

**CHARTER TOWNSHIP OF GARFIELD**  
**TOWN BOARD MEETING**  
**October 24, 2023**

Supervisor Chuck Korn called the Town Board Meeting to order at the Garfield Township Hall on October 24, 2023 at 6:00p.m.

**Pledge of Allegiance**

**Roll Call of Board Members**

Present: Molly Agostinelli, Chris Barsheff, Chuck Korn Chloe Macomber and Denise Schmuckal

Absent and Excused: Steve Duell and Lanie McManus

Staff Present: John Sych, Planning Director

**1. Public Comment (6:01)**

None

**2. Review and Approval of the Agenda - Conflict of Interest (6:01)**

*Schmuckal moved and Barsheff seconded to approve the agenda as presented.*

*Yeas: Schmuckal, Barsheff, Agostinelli, Macomber, Korn*

*Nays: None*

**3. Consent Calendar (6:04)**

**a. Minutes**

October 10, 2023 Regular Meeting  
(Recommend Approval)

**b. Bills**

(i)	General Fund	\$42,504.31
	(Recommend Approval)	

**c. Introduction of Durga R-3 rezoning and schedule public hearing for November 14, 2023  
(Recommend Approval)**

**d. Highlighted list of Board appointments expiring December 31, 2023  
(Receive and File)**

*Agostinelli moved and Schmuckal seconded to adopt the Consent Calendar as presented.*

*Yeas: Agostinelli, Schmuckal, Barsheff, Macomber, Korn*

*Nays: None*

4. **Items Removed from the Consent Calendar** (6:03)  
None
5. **Correspondence** (6:03)
  - a. **Letter from Arlene R. Nelson and Kevin W. Nelson regarding Jefferson Avenue Improvement Special Assessment District**
6. **Reports**
  - a. **MMR Report**  
Written report included in packets
  - b. **GT County Commissioner's Report (6:04)**  
Commissioner Lauren Flynn gave an update on the proposed mental health center and said it was going according to schedule. She attended a Road Commission think tank and attended the first Coffee with Commissioners event that was held at Garfield Township. She added that county strategic planning continues.
  - c. **GT County Road Commission Report (6:05)**  
Road Commissioner Alan Leman stated that the new signals and traffic flows at the US 31 and South Airport intersection was going well. The Road Commission is looking forward much further than ever before and an Interim Manager was named. Plow trucks are being readied for the season and property has been cleared for a new road commission facility.
  - d. **Treasurer's Report (6:10)**  
Macomber reported on tax collection and gave an update on current revenues and expenses.
  - e. **Supervisor's Report (6:11)**  
Supervisor Korn stated that he attended the first MPO Tech Committee and they were getting organized and making decisions about how to move forward. The Metro Board worked a timeline for hiring a new fire chief and he also attended a Grand Traverse Road Commission meeting.
7. **Unfinished Business**
  - a. **Public Hearing – Consideration of Creating Jefferson Ave. Road Special Assessment District and Order of Preparation of Special Assessment Roll – Resolution 2023-26-T(a) (6:15)**  
Supervisor Korn opened the Public Hearing at 6:16pm.  
Tim Wade and Ingrid Wicksall commented on the proposed SAD.  
The public hearing was closed at 6:23pm.

*Schmuckal moved and Agostinelli seconded to create the Jefferson Ave. Special Assessment District and Order of Preparation of Special Assessment Roll and adopt Resolution 2023-26-T(a).*

*Yeas: Schmuckal, Agostinelli, Barsheff, Macomber, Korn  
Nays: None*

- b. Consideration of final draft of ARPA funds allocation (6:26)**  
Board members discussed and asked questions about the proposed ARPA fund allocations.

*Schmuckal moved and Barsheff seconded to adopt the ARPA Funds Allocations as presented.*

*Yeas: Schmuckal, Barsheff, Macomber, Agostinelli, Korn  
Nays: None*

**8. New Business**

- a. Consideration of Change Order No. 1 from Environmental Consulting and Technology, Inc. for Commons Natural Area Wetland Delineation and Report (6:32)**

Board members discussed the request for the extra funds and wanted an explanation from Environmental Consulting and Technology, Inc. Action on this item was deferred until the next meeting.

- b. Consideration of Resolution 2023-30-T in opposition to legislation preempting local control for siting and permitting of utility-scale renewable facilities (6:35)**

*Agostinelli moved to approve Resolution 2023-30-T in opposition to legislation preempting local control for siting and permitting of utility-scale renewable facilities. Barsheff seconded the motion.*

*Yeas: Agostinelli, Barsheff, Schmuckal, Macomber, Korn  
Nays: None*

- c. Consideration of Nominating the Traverse City Curling Club for an Outstanding Development Award (6:39)**

*Barsheff moved and Agostinelli seconded to nominate the Traverse City Curling Club for an Outstanding Development Award.*

*Yeas: Barsheff, Agostinelli, Macomber, Schmuckal, Korn  
Nays: None*

**9. Public Comment: (6:39)**

None

**10. Other Business (6:40)**

Schmuckal inquired about the Ridgeview SAD.

Agostinelli commented on paint on the arm of traffic lights near Franke Road.  
She added that the sign at the township hall also needed some paint.

**11. Adjournment**

*Korn adjourned the meeting at 6:43pm.*



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Chuck Korn, Supervisor  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49686



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Lanie McManus, Clerk  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49686

**CHARTER TOWNSHIP OF GARFIELD  
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION #2023-26-T(a)**

**RESOLUTION TO CREATE JEFFERSON AVE ROAD  
SPECIAL ASSESSMENT DISTRICT AND  
ORDER PREPARATION OF SPECIAL ASSESSMENT ROLL**

WHEREAS, the Township Board of the Charter Township of Garfield received Petitions signed by more than 50 percent of the total area of the proposed special assessment district described hereinafter, and accordingly, determined to proceed under the provisions of PA 188 of 1954, as amended, to secure plans and estimates of costs together with a proposed special assessment district for assessing the costs an approved method of Jefferson Ave (from Fulton St to West end of roadway) and to schedule a public hearing upon the same for this date, and

WHEREAS, the plans, estimates of cost and proposed special assessment district were filed with the township clerk for public examination and notice of the within hearing upon the same was published and mailed in accordance with the law and statute provided as shown by affidavits pertaining thereto on file with the township clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled and held on this, the 24<sup>th</sup> day of October, 2023, commencing at 6:00 p.m., and all persons were given the opportunity to be heard in the matter, and

WHEREAS, as a result of the foregoing, the township board believes the project to be in the best interests of the township and of the district proposed to be established therefore;

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That this Township Board does hereby determine that creation of the Jefferson Ave Road District is necessary for the health and welfare of those doing business within the project area.
2. That this Township Board does hereby approve the plans for the road improvements as prepared and presented by the Grand Traverse County Road Commission's registered engineer and his/her estimate of costs for the completion thereof, plus the Township's cost of administration, of **\$294,200**.
3. That this Township Board does hereby create, determine and define a special assessment district to be known as Jefferson Ave Road Special Assessment District within which the costs of such improvements shall be assessed according to benefits, the following described area within said township:

Part of the Northwest quarter of the Southwest quarter of Section 4, and part of the Southeast quarter of fractional Section 5, Town 27 North, Range 11 West; commencing at the East Quarter corner of said fractional Section 5, also being the centerline of Randolph Street; thence West along said street centerline 653.41 feet; thence South 1320 feet, more or less, to the South line of the Northeast quarter of said Southeast quarter; thence East 653.41 feet to the section line; thence North 83 degrees 57 minutes

01 seconds East along the South boundary of Supervisors Plat along said section line to the North right-of-way line of Jefferson Avg, 1097.15 feet; thence South 00 degrees 30 minutes 35 seconds West, 616.09 feet; thence East 50 feet; thence North 89 degrees 59 minutes 35 seconds East, 31 feet, to the North right-of-way line of West Front Street; thence North 47 degrees 27 minutes 57 seconds East along said North right-of-way line, 907.61 feet; thence South 88 degrees 05 minutes West, 260.5 feet; thence North 00 degrees 10 minutes West, 127.77 feet to the North line of Lot 4, Supervisors Plat; thence Northeasterly along said North line 330 feet; thence South along the East line of Lot 4, Supervisors Plat, 101.2 feet to the North right-of-way line of West Front Street; thence Northeasterly along said North right-of-way line, 602.5 feet to the City limits of the City of Traverse City; thence Northerly along the City limits line the following courses: North 28 degrees 50 minutes 27 seconds, West, 128.24 feet; thence North 53 degrees 07 minutes East, 49.21 feet; thence North 357.13 feet to the South right-of-way line of Jefferson Ave; thence along said right-of-way line North 77 degrees 44 minutes East, 141.6 feet; thence Northwest along the City of Traverse City limits line to the North right-of-way of Jefferson Ave; thence Southwesterly along said North right-of-way line to the Southeast corner of Lot 16, Supervisors Plat; said Southeast corner also being the Southwest corner of Lot 1, Cambridge Woods; thence North along the East line of Lot 16, Supervisors Plat, 265.43 feet; thence North 89 degrees 03 minutes West, 238.2 feet; thence South 85 degrees 52 minutes 30 seconds East, 413.06 feet; thence South 00 degrees 26 minutes 37 seconds East, 19.98 feet; thence South 84 degrees 20 minutes 51 seconds West, 679.19 feet; thence North 17 degrees 53 minutes West, 247.45 feet to the South right-of-way line of Randolph Street; thence Southwest along the following two courses: South 84 degrees 05 minutes 53 seconds West, 261.13 feet; thence South 83 degrees 48 minutes East, 365.5 feet to the West line of Section 4; thence North 33 feet to the center of the Randolph Street right-of-way to the point of beginning.

4. That the Grand Traverse County Road Commission has committed to paying for the total cost of the construction engineering (\$58,850), and the Township Board, in an effort to encourage this type of citizen involvement, has committed to paying for one-quarter of the total cost (\$73,600) of the improvement. Therefore, the estimated cost to the property owners will be \$161,750 – or an average of \$7,352.27, for each of the 22 owners.
5. That on the basis of the foregoing, this Township Board does hereby direct the supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land which amount shall be the relative portion of the whole sum to be levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the supervisor or assessing officer shall affix thereto his/her certificate a statement that it was made pursuant to this resolution and that in making such assessment roll, he/she has, according to his/her best judgment, conformed in all respects to the directions contained in this resolution and the applicable state statutes.
6. That all resolutions and parts of resolutions insofar as they conflict with the provision of the within resolutions be and the same are hereby rescinded.

Moved: Denise Schmuckal

Supported: Molly Agostinelli

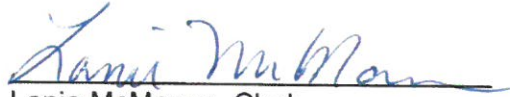
Ayes: Schmuckal, Agostinelli, Barsheff, Macomber, Korn

Nays: None

Absent and Excused: Steve Duell and Lanie McManus

RESOLUTION 2023-26-T(a) DECLARED

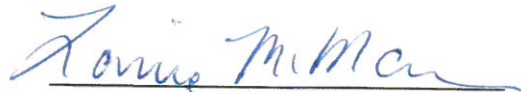
By:

  
Lanie McManus, Clerk  
Charter Township of Garfield

**CERTIFICATE**

I, Lanie McManus, Clerk of the Charter Township of Garfield, do hereby certify that the above is a true and correct copy of a Resolution which was adopted by the Township Board of the Charter Township of Garfield on the 24<sup>th</sup> day of October, 2023.

Dated: 10-25-2023

  
Lanie McManus, Clerk

**CHARTER TOWNSHIP OF GARFIELD  
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION # 2023-30-T**

**OPPOSITION TO LEGISLATION TO PREEMPT LOCAL CONTROL FOR THE SITING AND PERMITTING OF UTILITY-SCALE RENEWABLE FACILITIES INCLUDING SOLAR, WIND AND LARGE-SCALE BATTERY STORAGE FACILITIES**

**WHEREAS**, Executive Directive 2020-10 proposes to achieve 100% carbon neutrality in the state by 2050; and

**WHEREAS**, to meet the energy goals and to expand renewable energy projects in Michigan, Gov. Whitmer has proposed the Michigan Public Service Commission be the sole authority for the siting and permitting of utility-scale renewable projects, allowing these projects to be expedited; and

**WHEREAS**, by transferring this sole authority to the Michigan Public Service Commission, local authority will be preempted; and

**WHEREAS**, a township would be unable to determine the number, location, size, setback requirements, site plan approval, fire protection and emergency plan, volume levels, construction traffic routes, decommissioning plan or any other criteria for such solar, wind or large-scale battery facilities; and

**WHEREAS**, a township ordinance, rule, policy or requirement currently in place for solar, wind and large-scale solar facilities would be null and void; and

**WHEREAS**, all other energy facilities regulated by Michigan Public Service Commission must adhere to local zoning requirements; and

**WHEREAS**, the Michigan Townships Association opposes legislation that eliminates local government authority on the siting and permitting of said facilities that will be located in those communities for 20-50 years;

**NOW, THEREFORE, BE IT RESOLVED** that Garfield Township opposes legislation that would preempt local control in the siting and permitting of large-scale renewable energy facilities including solar, wind and large-scale battery storage facilities.

Moved: Molly Agostinelli

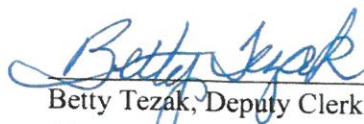
Supported: Chris Barsheff

Ayes: Agostinelli, Barsheff, Macomber, Schmuckal, Korn

Nays: None

Absent and Excused: Steve Duell and Lanie McManus

By:

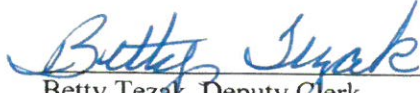


Betty Tezak, Deputy Clerk  
Charter Township of Garfield

### CERTIFICATE

I, Betty Tezak, Deputy Clerk of the Charter Township of Garfield, do hereby certify that the above is a true and correct copy of Resolution #2023-30-T which was adopted by the Township Board of the Charter Township of Garfield on the 24th day of October, 2023.

Dated: 10-25-2023

  
Betty Tezak, Deputy Clerk  
Charter Township of Garfield



# Charter Township of Garfield

## Grand Traverse County

3848 VETERANS DRIVE  
TRAVERSE CITY, MICHIGAN 49684  
PH: (231) 941-1620 • FAX: (231) 941-1588

October 25, 2023

The Honorable Betsy Coffia (BetsyCoffia@house.mi.gov)  
Michigan House of Representatives  
P.O. Box 30014  
Lansing, MI 48909-7514

**RE: House Bills 5120, 5121, 5122, and 5123**

Dear Representative Coffia:

On behalf of the Charter Township of Garfield Board of Trustees, I would like to express our unanimous Township Board opposition to House Bills 5120, 5121, 5122, and 5123 which strip local authority and oversight of utility-scale wind and solar facilities.

Please see the attached resolution passed by the Board at its meeting on October 24, 2023.

Respectfully submitted,

Chuck Korn  
Township Supervisor  
Email: ckorn@garfield-twp.com

cc: Representative John Roth (JohnRoth@house.mi.gov)



# Charter Township of Garfield

## Grand Traverse County

3848 VETERANS DRIVE  
TRAVERSE CITY, MICHIGAN 49684  
PH: (231) 941-1620 • FAX: (231) 941-1588

October 25, 2023

The Honorable John Damoose (senjdamoose@senate.michigan.gov)  
P.O. Box 30036  
Lansing, MI 48909-7536

**RE: Senate Bills 585, 586, 587, and 588**

Dear Senator Damoose:

On behalf of the Charter Township of Garfield Board of Trustees, I would like to express our unanimous Township Board opposition to Senate Bills 585, 586, 587, and 588 which strip local authority and oversight of utility-scale wind and solar facilities.

Please see the attached resolution passed by the Board at its meeting on October 24, 2023.

Respectfully submitted,

Chuck Korn  
Township Supervisor  
Email: ckorn@garfield-twp.com