 Ln.Ft.	\$8,247.00
ASPHALT REPAIR – Patchwork w/ sawcut edges.	1063 Sq.Ft.	\$18,071.00
<b>Striping Services</b>		
Apply pavement markings back to existing markings.	1837 Lump Sum	\$1,837.00

We hereby propose to furnish the services and materials for the sum of: **\$38,854.00**

**Additional Service Notes:**

**Sealcoat Detail:** Apply two coats of sealant to all asphalt areas.

**Crack Fill Detail:** Clean cracks with Crack Jet heat lance to remove dirt, debris, weeds/grass and moisture before filling cracks with MDOT certified hot rubber crack sealant.

**Asphalt Repair Detail:** Sawcut and remove damaged/deteriorated areas, repair base gravel as needed, install new asphalt and compact. \*\*see included photo for approx. locations of repair areas\*\* (43' x 6') (68' x 5') (9' x 2') (4' x 3') (14' x 8') (39' x 2') (7' x 3') (16' x 3') (11' x 8') (44' x 2')

**Line Striping Detail:** 2,021 In ft yellow line / 88 In ft of painted yellow curb / 352 In ft blue ADA line / 6 blue ADA logos

**Acceptance of Proposal**

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified and in accordance with the stated terms and conditions. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_ Accepted by: \_\_\_\_\_

**Proposal Prepared by:**

Michael Wilson  
Cell: 231-218-6034  
Email: mwilson@molonasphalt.net

## **Molon Asphalt, Inc. Standard Terms and Conditions.**

**The following terms and conditions are part of this proposal, therefore agreed upon with the proposal.**

The pricing listed is based on the average price for liquid asphalt from Marathon, Inc. If the average price increases at the time we perform the listed work, we reserve the right to adjust the price consistent with the increase in the price of liquid asphalt.

All material is warranted to be as specified. All work is to be completed according to this contract. Molon Asphalt makes no warranty of merchantability, and there are no warranties, which extend beyond the description contained in this contract.

Molon Asphalt is not liable for delays caused by weather conditions, acts of God, acts of the environmental agencies, permitting agencies, accidents, shortages of necessary materials and supplies, or any other cause beyond our control.

Molon Asphalt shall be permitted to stockpile material and store equipment necessary to perform its work, on the work site without cost for up to 24 hours before and after the work is performed.

Price is based upon quantities and work stated proposal, in the event that additional material and/or work is needed to complete the job a change order will be applied adjusting the agreed price accordingly.

Molon Asphalt, Inc does not guarantee water will not hold or puddle on areas that have less than to 2% drainage.

Molon Asphalt, Inc reserves the right to add additional cost of overage should it be acquired due to third party or customer error or changes without notice.

Any changes in the proposal wanted by the customer must be made agreed to by the customer in writing. Email and text messages are acceptable forms of acceptance to change of proposal.

Paving quote is only good for the current paving season. Any paving that carries over into the following year is subject to price increase.

Molon Asphalt is not responsible for damaged sprinkler lines, heads, buried fences, sod, or drainage lines and utilities if not marked.

Payment terms are 50% downpayment with the balance due at time of project completion.

A service charge of \$500 will be applied if scheduled work date is not cancelled 72 hours prior to agreed date.

Nothing herein shall be construed as a waiver or modification of Molon Asphalt's statutory lien rights, which lien rights Molon Asphalt will exercise if payment by customer is not promptly made.

A service charge of 1.5% per month, which is an annual percentage rate of 18% per annum, will be added on all account balances not paid within 30 days of the invoice date. Costs of collection, including attorney fees, court costs, etc., are the responsibility of the customer.

Customer agrees to defend, indemnify and hold harmless Molon Asphalt Inc., its officers and employees from any claim arising from any violation of environmental law, regulation or policy.

This proposal is valid for 30 days from the Date of Proposal. After 30 days, Molon Asphalt reserves the right to adjust pricing, schedule and/or cancel the proposal.

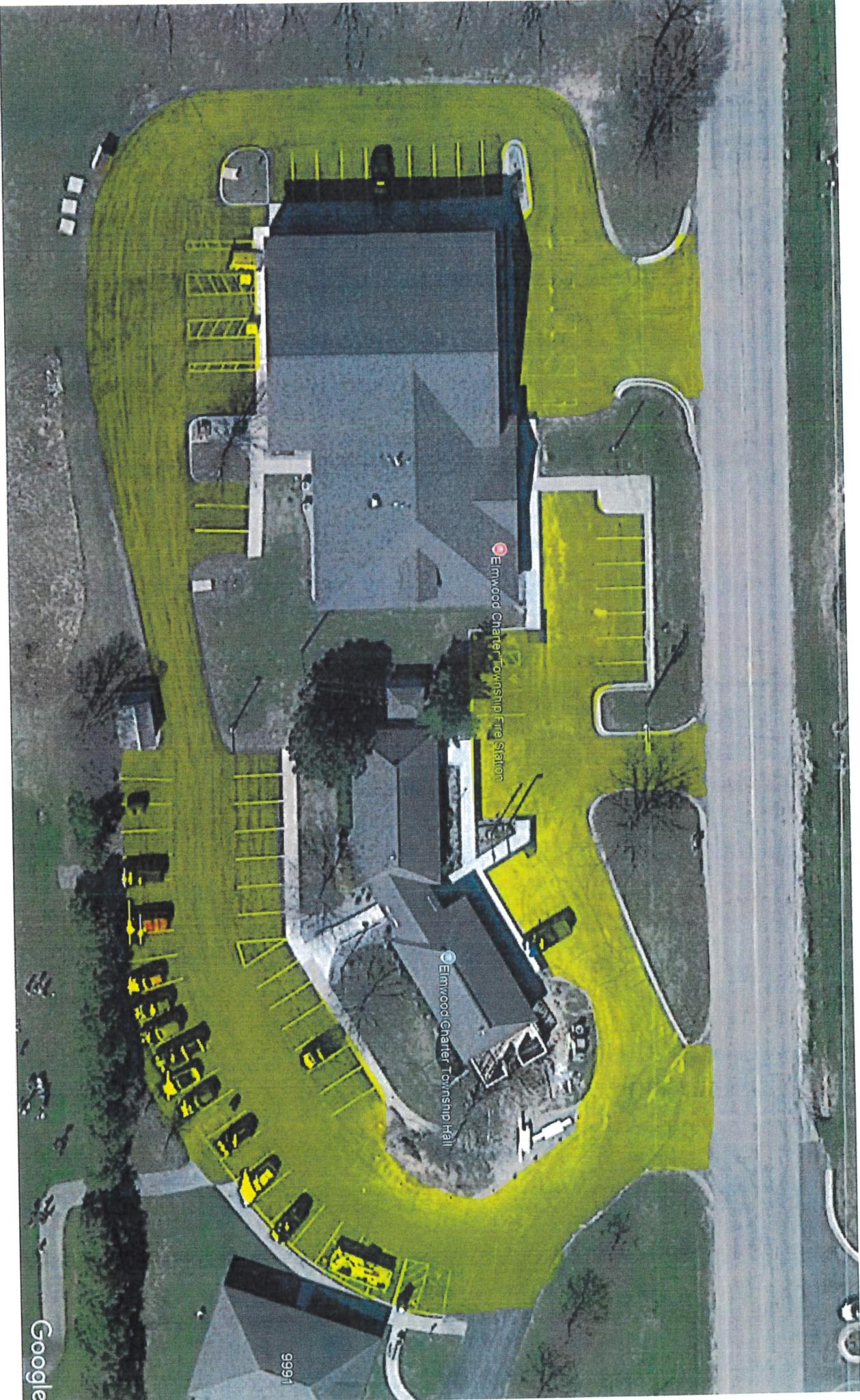
**Growing our business one satisfied customer at a time.**

**We look forward to doing business with you.**

**Molon Asphalt- A full service asphalt company.**

\_\_\_\_\_  
**Customer Initials**



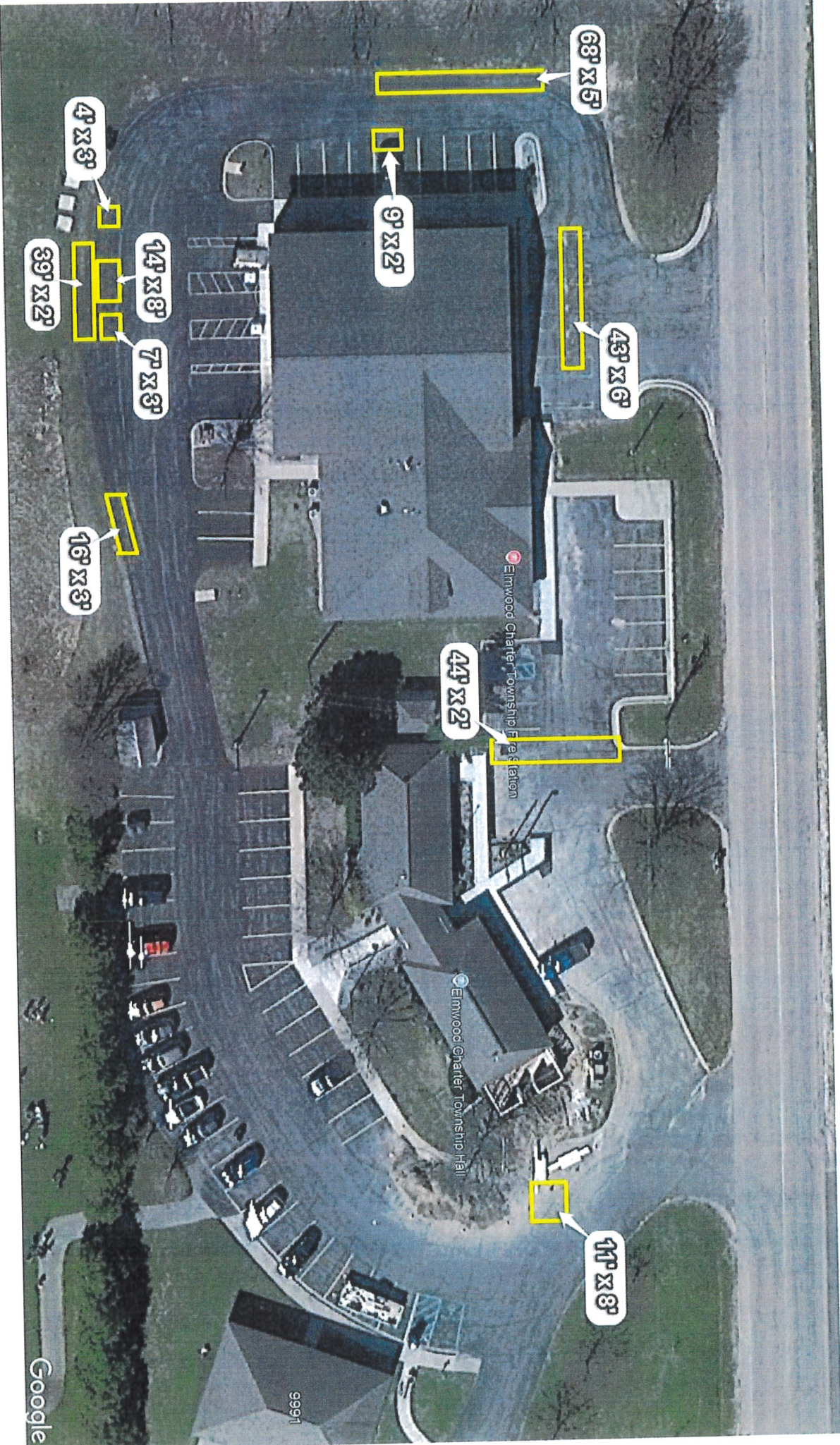


Elmwood Charter Township Fire Station

Elmwood Charter Township Hall

9991





68' x 5'

43' x 6'

9' x 2'

44' x 2'

11' x 8'

16' x 3'

39' x 2'

14' x 8'

7' x 3'

4' x 3'

Elmwood Charter Township Fire Station

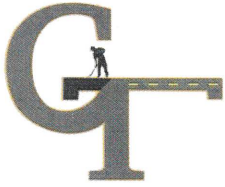
Elmwood Charter Township Hall

9991

Google



**Parking Lot  
Sealcote Bids  
for  
Elmwood Township  
Marina**



## QUOTE #1302

SENT ON:

Oct 28, 2024

RECIPIENT:

### Elmwood Township

13051 S. West Bay-Shore Dr  
Traverse City, MI 49684

SENDER:

### Grand Traverse Sealcoating & Striping

18250 Carcajou Trail  
Lake Ann, Michigan 49650

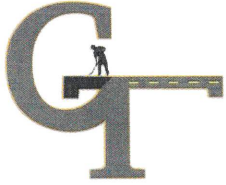
Phone: (231) 944-9713

Email: keith@misealcoating.com

Website: www.GrandTraverseSealcoating.com

Product/Service	Description	Qty.	Total
Asphalt Sealcoating	We thoroughly clean the asphalt using power wire brushes and high-force blowers to remove all loose debris. We then apply one coat of SafeSeal asphalt emulsion sealer and barricade access to allow for proper curing.  *Our Mix Design* 500 Gallon Sealer Mix Design SafeSeal Asphalt Emulsion Sealer -Michigan Made & Produced in Grand Rapids-  10% (50 Gallons) Water Dilution 250 LBS Silica Sand (Additional Traction & Durability) 5 Gallons Black Elixir Additive 5 Gallons Iron Road Additive *Additive promotes accelerated curing times, toughness, adhesion, longevity and creates a deeper jet-black color for a pristine finish.	12420 0	\$22,356.00*
Line Striping and Markings	64 Long Boat Stalls - White 2 Long Handicap Stalls - Blue 2 Long Grids - Blue 1 White Crosswalk 17 White Straight Arrows 1 Right Turn Arrow 2 Straight/Turn Arrows 3 Yellow Grids 150 Ft Yellow Divider Line 1,000 Ft White Center/Divider Lines	95	\$2,973.00*





# QUOTE #1302

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SENT ON:

Oct 28, 2024

Total

**\$25,329.00**

**\*Accepted Payment Methods\***

Credit Card | Bank Transfer | Check | Cash

Thank you for the opportunity. We look forward to working with you on your project. Please let us know if you have any questions!

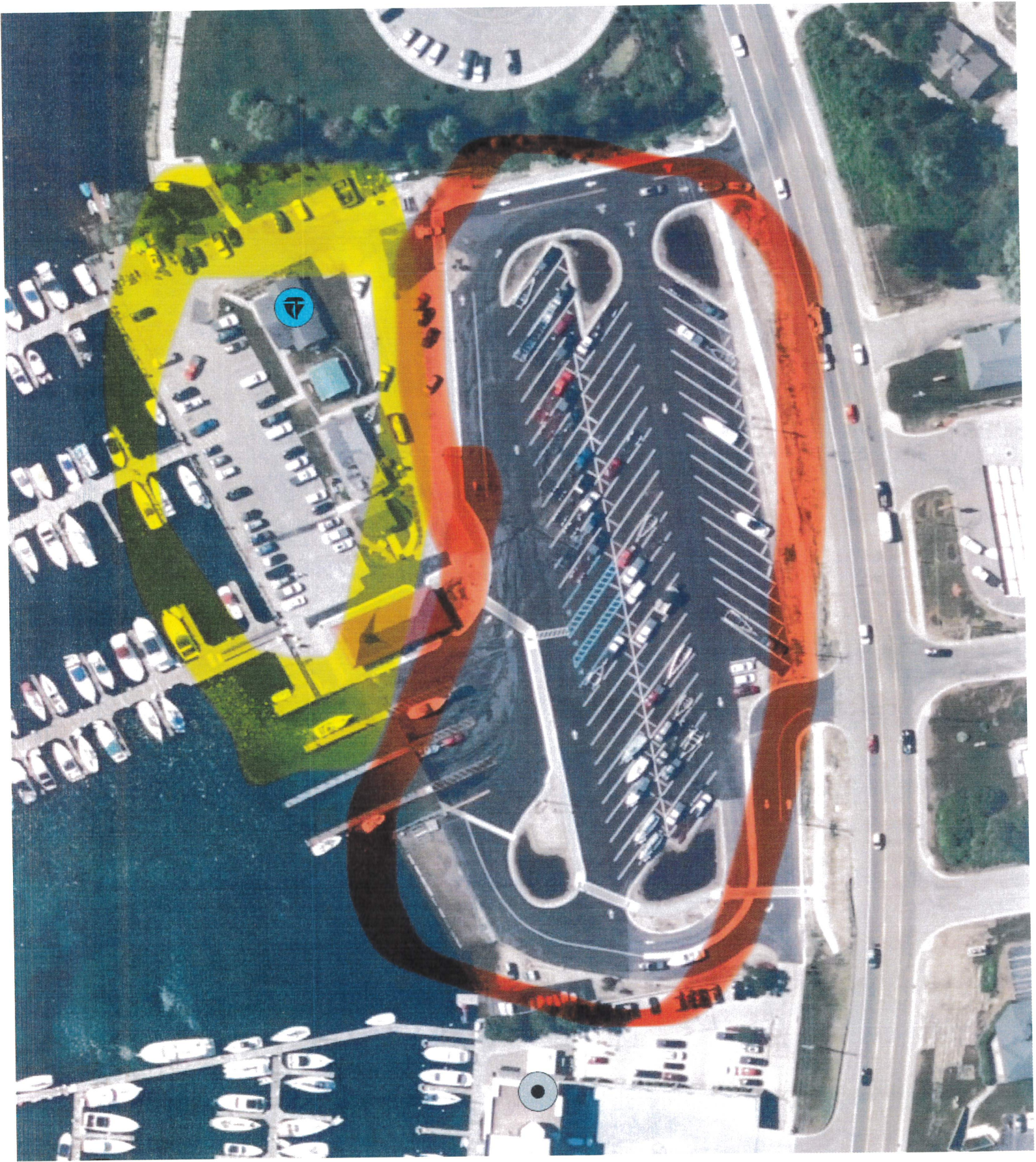
Terms | Final payment is to be made upon completion. 24% per annum will be charged on past due invoices over 30 days. All material is guaranteed as specified. All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon accidents, weather conditions or delays beyond our control.

Acceptance of this Estimate | The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

\* Non-taxable

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_







2900 Cass Rd  
Traverse City, MI 49684  
www.MolonAsphalt.com



231-946-8269  
info@MolonAsphalt.com

**Date of Proposal:**

10-10-2024

**Proposal Submitted to:**

Dan Jenuwine  
Dan Jenuwine  
13051 SW Bayshore Dr, Traverse City, MI 49684  
231-946-5463 harbormaster@elmwoodmi.gov

**Proposal Number:**

6461

**Proposal Jobsite Detail:**

Commercial Sealcoat

ELMWOOD TOWNSHIP/MARINA

**Proposed Services:**

Asphalt Services	Quantity	Amount
SEALANT - Thoroughly clean and edge proposed area removing all debris with brushes, edgers and blowers. Apply GEM Seal PolyTar sealer mixed to manufacturers specifications.	119804 Sq.Ft.	\$27,554.00
CRACK FILL – Cracks ¼" in width, and larger, to be cleaned and filled with commercial grade hot rubberized compound sealant.	315 Ln.Ft.	\$362.00
<b>Striping Services</b> Apply pavement markings back to existing markings.	5539 Lump Sum	\$5,539.00

We hereby propose to furnish the services and materials for the sum of: **\$33,455.00**

**Additional Service Notes:**

**Sealcoat Detail:** Apply two coats of sealant to all asphalt areas.

**Crack Fill Detail:** Clean cracks with Crack Jet heat lance to remove dirt, debris, weeds/grass and moisture before filling cracks with MDOT certified hot rubber crack sealant.

**Line Striping Detail:** 22 white directional arrows / 747 In ft yellow line / 5,494 In ft white line / 36 ft x 1' yellow bar / "BOATS" stenciled word white / 124 In ft blue ADA line / 3 blue ADA logos

**Acceptance of Proposal**

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified and in accordance with the stated terms and conditions. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_ Accepted by: \_\_\_\_\_

**Proposal Prepared by:**

*Michael Wilson*

Michael Wilson  
Cell: 231-218-6034  
Email: mwilson@molonasphalt.net

## **Molon Asphalt, Inc. Standard Terms and Conditions.**

**The following terms and conditions are part of this proposal, therefore agreed upon with the proposal.**

The pricing listed is based on the average price for liquid asphalt from Marathon, Inc. If the average price increases at the time we perform the listed work, we reserve the right to adjust the price consistent with the increase in the price of liquid asphalt.

All material is warranted to be as specified. All work is to be completed according to this contract. Molon Asphalt makes no warranty of merchantability, and there are no warranties, which extend beyond the description contained in this contract.

Molon Asphalt is not liable for delays caused by weather conditions, acts of God, acts of the environmental agencies, permitting agencies, accidents, shortages of necessary materials and supplies, or any other cause beyond our control.

Molon Asphalt shall be permitted to stockpile material and store equipment necessary to perform its work, on the work site without cost for up to 24 hours before and after the work is performed.

Price is based upon quantities and work stated proposal, in the event that additional material and/or work is needed to complete the job a change order will be applied adjusting the agreed price accordingly.

Molon Asphalt, Inc does not guarantee water will not hold or puddle on areas that have less than to 2% drainage.

Molon Asphalt, Inc reserves the right to add additional cost of overage should it be acquired due to third party or customer error or changes without notice.

Any changes in the proposal wanted by the customer must be made agreed to by the customer in writing. Email and text messages are acceptable forms of acceptance to change of proposal.

Paving quote is only good for the current paving season. Any paving that carries over into the following year is subject to price increase.

Molon Asphalt is not responsible for damaged sprinkler lines, heads, buried fences, sod, or drainage lines and utilities if not marked.

Payment terms are 50% downpayment with the balance due at time of project completion.

A service charge of \$500 will be applied if scheduled work date is not cancelled 72 hours prior to agreed date.

Nothing herein shall be construed as a waiver or modification of Molon Asphalt's statutory lien rights, which lien rights Molon Asphalt will exercise if payment by customer is not promptly made.

A service charge of 1.5% per month, which is an annual percentage rate of 18% per annum, will be added on all account balances not paid within 30 days of the invoice date. Costs of collection, including attorney fees, court costs, etc., are the responsibility of the customer.

Customer agrees to defend, indemnify and hold harmless Molon Asphalt Inc., its officers and employees from any claim arising from any violation of environmental law, regulation or policy.

This proposal is valid for 30 days from the Date of Proposal. After 30 days, Molon Asphalt reserves the right to adjust pricing, schedule and/or cancel the proposal.

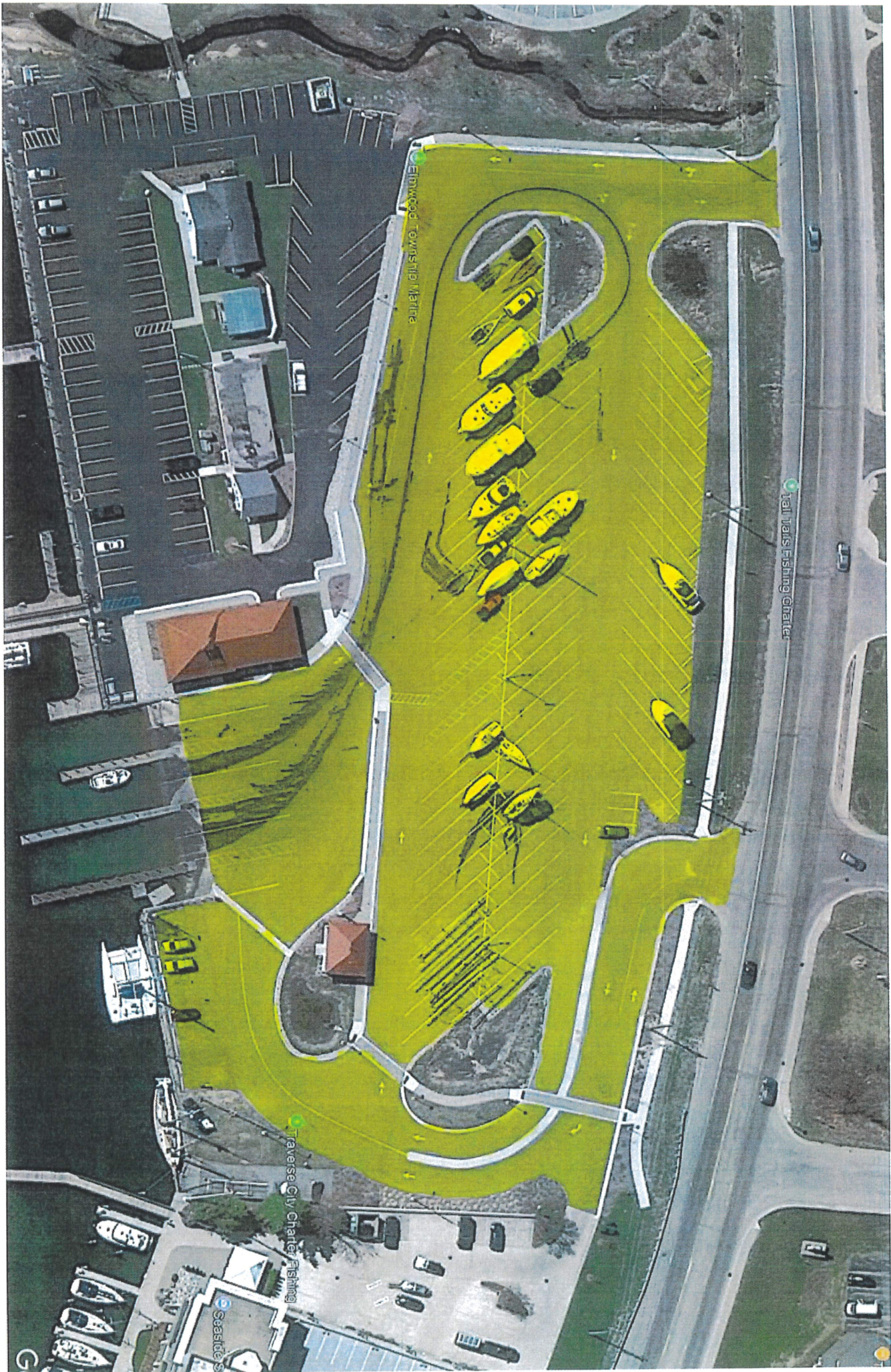
**Growing our business one satisfied customer at a time.**

**We look forward to doing business with you.**

**Molon Asphalt- A full service asphalt company.**

\_\_\_\_\_  
**Customer Initials**





Edgewood Townships Marine

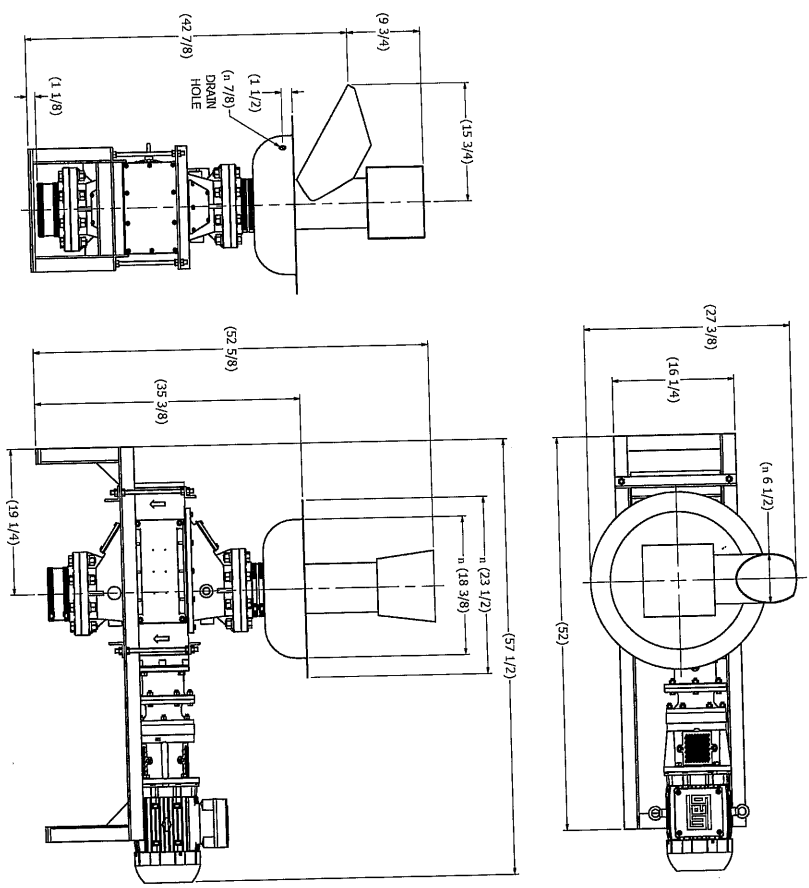
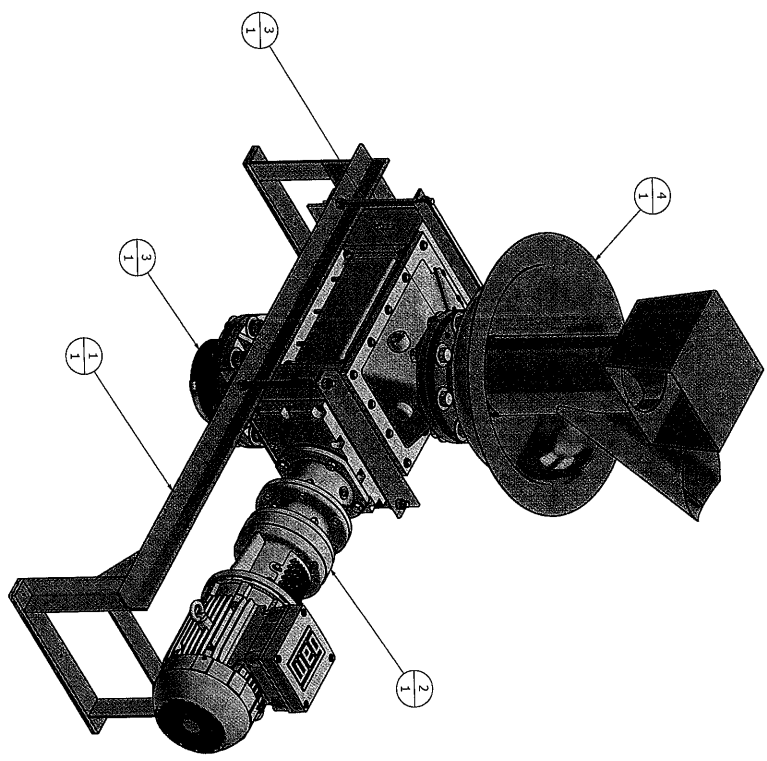
Tall Tans Fishing Charter

Traverse City Charter Fishing

Seaside's



NOTES UNLESS OTHERWISE SPECIFIED:  
 1. INTERPRET DRAWING IN ACCORDANCE WITH ASME Y14.5M-1994 STANDARDS.



ITEM	QTY	PART / ASSEMBLY NUMBER	DESCRIPTION	UNIT
1	1	32216-117059	FEEDING TUBE AND SINK, WELD'D	304L SST
2	1	A32218-0001-SS-3	6" DRAIN CONNECTION ASSEMBLY	304L SST
3	1	HYDRO-I-1206-FCS-CD	IN-LINE GRINDER CONTRIBUTATION	DIS/STL
4	1	A32217-0001-SS	GRINDER STAND ASSEMBLY	304L SST

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FINISH: AS LISTED	MATERIAL: 304L
APPROVED: A. DIAMOND	DATE: 8/1/24
CHECKED: S. ANDERSON	DATE: 8/1/24
DRAWN: A. DIAMOND	DATE: 8/1/24

JWC ENVIRONMENTAL 2855 S. 68TH HILL AVE. SUITE 125, SAN ANTONIO, TX 78239	FCS1206-GA-117059 -117059-
CAD MODEL: FCS1206-GA-117059	SHEET 1 OF 1



**TO:** Liz Vogel, City Manager  
Art Krueger, Director of Municipal Utilities  
Mark Huggard, Project Manager, Jacobs  
Justin Pippel, Industrial Pretreatment Program Backup, Jacobs  
Jeff Shaw, Elmwood Township Supervisor  
Dan Jenuwine, Elmwood Township Marina Harbormaster

**FROM:** Josh Lycka, Industrial Pretreatment Coordinator, Jacobs

**DATE:** November 1, 2024 rev. 11/4

**SUBJECT: Mercury Loading Results**

This memo will be used as permitting rationale to document results used to calculate permit limits and show due diligence in allocating detectable concentrations of mercury to the POTW. Since multiple parties are interested in the status of these results, I wanted to share the methods and results as they become available.

### Methodology

Since the sample preparation involves some inherent challenges (different fish parts, preparation, consistency, blending units) I determined the best way to normalize results was on a dry weight basis. This involves using mg/l of total suspended solids (TSS) and mg/l of mercury (Hg) to normalize results in mg Hg per dry gram.

### Results

Table 1 shows results of the 3 samples analyzed and their normalized concentration in mg Hg per dry gram. It also shows the arithmetic mean for the samples. The takeaway value should be the average in mg Hg per dry gram.

**Table 1: Mercury and TSS Results, Fish Samples**

Sample 1: Salmon			
Hg (mg/l)	0.00161	mg Hg/dry gram	0.00039
TSS (mg/l)	4100		
Sample 2: Perch and Salmon			
Hg (mg/l)	0.0064	mg Hg/dry gram	<b>0.00711</b>
TSS (mg/l)	900		
Sample 3: Cisco			
Hg (mg/l)	0.0051	mg Hg/dry gram	0.00049
TSS (mg/l)	10313		
Average			
Hg (mg/l)	0.00437	mg Hg/dry gram	0.00267
TSS (mg/l)	5104		

Table 2 shows 3 discharge scenarios in which 1 barrel of fish waste is discharged in a given day. The assumption behind this calculation is that the grinder pump will utilize a similar amount of water as the benchtop experiment (1 part fish : 3 parts water). The scenarios demonstrate a normalized average, a scenario in which the maximum values were used, and a scenario in which the minimum values were used.

**Table 2: Loadings and Discharge Scenarios, Fish Waste**

Scenario 1: Grinder pump discharges average consistency of 3 blended fish samples with average Hg	
Number of Barrels discharged	1
Gallons Used (Based on Benchtop 1 Part Fish : 3 Parts Water)	220
Lbs Hg/day	0.000025
Percent of Average Current Daily Hg Loadings	3%
Scenario 2: Grinder pump discharges max consistency of 3 blended fish samples with max Hg	
Number of Barrels discharged	1
Gallons Used (Based on Benchtop 1 Part Fish : 3 Parts Water)	220
Lbs Hg/day	0.000135
Percent of Average Current Daily Hg Loadings	13%
Scenario 3: Grinder pump discharges lowest consistency of 3 blended fish samples with max Hg	
Number of Barrels discharged	1
Gallons Used (Based on Benchtop 1 Part Fish : 3 Parts Water)	220
Lbs Hg/day	0.000012
Percent of Average Current Daily Hg Loadings	1%

The results from the subsequent two samples were within the expected variability of the first sample, based on the low values being measured. Our initial assumptions about the discharge's relatively negligible effect on daily mercury loadings seem to hold up. Scenario 1 is the most likely scenario (because it incorporates averages from the 3 samples), and we can see that it constitutes 3% of current daily loadings. This introduces a measurable and low risk to the influent Hg loadings to the facility.

Best regards,

Josh Lycka



# Elmwood Township Marina

## Operations Manual Outline

### 1. Introduction

- Purpose of the Manual
- Scope of Operations
- Mission Statement
- Code of Conduct/Business Ethics

### 2. Organizational Structure

- Marina Manager / Harbor Master
- Deputy Master
- Office Staff
- Maintenance Staff
- Security Personnel
- Seasonal/Part-time Staff

### 3. Job Descriptions

- Marina Manager / Harbor Master
  - Roles, responsibilities, and reporting structure
- Deputy Harbor Master
  - Duties, slip assignments, customer service, boat inspections
- Maintenance Crew
  - Routine upkeep, emergency repairs, special projects
- Office Manager
  - Billing, customer relations, document management, compliance

- Security
  - Patrol, incident reporting, monitoring of security systems
- Seasonal/Temporary Staff
- Cleaning Staff
  - Trash management, bathroom cleaning, and general sanitation

#### **4. Policies and Procedures**

- **General Guidelines**
  - Code of conduct for staff and slip holders
  - Drug and alcohol policies
  - Environmental and safety regulations (waste management, pollution prevention)
- **Safety Procedures**
  - Life-saving equipment management
  - Emergency contacts and communication plans
  - Fire safety protocols
  - Storm readiness (tornadoes, high winds, flooding)
- **Security**
  - CCTV monitoring
  - Security patrol schedule
  - Incident reporting and management
- **Billing and Payments**
  - Slip fees
  - Payment methods and schedules
  - Penalties for late payments
  - Contract renewals and terminations

## **5. Opening Procedures**

- Daily dock inspection (check for hazards, leaks, or loose equipment)
- Powering water systems and pumps
- Checking communication equipment (radios, systems)
- Reviewing the daily work schedule and slip assignments
- Reviewing weather reports for potential risks
- Ensuring all public areas are clean and stocked (bathrooms, waiting areas)

## **6. Closing Procedures**

- Pump Out shutdown and reconciliation
- Securing docks and locking public areas
- Turning off non-essential lighting/equipment
- Final walk-through for trash and debris
- Reporting any issues to the Marina Manager
- Logging any maintenance or security concerns

## **7. Slip Assignments & Management**

- **Slip Assignment Procedures**
  - New slip assignments (documentation, availability)
  - Slip renewal procedures
  - Slip transfers or changes
  - Cancellation and vacancy handling
- **Mooring and Docking Guidelines**
  - Safe docking practices
  - Tying and securing boats
  - Slip size restrictions (boat size and limitations)

- **Slip Lease Agreements**

- Terms and conditions of the lease
- Subletting rules
- Legal and liability clauses

- **Billing and Fees**

- Fee structure (per foot, seasonal, transient)
- Discounts, refunds, and credits

- **Insurance Requirements**

- Liability insurance for slip holders
- Proof of insurance documentation

## **8. Maintenance and Repairs**

- **Routine Maintenance**

- Docks, mooring lines, and pilings
- Pumps
- Electrical systems (lighting, shore power)
- Sanitation (restrooms, waste disposal)
- Landscaping and grounds upkeep
- Cleaning of marina equipment (carts, benches, etc.)

- **Emergency Repairs**

- Water leaks, power outages, broken docks
- Protocols for quick-response teams
- Notification systems for slip holders and marina staff

- **Preventive Maintenance Schedule**

- Seasonal dock inspections
- Fire Suppression System inspection
- Equipment servicing (lifeboats, life jackets, fire extinguishers)

## **9. Contractor Management**

- Hiring outside services for larger repairs
- Contractor insurance and liability requirements
- Managing contractor schedules
- Fuel spill prevention and response plan
- Waste oil and fuel disposal procedures

## **10. Environmental Practices**

- Waste disposal and recycling procedures
- Bilge and sewage pump-out protocols
- Eco-friendly cleaning supplies and practices
- Stormwater management
- Wildlife protection guidelines

## **11. Customer Service & Communication**

- **Customer Interaction Guidelines**
  - Greeting slip holders and visitors
  - Addressing customer concerns and complaints
  - Conflict resolution
- **Communication Channels**
  - Public announcements and emergency communication
  - Marina newsletters, emails, or text alerts
- **Event Planning**
  - Organizing marina events (e.g., fishing tournaments, social gatherings)
  - Event permits and regulations
- **Incident Reporting**
  - Accident reporting
  - Theft, vandalism, and property damage reports

## **12. Legal and Regulatory Compliance**

- Federal, state, and local regulations
- Waterway permits and licenses
- Health and safety standards
- Environmental impact assessments
- Worker safety and OSHA compliance
- ADA compliance (Accessibility guidelines)

## **13. Insurance and Liability**

- Marina insurance policies
- Slip holder insurance requirements
- Guest and visitor liability waivers
- Emergency response coverage
- Worker's compensation protocols

## **14. Staff Training and Development**

- **Training Programs**
  - Onboarding new employees
  - Safety training (CPR, emergency evacuation, etc.)
  - Customer service training
- **Ongoing Education**
  - Updates on new marina technologies
  - Safety drills and certifications
- **Performance Evaluations**
  - Regular employee evaluations
  - Performance improvement plans
  - Incentive programs

## **15. Emergency Preparedness & Disaster Management**

- Emergency evacuation procedures (for people and boats)
- Hurricane and storm protocols
- Fire response plans
- Emergency contact numbers and plans
- Backup power and fuel supplies
- Emergency communication plan for staff and slip holders

## **16. Financial Management**

- **Budgeting and Financial Planning**
  - Annual budgeting processes
  - Maintenance and repair cost planning
- **Billing and Revenue**
  - Slip rental revenue tracking
  - Ancillary service revenue (pump-out services, maintenance)
- **Expense Management**
  - Payroll, utilities, repair costs
  - Vendor payments
- **Auditing and Financial Reporting**
  - Monthly, quarterly, and annual financial reporting
  - Compliance with financial regulations

## **17. Health and Safety**

- OSHA standards and safety protocols
- Personal protective equipment (PPE) requirements
- Incident reporting and first-aid procedures
- Slip and trip hazard management

## **18. Seasonal Preparation**

- **Winterization Procedures**
  - Dock and slip closures
  - Boat and equipment storage
- **Spring Startup**
  - Reopening procedures for seasonal operations
  - Restocking supplies and performing maintenance checks
- **Offseason Security**
  - Surveillance and security measures during the offseason

## **19. Recordkeeping**

- Slip lease agreements and customer records
- Maintenance logs
- Incident reports
- Financial records (revenue, expenses, payroll)
- Compliance documentation (licenses, permits)

## **20. Appendices**

- Contact lists (emergency, staff, contractors)
- Checklists (opening, closing, maintenance)
- Sample lease agreements
- Safety data sheets (SDS) for chemicals
- Map of marina and emergency exits



Elmwood Township Fire and Rescue Department

**MONTHLY FIRE REPORT - OCTOBER 2024**

From: Keith Tampa, Fire Chief  
 To: The Township Board of Trustees, Charter Township of Elmwood

**Total Calls for the Month: 51**

**Incident Type Breakdown per the National Fire Incident Reporting System (NFIRS)**

- **Fire Incidents:** 4
    - 1 Forest, woods, or wildland fire
    - 1 Brush, or brush and grass mixture fire
    - 2 Grass fire
  - **Overpressure Rupture, Explosion, Overheat (no fire):** 0
  - **Rescue & EMS Incidents:** 37
    - 34 EMS calls
    - 2 Motor vehicle accidents with injuries
    - 1 Motor vehicle accident no injuries
  - **Hazard Condition (No Fire):** 2
    - 1 Tree obstructing roadway
    - 1 Tree on power line
  - **Service Calls:** 5
    - 2 Smoke alarm installation
    - 3 Lift assists
  - **Good Intent Call:** 2
    - 1 Dispatched and cancelled enroute – Auto/Mut. Aid
    - 1 No incident found on arrival at dispatched address
  - **False Alarm/False Calls** 1
    - 1 Carbon monoxide detector activation, no CO
  - **Severe Weather** 0
- 
- **No EFD Resource (Non-NFIRS category)** 0  
*This category represents the number of requests for service that EFD was unable to provide assistance. Calls may have been unfulfilled or covered by mutual aid.*
  - **Overlapping Incident(s) (Non-NFIRS category)** 4

**Mutual Aid – Given / Received**

<u>Type of Aid</u>	<u>Incidents</u>	<u>Departments</u>
Received	0	-
Given	5	Cedar Area FD (2-Grass fires) Suttons Bay Bingham FD (2-Grass fires, Medical)
Requested EFD (Cancelled)	1	Cedar Area FD

**General Updates**

**ADMINISTRATION / OPERATIONS**

- General Run Information.
  - October call volume was up approximately 19% compared to last year (10/2023 = 43 calls). All overlapping calls had an EFD response.
- Policies and Procedures.
  - Work continues on updating department policies and procedures to combine.

**APPARATUS AND EQUIPMENT**

- Engine 112.
  - Vehicle batteries replaced due to cell failure and age.

**FACILITIES AND GROUNDS**

- Fuel Tanks.
  - Awaiting third quote.
- Station Mechanical.
  - Preventative maintenance was conducted on the station's two (2) furnaces, hot water heater, and in-floor heat boiler by John E. Green. No significant issues were found.

**PUBLIC EDUCATION AND RELATIONS**

- Department Open House.
  - This event was held in conjunction with fire prevention week. Approximately 30 attendees.
- Fire Extinguisher Class.
  - Provided instruction to NMC Culinary class on restaurant fire suppression and the use of portable fire extinguishers (45 students).
- Plan Reviews.
  - Nothing to report.

**TRAININGS**

**Total Training Hours: unavailable**

- This month training was focused on driver operational experience. Members were evaluated on each vehicle they are authorized to drive. In addition, members trained on pump and foam operations.

**MEETINGS ATTENDED**

- |  |                         |
|--|-------------------------|
| • Elmwood Township Board Regular Meeting | • EFD Officers' Meeting |
| • LC Fire Chiefs' Meeting                | • Twp Supervisor        |

**CHARTER TOWNSHIP OF ELMWOOD  
REGULAR BOARD MEETING  
OCTOBER 8, 2024  
IN THE TOWNSHIP HALL**

**Call to Order**

Supervisor Shaw called the meeting to order at 6:00 p.m.

**Pledge of Allegiance**

Supervisor Shaw led the Pledge of Allegiance.

**Roll Call**

**Present:** Terry Lautner, Dave Darga, Kyle Trevas, Jeff Shaw, Jordan Gallagher, and Connie Preston

**Excused:** Chris Mikowski

**Declaration of Conflict of Interest**

Clerk Preston declared a conflict with the FOIA appeal hearing as she is the FOIA coordinator that rendered the original denial. MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE DARGA TO EXCUSE CLERK PRESTON FROM THE FOIA APPEAL. The motion passed unanimously by a voice vote.

**FOIA Appeal Hearing**

Hearing opened at 6:02.

Clerk Preston explained that the FOIA requesting a copy of the Attorney-Client Privilege from Attorney Bryan Graham was denied due to the Attorney-Client Privilege nature of the memo. Attorney Bryan Graham reviewed his 10-3-2024 memo explaining that based on attorney-client privilege, that denial was legally correct. However, the township has a legal obligation to separate the exempt from the nonexempt information contained within the memo.

The hearing was closed at 6:05 p.m.

Attorney Graham included a proposed motion in his 10-3-24 memo

MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE DARGA, THAT BASED ON THE MEMO PROVIDED BY THE TOWNSHIP ATTORNEY DATED OCTOBER 3, 2024, THE BOARD HEREBY UPHOLDS, IN PART, THE FOIA COORDINATOR'S DENIAL OF MR. KELLY'S AUGUST 27, 2024 FOIA REQUEST (RECEIVED ON AUGUST 28, 2024), BUT HEREBY AUTHORIZES THE DISCLOSURE OF A REDACTED COPY OF THAT MEMO WHICH ONLY INCLUDES THE NONEXEMPT MATERIAL.

The motion passed 5-0 by a roll call vote.

**Public Comment**

None

**Consent Calendar:**

**Department Reports:**

Treasurer  
Planning/Zoning  
Fire Chief  
Harbormaster

**Committee Reports:**

**Minutes:**

9-9-24

**Post Audit Invoices 9-1-24 through 9-30-24**

MOTION BY TRUSTEE DARGA, SECONDED BY CLERK PRESTON TO APPROVE THE CONSENT CALENDAR AS PRESENTED. The motion passed unanimously by a voice vote.

**Agenda approval**

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA, TO APPROVE THE AGENDA AS MODIFIED WITH THE ADDITION OF 11.i. SCHEDULE A SPECIAL MEETING FOR MARINA CHANGE ORDERS. Motion passed unanimously by a voice vote.

**Supervisor Remarks**

Supervisor Shaw submitted a written report and added that he spoke with the Fire Chief about possibly combining departments.

**Trustee Remarks**

Trustee Lautner stated that he would like to recognize that our former Fire Chief Ray Haring passed away. Supervisor Shaw remarked that the Department is looking into holding a memorial service

**Engineer's Report**

None

**Other Officer Remarks**

None

**Communications from the Clerk**

Clerk Preston reminded the Board that our next regular meeting is November 12 as was approved last December. This was done due to the second Monday being Veteran's Day.

**Old Business**

None

**New Business**

**Conceptual Site Plan for Cherry Bend Park**

Tim Knutsen of Beckett & Raeder presented the conceptual site plans for Cherry Bend Park, concentrating on Plan 3 that was unanimously recommended by the Parks and Recreation Committee. The Board responded with feedback as to traffic flow, parking spaces, and other amenities. He will incorporate recommendations into a final conceptual plan which the Township can use in applying for grant funding.

**Marina Dock Fire Suppression System Repair**

Harbormaster Dan Jenuwine informed the Board that Leelanau County Building Safety is requiring that we get our fire suppression system repaired.

MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE LAUTNER TO GET THREE BIDS TO GET THE FIRE SUPPRESSION SYSTEM REPAIRED.

The motion passed unanimously by a voice vote.

**Harbor Master Request to Attend Dock Expo**

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE TREVAS TO AUTHORIZE THE HARBORMASTER TO ATTEND THE DOCK EXPO AND MARINA CONFERENCE IN NASHVILLE.

The motion passed unanimously by a voice vote.

**Payment of Construction Invoices**

Mr. Jenuwine explained that the contractor and subcontractor are having to wait too long for payments on the marina project. They would like to not have to wait for a board meeting to approve the pay requests.

MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE LAUTNER TO HAVE THE SUPERVISOR AND/OR THE CLERK SIGN OFF AS LONG AS THEY ARE BUDGETED ITEMS. The motion passed

unanimously by a voice vote.

### **Health Insurance Renewal**

Clerk Preston stated that it was a 10% increase in rates which were being seen by all small groups.  
MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE LAUTNER TO RENEW THE HEALTH INSURANCE AT OPTION A. The motion passed unanimously by a voice vote.

### **BPW 2023 Master Specification and Detail Updates**

Supervisor Shaw explained that the City is requiring all of the participating townships to approve the updates included in the 2023 Master Specification and Detail Updates.  
MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE LAUTNER TO APPROVE THE SPECS LISTED IN THE MEMO DATED 2-7-2024, RE PROJECT 23029. The motion passed unanimously by a voice vote.

### **MDOT Contract/Sidewalk and Shared Use Path**

The Board was presented the contract between MDOT and the Charter Township of Elmwood specifying that MDOT will construct the sidewalk and shared use path along M-72/M-22 from the south Township limits northerly to Cherry Bend Rd. and the Township will take ownership of the path.  
MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE DARGA TO APPROVE RESOLUTION 13 OF 2024 APPROVING THE CONTRACT. The motion passed 6-0 by a roll call vote.

### **Budget Amendment Resolution/Cherry Bend Trail Design/Fire Department**

Clerk Preston explained that the Cherry Bend Trail Design was not originally budgeted back in November. The amendment for the fire department is to pay for the equipment that will be on the new ambulance.  
MOTION BY TRUSTEE LAUTNER, SECONDED BY CLERK PRESTON TO APPROVE RESOLUTION 14 OF 2024, A BUDGET AMENEMENT RESOLUTION. The motion passed 6-0 by a roll call vote.

### **Schedule Special Meeting**

Supervisor Shaw proposed holding a special meeting to review all marina construction change orders.  
MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO SCHEDULE A SPECIAL MEETING FOR WEDNESDAY, OCTOBER 16 AT 4:30 P.M. The motion passed unanimously by a voice vote.

### **Payment of Invoices**

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO PAY THE INVOICES IN THE AMOUNT OF \$321,527.40. Motion passed unanimously by voice vote.

### **Extended Public Comment**

Chase Pasicznyk

### **Adjournment**

Supervisor Shaw adjourned the meeting at 8:05 p.m.

**CHARTER TOWNSHIP OF ELMWOOD  
SPECIAL BOARD MEETING  
OCTOBER 16, 2024 IN THE TOWNSHIP HALL**

**Call to Order:**

**Clerk Preston** called the meeting to order at 4:35 p.m. and stated that Supervisor Shaw was excused from the meeting

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE DARGA TO APPOINT CLERK PRESTON TO CHAIR THE MEETING. The motion passed unanimously by a voice vote

Clerk Preston led the Pledge of Allegiance

**Roll Call:**

**Present:** Connie Preston, Terry Lautner, Chris Mikowski, Dave Darga, and Jordan Gallagher

**Excused:** Jeff Shaw and Kyle Trevas

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**Agenda Approval**

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE GALLAGHER TO APPROVE THE AGENDA AS PRESENTED. The motion passed unanimously by a voice vote.

**New Business**

**Consideration of Phase III Marina Improvement Change Orders**

Harbormaster Dan Jenuwine presented an updated spreadsheet with the proposed change orders. The total for the changes was \$449,330.86. He explained that seven of the change orders have already been eliminated, reducing the total requested changes by \$290,906.15. The new total would be \$158,424.71. Architect Ray Kendra commented that there should not be another exhaustive change order. Smaller changes would be covered by the contingency built into the contract. MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE LAUTNER TO ADD A NOT TO EXCEED AMOUNT OF \$160,000.00 TO THE MARINA IMPROVEMENT PROJECT. The motion passed unanimously by a voice vote.

**Fish Grinder Update**

Mr. Jenuwine remarked that after having had fish carcasses tested, the City of Traverse City is ready to allow us to send our waste from the fish cleaning station into the sewer. It will continue to be monitored. The City is sending the permit application to him. He will get pricing on the grinder and installation.

### **Marina Operations**

Mr. Jenuwine believes he can get the fire suppression system on the docks repaired for less than \$15,000.00. He will continue to work on that. The best fire suppression is from a boat in the water not from the docks. He suggested the purchase of a fire boat by the four marinas in the area. There could be grants but there would be ongoing costs and strings attached to the grant.

He also updated the Board on the construction progress. Due to hitting wood from 30 to 90 feet down while driving the helical piers, the construction project is about two weeks behind. The contractor is confident he can make up that time.

### **Public Comment**

None

### **Adjournment**

Clerk Preston adjourned the meeting at 5:18 p.m.

DRAFT

# Check Register Report

Date: 11/05/2024

Time: 10:31 am

Page: 1

ELMWOOD TOWNSHIP

BANK:

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>Checks</b>								
39281	10/15/2024	Printed			E013	ELEVATE NET	FINAL BILLING	1,000.00
39282	10/23/2024	Printed			A050	ACCIDENT FUND INS CO OF AMERIC	ACCT#A010131385	9,328.25
39283	10/23/2024	Printed			A127	AT&T MOBILITY	ACCT#287303700094	297.12
39284	10/23/2024	Printed			B111	BLUECROSS BLUESHIELD OF MI	GROUP 007015150710	438.87
39285	10/23/2024	Printed			C029	CHARTER COMMUNICATIONS	ACCT#005047601	199.97
39286	10/23/2024	Printed			C010	CHERRYLAND ELECTRIC COOR	ACCT#9816411	106.55
39287	10/23/2024	Printed			C040	CONSUMERS ENERGY	ACCT#1000 2967 1334	3,019.34
39288	10/23/2024	Printed			11180	ROBYN DORIOT	REFUND OF DEPOSIT & OVERPAYMEN	100.00
39289	10/23/2024	Printed			M020	DTE ENERGY	ACCT#9100 215 3143 9	248.73
39290	10/23/2024	Printed			G046	GRAYBAR FINANCIAL SERVICES	CONT#100-8704031-001	457.10
39291	10/23/2024	Printed			G425	GUARDIAN	GROUP ID 00 357534	656.65
39292	10/23/2024	Printed			H074	HUNTINGTON NATIONAL BANK	ACCT#3584328906	500.00
39293	10/23/2024	Printed			01179	CRYSTAL LAWRIN	PAVILION DEPOSIT REFUND	50.00
39294	10/23/2024	Printed			P043	PRIORITY HEALTH	GROUP ID 790105	4,292.45
39295	10/23/2024	Printed			S097	SPECTRUM VOIP	CUST2319460921	37.56
39296	10/23/2024	Printed			U003	UNEMPLOYMENT INSURANCE AGENCY	ACCT#0802114 000	1.56
39297	10/23/2024	Printed			V023	VSP	CLIENT ID 30031936	210.64
39298	10/24/2024	Printed			W032	WEBUILDFUN, INC	PLAYGROUND STRUCTURE	9,555.00
39303	11/05/2024	Printed			R038	RCI RICHTER CONSTRUCTION, INC	BOATER'S PAVILION & SITE WORK	36,061.20
					<b>Total Checks: 19</b>	<b>Checks Total (excluding void checks):</b>		<b>66,560.99</b>
					<b>Total Payments: 19</b>	<b>Bank Total (excluding void checks):</b>		<b>66,560.99</b>
					<b>Total Payments: 19</b>	<b>Grand Total (excluding void checks):</b>		<b>66,560.99</b>



## Supervisor's Report

11-12-24

1. I have spent a lot of time at the Board of Public Works. It is an unusual situation, as the Director usually does the agenda and communicates with the Board. Our interim Director is also a candidate for the permanent position, so as Chair the responsibility of organizing the interview process, getting other Board members to participate in developing and asking questions, and assuring that the process was done efficiently and legally fell on me. We interviewed for the new Director position on 10/31/24. There were 4 applicants, 2 of which were via zoom. At the next meeting the Board will decide if they want to offer the position to one of the candidates or continue to look.
2. I have been meeting with the City of Traverse City and Jacobs (the operator of the Traverse City Wastewater Treatment Facility), along with our Harbormaster and Engineers, discussing installing a grinder at the Fish Cleaning Station at the Marina. We are trying to understand the costs involved. We had fish carcasses tested and the mercury levels were very low and all indications are the City will sign a permit which will allow us to put the fish waste into the sewer system. The original design and intent was to do just that, but the City and Jacobs wouldn't consider a grinder when we built the station just a few years ago. We have this window and I think we need to act on it and get it done. There may be some up front costs, but Marv from Huron Tackle currently picks up the frozen barrels of fish carcasses and either takes them to the landfill or hauls them away to make pet food and fertilizer. He is older and has indicated he may not continue to do this much longer.
3. On 10/16/24 I attended the ground breaking for Discovery and the Freshwater Research and Innovation Center. Discovery partners including Michigan Tech, Traverse Connect and NMC, as well as dignitaries like Jack Bergman were present.
4. Thanks to a lot of effort by our election team, the voting process at both our precincts went smoothly and efficiently.
5. I am having a meeting for the Timberlee water users on November 18, 2024 to give them an update on the tanks and new system.
6. At the last meeting I mentioned I spoke to the Cedar Fire Chief about Elmwood Township potentially joining forces with them. The Leelanau Enterprise printed an article that resulted in some feedback from Cedar Fire and Rescue and Elmwood personnel. I have assured everyone we are just beginning the discussion and there is a lot to sort through before seriously considering this step.

Planning/ Zoning Department  
[planner@elmwoodmi.gov](mailto:planner@elmwoodmi.gov)

**Elmwood Charter Township**  
1000 E. Lincoln Rd.  
Traverse City, MI 49684

Contact Information  
Ph: (231) 946-0921  
Fax: (231) 946-9320

To: Elmwood Township Board  
From: Sarah Clarren  
Date: November 5, 2024  
RE: (RE) INTRODUCTION to **ZO 2017-04-23** – Aligning and Reforming Alcohol Regulations.

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**Recommended Motion:** Motion to accept introduction and publish **ZO 2017-04-23** for a public hearing and consideration at the December 9, 2024 Township Board meeting.

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If the Board recalls, over the last few months, there has been discussion over the Township initiated (through Staff/ Planning Commission) text amendment seeking to align and reform alcohol regulations within the Township.

A major component of the proposed text is to shift certain regulations that currently exist for Wine Tasting Rooms and Distillery Tasting Rooms (which oddly have different requirements) to the production facility and to take efforts to tie an arguably industrial use to agriculture when the use is proposed in the Agricultural-Rural zoning district. In some instances, the text allows more flexibility to operators; tasting rooms can be up to 2,500sq ft (instead of 2,000sq ft) and can be indoor and/or outdoor.

At the Board's 8/12/24 meeting (2<sup>nd</sup> public hearing held by the Board), no specific issues on the proposed text were raised, but the Township Board sent the text back to the Planning Commission for reevaluation and another opportunity for any interested party to relay specific issues on the proposed text for review. On 8/29/24, staff sent an email to known alcohol production license holders within the Township, inviting them to the 9/17/24 Planning Commission meeting where the text amendment would be discussed. The week prior to this meeting, staff received suggested modifications from TC Whiskey (enclosed). On 9/17/24, the Commission discussed the matter thoroughly and made what they believe to be appropriate modifications to the text. The Township Attorney has also reviewed the text, again, as well as Fredrickson's suggested modifications and made recommendations.

Enclosed you will find the following information:

- 1) Text Amendment ZO 2017-04-23; clean copy, other than track changes showing modifications since the text was last before the Township Board
- 2) Emailed invite to licensed production facilities in the Township
- 3) Excerpt of Planning Commission 9/17/2024 minutes relevant to discussion on text amendment
- 4) Fredrickson's comments submitted 9/11/24

If the Board or members of the public are interested in the meetings in which this matter has been reviewed by the Township Board or Township Planning Commission:

- o January 16, 2024 – Introduction before the Planning Commission
- o February 20, 2024 – Introduction, continuation, before the Planning Commission
- o March 19, 2024 – Public Hearing and Deliberations before the Planning Commission
- o May 13, 2024 – Introduction before Township Board
- o June 10, 2024 – Consideration before the Township Board
- o July 8, 2024 – Public Hearing and Consideration before the Township Board
- o August 12, 2024 – Public Hearing and Consideration before the Township Board
- o September 17, 2024 – Public Comment specific to discussion topic, followed by Commission Discussion on text amendment per Township Board's request.

**Action by Township Planning Commission (after Public Hearing on March 19, 2024).**

***MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER MIKOWSKI TO APPROVE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED BY A UNANIMOUS VOTE.***

***MOTION BY COMMISSIONER MIKOWSKI, SECONDED BY COMMISSIONER KUZMA TO RECOMMEND APPROVAL OF ZO 2017-04-23 TO THE TOWNSHIP BOARD AND TO FORWARD ON***

*TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION PASSED UNANIMOUSLY.*

**Action by County Planning Commission (on 4/23/2024).**

*Motion by Fenlon, seconded by Nixon, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.*

**Action by Township Planning Commission (after discussing the text further, per Board's 8/12/24 request).**

*MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO RETURN THE TEXT AMENDMENT ZO 2017-04-23 TO THE ELMWOOD TOWNSHIP BOARD WITH THE NECESSARY MODIFICATIONS IDENTIFIED IN TONIGHT'S DISCUSSION. MOTION APPROVED 5-0.*

**Action by the Township Board.**

The Planning Enabling Act, after the legislative body (the Board) receives a zoning ordinance amendment, they "...may hold a public hearing if it considers it necessary or if otherwise required." You may also refer any proposed amendments back to the Commission for consideration and comment. You also may consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the legislative body.

If the Board is interested in moving this text amendment forward, I recommend a motion to schedule a public hearing and publish the text amendment for consideration at the next regularly scheduled meeting.

CHARTER TOWNSHIP OF ELMWOOD  
Leelanau County, Michigan

Ordinance No. \_\_\_\_\_  
ZO 2017-04-23

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO AMEND SECTION 2.2 TO ADD DEFINITIONS FOR ALCOHOL, BEER, BREWER, BREWERY, DISTILLER, MICRO BREWER, SMALL DISTILLER, SMALL WINE MAKER, SPIRITS, TASTING ROOM, WINE MAKER, REVISE DEFINITIONS FOR DISTILLERY, WINE, WINERY, AND ELIMINATE DEFINITIONS FOR DISTILLERY TASTING ROOM, WINE, BRANDY, WINE DRINK, MIXED, WINE RELATED BEVERAGES, AND WINE TASTING ROOM; AMEND SECTION 5.4 TO ELIMINATE DISTILLERY TASTING ROOMS, MICROBREWERIES/DISTILLERIES, AND WINE TASTING ROOM, ADD 'DISTILLERY AND/OR BREWERY' AND 'TASTING ROOM' AS PERMITTED USES UNDER SITE PLAN REVIEW OR SPECIAL USE PERMIT IN CERTAIN ZONING DISTRICTS, ALLOW WINERY AS A USE WITHIN THE GENERAL COMMERCIAL AND LIGHT INDUSTRIAL DISTRICTS UNDER SITE PLAN REVIEW, RENUMBER USES; AMEND SECTION 5.5.K TO ELIMINATE TWO REQUIREMENTS FOR TEMPORARY PRODUCE STANDS AND RENUMBER SUBSEQUENT REQUIREMENTS; ADD SECTION 5.5.N TO CONTAIN REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 6.1.3 TO LIST PARKING REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 9.8.J TO CONTAIN REQUIREMENTS FOR TASTING ROOMS FOR WINERIES, DISTILLERIES, AND BREWERIES; ELIMINATE SECTION 9.8.L DISTILLERY TASTING ROOM AND ITS REQUIREMENTS AND RESERVE SECTION 9.8.L FOR FUTURE USE.

The Charter Township of Elmwood Ordains:

**Section 1:** Amendment.

**1. Amend Section 2.2, specifically to add the following definitions:**

**Alcohol.** The product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.

**Beer.** A beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, sugar, or other cereal in potable water.

**Brewer.** A person located in this state that is licensed by the Michigan Liquor Control Commission to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the person.

**Brewery.** A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by brewers and/or micro brewers to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the brewer or micro brewer.

**Distiller.** A person licensed by the Michigan Liquor Control Commission to manufacture and sell spirits or alcohol, or both, of any kind.

**Micro Brewer.** A brewer that manufactures in total less than 60,000 barrels of beer per year and that may sell the beer manufactured to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether manufactured in this state or outside this state, must be combined and all breweries for the manufacturing of beer that are owned or controlled by the same person must be treated as a single facility.

**Small Distiller.** A manufacturer of spirits annually manufacturing in this state not more than 60,000 gallons of spirits, of all brands combined.

**Small Wine Maker.** A wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year. A small wine maker is not required to bottle wine it manufactures.

**Spirits.** A beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.

**Tasting Room.** A location on or off the manufacturing premises of a brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller where the brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller may provide samples of or sell at retail for consumption on or off the premises, or both, the beer, wine, or spirits it manufactures. A small wine maker, however, may only sell wine it bottled.

**Wine Maker.** A person licensed by the Michigan Liquor Control Commission to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

2. Amend Section 2.2, specifically to modify the below definitions to read as follows:

**Distillery.** A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by distillers and/or small distillers to manufacture spirits or alcohol and to sell the spirits and/or alcohol manufactured by the distiller or small distiller.

**Wine.** A product manufactured by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not

more than 21% of alcohol by volume, including cider made from apples or pears, or both, that contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.

**Winery.** A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by wine makers and/or small wine makers to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

**3. Amend Section 2.2, specifically to eliminate the following definitions:**

**Distillery Tasting Room.** A Michigan licensed room used in conjunction, as an accessory use, with a distillery where a spirit is produced on-site, may be consumed or purchased.

**(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)**

**Wine, Brandy.** An alcoholic liquor as defined in Federal Standards of Identity for Distilled Spirits, 27 CFR 5.22 (d) 1980.

**Wine Drink, Mixed.** A drink or similar product containing less than seven percent (7%) alcohol by volume, consisting of wine and sparkling or carbonated or water and/or containing one (1) or more of the following: non-alcoholic beverages; flavorings; fruit juices; coloring materials; fruit adjuncts; sugar; preservatives; and carbon dioxide .

**Wine-Related Beverages.** Fortified wines, wine brandy, other mixed wine drinks, and drinks related to or inclusive of wines.

**Wine Tasting Room.** A Michigan licensed room used in conjunction with a winery where the tasting of wine, fruit wines, and non-alcoholic fruit juices takes place at a charge or at no charge to the individual, and the retail sales of winery and cheese products, incidental wine-related non food items, products by the bottle, container, or case for off-premises consumption, and wine-related packaged food items are allowed as provided herein.

**4. Amend Section 5.4 to eliminate Use #49 (Distillery Tasting Rooms), Use #60 (Microbreweries/Distilleries regulated by Michigan Liquor Control Commission) Use #78 (Wine Tasting Room); create new Use #49 (Distillery and/or Brewery), Use #74 (Tasting Room); change permitting process for Use #79 (Winery); renumber the table as needed. Uses #49, #74, and #79 will read as follows:**

Applicable to Multiple Districts	A-R	R-1	R-2	R-3	MHP	M-C	NC	G-C	LI	SC	R-R
49. Distillery and/or Brewery	SUP						Psp	Psp	Psp		
74. Tasting Room	SUP						Psp	Psp	Psp		

- 5. Amend Section 5.5.K containing requirements for 'Temporary produce stands,' specifically to eliminate existing requirements 5 and 6 and then renumber subsequent requirements. The requirements that will be eliminated are:
  - 5. ~~Additional agricultural products may be sold at the produce stand provided it is grown or produced (e.g., honey, syrup, etc) in Elmwood Township.~~
  - 6. ~~Sale of craft items is limited to those produced on the property.~~
- 6. Amend Section 5.5 to create 5.5.N to contain requirements for Wineries, Distilleries, and Breweries. This new Section 5.5.N will read as follows:

N. Winery, Distillery, Brewery

- 1. **Intent.** It is the intent of this ordinance to allow construction of Breweries, Distilleries, and Wineries for beer, wine, spirits and other alcoholic beverages regulated by the Michigan Liquor Control Code of 1998, being Public Act 58 of 1998 [MCL 436.1101 et seq] (the "Code") ~~in zoning districts where such uses are authorized, on lands where, except as provided under subsection 2.e.iii below, the ingredients for such products are raised or grown.~~ Such facilities are permitted with or without tasting rooms (See Section 9.8.J).

Commented [P1]: Suggested by the Township Attorney on 9/18/24

The growing of wine fruit and production of wine, the growing of the ingredients for making beer and the growing of crops to be used in distilling spirits are recognized as an integral component of the rural and agricultural ambiance of the agricultural areas within Elmwood Township if regulated appropriately. The growing of these crops do not require Planning Commission review, but without site plan review, production facilities could industrialize the agricultural district. It is, therefore, the intent of this section to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing.

- 2. **Conditions.** Wineries, Distilleries, and Breweries may be permitted in accordance with Article 8 (Site Plan Review) and subject to the following conditions:
  - a. Every winery, brewery, and distillery, is subject to the development review requirements as provided in Article 8 (Site Plan Review) of this ordinance.
  - b. ~~Monthly retail sales of the beverages produced, in whole or in part, on the site are permitted along with retail sales of related products (i.e. branding merchandise for the facility). However, no tasting is permitted unless a permit for a Tasting Room is obtained onsite.~~
  - c. To ensure that production facilities within the A-R Zoning District do not industrialize the district, the following standards shall be met:
    - i. The parcel must be at least ten (10) acres.
    - ii. ~~The winery, distillery, or brewery~~ The crops grown in association with the winery, distillery, or brewery are ~~is operated according to generally accepted agricultural management principles and for~~

Commented [P2]: Corrects typo; recommended by the Commission

Commented [P3]: Suggested by the Township Attorney on 9/18/24

Commented [P4]: Removed based on Commission discussion

Commented [P5]: Suggested by the Township Attorney on 9/18/24

every winery, distillery, and brewery, the parcel shall have and maintain a minimum of five (5) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer. The parcel shall have and maintain ten (10) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling wholesale. For purposes of this section, 'mature crop' shall mean crops that are of an age where they can be harvested and used in the production of alcohol.

- iii. The growing of wine fruit, the growing of the ingredients for making beer, and the growing of crops to be used in distilling spirits can originate from any source (grown on the land or imported).
- iv. The total land area covered by buildings and structures used for the processing, storage and sales of wine, beer, and spirits may not exceed fifteen percent (15%) of the lot area. In order to encourage the reuse of historic buildings, the Planning Commission may consider a larger land cover percentage, while considering the impact of the use on neighboring properties. If the parcel contains a dwelling, the dwelling and the dwelling's associated accessory structures shall not be incorporated in this calculation. Any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.) shall not be incorporated in this calculation.
- d. All winery, brewery, or distillery structures and/or permitted outdoor tasting areas (if permitted shall be set back at least 100 feet from any lot line as well as any wetlands and/or any water's edge. This setback shall not apply to any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.).

**7. Amend Section 6.1.3, specifically to add minimum required parking spaces for Wineries, Distilleries, and Breweries to the existing table as follows:**

USE	MINIMUM NUMBER OF SPACES REQUIRED
Winery, Distillery, and/or Brewery	5 spaces plus 1 per employee on largest shift

**8. Remove Section 9.8.J (Requirements for Wine Tasting Rooms) and replace with a new Section 9.8.J (Requirements for Tasting Rooms for Wineries, Breweries, and Distilleries) to read as follows:**

**J. Tasting Rooms for Wineries, Breweries, and Distilleries**

The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting Rooms are permitted as accessory uses at permitted Wineries, Breweries and Distilleries or within other



zoning districts, as permitted provided that the proposed tasting room complies with the following requirements:

1. Every tasting room for a winery, brewery, and distillery within the Agricultural-Rural (A-R) Zoning District is subject to the development review and requirements for a winery, brewery and distillery as provided in Article 5.5.N of this ordinance.
2. The tasting area may be located inside or outside a building, but at no time shall the tasting area exceed 2,500 sq ft.
3. A tasting room and/or an authorized outdoor tasting area shall not be located closer than 100 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3).
4. If a tasting room is located within 500 feet from any lot line of ~~an adjacent~~ lot containing a dwelling or from any adjacent lot that is zoned residential (R-1, R-2, or R-3), then a fence or buffer, meeting the requirements of Section 6.4.4 of this Ordinance, shall be placed along the lot line of that adjacent lot to discourage trespass.
5. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different and more restrictive hours are more appropriate to meet the standards of Section 9.3.
6. Amplified sound (including amplified music) shall be contained indoors and shall not produce sound that because of its volume or frequency annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any reasonable person of normal sensitivities.
7. A Tasting Room ~~is not intended to be~~ ~~shall not be~~ a restaurant; restaurants are a use that is permitted in certain zoning districts. Therefore, a tasting room may offer limited food service provided:
  - a. Any retail sales and food service must be clearly accessory to the tasting room. This shall be evidenced by:
    - i. The area for serving food shall seat no more than twenty (20) patrons at one time.
    - ii. Monthly sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section.
    - iii. Food service items shall be limited to appetizers and small plates. Carry-in or carry-out foods are prohibited.
  - b. Any food service shall be licensed to prepare and serve food by the appropriate Health Agency.

Commented [P6]: Suggested by the Township Attorney on 9/18/24

Commented [P7]: Suggested by the Township Attorney on 9/18/24

**9. Remove Section 9.8.L (Requirements for Distillery Tasting Rooms) and replace as follows:**

**L. RESERVED**

**Section 2:** Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

**Section 3:** Effective Date.

This Ordinance shall become effective eight (8) days following publication.

Public Hearing: \_\_\_\_\_

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_



## Sarah Clarren

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**From:** Sarah Clarren  
**Sent:** Thursday, August 29, 2024 1:54 PM  
**Subject:** Upcoming 9/17 Planning Commission Meeting - Discussion on Proposed Text Amendment  
**Attachments:** 2024-09.17\_PC Agenda DRAFT.pdf; 2024-07.08\_2017-04-23\_CLEAN.pdf; 2024-07.08\_2017-04-23\_COMMENTS.pdf; 2024-07.08\_2017-04-23\_Redlined.pdf

Hello there!

I would like to invite you to the Planning Commission's 9/17 public meeting. At this meeting, the Planning Commission will be further discussing a proposed text amendment to align and reform alcohol regulations within the Township. The meeting will be held at Township Hall (10090 E Lincoln Rd, Traverse City, MI 49684) and discussion is anticipated to begin around 7pm.

As you may be aware, the Township has been going through the process of amending its Zoning Ordinance. The Township initiated (through Staff/ Planning Commission) proposed text amendment seeks to align and reform alcohol regulations within the Township. A major component of the proposed text is to shift certain regulations that currently exist for Wine Tasting Rooms and Distillery Tasting Rooms (which oddly have different requirements) to the production facility and to take efforts to tie an arguably industrial use to agriculture when the use is proposed in the Agricultural-Rural zoning district. In some instances, the text allows more flexibility to operators; tasting rooms can be up to 2,500sq ft (instead of 2,000sq ft) and can be indoor and/or outdoor.

After three months, including two public hearings before the Township Board, the Board has requested the text to go back to the Planning Commission for further discussion. The purpose of this discussion is to review any alleged issues on how the text will adversely impact operators.

The Planning Commission determined that this discussion will take place at their next regularly scheduled meeting—September 17<sup>th</sup>. I've attached our DRAFT agenda. As you'll see, discussion on the text amendment won't be the first item on the agenda; I anticipate discussion to begin at 7pm or later. Although it will not be a public hearing, our Chair has agreed to hold a public comment period specific to the matter just prior to the Commission discussing the text. Any interested member of the public is encouraged to give comment and specific comments on elements within the proposed text are encouraged. Public comment on the specific agenda item will be 4 minutes. If you believe there are issues with the text, I encourage you to be specific on those issues so the Commission can have a fruitful discussion and plot a path forward. That said, I will note that the definitions are proposed by the Township Attorney and any a modification of any dimensional provisions within the Ordinance may granted by the Zoning Board of Appeals when strict enforcement of the Ordinance would cause an undue hardship or practical difficulty owing to circumstances unique to the specific property or parcel.

If you are interested in discussing the text with me prior to the meeting, I would love to set something up. If you are unable to attend the meeting, but would like to submit comments, please email them to me or drop them off/mail them to 10090 E Lincoln Rd, Traverse City, MI 49684. Comments I receive prior to 9/10 will be provided to the Commission with their packet.

I look forward to receiving your input on the text,

Sarah

**Sarah Clarren** | Planner / Zoning Administrator | Elmwood Township | 231-946-0921 | [www.elmwoodmi.gov](http://www.elmwoodmi.gov) |

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The PDFs attached to this email are:

- 1) The DRAFT 9/17/24 Commission agenda.
- 2) The proposed text amendment. Note that a typo change will be proposed in section 5.5.N.2.b eliminate the word 'Monthly' so it reads "Retail sales of the beverages produced..."
- 3) 'Comments re: 2017-04-23.' This is a document I created on 8/7 for the second public hearing before the Township Board. It includes comments to compare proposed text to existing text in Ordinance. Comments are meant to *briefly summarize* changes from current regulations. This document is not meant as a replacement to the review of the proposed text to existing text and/or the proposed text on its own. This document is intended to more clearly show how the proposed text compares to the text within our current Ordinance.
- 4) Redlined version of ZO 2017-04-23 showing modifications from current Zoning Ordinance.

Rev. Section #	Proposed New Language	Reason
2.2, Definition of "Tasting Room"	Remove "A small wine maker, however, may only sell wine it bottled."	This is unnecessarily burdensome on small producers. Small producers often do not have bottling capabilities and collaborate with other local producers to cost effectively bottle their product. This section would prevent that. This section would also prevent the sale of products of other local vintners and producers, thus preventing collaboration and sharing of resources.
2.2, Definition of "Brewery", "Distillery", and "Winery"	Remove "grown and/or maintained"	This language doesn't match the state definition and will unnecessarily restrict the conduct of business by distillers. The intent of preventing industrialization of property and the rural character of the township are served and provided for by the lot and size restrictions found elsewhere.
5.5.N.1.	Remove "on lands where the ingredients for such products are raised or grown," Replace with "on lands being utilized for the farming of ingredients for the production of beer, wine, spirits and other alcoholic beverages."	The proposed language unnecessarily restricts the manner in which these businesses conduct and produce their products. The proposed revision is consistent with the Township's intent that these properties remain agricultural in nature without governing how a producer manufactures its products.
5.5.N.2.b.	Remove "produced on site" and replaced with "manufactured (as defined by MCLA 436.1109(1)), by the vintner, brewer and/or distiller..."	This language is again restrictive, inconsistent with how the industry operates and will inhibit collaboration between local producers. The economic reality of the business is that small producers often collaborate with other manufacturers in their production process to improve efficiency and save cost. For example, the use of another local producer's bottling machine, barrels or storage facilities. As written, the ordinance would inhibit the ability to do that. Indeed, the Michigan Liquor Control Act recognizes this practice in its definition of "manufacture" cited here. Making the ordinance consistent with the State Law resolves this issue.
5.5.N.2.c.ii.	Remove "mature"	"mature" is a vague term and it could take a producer several years to have "mature" crops, grapes as one example, limiting its ability to operate.
5.5.N.2.c.ii.	Remove "Ten (10) planted acres of mature crop that is used for the on-site production"	This language unnecessarily restricts business operation with the intent already accomplished by section 5.5.N.2.c.ii.. The minimum requirement of 5 planted acres ensures the agricultural nature of the property. However, the

	of alcohol for production facilities selling directly to the consumer is required for selling wholesale. For purposes of this section, "mature crop" shall mean crops that are of an age where they can be harvested and used in the production of alcohol."	additional restriction added by this language would prohibit a small grower and/or producer from selling their products, even to a local restaurant.
9.8.J.4	Replace "from a lot line of a lot containing" and at the end, "unless the lots are divided by a public road."	Landscape buffer requirements are established elsewhere in the ordinance when nonresidential and residential properties are immediately adjacent, indicating that this language is only applicable when another nonresidential lot exists between the tasting room and a residential property. A landscape buffer or fence is not necessary when both a public road and another adjacent lot separate the properties.
9.8.J.5	Hours of operation to run until 11 p.m.	10 pm would unnecessarily restrict a private event.
9.8.J.6	Remove "shall be contained indoors" add at the end of sentence "who is the owner of an abutting property."	Understood the intent is to protect neighbors from intrusive sound. However, outdoor music is a critical element of any service operation and/or private event and this language would limit them to be held indoors. There should be a medium by which appropriate music can be played without damaging neighboring property owners.
9.8.J.7.i. and iii.	Remove entire sections.	These restrictions are unnecessary and will complicate the operation of business. The intent is believed to be to ensure that the facility is not a restaurant or being used for a restaurant. This is accomplished by the restriction in section ii. These additional restrictions add complication to operational control in that they manage decisions and where patrons may eat within a larger allowable tasting room.

except

Planning Commission Minutes  
September 17, 2024  
Approved October 15, 2024

**Charter Township of Elmwood  
Planning Commission Regular Meeting  
Elmwood Township Hall (10090 E. Lincoln Rd)  
September 17, 2024 at 6:30 PM**

**A. Call to Order:** Chairman Bechtold called the meeting to order at 6:30 PM.

**B. Pledge of Allegiance:** The Chair led the Pledge of Allegiance.

**C. Roll Call: Present:** Chris Mikowski, Doug Roberts, Rick Bechtold, Jeff Aprill, Jonah Kuzma. Excused: Kendra Luta, Nate McDonald

**D. Limited Public Comment:** None

**E. Agenda Modifications/Approval:** *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE AGENDA AS PRINTED. MOTION PASSED 5-0.*

**F. Minutes-August 20, 2024:** *MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 20, 2024 AS PRESENTED. MOTION APPROVED UNANIMOUSLY.*

**Minutes-August 15, 2024:** *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 15, 2024 AS PRESENTED. MOTION CARRIED.*

**G. Consent Calendar: Approve/Receive and File**  
*MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER APRILL TO ACCEPT THE CONSENT CALENDAR FOR FILING. MOTION PASSED BY A UNANIMOUS VOTE.*

**H. Declaration of Conflict of Interest:** None

**I. Old Business:** None

**J. New Business**

- 1. Extension Request. SPR/SUP 2023-10-Request by Dusty Christensen regarding property at 10051 S. Lake Leelanau Dr. (Parcel 004-018-004-25) for an Agricultural Commercial Enterprise (Farm Market) and a Microbrewery (SPR) on a parcel containing "Farm Club". 1 year extension requested.**

Dusty Christensen with Mansfield Land Use Consultants gave a brief summary. He relayed that the SUP and site plan approval for the Farm Club project was approved by the Planning Commission last October and needs to be extended so it doesn't expire later this year. The public hearing scheduled for later is on a request for a modification to the approved plan. Once they obtain the approvals, they intend to make substantial construction progress in accordance with the Ordinance standards for special use permits.



**3. Public Comment specific to discussion topic followed by Commission Discussion. Additional discussion on Text amendment ZO 2017-04-23. Aligning and Reforming Alcohol regulations per Township Board's request.**

Chair Bechtold relayed that they will hold public comment specific to the agenda item for the proposed text amendment. Staff noted, that as previously agreed upon, this public comment portion is 4minutes for each speaker. Public Comment opened at 7:09pm.

Chris Frederickson, on behalf of his company Traverse City Whiskey at 9440 S. Center Hwy. The Planning Commission had previously approved language for a proposed Ordinance amendment that governs breweries, wineries, and distilleries in Elmwood Township, and they believe some of that language could be cleaned up a bit. During his last conversation with Staff and the other committee, he did mention they have been working with the Township for the last 6 years on this project, and they believe TC Whiskey is a business and a brand the community can be proud of, and they're proud to have Elmwood Township as their home. Some of the language they believe is discouraging for parts of their business and while they don't believe this updated language applies to them, they do believe after spending millions of dollars on planning, engineering, designing, and construction on the site, they believe the rules are designed to shift the path, the Commission has already approved their project, and the first part of this is him advocating for some type of extension for their project to identify with substantial construction. Also, some of the language for the proposed Ordinance amendment does not align with practical business applications. He's listed off about a dozen different language recommendations they as a business recommend for Elmwood Township to pave a clear path for breweries, wineries, and distilleries that are new businesses in the area. He provided the language updates and the rationale behind them, and they would appreciate the Commission's consideration.

No one else got up to speak; Public comment closed at 7:10 p.m.

Staff noted they received the comments after the packet went out. She was able to provide a copy of the proposed modifications from TC Whiskey to the Commission. She also has print outs available for anyone in attendance. She asked the Commission if they wanted to go through them item by item. She provided a brief overview of what has occurred on the text amendment. The Planning Commission did review and recommend approval of the text amendment as drafted to the Township Board. It's gone for introduction and 2 public hearings before the Board. At the last public hearing, there was a motion to approve the text as drafted but that motion failed, and the Board at that time then sent it back to the Planning Commission to review any allegations because at that public hearing, there were comments made that the text would be prohibitive, which is not the intent. The intent is to align and reform the regulations. She did send an invite for the meeting to all operators in the Township and in attendance is Jen [Taproot], John [Bay View Distillery], and Chris [TC Whiskey]. She said the Commission can discuss TC Whiskey's proposed modifications; this is the Commission's discussion. If they want to make any recommendations to the text, they can make those recommendations and send it back to the Board where it would go for

introduction before the Board and then a public hearing before the Board, or if Commission want more time with it, they can do that.

Commissioner Roberts commented on 5.5n2b, asking how would you get a permit obtaining it onsite. The sentence should read, "unless a permit for an onsite tasting room is obtained" and striking 'onsite.' The Commissioners discussed "produced" versus "manufactured" which Fredrickson proposes modifying in Section 5.5.N.2.b. The Commission didn't understand how it is prohibitive and the Chair recognized Fredrickson. Fredrickson said this definition sort of relates back to section 2.2, definition of a tasting room, so as an example, we made a recommendation to remove "a small wine maker however, may only sell wine it bottled". Fredrickson said that the definition for small wine makers is prohibitive as it says that a small wine maker can only sell wine it bottled, which is not the practice of small wineries. He gave an example of two wineries; one is bottling wine and the other is manufacturing wine. Who is producing the wine? Is it produced by the bottler or the manufacturer? What we're suggesting is to be consistent with the MLCC definition, so the winery is taking ownership of the manufacturing.

Aprill said that there are wineries who take their wine to Left Foot Charlie's to be bottled. Aprill said that I understand that complication, but we need to make sure that if we allow it in the Ag-district, that it's ag, that it's grown onsite. The intent is that there is crop that is grown to help the farmer be successful.

Commissioner Kuzma read aloud the proposed definition of a Wine Tasting Room which indicates that small wine makers can only sell wine it bottled. Staff said that she would not recommend this modification be made; as this comes directly from the state's definition of a tasting room which says that a small wine maker can only sell wine it bottled. The Commission determined the definition is sufficient as currently written.

The Chair recognized Mike Wittkop who compared the process to cherry harvesters.

The Commission discussed the Fredrickson's proposal to eliminate 'grown and maintained' within the definitions for brewery, distillery, and winery. Fredrickson was recognized and said that for any brewery, most wineries and distilleries, it would be impractical for a brewery to grow the amount of grain necessary to produce beer. As it's written, any upstart brewery couldn't start in Elmwood Township. Chair Bechtold said the intent is to ensure that something is grown onsite. Staff said that the words within the definition are grown and maintained. Grown is clear; maintained means kept onsite. In order to produce this product, you need agricultural products to be kept onsite. Commissioner Aprill agreed; we want to see agricultural crops growing on the property and then the brewing of beer. Staff said that the text also allows for these uses in the commercial and industrial districts without the planting requirement; planting requirement would come in if the use is in the ag-district. Commissioner Kuzma asked if they were state definitions, to which staff said no as the state defines wine maker, small wine maker, brewer, micro brewer, etc; the definitions in the proposed text came from the Township Attorney. The Commission determined not to move forward with the proposed change.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.1. Staff said that this is an intent section and later, within the proposed regulations, it does clearly indicate that crops can originate from any source—grown on the land or imported. The Township does not want to interfere with the market, so you can import what you need, however, if you want a production facility within the agricultural district, you need to have a minimum acreage of planted mature crops. Commissioner Aprill said the minimum acreage is very minimal. Fredrickson said that they produce a seltzer that is not defined as a beer, spirit, or wine, to which Commissioner Roberts said the definition of distiller encompasses that. Staff asked what it is made out of, to which Fredrickson said it is spirit based. The Commission felt that it would fall under what is in the text.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.2.c.ii. Staff said that they expressed concern over the vagueness of the term 'mature,' but within the same section, mature is defined. Commissioner Roberts asked, if TC Whiskey builds this facility, they can't go into production until they have a mature crop on site? Staff explained that any project that has been fully permitted and substantially completed can continue to operate under their approval. If they want to make modifications or amend their project, or if their permit has expired, and they reapply, they would need to comply with the text that is in effect at the time of approval by the Township. She also noted, any dimensional aspect where there is a hardship, there is a variance request that would go to the ZBA.

The Commission discussed Fredrickson's proposal to Section 5.5.N.2.c.ii. The Commission discussed 10 acres vs 5 acres of crops. Fredrickson was recognized and relayed that they want the text to be well written, but they are also concerned about TC Whiskey. He said that shifting from 5 to 10 acres of crops it will pose severe challenges to everything they've been working for, specifically for the topography reasons. Commissioner Aprill said that the text must work for the entire Township and added that they've done a lot of work onsite. Staff said that when strict enforcement of the Ordinance would cause an undue hardship or practical difficulty owing to circumstances unique to the specific property or parcel, there is a variance procedure through the Zoning Board of Appeals. Commissioner Aprill said that the route would be the ZBA and that he doesn't see them reducing the acreage. Staff said that 10 acres applies to selling wholesale. She added that concern had been raised by Fredrickson that "the additional restriction added by this language would prohibit a small grower and/or producer from selling their products, even to a local restaurant" and noted that under MLCC, under a Small Wine Maker license, Micro brewer license, and small distiller license, if they self-distribute under a certain threshold set by the state, they can do that under their license. She said that if the Commission wants to be clearer that is allowed, that modification can be made. The Commission said that if is within the state's license, that should be sufficient and is more practical from an enforcement standpoint.

The Commission discussed Fredrickson's proposed change to Section 9.8.J.4. Commissioner Roberts said the first point is well taken. Staff said that when the Township permitted Taproot, they had to require a fence because under the current ordinance, a fence does not

count as a buffer. Even though they had a very vegetated area, we couldn't let them use that vegetation; they had to install a fence. She said she thinks the proposed text is more lenient, as it lets the property chose a fence or chose a buffer that meets the requirements of the Ordinance, they have that option. The Commission said it allows more flexibility and determined no change was necessary.

The Commission discussed the proposed modification to allow hours of operation to extend to 11pm instead of the current 10pm. Chair Bechtold asked for confirmation on what the hours of operations are for special event facilitates, as he thought it was 10pm. Staff said yes, but on certain days of the week, they can go until 11. However, special events are limited to only 52 times a year, whereas a Tasting Room can operate 365 days a year. She relayed that she understands the Commission didn't want to reinvent the wheel with this ordinance, so the time was a carry-over from the current ordinance. She also noted that the Commission did receive public comment during the permitting process for an operator where they were opposed to the Commission allowing a tasting room to stay open until 10pm; in many municipalities tasting rooms close earlier. The Commission determined not to move forward with extending hours until 11pm.

The Commission reviewed Fredrickson's proposed modification to Section 9.8.J.6 to regarding amplified music and specifically to remove the text "'shall be contained indoors" add at the end of sentence "who is the owner of an abutting property." Staff said that amplified noise needing to be contained indoors is within the current Ordinance. Commissioner Roberts said they've discussed the text quite a few times. Staff said yes, the language "...shall not produce sound that because of its volume or frequency annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any reasonable person of normal sensitivities" has been provided by the Township Attorney. Commissioner Roberts added that language has been accepted by the courts. The Commission determined to leave the text as drafted.

The Commission discussed Fredrickson's proposed modification to Section 9.8.J.7i and iii which includes eliminating these sections as they believe the restrictions are unnecessary and will complicate the operation of businesses. Staff said that the area for serving food seating no more than twenty patrons at one time is from the current ordinance. Staff then said, generally speaking, the limiting food service items to small plates is the same as in the current ordinance for distillery tasting rooms, with the exception that carry-in foods would be prohibited under the proposed text. Carry-out foods are currently prohibited. Fredrickson said that in their line of business, it is critical that patrons have the ability to eat food. Currently, their operations include a food truck and they encourage carry-in. Commissioner Roberts said that is a good point.

Chair Bechtold recognized Jen Viren of Taproot. Viren said that she would like the Commission to look at the proposed percentage allowed of food sales, which is set at 10% of gross sales of licensed products. Chair Bechtold asked what Viren thought the ideal percentage would be that isn't 100%; Viren said that given insurance liability, in a restaurant, you want to exceed 50% of your sales to be food. She then said 50% of sales,

especially if in my case, I'd be promoting what I'm growing on the farm. If the percentage is small, we'd have to sell something that's cheap, that would likely be brought in. Chair Bechtold said that we don't want tasting rooms to slowly turn into restaurants. Chair Bechtold acknowledged that food costs have gone up and said that he could see 30% as being reasonable. Viren said that their goal is to grow their own proteins onsite, smoke them, and then offer them as a nibble in between tastings. ~~Commissioner Luta~~ Commissioner said that he agrees with Bechtold in it needed to be less than 50% as 50% is ideal for a restaurant. Viren said that if someone comes in for a cider flight that costs, say \$10 and they also want to get a small plate—it limits what they can serve. ~~Commissioner Luta~~ Commissioner said that it is intended to be accessory to the tasting room. Viren suggested that it could be something like packaged in-house or limited to appetizers; it should be about quality and not the price.

Staff said that limiting sale of food to 10% of gross sales of licensed products comes from the current Ordinance for Distillery Tasting Rooms, not wine tasting rooms, which don't have that requirement. She listed requirements of wine tasting rooms and noted that currently, the limitation regarding sales is "50% of the retail space and gross sales of a wine tasting room must be from product produced and grown on site as described in the Department of Agricultural Generally Accepted Agricultural Practices for Farm Markets." Chair Bechtold asked how one could confirm if that is being followed, to which staff said, the proposed text says "at the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section." Staff suggested clarifying that the percentage is specific to food service and increasing the percentage as determined by the Commission. She added that other municipalities also don't want the use to be a restaurant; they do packaged food. The Commissioners discussed the percentage of monthly sale of food not exceeding 10% of gross sales of licensed products. They decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%.

Commissioner Roberts said that he's struggling with limiting carry-in food. Commissioner Aprill said he is not—it's a tasting room, not a bar. Someone isn't going there to get drunk; that is not the intent. Taste the product and if you like it, buy it.

Frederickson was recognized by the Chair. He asked staff if there is another township box in the three uses together. He continued to say that he understands putting them together because it's clean and you're all going to be governed the same. He said that he has a higher cost product and a higher alcoholic product than others. He asked if there could be a different format, or could they create a grid or matrix that cleans up the rules so it's a practical application of the rules to the business. He said that planting requirements should be different. Chair Bechtold said that we're at a time where to continue there should be a motion. Staff said that the bylaws indicate that the required motion to continue with the meeting is specific to beginning discussion on new items.

Chair Bechtold said that he believes that the intent for the businesses that produce alcohol in area zoned agricultural, we want them to be in the same box so there is consistency. He

asked the Commission if they wanted to table and discuss individual needs of a winery, brewery, and distillery or if the Commission feels that what we've spent an awful lot of time discussing and building. Staff said that what she's heard time and time again from different applicants is questioning why does this apply to me and why does 'x person' fall under those regs; this unifies the regulations. She said that she'd be open to carry-in or increasing the percentage, but to have different planting requirements or different setbacks for a production facility and for tasting rooms—they are all similar uses and it is shocking that they all have different requirements. The Commission decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%. Commissioner Aprill said that if they serve bread, that's usually not part of food service sales. Chair Bechtold asked how the Commission felt about carry-in. Commissioner Aprill said that they can continue to debate that; Fredrickson said earlier that they use a food truck, which we don't allow. Commissioner Roberts said they can revisit that later if needed.

Chair Bechtold asked the Commission how they wanted to proceed. Commissioner Aprill asked if Staff and Commissioner Mikowski feel like the Commission has completed what has been asked of them by the Township Board. Commissioner Mikowski said that the Board wanted to give another opportunity for Fredrickson to voice concerns, which has been done and other operators have also had that opportunity. She said that she is glad they've gone through point by point and we've been able to answer and whittle it down; that's what the Board wanted. Commissioner Mikowski stressed that we always can look at our ordinances and if at some point down the line we need to make a change, we can. Staff agreed; she said that ordinances are always living documents.

*MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO RETURN THE TEXT AMENDMENT ZO 2017-04-23 TO THE ELMWOOD TOWNSHIP BOARD WITH THE NECESSARY MODIFICATIONS IDENTIFIED IN TONIGHT'S DISCUSSION. MOTION APPROVED 5-0.*

**K. Discussion on Zoning Ordinance:** Chairman Bechtold noted that our consultant has some availability and could look about our regulations for agricultural commercial enterprises. Staff added that in 2018 the definition was different and included many things value added for agriculture. That definition was modified, but that section does need some work. We have some money in our budget that we could utilize our consultant, which would be helpful as they have preliminary results from the survey from our Master Plan and will already be attending our November meeting to discuss chapters for the plan. She also noted that in the past, the Commission has been agreeable to examining the Ordinance specific to bed and breakfasts and bed and breakfast inns and aligning them with similar uses. She asked the Commission if they are agreeable on having the consultant prepare this information, to which a quorum of the Commission agreed.

**L. Comments from the Chair:** Chairman Bechtold thanked the Commissioners for their hard work and diligence in reviewing the materials and being well prepared.

**M. Comments from Planning Commissioners:** None



## Connie Preston

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**From:** Jeff Shaw  
**Sent:** Tuesday, November 05, 2024 4:19 PM  
**To:** Connie Preston  
**Subject:** FW: Information for Draft Permit - Elmwood Marina  
**Attachments:** Permit Application and Data Disclosure Form.docx

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**From:** Lycka, Joshua <Joshua.Lycka@jacobs.com>  
**Sent:** Tuesday, October 29, 2024 11:11 AM  
**To:** Harbor Master <harbormaster@elmwoodmi.gov>  
**Cc:** Huggard, Mark <Mark.Huggard@jacobs.com>; akrueger (akrueger@traversecitymi.gov) <akrueger@traversecitymi.gov>; Elizabeth Vogel <evogel@traversecitymi.gov>; Pippel, Justin <Justin.Pippel@jacobs.com>; Jeff Shaw <supervisor@elmwoodmi.gov>  
**Subject:** Information for Draft Permit - Elmwood Marina

Good morning Dan,

I am currently putting together the draft permit for the Marina, and I have run into some items that I need information on to incorporate into the permit. Some of these items may be covered in the permit application- did you receive the permit application I sent a couple weeks ago? I'm including a fresh attachment on this email in case it didn't go through.

Information to provide/Various Considerations:

- A map or print of the marina plumbing schedule to identify where inspection manholes are located, where various flows come in, and where it discharges to the Elmwood Township sewer main. (This will help us identify the monitoring point(s).)
- Dates of seasonal discharge, beginning and ending
- The permit will require a flow meter to be installed in order to measure the mass loadings to the system. Is this part of the current plan? The location of the flow meter will need to be aligned with the monitoring location. We can discuss this further to figure out the specifics.
  - o There will likely be a compliance schedule inserted in the permit that stipulates when the flow meter needs to be installed and up and running, unless it is installed prior to permit issuance.
- Once you decide on a specific grinder pump, I would like to see the Operation and Maintenance manual, as there may be "Best Management Practices" that need to be incorporated into the permit (i.e., the proper amount of water used to perform the grinding, what items are acceptable to be inserted, etc.)
- Do you have a forecasted installation date for the system once the green light is provided?
- I haven't gotten back the Mercury and TSS results from SOS yet. Let me know when you get them please.

Once this information comes in I will be better able to arrive at a draft permit, which we can review together and mark up as needed with comments/considerations.

Thanks!

Best regards,

Josh Lycka



**DATA DISCLOSURE FORM**

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*Application for Permit to Discharge Industrial Waste  
to the City of Traverse City's] Publicly Owned Treatment Works*

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1. Company Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

2. Address of Production or Manufacturing Facility (*if same as above, leave blank*)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_

3. Person to be contacted about this Application: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_

4. Person to be contacted in Case of an Emergency: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_

5. For Existing Businesses: *Circle One:*  
Is the building presently connected to the public sewer system?       Yes    No  
If yes, what is the sewer account number? \_\_\_\_\_  
If no, have you applied for a sewer hook up?       Yes    No

6. For New Businesses:  
Will you be occupying an existing vacant building such as in an industrial park?       Yes    No  
Have you applied for a building permit if a new facility will be constructed?       Yes    No  
Will you be connected to the public sewer system?       Yes    No

7. Does this company have an industrial waste discharge permit with the POTW or has it had one previously?       Yes    No  
If yes, Permit Number \_\_\_\_\_      Expiration Date \_\_\_\_\_

For City Use Only

Application # \_\_\_\_\_

Date Received \_\_\_\_\_

8. Describe the nature of the manufacturing process or commercial activities at this facility:

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9. Standard Industrial Classification Code Number(s) and Classification(s):

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10. Quantity of Water Consumption/Wastewater Generated:

Average Total monthly water consumption (gallons) \_\_\_\_\_

Average gallons of water consumed in product daily \_\_\_\_\_

**Types/Amounts of wastes generated by this facility** (*Check all that apply*)

Check Here	Type	Average Amount	Estimated	Measured
		gpd	gpd	gpd
	Domestic Wastes (restrooms, showers, etc)			
	Cooling water, non-contact			
	Boiler/tower blowdown			
	Cooling water, contact			
	Process (before treatment)			
	Process (after treatment)			
	Equipment/facility washdown			
	Air pollution control unit(s)			
	Storm water runoff to sewer			
	Other			
	<b>Total Wastewater Discharged =</b>			

**Wastes are Discharged to** (*Check all that apply*)

Check Here	Type	Average Amount	Estimated	Measured
		gpd	gpd	gpd
	Sanitary Sewer			
	Storm Sewer			
	Surface Water			
	Ground Water			
	Liquid Waste Hauler			
	Evaporation			
	Other			

Describe other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Other discharge or environmental permits (NPDES, MDEQ, etc., and identify number and expiration date of each:

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12. Wastewater Parameters and Concentrations / Measurements:

Parameter	Units	Concentration/Measurement
BOD <sub>5</sub>	mg/L	
TSS	mg/L	
pH	su	
Oil & Grease (FOG)	mg/L	
Temperature	°C	
Ammonia	mg/L	
TKN (Total Kiedahl Nitrogen)	mg/L	
Phosphorus Total	mg/L	
Arsenic	mg/L	
Cadmium	mg/L	
Chromium	mg/L	
Copper	mg/L	
Cyanide Total	mg/L	
Lead	mg/L	
Mercury	mg/L	
Nickel	mg/L	
Silver	mg/L	
Zinc	mg/L	

- *If you do not have/know amounts of chemicals listed above, you will need to have a sample of your wastewater analyzed by an EPA accredited laboratory.*
- *Please contact the Pretreatment Coordinator at 231-632-7544 for more information, on where/how to get the tests done.*

13. Attach a line drawing (schematic flow diagram) of each major activity in which wastewater is generated identifying the flow of materials and water from start to completed activity and showing all unit processes generating wastewater. Include plant process and waste line layouts and locations of floor drains and manholes. To determine your average daily volume and maximum daily volume of wastewater flow, you may have to read water meters, sewer meters, or make estimates of volumes that are not directly measurable. For those industries currently holding an Industrial Discharge Permit, you may only need to go back and review data provided to you by your pretreatment program coordinator. Include any existing or proposed pretreatment systems and locations and sizes of all existing and proposed connections to the POTW wastewater collection system. Also include details of present and/or proposed monitoring facilities.
  
14. Description of Products, Process Discharge, and Raw Materials. The following information must be completed for each product line. For completing this information, Attachment A is located at the back of this packet
  - \* Give a general description of products produced by type and amount. Please specify if produced seasonally.
  - \* Specify if process is batch, continuous, or both.
    - \* If both specify what percentage is batch, and what percentage is continuous.
    - \* If batch, specify the number of batches per 24 hour day.
  
15. List all principal materials regularly used in your facility that may be present in your wastewater discharge (such as cleaning agents, solvents, food processing waste, plating solutions, catalysts, milk wastes, ink, etc.). Identify chemical constituents, if known, or brand name. Attach Material Safety Data Sheets for each. Attachment B is provided for this, directly following Attachment A.
  
16. Describe hours of operation of plant and the number of employees per shift. Specify seasonal variances.

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**For City Use Only**

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17. Describe hours of operation of actual or proposed pretreatment facility. Specify discharge hours..

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18. Are your manufacturing or commercial operations subject to national pretreatment standards? *Check one:*  *Yes*  *No*

**Remarks:** \_\_\_\_\_

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19. Are the applicable National Categorical Pretreatment Standards and the Local Discharge Prohibitions and Limitations being met on a consistent basis? *Check one:*  *Yes*  *No*

**Remarks:** \_\_\_\_\_

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20. If applicable wastewater discharge limitations are not being met consistently, is additional pretreatment and/or alteration of current operation and maintenance required to meet the limitations? *Check one:*  Yes  No

**Remarks:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. Is there an Accidental Spill Prevention Plan prepared for this facility?  
*Check one:*  Yes  No

If so, attach to this application. If not, attach a chemical inventory list.

22. Name the laboratory your firm proposes to contract with for Self-Monitoring.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

23. Name the person(s) responsible for sampling, testing, and reporting to the Pretreatment Coordinator / POTW.

Name	Title	Phone	Ext.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

*\* If possible please include business cards with the completed application.*

24. If your facility employs processes in any of the industrial categories or business activities listed below and any of these processes generate wastewater or waste sludge (biosolids), place a check beside the category or business activity (*Check all that apply*)

**Industrial Categories**

- |   |  |
|---|--|
| <input type="checkbox"/> Aluminum Forming<br><input type="checkbox"/> Asbestos Manufacturing<br><input type="checkbox"/> Battery Manufacturing<br><input type="checkbox"/> Builder's Paper<br><input type="checkbox"/> Carbon Black<br><input type="checkbox"/> Cement Manufacturing<br><input type="checkbox"/> Coil Coating Copper Forming<br><input type="checkbox"/> Dairy Products Processing<br><input type="checkbox"/> Electrical/Electronic Components<br><input type="checkbox"/> Electroplating<br><input type="checkbox"/> Feedlots<br><input type="checkbox"/> Ferroalloy Manufacturing<br><input type="checkbox"/> Fertilizer Manufacturing<br><input type="checkbox"/> Fruits & Vegetables Processing<br><input type="checkbox"/> Glass Manufacturing<br><input type="checkbox"/> Grain Mills Manufacturing<br><input type="checkbox"/> Ink Formulating<br><input type="checkbox"/> Inorganic Chemicals<br><input type="checkbox"/> Iron & Steel Manufacturing<br><input type="checkbox"/> Leather Tanning & Finishing | <input type="checkbox"/> Meat Processing<br><input type="checkbox"/> Metal Finishing<br><input type="checkbox"/> Metal Molding & Casting<br><input type="checkbox"/> Nonferrous Metals Forming<br><input type="checkbox"/> Paint Formulating<br><input type="checkbox"/> Paving & Roofing (tars & asphalt)<br><input type="checkbox"/> Pesticides<br><input type="checkbox"/> Petroleum Refining<br><input type="checkbox"/> Pharmaceuticals<br><input type="checkbox"/> Phosphate Manufacturing<br><input type="checkbox"/> Plastics Molding/Forming<br><input type="checkbox"/> Porcelain Manufacturing<br><input type="checkbox"/> Pulp & Paper<br><input type="checkbox"/> Rubber Processing<br><input type="checkbox"/> Seafood Processing<br><input type="checkbox"/> Soaps/Detergents Manufacturing<br><input type="checkbox"/> Steam Electric<br><input type="checkbox"/> Sugar Processing<br><input type="checkbox"/> Textile Mills<br><input type="checkbox"/> Timber Products |
|---|--|

**Other Business Categories**

- |  |   |
|--|---|
| <input type="checkbox"/> Animal/Vegetable Fats/Oils Blending<br><input type="checkbox"/> Auto/Garage Repair<br><input type="checkbox"/> Beverage Bottler<br><input type="checkbox"/> Breads/Baked Goods Mfg.<br><input type="checkbox"/> Brewery/Winery<br><input type="checkbox"/> Car Wash/Transport Truck Wash<br><input type="checkbox"/> Explosives Manufacturing<br><input type="checkbox"/> Hospital/Health Care<br><input type="checkbox"/> Laundry/Dry Cleaning<br><input type="checkbox"/> Paint & Body Shop | <input type="checkbox"/> Pesticide Applicator<br><input type="checkbox"/> Photocopying<br><input type="checkbox"/> Photographic Development<br><input type="checkbox"/> Poultry Processing<br><input type="checkbox"/> Printing & Publishing<br><input type="checkbox"/> Radiator Shop<br><input type="checkbox"/> Rendering<br><input type="checkbox"/> Restaurant/Commercial Food Establishment<br><input type="checkbox"/> Slaughter/Meat Packing<br><input type="checkbox"/> Other Food/Edible Products Processor |
|--|---|

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25. Describe Pretreatment devices or processes used for treating wastewater or sludge (biosolids). *Check all that apply.*

**Pretreatment Devices/Processes**

Check Here	Pretreatment Device/Process	Description/Frequency of Maintenance
	Air Flootation	
	Biological Treatment	
	Centrifuge	
	Chemical Precipitation	
	Chlorination	
	Cyclone	
	Filtration	
	Flow Equalization	
	Grease or Oil Separation	
	Grit Removal	
	Ion Exchange	
	Neutralization/pH Correction	
	Ozonation	
	Rainwater Diversion or Storage	
	Reverse Osmosis	
	Screen	
	Sedimentation	
	Septic Tank	
	Solvent Separation	
	Sump	
	Other Chemical Treatment	
	Other Physical Treatment	
	Other	
	No Pretreatment Provided	

**Pretreatment – Pollution Prevention**

Check Here	Pollution Prevention	Description
	Water Conservation	
	Recycling	
	<ul style="list-style-type: none"> <li>• Water</li> </ul>	
	<ul style="list-style-type: none"> <li>• Product</li> </ul>	
	<ul style="list-style-type: none"> <li>• Oils/grease</li> </ul>	
	<ul style="list-style-type: none"> <li>• Packaging</li> </ul>	
	<ul style="list-style-type: none"> <li>• Other (specify)</li> </ul>	
	Other Types of Pollution Prevention	

Other remarks as needed to describe any of the above: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

26. If any wastewater analyses have been performed on the wastewater discharge(s) from your facilities, attach a copy of the most recent 6 months of data. Include the date of the sample collection and analysis, name of laboratory performing the analysis, and location(s) from which sample(s) were taken (attach sketches, plans, etc., as necessary).

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27. Are any liquid, solid, or hazardous wastes or sludge from this facility disposed of by means other than discharge to the POTW collection system?

Check one:  Yes  No

If Yes, these wastes may be best described as:

**Hazardous Wastes – Liquid, solid, sludge, biosolids**

Check Here	Pollution Prevention	Amount Used (approximate)
	Acids & Alkalies	
	Heavy Metal Sludges	
	Inks/Dyes	
	Non-petroleum Oil &/or Grease	
	Organic Compounds	
	Paints	
	Pesticides	
	Petroleum Oil &/or Grease	
	Plating Wastes	
	Pretreatment Sludges	
	Radiator Fluid Wastes	
	Solvents/Thinners	
	Other Hazardous Wastes (specify)	

For the above checked wastes, does your company practice

- On-site storage. Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* Options continued on next page.



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Off-site storage. Describe: \_\_\_\_\_

\_\_\_\_\_

On-site disposal. Describe: \_\_\_\_\_

\_\_\_\_\_

Off-site disposal. Describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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28. Priority Pollutant Information. Following review of your raw materials / chemicals list and your Material Safety Data Sheets, please indicate in the appropriate box by each listed chemical whether it is "Suspected to be absent", "Known to be absent", "Suspected to present", or "Known to be present" in your manufacturing or service activity or generated as by-product.

Item #	Chemical Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
1	ammonia				
2	asbestos (fibrous)				
3	cyanide (total)				
4	antimony (total)				
5	arsenic (total)				
6	beryllium (total)				
7	cadmium (total)				
8	chromium (total)				
9	copper (total)				
10	lead (total)				
11	mercury (total)				
12	nickel (total)				
13	selenium (total)				
14	silver (total)				
15	thallium (total)				
16	zinc (total)				
17	acenaphthene				
18	acenaphthylene				
19	acrolein				
20	acrylonitrile				
21	aldrin				
22	anthracene				
23	benzene				
24	enzidine				
25	benzo(a)anthracene				
26	benzo(a)pyrene				
27	benzo(a)fluoranthene				
28	benzo(g,h,i)perylene				
29	benzo(k)fluoranthene				
30	a-BHC (alpha)				
31	b-BHC (beta)				
32	d-BHC (delta)				
33	g-BHC (gamma)				
34	bis(2-chloroethyl)ether				
35	bis(2-chloroethoxy)methane				

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Item #	Chemical Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
36	bis(2-chloroixopropyl)ether				
37	bis(chloromethyl)ether				
38	bis(2-ethylhexyl)phthalate				
39	bromo dichloromethane				
40	bromo form				
41	bromomethane				
42	4-bromophenylphenyl ether				
43	butylbenzyl phthalate				
44	carbon tetrachloride				
45	chlordan				
46	4-chloro 3-methylphenol				
47	chlorobenzene				
48	chloroethane				
49	chloroform				
50	chloromethane				
51	2-chloronaphthalene				
52	2-chlorophenol				
53	2-chlorophenylphenyl ether				
54	chrysene				
55	4,4'-DDD				
56	4,4'-DDE				
57	4,4'-DDT				
58	dibenzo(a,h)anthracene				
59	dibromochloromethane				
60	1,2-dichlorobenzene				
61	1,3-dichlorobenzene				
62	1,4-dichlorobenzene				
63	3,3-dichlorobenzidine				
64	dichlorodifluoromethane				
65	1,1-dichloroethane				
66	1,2-dichloroethane				
67	1,1-dichloroethane				
68	trans-1,2-dichloroethene				
69	2,4-dichlorophenol				
70	1,2-dichloropropane				
71	(cis & trans) 1,3-dichloropropene				
72	dieldrin				
73	diethyl phthalate				
74	2,4-dimethylphenol				
75	dimethyl phthalate				
76	di-n-butyl phthalate				
77	di-n-octyl phthalate				
78	4,6-dinitro-2-methylphenol				
79	2,4-dinitrophenol				
80	2,4-dinitrotoluene				
81	2,6-dinitrotoluene				
82	1,2-diphenylhydrazine				
83	endosulfan I				
84	endosulfan II				
85	endosulfan sulfate				
86	endrin				
87	endrin aldehyde				
88	ethylbenzene				
89	fluoranthene				

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Item #	Chemical Compound	Suspected Absent	Known Absent	Suspected Present	Known Present
90	fluorene				
91	heptachlor epoxide				
92	hexachlorobenzene				
93	hexachlorobutadiene				
94	hexachlorocyclopentadiene				
95	hexachloroethane				
96	indeno (1,2,3-d) pyrene				
97	isophorone				
98	methylene chloride				
99	naphthalene				
100	nitrobenzene				
101	2-nitrophenol				
102	4-nitrophenol				
103	n-nitrosodimethylamine				
104	n-nitrosodipropylamine				
105	n-nitrosodiphenylamine				
106	PCB-1016				
107	PCB-1221				
108	PCB-1232				
109	PCB-1242				
110	PCB-1248				
111	PCB-1254				
112	PCB-1260				
113	pentachlorophenol				
114	phenanthrene				
115	phenol				
116	pyrene				
117	2,3,7,8-tetrachlorodibenzo-p-dioxin				
118	1,1,2,2-tetrachloroethane				
119	tetrachloroethane				
120	toluene				
121	toxaphene				
122	1,2,4-trichlorobenzene				
123	1,1,1-trichloroethane				
124	1,1,2-trichloroethane				
125	trichloroethene				
126	trichlorofluoromethane				
127	2,4,6-trichlorophenol				
128	vinyl chloride				

*\* For chemical compounds which are indicated to be “know present”, please attach a list with the item number, chemical compound, estimated usage (daily, weekly, annual, which ever. best fits), and loss to sewer.*

For City Use Only

Application # \_\_\_\_\_

Date Received \_\_\_\_\_

29. Please indicate the sections of this application that you wish to remain confidential and your basis for requesting confidentiality.

Check Here	Question #	Reason(s)
	1	
	2	
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	28	
	29	

30. This completed application is to be certified and signed by a qualified professional and reviewed and signed by an authorized representative of the Industrial User. An Authorized Representative is:
- A. If the user is a corporation:
    - 1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principle business function, or any other person who performs similar policy or decision-making functions for the corporation.
    - 2. The manager of one or more manufacturing, production, operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - B. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively;
  - C. If the user is a Federal, State, or Local Government facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee;
  - D. The individuals described in A. through C. above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

By signing this application, each signatory certifies to the following:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsibly for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations"*

Certified by: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_







**CHARTER TOWNSHIP OF ELMWOOD**

**RESOLUTION APPROVING THE RELINQUISHMENT OF JURISDICTION AND CONTROL OVER BREWERY CREEK DRAIN**

At a regular meeting of the Elmwood Charter Township Board, held in Leelanau County, State of Michigan on the \_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ a.m./p.m.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**WHEREAS**, the Brewery Creek Drain is a county drain pursuant to Public Act 40 of 1956, as amended (“Drain Code”), and wholly located within Elmwood Charter Township; and

**WHEREAS**, Section 395 of the Drain Code authorizes a Drain Commissioner to relinquish an existing drain to a county, township, city, village or authority in which all or the part of the drain and the area the drain or part of the drain services in wholly located, as long as there is no outstanding indebtedness or contract liability of the drainage district; and

**WHEREAS**, pursuant to Section 395 of the Drain Code, the Drain Commissioner has determined that the Drain should be relinquished to Elmwood Charter Township; and

**WHEREAS**, there is no outstanding indebtedness or contract liability of the Brewery Creek Drain Drainage District; and

**WHEREAS**, pursuant to Section 395(1)(c)(ii) of the Drain Code, for the relinquishment to become effective, the governing body of the township that is to accept jurisdiction and control of the drain must approve the relinquishment.

**NOW, THEREFORE BE IT RESOLVED THAT**, the Township Board does approve the relinquishment of the Brewery Creek Drain from the Leelanau County Drain Commissioner to Elmwood Charter Township and does accept jurisdiction and control of the Brewery Creek Drain.

**BE IT FURTHER RESOLVED** that the Clerk shall forward to the Leelanau County Drain Commissioner a copy of this Resolution for its approval of the relinquishment the Brewery Creek Drain.

**ELMWOOD CHARTER TOWNSHIP**

Dated: \_\_\_\_\_

By: Jeff Shaw  
Its: Supervisor

Yeas:  
Nays:  
Abstain:  
Absent:

**Resolution No.**

I, the undersigned, being duly qualified and acting Clerk of Elmwood Charter Township, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board for Elmwood Charter Township at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and that notice of said meeting was given in accordance with the Open Meetings Act.

\_\_\_\_\_  
Connie Preston, Clerk  
Elmwood Township

\_\_\_\_\_  
Date

**LEELANAU COUNTY DRAIN COMMISSIONER**

**ORDER TO RELINQUISH JURISDICTION AND CONTROL OVER BREWERY  
CREEK DRAIN TO ELMWOOD CHARTER TOWNSHIP**

**WHEREAS**, the Brewery Creek Drain is county drain pursuant to Public Act 40 of 1956, as amended ("Drain Code"), and wholly located within Elmwood Charter Township; and

**WHEREAS**, Section 395 of the Drain Code authorizes a Drain Commissioner to relinquish an existing drain to a county, township, city, village or authority in which all or the part of the drain and the area the drain or part of the drain services in wholly located, as long as there is no outstanding indebtedness or contract liability of the drainage district; and

**WHEREAS**, pursuant to Section 395 of the Drain Code, the Drain Commissioner has determined that the Drain should be relinquished to Elmwood Charter Township; and

**WHEREAS**, there is no outstanding indebtedness or contract liability of the Brewery Creek Drain Drainage District; and

**WHEREAS**, pursuant to Section 395(1)(c)(i) of the Drain Code, for the relinquishment to become effective, a majority of the members of the county board of commissioners must approve the relinquishment; and

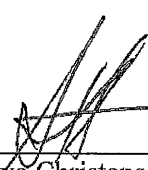
**WHEREAS**, pursuant to Section 395(1)(c)(ii) of the Drain Code, for the relinquishment to become effective, the governing body of the township that is to accept jurisdiction and control of the drain must approve the relinquishment.

**NOW, THEREFORE BE IT ORDERED THAT**, the Leelanau County Drain Commissioner does authorize the relinquishment of the Brewery Creek Drain to Elmwood Charter Township.

**BE IT FURTHER ORDERED** that the relinquishment of the Brewery Creek Drain shall not become effective until approved by resolution of the governing body of Elmwood Charter Township and the Leelanau County Board of Commissioners.

**BE IT FURTHER ORDERED** that upon relinquishment, the Drain Commissioner shall take all steps necessary to effectuate the same, including assigning all drain easements and/or rights-of-way, including drainage structures and related appurtenances to Elmwood Charter Township, executing all necessary contracts with the Elmwood Charter Township, and all other steps proscribed in Section 395 of the Drain Code.

Dated: 3/11/24

  
\_\_\_\_\_  
Steve Christensen  
Leelanau County Drain Commissioner

CHARTER TOWNSHIP OF ELMWOOD  
RESOLUTION #15 OF 2024  
BUDGET AMENDMENT RESOLUTION

At a regular meeting of the Board of the Charter Township of Elmwood, held in the Township Hall located at 10090 E. Lincoln Rd. Traverse City Michigan, on the 12<sup>th</sup> day of November, 2024 there were

PRESENT:  
EXCUSED:

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, a budget was adopted on December 11, 2023 to govern the receipts and expenditures of various Township funds for the next fiscal year of the Township, and

WHEREAS, as a result of unanticipated cost, it is necessary to modify the aforesaid budget and NOW THEREFORE BE IT RESOLVED, that the aforesaid budget be modified as follows:

Increase the following line item:

Increase line 101-751-703, wages, by \$32,000.00 to a total of \$62,000.00.

Increase line 101-751-714, FICA by \$2400.00 to a total of \$4710.00.

Increase line 101-751-740, operating supplies by \$4000.00 to a total of \$7700.00

Upon a roll call vote, the following voted:

YES:  
NO:

RESOLUTION DECLARED ADOPTED

\_\_\_\_\_  
Jeff Shaw, Supervisor

I, the undersigned, the Clerk of the Charter Township of Elmwood, Leelanau County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said municipality at its regular meeting held on November 12, 2024 relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: November 13, 2024

\_\_\_\_\_  
Connie Preston, Clerk

**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

PRELIMINARY

Date: 11/07/2024

Time: 4:39 pm

Page: 1

ELMWOOD TOWNSHIP

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
BECKETT & RAEDER	B017	PLANNING&ZONING SERVICES	0	00/00/0000	<b>24,636.70</b>
				Vendor Total:	<b>24,636.70</b>
CONSUMERS ENERGY	C040	ACCT#1000 2914 1304	0	00/00/0000	<b>2,993.90</b>
				Vendor Total:	<b>2,993.90</b>
EPS SECURITY	E050	CUST#3014247002	0	00/00/0000	<b>120.00</b>
				Vendor Total:	<b>120.00</b>
GRAND TRAVERSE COUNTY DPW	G040	ACCT#4003411	0	00/00/0000	<b>352.50</b>
				Vendor Total:	<b>352.50</b>
GRAND TRAVERSE COUNTY	G200	ID 100040 GREIL WATER	0	00/00/0000	<b>19,634.39</b>
				Vendor Total:	<b>19,634.39</b>
GRAND TRAVERSE REFRIGERATI	G061	FREEZER SHUT DOWN/FISH STATION	0	00/00/0000	<b>200.00</b>
				Vendor Total:	<b>200.00</b>
GREAT LAKES RECREATION CO, L	G078	PLAY EQUIPMENT	0	00/00/0000	<b>11,313.50</b>
				Vendor Total:	<b>11,313.50</b>
THE HOME CITY ICE COMPANY	H035	CUST#8401000488	0	00/00/0000	<b>219.69</b>
				Vendor Total:	<b>219.69</b>
HOUSING NORTH	H036	HOUSING SUMMIT REGISTRATION	0	00/00/0000	<b>220.00</b>
				Vendor Total:	<b>220.00</b>
INTEGRITY BUSINESS SOLUTIONS	I047	ACCT#941496	0	00/00/0000	<b>48.29</b>
				Vendor Total:	<b>48.29</b>
KCI	K016	POSTAGE FOR TAX BILLS	0	00/00/0000	<b>1,050.76</b>
				Vendor Total:	<b>1,050.76</b>
KSS ENTERPRISES	K014	ACCT ELMWO110/FIRE DEPT CLEANI	0	00/00/0000	<b>231.66</b>
				Vendor Total:	<b>231.66</b>
ARIC KUESTER	01180	DIRT REMOVAL	0	00/00/0000	<b>725.00</b>
				Vendor Total:	<b>725.00</b>
LEELANAU COUNTY LAND BANK A	L032	ADMIN FEE FOR BREWERY CREEK	0	00/00/0000	<b>2,312.68</b>
				Vendor Total:	<b>2,312.68</b>
LEELANAU ENTERPRISE & TRIBUN	L020	ADV 676	0	00/00/0000	<b>109.40</b>
				Vendor Total:	<b>109.40</b>
LOWES	L142	ACCT ENDING 8083	0	00/00/0000	<b>738.68</b>
				Vendor Total:	<b>738.68</b>
MFCI	M027	FINANCIAL ADVISORY FEE/BONDS	0	00/00/0000	<b>26,829.00</b>
				Vendor Total:	<b>26,829.00</b>
NETLINK	M185	monthly services	0	00/00/0000	<b>335.50</b>
				Vendor Total:	<b>335.50</b>
PITNEY BOWES INC	P150	ACCT#0012923889	0	00/00/0000	<b>132.79</b>
				Vendor Total:	<b>132.79</b>
PURCHASE POWER	P048	ACCT#8000-9090-1160-6071	0	00/00/0000	<b>914.68</b>
				Vendor Total:	<b>914.68</b>
SMITH & JOHNSON, ATTORNEYS,	S034	SETTLEMENT ENFORCEMENT	0	00/00/0000	<b>1,020.00</b>
				Vendor Total:	<b>1,020.00</b>
JEAN SNOOK	S150	MILEAGE EXPENSE	0	00/00/0000	<b>20.77</b>
				Vendor Total:	<b>20.77</b>
SOS ANALYTICAL	S058	MERCURY TESTING	0	00/00/0000	<b>190.00</b>
				Vendor Total:	<b>190.00</b>
STATE OF MICHIGAN	S140	CUST ID 586268/PAVILION WATER	0	00/00/0000	<b>137.42</b>
				Vendor Total:	<b>137.42</b>
STEVEN H. SCHWARTZ & ASSOC F	S076	LABOR ATTORNEY	0	00/00/0000	<b>42.50</b>

**INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR**

PRELIMINARY

Date: 11/07/2024

Time: 4:39 pm

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ELMWOOD TOWNSHIP

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
				Vendor Total:	<b>42.50</b>
TRAVERSE CITY LIGHT & POWER	C093	ACCT#00174230-5	0	00/00/0000	<b>25.56</b>
				Vendor Total:	<b>25.56</b>
VERIZON WIRELESS	V014	ACCT#682962913-00001	0	00/00/0000	<b>40.01</b>
				Vendor Total:	<b>40.01</b>
VISIBLE DIFFERENCE BLDG. MAIN	V002		0	00/00/0000	<b>300.00</b>
				Vendor Total:	<b>300.00</b>
WADE TRIM	W107	MARINA PHASE III ENG. & INSPEC	0	00/00/0000	<b>11,417.65</b>
				Vendor Total:	<b>11,417.65</b>
WELLS FARGO VENDOR FINANCIA	W027	CONTRACT 450-0093930-000	0	00/00/0000	<b>90.71</b>
				Vendor Total:	<b>90.71</b>
YOUNG, GRAHAM, & WENDLING P	Y002	MISC LEGAL	0	00/00/0000	<b>2,276.01</b>
				Vendor Total:	<b>2,276.01</b>
				Grand Total:	<b>108,679.75</b>
				Less Credit Memos:	<b>0.00</b>
				Net Total:	<b>108,679.75</b>
				Less Hand Check Total:	<b>0.00</b>
				Outstanding Invoice Total :	<b>108,679.75</b>
	<b>Total Invoices:</b>	<b>49</b>			