

# CHARTER TOWNSHIP OF GARFIELD

## TOWNSHIP BOARD MEETING

Tuesday, January 28, 2025 at 6:00pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684  
Ph: (231) 941-1620

### AGENDA

#### **ORDER OF BUSINESS**

**Call meeting to order**

**Pledge of Allegiance**

**Roll call of Board Members**

#### **1. Public Comment**

##### **Public Comment Guidelines:**

Any person shall be permitted to address a meeting of The Township Board, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended. (MCLA 15.261, et.seq.) Public Comment shall be carried out in accordance with the following Board Rules and Procedures: a.) any person wishing to address the Board is requested to state his or her name and address. b.) No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Township Board Member's questions. Where constrained by available time the Chairperson may limit the amount of time each person will be allowed to speak to (3) minutes. 1.) The Chairperson may at his or her own discretion, extend the amount of time any person is allowed to speak. 2.) Whenever a Group wishes to address a Committee, the Chairperson may require that the Group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak when constrained by available time.

#### **2. Review and approval of the Agenda - Conflict of Interest**

#### **3. Consent Calendar**

The purpose of the Consent calendar is to expedite business by grouping non-controversial items together to be dealt with in one Board motion without discussion. Any member of the Board, staff or the public may ask that any item on the Consent Calendar be removed there from and placed elsewhere on the Agenda for full discussion. Such requests will be automatically respected. If any item is not removed from the Consent Calendar, the action noted in parentheses on the Agenda is approved by a single Board action adopting the Consent Calendar.

a. Minutes – January 14, 2025 (Recommend Approval)

b. Bills -

(i) General Fund	\$59,252.88
(Recommend Approval)	

(ii) Gourdie-Fraser

Developer's Escrow Fund – Storm Water Reviews, Sidewalk Assessment,	
Utility Plan Review, Oversight & Closeout	\$ 5,195.00

General Utilities	11,633.00
-------------------	-----------

General	5,732.50
---------	----------

Park Funds / DNR Trust Fund	7,030.00
-----------------------------	----------

Total	\$29,590.50
-------	-------------

(Recommend Approval)

- c. Consideration of Birmley Meadows – Sanitary Sewer and Water Main Extension Close-out and Turnover Documents (Recommend Approval)
  - d. Consideration of Change Order No. 1 from Molon Excavating Inc. for Copper Ridge Trailhead (Recommend Approval)
  - e. Consideration of Contractor's Application for Payment No. 1 from Molon Excavating, Inc. for Copper Ridge Trailhead (Recommend Approval)
  - f. Planning Commission Annual Report for 2024 (Receive and File)
4. **Items removed from the Consent Calendar**
5. **Correspondence**
- a. Letter from Art Krueger regarding Fox Run Water System Extension
6. **Reports**
- a. Engineering Report / Construction Update
  - b. County Commissioner's Report
  - c. Township Manager's Report
  - d. Supervisor's Report
  - e. Cherry Capital Airport Presentation
7. **Unfinished Business**
8. **New Business**
- a. Consideration of Resolution 2025-03-T, Soil Erosion and Sedimentation Control Fee Schedule
  - b. Consideration of purchasing tablets for the Township Board Trustees
9. **Public Comment**
10. **Other Business**
11. **Adjournment**

Lanie McManus, Clerk

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

**CHARTER TOWNSHIP OF GARFIELD**  
**TOWN BOARD MEETING**  
**January 14, 2025**

Supervisor McManus called the Town Board Meeting to order at the Garfield Township Hall on January 14, 2025 at 6:00p.m.

**Pledge of Allegiance**

**Roll Call of Board Members**

Present: Molly Agostinelli, Chuck Korn, Laurie Lapp, Chloe Macomber, Joe McManus, Lanie McManus and Denise Schmuckal

Also in Attendance: Township Manager Chris Barsheff

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

None

**2. Review and Approval of the Agenda - Conflict of Interest (6:02)**

Supervisor McManus asked to add agenda item f1, Grand Traverse County Road Commission Report.

Manager Barsheff asked to add agenda item 7e. MDOT Traffic Light Replacements.

*Schmuckal moved and Agostinelli seconded to approve the agenda as amended.*

*Yeas: Schmuckal, Agostinelli, Lapp, Macomber, L. McManus, Korn, J. McManus*  
*Nays: None*

**3. Consent Calendar (6:03)**

**a. Minutes**

December 5 and 9, 2024 Special Meetings  
 December 10, 2024 Regular Meeting  
 (Recommend Approval)

**b. Bills**

<b>(i)</b>	General Fund	\$217,708.49
	(Recommend Approval)	
<b>(ii)</b>	Gourdie-Fraser	
	Developer's Escrow Fund – Storm Water Reviews,	
	Utility Plan Review, Oversight and Closeout	
		\$ 8,451.25
	General Utilities	17,604.00
	General	4,040.00
	Special Assessment District(SAD)	712.50

Park Funds/DNR Trust Fund	16,790.00
Total	\$47,597.75
(Recommend Approval)	

- c. **MTT Update (Receive and File)**
- d. **Veteran's Exemptions Report (Receive and File)**
- e. **Building Department 2024 Statement of Operations and Annual Report (Receive and File)**
- f. **Zoning Department 2024 Activities (Receive and File)**

*Schmuckal moved and Agostinelli seconded to adopt the consent calendar as presented.*

*Yeas: Schmuckal, Agostinelli, Macomber, Lapp, L. McManus, Korn, J. McManus  
Nays: None*

4. **Items Removed from the Consent Calendar**  
None

5. **Correspondence (6:06)**  
None

6. **Reports**

a. **County Commissioner's Report (6:06)**

County Commissioners Lauren Flynn and Fern Spence stated that Scott Sieffert has been appointed as Chair of the BOC and T.J. Andrews has been appointed Vice Chair. Flynn added that the County is now the sponsor for the monthly recess events and at next week's study session, Safe Harbor, the ethics committee, and septic systems will be discussed. The new county mental health center is partially open at this time and more services will be added throughout the year. Spence added that she is eager to serve the communities of Blair and Garfield.

b. **Sheriff's Report (6:10)**

Sheriff's Deputy Roy Raska reviewed statistics for the 2024 year. Lunches at the Salvation Army a couple times per month are going well.

c. **GT Metro Fire Report (6:12)**

Fire Chief Paul Mackin reviewed statistics from the 2024 year and for the month of December 2024. He added that firefighter testing is ongoing to fill a position and the department is reviewing resumes for the public education position. Staff is also working on safe home heating for residents and the annual awards banquet will be held tomorrow.



- d. **MMR Report (6:19)**  
MMR Operations Manager Amy Fairchild stated that the December 2024 call volume was heavy. MMR is adding a new truck to the fleet for Station 11 and three paramedics were hired as were three EMT's.
- e. **Planning Department Report for January 2025 (6:21)**  
The Planning Department Report was submitted in writing. Barsheff said that the High Tops project has been withdrawn for its proposed location and the applicant hopes to have plans for another location at the next Planning Commission meeting.
- f. **Parks & Rec Report (6:23)**  
The Parks & Rec Report was submitted in writing.
- f1. **Road Commission Report (6:23)**  
Alan Leman commented on the utility work at the intersection of M-22 and M-72 which will result in a detour more than likely through Garfield Township. Leman also discussed a possible Franke Road redesignation since there is more traffic from the nearby Montessori school. He handed out a construction list for the next year and announced that the new Kingsley facility is open.
- g. **Clerk's Report (6:33)**  
McManus submitted her report in writing and added that the Clerk's office has been preparing for the financial audit.
- h. **Township Manager's Report (6:34)**  
Barsheff reported that the SAD for milfoil on Silver Lake has expired and will be renewed. He has been working with AT&T to upgrade the Day Drive cell tower and is reviewing fire prevention ordinances. Board members agreed that Barsheff should go ahead and draft such an ordinance for board review. The Personnel Committee discussed the earned sick time act and amendments to the employee handbook will be brought to the board soon. Barsheff also discussed the High Tops liquor license and talked about creating a Facebook page for the township along with policies for posting to the page.
- i. **Supervisor's Report (6:51)**  
J. McManus stated that the BPW named a new director to begin in April. He added that on January 31 there will be a TC Connect policy conference and there may be some room for others to attend. A revised water contract was reviewed and approved and resubmitted to the city and no response was received yet.

**7. Unfinished Business****a. Public Hearing - Consideration of Storm Water Control Ordinance No. 49, Amendment 1, Resolution 2025-01-T (6:56)**

J. McManus opened the public hearing at 6:56pm and with no one wishing to speak, closed the public hearing.

This amendment would address some inconsistencies in the current ordinance and would remove references to Grand Traverse County as the principal enforcement agency and assign the Charter Township of Garfield as the sole enforcement agency for this ordinance. This proposed amendment is part of a long range plan to amend the Stormwater Ordinance to address standards and references to the county of Grand Traverse.

*Schmuckal moved and Macomber seconded THAT Resolution 2025-01-T. Adopting Amendment No. 1 to Ordinance No. 49, Garfield Township Stormwater Control Ordinance No. 49, Amendment 1, BE ADOPTED.*

*Yeas: Schmuckal, Macomber, Agostinelli, Lapp, L.. McManus, Korn,  
J. McManus*

*Nays: None*

**b. Public Hearing - Consideration of Soil Erosion Ordinance No. 78, Resolution 2025-02-T (7:02)**

J. McManus opened the public hearing at 7:00pm.

Fern Spence commented on soil erosion in some HOA's and talked about the responsibility of the township to enforce the ordinance.

J. McManus closed the public hearing at 7:02pm.

Mike Green gave a brief overview of the proposed amended ordinance and stated that if it were adopted, it would allow the township to administer its own Soil Erosion and Sedimentation Control Program.

*Korn moved and Schmuckal supported THAT Resolution #2025-02-T adopting Ordinance No. 78, Garfield Township Control of Soil Erosion and Sedimentation Ordinance BE ADOPTED.*

*Yeas: Korn, Schmuckal, Agostinelli, Macomber, L. McManus, Lapp,  
J. McManus*

*Nays: None*

**c. Discussion on water system (7:15) ?**

Engineer Jennifer Graham from Gourdie Fraser gave a brief overview of the water system issue between Garfield Township and the City of Traverse City and referred to her letter to the township dated January 2, 2025. She said that there were some discrepancies between the city and the Township regarding water usage over the years and a new contract for

water between the city and the township needed to be worked out. Until these water discrepancies can be solved, there are many developments on hold. Graham recommends that the township write a letter to the city commission to formally ask for more water since there has been no response thus far from the city regarding the issue. Board members asked questions regarding the water system and discussed the problems at length.

*Schmuckal moved and Korn seconded to draft a letter from the Garfield Township Board to be signed by the Supervisor requesting additional water from the city, a timeline to meet that request, and that the request be added to the agenda of their next meeting.*

*Yeas: Schmuckal, Korn, Lapp, L. McManus, Agostinelli, Macomber, J. McManus*

*Nays: None*

Graham also mentioned the water pressure at the Commons Area Barns. More buildings are being requested at that site and plans for water need to be shared with Garfield Township. Board members discussed the issue and will address it in the same letter. Board members added that the letter should state that the Commons Area needs to be part of any new contract.

**d. Discussion of the Township logo/website (8:14)**

Barsheff presented the different logo and seal options and gave a brief overview of the process thus far. Board members discussed the various logos and gave their opinions on the designs.

*Schmuckal moved to use seal #V2a. Agostinelli seconded the motion.*

*Yeas: Schmuckal, Agostinelli, Lapp, L. McManus, Korn, Macomber, J. McManus*

*Nays: None*

**e. Traffic Signal Replacement MDOT (8:32)**

Barsheff discussed the new Meijers and Lowes traffic signals that would be installed. At a previous meeting, it was voted to leave the mast arms silver and not paint them. Barsheff said it was a cost share between the road commission and the township to have them painted at a cost of \$16,000 to the township and he was bringing the matter back to the board to see if board members wanted them painted. A board member questioned bringing it back to the board when it was already voted on.

*Agostinelli moved and Macomber seconded to paint the new mast arm lights at the Lowe's and Meijer locations two locations for \$16,000.*

*Yeas: Agostinelli, Macomber, Lapp, Korn, L. McManus, J. McManus*

*Nays: Schmuckal*

**8. New Business**

**a. Consideration of adopting the Garfield Township organization chart (8:45)**

Board members discussed the chart and considered it accepted and filed.

**9. Public Comment: (8:51)**

None

**10. Other Business (8:51)**

Schmuckal asked for a final version of a committee list.

Barsheff and Agostinelli will touch base regarding the Joint Planning Commission appointment.

**11. Adjournment**

*McManus adjourned the meeting 8:54pm.*

---

Joe McManus, Supervisor  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49686

---

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

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

**ORDINANCE NO. 49 (Stormwater Ordinance): AMENDMENT NO. 1**

**RESOLUTION #2025-01-T**

**A RESOLUTION TO AMEND CHARTER TOWNSHIP OF GARFIELD ORDINANCE NO. 49 (Stormwater Ordinance):**

**WHEREAS** Public Act 359 of 1947 (MCL 42.15, et seq.) authorizes the Charter Township of Garfield to enact ordinances considered necessary for the peace, health, and safety of persons and property in the Charter Township; and

**WHEREAS** the Township would like to update its Stormwater Ordinance to remove references to Grand Traverse County as the enforcement agency and to recognize the Charter Township of Garfield as the principal enforcement agency; and

**WHEREAS** the Township would like to make other minor corrections to its Stormwater Ordinance.

**NOW, THEREFORE, THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:**

**AMENDMENT NO. 1 TO CHARTER TOWNSHIP OF GARFIELD ORDINANCE NO. 49 (Stormwater Ordinance):**

**THAT THE ENTIRETY OF THE ORDINANCE BE AMENDED** by replacing references to “The Grand Traverse County Drain Commissioner” with “The Charter Township of Garfield” as the enforcement agent of this Ordinance.

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

**ORDINANCE NO. 49  
CHARTER TOWNSHIP OF GARFIELD  
STORM WATER CONTROL ORDINANCE  
Amendment 1**

**AN ORDINANCE TO PROVIDE FOR STORM WATER MANAGEMENT PRACTICES AND REVIEW OF STORM WATER MANAGEMENT PLANS IN CONFORMANCE WITH STANDARDS ADOPTED BY THE CHARTER TOWNSHIP OF GARFIELD.**

**THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:**

**Section 1. Applicability.** Except as otherwise provided in this Ordinance, any earth changes, as defined as in Part 91, 1994 PA 451, as amended, that meet any of the following criteria require a Storm Water Runoff Control Permit:

- A. Disturb 1 or more acres of land
- B. Within 500 feet of the ordinary high water mark of a lake or stream
- C. Commercial use development
- D. Mobile home park or manufactured home development
- E. Multiple family residential development or P.U.D.
- F. Site condominium or condominium developments as defined by Act 59 of the Public Acts of 1978, as amended
- G. Platted subdivision development
- H. Private roads which access 3 or more development parcels

**Section 2. Design Standards.** "Design standards" as used in this ordinance means the Uniform Storm Water Control Design and Installation Standards for Municipalities in Grand Traverse County and are adopted as if fully set forth herein.

**Section 3. Enforcement Agent.** The Charter Township of Garfield may designate such agents as Township deems necessary to carry out the purposes of this ordinance.

**Section 4. Earth Change Permit.**

**A. Application.** Permit applications shall be submitted to the enforcement agent. Copies of the permit application form shall be made available by the enforcement agent. Application for a permit and issuance of the permit shall be made prior to the start of any earth change requiring a permit under this ordinance. Submission of an application for permit shall constitute consent by the property owner for the enforcement agent or his designated representative to enter upon the property for purposes of inspections attendant to the application. The application shall contain, at a minimum, all of the following:

1. A map or maps at a scale of not more than 200 feet to the inch or as otherwise determined by the enforcement agent, including a legal description and site location sketch that includes the proximity of any proposed earth change to lakes, streams, and or wetlands; predominant land features; and contour intervals or slope description and all applicable setbacks.
2. A soils survey or a written description of the soil types of the exposed land areas contemplated for the earth change.
3. A description and the location of the physical limits of each proposed earth change.
4. The location of all lakes, streams, and wetlands partially or completely contained within the boundaries of the site or within 50 feet of the site boundary.
5. A description and the location of all existing and proposed on-site storm water management and dewatering facilities.

6. The timing and sequence of each proposed earth change.
7. The location and description for installing and removing all proposed temporary soil erosion and sedimentation control measures.
8. A description and the location of all proposed permanent storm water control measures or devices.
9. The enforcement agent may require, as defined in Section 1, that the storm water runoff control plan be prepared by a State of Michigan licensed landscape architect, architect, land surveyor or professional engineer. If the enforcement agent also requires an additional professional consultant (engineer and/or attorney) to review the plans submitted, all review costs shall be paid for by the developer
10. The person(s) or organization(s) responsible for maintenance shall be designated in the plan.  
Options include
  - a) Property owner
  - b) Homeowner's association, provided that provisions for financing necessary maintenance are included in deed restrictions or other contractual agreements
  - c) Grand Traverse County Drain Commissioner, in accordance with the Michigan Drain Code, Public Act 40 of 1956, as amended, if the storm water conveyance facilities are within a designated Drain District.

**B. Sequential Application.**

1. If a development on a site is so large or complex that a storm water control plan encompassing all phases of the project cannot reasonably be prepared prior to initial groundbreaking, then an application for a permit for successive major incremental earth change activities may be allowed.
2. Requests for sequential applications shall be approved by the enforcement agent prior to submittal of the initial permit application. Approval of sequential applications shall take place in two phases. First, the overall conceptual plan for the entire development shall be submitted for review and approval. Second, detailed plans for sections of the total project shall be submitted for review and approval upon the request of the enforcement agent.
3. All permits processed and issued for phases of a project shall be clearly defined as to the nature and extent of work covered. Each phase of the project must be reviewed and permitted by the enforcement agent prior to construction.

**C. Permit Application Review.** Concurrent with and pursuant to issuance of any required Soil Erosion and Sedimentation Control Permit, the enforcement agent shall approve, approve with conditions, or deny an application after the completed application is submitted together with all required plans and fees. The enforcement agent shall reject any application which is incomplete.

**D. Approval – Certification Not Required.** Approval shall be granted if the storm water control plan meets the requirements set forth in the design standards and the requirements of this ordinance.

**E. Approval – Certification Required.** For any site requiring that a storm water control plan be prepared by a State of Michigan registered professional, the enforcement agent shall grant approval if the storm water control plan meets the requirements set forth in the design standards and upon receipt



by the enforcement agent of a letter from the registered professional certifying that the storm water control plan meets all of the requirements of the design standards.

**F. Approval with Conditions.** If the application is approved with conditions, the enforcement agent must state in writing the conditions upon which approval is based.

**G. Denial.** The enforcement agent shall notify the applicant in writing if the application is denied and the reasons for the denial.

**H. Permit Expiration.** All permits approved by the enforcement agent shall expire upon the occurrence of project completion date provided on the application or 1 year, whichever occurs first. The enforcement agent may extend the permit for a period not to exceed one year upon good cause shown by the landowner or permit applicant. The enforcement agent may charge an additional fee to cover the cost of continued inspections, the amount of which is specified in the current permit and review fee schedule, in effect for the Township. All fees are to cover administrative expenses of processing the storm water control permit including inspections and monitoring of projects.

**I. Permit Revocation or Suspension.** A permit issued under this ordinance may be revoked or suspended by the enforcement agent for any of the following reasons:

- 1) A violation of a condition of the permit
- 2) Misrepresentation or failure to fully disclose relevant facts in the application
- 3) A change in condition that requires a temporary or permanent change in the activity
- 4) Authorized work is abandoned or suspended for a period of six months or more.
- 5) A non-approved waiver of the buffers and setbacks established in the design standards.

Notification of a revocation or suspension shall be made in writing. The notice will specify the reason(s) for the revocation or suspension and the time for an appeal of the revocation or suspension.

**Section 5. Storm Water Management Easements.** All easements that are necessary to implement the approved drainage plan and to otherwise comply with this ordinance in form and substance shall be recorded with the Grand Traverse County Register of Deeds prior to issuance of a permit by the enforcement agent. The easements shall assure access for proper inspection and maintenance of storm water runoff facilities and shall provide adequate emergency overland flow-ways.

**Section 6. Performance Guarantees.** As a condition of issuance of a permit, the enforcement agent may require the applicant to deposit cash, a certified check, or an irrevocable letter of credit acceptable to the enforcement agent in an amount sufficient to assure the installation and completion of the storm water control plan. Irrevocable letters of credit, if used as a performance guarantee, shall extend for a minimum of one year with the option of renewal. The required security shall be held in the office of the enforcement agent and shall be released only upon final inspection and approval of the storm water control systems.

**Section 7. Final Inspection and Approval or Denial of Completed Storm Water Control Measures or Devices.** Upon completion of a storm water control plan, the property owner, applicant, or other authorized representative of the property owner shall notify the enforcement agent. The enforcement agent shall conduct a final inspection within 10 days after being notified of the completion. The enforcement agent shall either approve or not approve the completed storm water control measures and devices on a form prepared by the enforcing agent within 30 days following inspection. If changes occur to the original plan during the course of construction, the enforcement agent may require final "as built" drawings before making a final inspection or in making a determination as to final approval or denial of the installed storm water control plan



- A. Approval – Certification Not Required.** Approval shall be granted if the storm water control measures as completed meet the requirements set forth in the storm water control plan.
- B. Approval – Certification Required.** For any site requiring that a storm water control plan be prepared by a registered professional, the enforcement agent shall grant approval if the storm water control measures as completed meet the requirements set forth in the storm water control plan and upon receipt by the enforcement agent of a letter from a licensed professional civil engineer certifying that all storm water measures have been completed in accordance with the storm water control plan.
- C. Denial.** The enforcement agent shall notify the applicant in writing if the request for closure of the permit is denied and the reasons for the denial.

## **Section 8. Maintenance.**

### **A. Routine Maintenance**

- 1) All storm water control plans shall be maintained according to the measures outlined in the design standards, and as approved in the permit.
- 2) The person(s) or organization(s) responsible for maintenance shall be designated in the plan. Options include
  - a) Property owner
  - b) Homeowner's association, provided that provisions for financing necessary maintenance are included in deed restrictions or other contractual agreements
  - c) Grand Traverse County Drain Commissioner, in accordance with the Michigan Drain Code, Public Act 40 of 1956, as amended, if the storm water conveyance facilities are within a designated Drain District.
- 3) Maintenance agreements shall specify responsibilities for financing maintenance and shall be recorded with the Register of Deeds before the permit can be closed.

### **B. Non-Routine Maintenance.** Non-routine maintenance includes maintenance activities that are expensive but infrequent, such as pond dredging or major repairs to storm water structures.

- 1) Non-routine maintenance shall be performed on an as needed basis based on information gathered during regular inspections.
- 2) If non-routine maintenance activities are not completed in a timely manner or as specified in the approved plan, the Charter Township of Garfield may complete the necessary maintenance at the owner's/operator's expense.

### **C. Maintenance Inspections**

- 1) The person(s) or organization(s) responsible for maintenance shall inspect storm water control systems on a regular basis, as outlined in the plan.
- 2) Authorized representatives of the enforcement agent may enter at reasonable times to conduct on-site inspections or routine maintenance.
- 3) For storm water control systems maintained by the property owner or homeowner's association, inspection and maintenance reports shall be filed with the enforcement agent as provided in the plan.
- 4) Authorized representatives of the enforcement agent may conduct inspections to confirm the information in the reports filed under section c.

**Section 9. Fees.** All fees shall be paid in accordance with the current permit and review fee schedule adopted by the Charter Township of Garfield Board. All fees are to cover administrative expenses of processing the storm water control permit including inspections and monitoring of projects.

## **Section 10. Enforcement.**

- A. Violations.** It shall be a violation of this ordinance to do any of the following:
- 1) To make an earth change without first obtaining a permit as required by this ordinance
  - 2) To provide false or misleading information in an application for permit
  - 3) To fail to follow approved storm water control plan
  - 4) To fail to maintain a storm water control measure or device in accordance with an approved storm water control plan
- B. Notice of violation.** Whenever there is a failure to comply with the provisions of this ordinance, the enforcement agent shall notify the applicant/owner that he/she has five calendar days from the receipt of the notice to temporarily correct the violation and 30 days from receipt of the notice to permanently correct the violation. The enforcement agent for good cause demonstrated by the permittee may make reasonable extensions. Notice shall be made by certified mail, return receipt requested.
- C. Enforcement Actions.** Should the applicant/owner fail to take the corrective actions specified in the notice of violation, the enforcement agent may take any or all of the following actions:
- 1) Issue or cause to be issued a municipal civil infraction
  - 2) Take whatever remedial actions are necessary and assert a lien on the subject property in an amount equal to the costs of remedial actions. The lien shall be enforced in the manner provided or authorized by law for the enforcement of common law liens on personal property. The lien shall be recorded with the Grand Traverse County Register of Deeds and shall incur legal interest from the date of recording. The imposition of any penalty shall not exempt the offender from compliance with the provisions of this ordinance, including assessment of a lien on the property.
- D. Emergency Actions.** When emergency actions are necessary to moderate a nuisance, to protect the public safety, health, and welfare, and/or to prevent the loss of life, injury, or damage to property, the enforcement agent is authorized to carry out or arrange for all such emergency actions, and to enforce penalties and/or liens as described herein.
- E. Cease & Desist Orders.** The enforcement agent may issue a cease and desist order or revoke a permit upon the determination that there is a violation of this ordinance. A cease and desist order, when issued, shall require all earth change activities to stop immediately.
- F. Injunctive Relief.** Notwithstanding any other remedy available under this ordinance, the enforcement agent may maintain an action in a court of competent jurisdiction for an injunction or other process against a person to restrain or prevent violations of this ordinance.
- G. Fines & Penalties.**
- 1) A violation of this ordinance is a municipal civil infraction punishable by a fine not exceeding \$500.00 per day of violation.
  - 2) A knowing violation of this ordinance or interference with the enforcement of this ordinance by the enforcement agent or any person duly authorized to carry out the purposes of this ordinance is a misdemeanor punishable by imprisonment for up to 90 days, and/or a fine of up to \$500.00 or both.

- 3) An action for the violation of this ordinance shall be instituted in the 86<sup>th</sup> District Court for Grand Traverse County. Fines and costs imposed or assessed in such an action shall be distributed in accordance with section 8379 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8379.

**Section 11. Waiver.** The enforcement agent responding to a specific earth change as provided for in Section 3 may waive certain requirements specified in the ordinance upon being provided with demonstrable evidence of special circumstances warranting waiver, but only upon finding that both of the following requirements are met:

- A. The application of the ordinance provisions will present or cause practical difficulties for a development or development site; provided, however, that practical difficulties shall not include the need for the developer to incur additional reasonable expenses in order to comply with the ordinance; and
- B. The granting of the relief requested will not substantially prevent nor result in less effective management of storm water runoff.

**Section 12. Appeals.** Any person aggrieved by the action or inaction of the enforcement agent related to this ordinance may appeal to the Charter Township of Garfield Building Code Board of Appeals. All requests for appeal shall be filed in writing within 30 days of the action or inaction appealed from and includes the basis of the appeal. In considering any such appeal, the Board may grant a variance from the terms of this ordinance so as to provide relief, in whole or in part, from the action being appealed, but only upon finding that both of the following requirements are met:

- A. The application of the ordinance provisions being appealed will present or cause practical difficulties for a development or development site; provided, however, that practical difficulties shall not include the need for the developer to incur additional reasonable expenses in order to comply with the ordinance; and
- B. The granting of the relief requested will not substantially prevent nor result in less effective management of storm water runoff.

The filing of an appeal does not preclude other remedies available to either party, nor does it act as a stay of any order from the enforcement agent for the installation of measures or controls to reduce or eliminate storm water runoff pending the outcome of the appeal.

**Section 13. Separate Causes of Action.** Nothing in this ordinance impairs or precludes a separate cause of action provided by statute or common law for conduct prohibited herein.

**Section 14. Other Ordinances.** This ordinance shall be in addition to other ordinances of the Charter Township of Garfield and shall not be deemed to repeal or replace other ordinances or parts of other ordinances except to the extent that such repeal is specifically provided for in this ordinance. This ordinance is intended to work in conjunction with any County or Township Soil Erosion and Sedimentation Control Ordinances along with other state and federal laws affecting water and quality.

**Section 15. Notice.** Notice means delivery by first class mail unless otherwise specified in this ordinance.

**Section 16. Severability.** The provisions of this ordinance are severable and if any part is declared void or unenforceable by a court of competent jurisdiction, the remaining parts shall remain in force.

**Section 17. Effective Date.** This ordinance shall take effect seven (7) days after it is published

At a regular meeting held on January 14, 2025, a motion was offered by Denise Schmuckal, with support from Chloe Macomber, to approve the foregoing Amendment 1 to Ordinance No. 49. The motion carried as follows in a roll call vote.

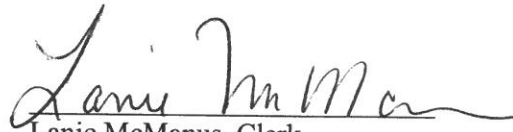
Upon roll call vote, the following voted:

Ayes: Schmuckal, Macomber, Lapp, L. McManus, Korn Agostinelli, J. McManus

Nays: None

Absent and Excused: None

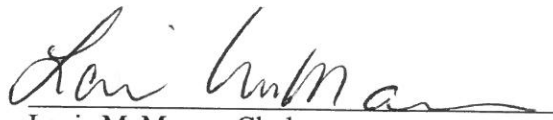
The Chairman, Joe McManus, declared the motion carried and Resolution 2025-01-T adopted this 14<sup>th</sup> day of January 2025.

  
Lanie McManus, Clerk  
Charter Township of Garfield

#### CERTIFICATE

I, Lanie McManus, the Clerk of Charter Township of Garfield, do hereby certify that the above is a true and correct copy of Resolution 2025-01-T, Amendment 1 to Ordinance No. 49, which was adopted by the Township Board of the Charter Township of Garfield on the 14th day of January, 2025. Ordinance No. 49 Amendment 1 shall take effect upon the expiration of seven (7) days following publication.

1/15/2025  
Date

  
Lanie McManus, Clerk  
Charter Township of Garfield

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

**ORDINANCE NO. 78 (Control of Soil Erosion and Sedimentation)**

**RESOLUTION 2025-02-T**

**A RESOLUTION TO ADOPT CHARTER TOWNSHIP OF GARFIELD  
ORDINANCE NO. 78 (Control of Soil Erosion and Sedimentation)**

At a regular meeting of the Charter Township of Garfield Township Board held on January 14, 2025, at 6:00 pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, Michigan, the following resolution was offered by motion of Chuck Korn, and supported by Denise Schmuckal.

**WHEREAS**, the Charter Township of Garfield Ordinance No. 78 – Control of Soil Erosion and Sedimentation (SESC) Ordinance mirrors the Natural Resources and Environmental Protection Act (NREPA)(Part 91) by meeting the minimum regulatory requirements along with additional permit requirements for projects involving slopes of 20% of greater; and

**WHEREAS**, the Township Board recommends adoption of the Control of Soil Erosion and Sedimentation Ordinance to ensure that such activities are administered and operated in compliance with this Ordinance and other applicable laws and ordinances; and

**WHEREAS**, upon adoption of this Ordinance by the Township Board, it will be sent to the Michigan Environment, Great Lakes, and Energy (EGLE) for formal approval and the Township will be officially designated as a Municipal Enforcement Agency (MEA) for the administration and enforcement of this Ordinance.

**NOW, THEREFORE, THE CHARTER TOWNSHIP OF GARFIELD**

**ORDAINS: CHARTER TOWNSHIP OF GARFIELD ORDINANCE NO. 78  
THAT Ordinance No. 78 BE ADOPTED to read in its entirety as follows:**

**Charter Township of Garfield  
Grand Traverse County, Michigan  
CONTROL OF SOIL EROSION AND SEDIMENTATION ORDINANCE  
Ordinance No. 78**

**PREAMBLE**

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF SOIL EROSION AND SEDIMENTATION AND TO PROTECT ADJACENT PROPERTY AND THE WATERS OF THE STATE FROM SEDIMENTATION UNDER THE PROVISIONS OF PART 91 OF THE SOIL EROSION AND SEDIMENTATION CONTROL, NATURAL RESOURCES AND ENVIRONMENTAL

PROTECTION ACT 451 OF PUBLIC ACTS OF 1994, MCL 324.9101 ET SEQ  
(AS AMENDED)

**THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:**

**Section 1. Purpose**

The purpose of this Ordinance is to prevent soil erosion and sedimentation from occurring because of earth change activities within the Township by requiring proper provisions for water disposal and the protection of soil surfaces during and after earth change activities, in order to promote the safety, public health, convenience, and general welfare of the community.

**Section 2. Definitions**

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. "Accelerated soil erosion" – The increased loss of the land surface that occurs as a result of human activities.
- B. "Act" – The Natural Resources and Environmental Protection Act (1994 PA No. 451 as amended).
- C. "Earth Change" – A human made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to accelerated soil erosion or sedimentation of the waters of the State. This includes, but is not limited to, grading and preparation for wells, septic fields, driveways, foundations, backfill, final grade changes and stockpiling of material. "Earth change" does not include the practice of plowing and tilling soil for the purpose of crop production.
- D. "Excavation or cut" – Any act by which soil, clay, gravel, sand, peat or topsoil is cut into, dug, uncovered, removed, displaced, or relocated, and the conditions resulting therefrom.
- E. "Final Completion Notice" – A signed, written statement by the Zoning Department that the permitted earth disturbance has been inspected and found to comply with all Soil Erosion and Sedimentation Control plans, specifications, permit conditions and/or supplementary requirements.
- F. "Final Inspection Request" – A statement by the Permittee that the permitted site has been permanently stabilized and can be inspected for final completion.
- G. "Flood Plain" – That area which would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year.
- H. "Grading" – Any stripping, excavating, filling, stockpiling, or any combination thereof, and shall also include the land in its excavated or filled condition.
- I. "Minor Project" – A project that results in less than 500 square feet of disturbance area and located more than one hundred (100) feet from the water of the State.



- J. “Notice of Deficiency” – A written statement by the Department which indicates specific deficiencies of on-site soil erosion and sedimentation control measures, either temporary or permanent, which are required to control soil erosion and sedimentation.
- K. “Notice of Violation” – A written statement by the Department which indicates specific failures and/or deficiencies of on-site soil erosion and sedimentation control measures, either temporary or permanent, which are required to control soil erosion and sedimentation and identifies the permittee as being in violation of the conditions of the issued Permit, the approved soil erosion and sedimentation control plan, Part 91, or this Ordinance.
- L. “Part 91” – Part 91, Soil Erosion and Sedimentation Control, of the Act.
- M. “Permittee or Permit Holder” – The landowner of the land involved in the earth change activity for which a permit is required and to whom a valid permit has been issued.
- N. “Person” – A natural person, firm corporation, partnership, association, limited liability company, or similar entity or governmental or quasi-governmental entity subject to the jurisdiction of the Township and this Ordinance.
- O. “Sediment” – Solid particulate matter including both mineral and organic matter that is in suspension in water, is being transported or has been removed from its site of origin by the actions of wind, water, or gravity, and has been deposited elsewhere.
- P. “Soil Erosion” – The process by which the ground surface is worn away by action of wind, water, gravity, or a combination thereof.
- Q. “Soil Erosion and Sedimentation Control Permit” – A permit to authorize work to be performed under this Ordinance.
- R. “Stop work order” – A written statement by the Zoning Department indicating that all construction and/or earth change activities, except those specifically identified by said Department, shall be suspended until otherwise indicated.
- S. “Stripping” – Any activity which removes or significantly disturbs the vegetative surface cover, including clearing and grubbing operations.
- T. “Temporary Soil Erosion and Sedimentation Control Measures” – Interim control measures which are installed or constructed for the control of soil erosion and sedimentation until permanent soil erosion and sedimentation control is installed.
- U. “Township” – The Charter Township of Garfield, Grand Traverse County, Michigan, and/or its duly authorized agent or designee.
- V. “Waters of the State” – The Great Lakes and their connecting waters, inland lakes and streams as defined in the rules promulgated under Part 91, and wetlands regulated under Part 303 of the Act.

- W. “Zoning Department” or “Department” – The Charter Township of Garfield Zoning Department.

### **Section 3. Compliance Required for Site Plan/Plat Approval**

No site plan or preliminary plat shall be approved under the terms and conditions of the Charter Township of Garfield Zoning Ordinance and Land Division Ordinance unless the site plan includes soil erosion and sediment control measures consistent with the requirements of this Ordinance and related land development regulations.

### **Section 4. Compliance Required for Occupancy**

- A. No permanent certificate of occupancy for any building shall be issued unless the applicant for said certificate shall have obtained a Final Completion Notice indicating compliance with all plans and specifications and completion of all required permanent soil erosion and sedimentation control measures.
- B. A temporary certificate of occupancy may be issued, at the discretion of the Department, prior to issuance of a Certificate of Completion if the permittee has achieved substantial completion as determined by the Department. “Substantial completion” shall mean satisfactory completion of all aspects of the work except growth of vegetative materials necessary for soil stabilization and minor structural appurtenances. A temporary Certificate of Occupancy shall be conditioned upon a listing of items and procedures to be completed, a schedule of completion, and the furnishing of adequate financial guarantees to insure completion of all such items.

### **Section 5. Permits and Fees**

- A. *Permit requirement.* Except as expressly exempted by this Ordinance or Part 91 of the Act or the rules promulgated thereunder, no person shall perform or cause to be performed any earth change, until a valid Permit has been issued by Garfield Township Zoning Department for said work. The undertaking of any earth change activity under the authority of any other Authorized Public Agency shall be exempt from this Ordinance. This exception shall not be construed to eliminate requirements that permits be obtained from other agencies.
- B. *Permit application.* A separate application shall be required for each Permit. Said erosion and sedimentation control plans, specifications, and work schedules shall be submitted with each application for a permit.
- C. *Activities requiring a permit.* Except as noted below in Section 5.D, earth changes requiring a soil erosion permit include any of the following:
1. An earth change (including soils from grading activities within or adjacent to the earth change area) that disturbs one (1) or more acres.
  2. An earth change within five hundred (500) feet of the Waters of the State.



3. Earth changes involving slopes of twenty percent (20%) or greater.
- D. *Activities exempt from permit requirements:*
1. Subject to subsection 2, a person engaged in the logging industry, the mining industry or the plowing or tilling of land for the purpose of crop production or harvesting of crops is not required to obtain a permit under this part. However, all earth changes associated with the activities listed in this section shall conform to the same standards as if they required a permit under this part. The exemption from obtaining a permit under this subsection does not include either of the following:
    - a. Access roads to and from the site where active mining or logging is taking place.
    - b. Ancillary activities associated with logging and mining.
    - c. Removal of clay, gravel, sand, peat, or topsoil.
  2. This Ordinance does not apply to a metallic mineral mining activity that is regulated under a mining and reclamation plan that contains soil erosion and sedimentation control provisions and that is approved by the Department under Part 631 of the Act.
  3. A person is not required to obtain a permit from a county enforcing agency or a municipal enforcing agency for earth changes associated with well locations, surface facilities, flowlines, or access roads relating to oil or gas exploration and development activities regulated under Part 615 of the Act, if the application for a permit to drill and operate under Part 615 contains a soil erosion and sedimentation control plan that is approved by the Department under Part 615. However, those earth changes shall conform to the same standards as required for a permit under Part 91. This subsection does not apply to a multisource commercial hazardous waste disposal well as defined in Section 62506.a of the Act.
  4. An earth change of a minor nature that is stabilized within twenty-four (24) hours of the initial earth disturbance and that will not contribute sediment to lakes or streams.
  5. Normal road and driveway maintenance such as grading or leveling that does not increase the width or length of the road or driveway and that will not contribute sediment to lakes or streams.
  6. Residential or Earth Change Activities. A residential property owner who causes the following activities to be conducted on individual residential property owned and occupied by such owner is not required to obtain a permit under this Ordinance if the earth change activities do not result in or contribute to soil erosion or sedimentation of the waters of the State of Michigan or a discharge of sediment offsite:

- a. An earth change of a minor nature that is stabilized within twenty four (24) hours of the initial disturbance.
  - b. Gardening, if the natural elevation of the area is not raised. "Gardening" means activities necessary to the growing of plants for personal use, consumption, or enjoyment.
  - c. Post holes for fencing, decks, utility posts, mailboxes, or similar application, if no additional grading or earth change occurs for use of the posthole.
  - d. Removal of tree stumps, shrub stumps or roots resulting in an earth change not to exceed one hundred (100) square feet.
  - e. All of the following activities, if soil erosion and sedimentation controls are implemented, the earth change is stabilized within twenty-four (24) hours of the initial earth disturbance, and soil erosion or sedimentation to adjacent properties or the waters of the State has not or will not reasonably occur.
    - i. Planting of trees, shrubs or similar plants;
    - ii. Seeding or reseeding of lawns of less than one (1) acre if the seeded area is at least one hundred (100) feet from the waters of the State of Michigan;
    - iii. Seeding or reseeding of lawns closer to one hundred (100) feet of the waters of the State, if the area to be seeded or reseeded does not exceed one hundred (100) square feet;
    - iv. Temporary stockpiling of soil, sand, or gravel not greater than a total of ten (10) cubic yards on the property, if the stockpiling occurs at least one hundred (100) feet from the waters of the state of Michigan.
7. Exemptions provided in this Section, Part 91, and the rules promulgated thereunder shall not be construed as exemptions from enforcement procedures under this Ordinance, Part 91 or said rules if the exempted activities cause or result in a violation of this Ordinance, Part 91 or the rules.
- E. Application data required. The soil erosion and sedimentation plans and specifications accompanying the Permit application shall contain the following data:
1. A site location sketch at the scale of not greater than one (1) inch to two hundred (200) feet, indicating the site location and proximity of any proposed earth change to lakes or streams.
  2. A boundary line survey of the site on which the work is to be performed.

3. Name, address, and telephone number of the landowner, contractor, Authorized Agent and the one-site contact, as applicable.
4. A schedule indicating the anticipated starting and completion dates of the development's construction sequence and the time of exposure of each area prior to the installation of permanent soil erosion sediment control measures.
5. A statement of the quantity of excavation and fill involved.
6. The estimated total cost of the required temporary and permanent soil erosion and sedimentation control measures.
7. A plan of the site at a scale not greater than one (1) inch to one hundred (100) feet showing:
  - a. Legal description of property;
  - b. Physical limits of each proposed earth change;
  - c. Existing topography at a maximum of two (2) foot contour intervals;
  - d. Proposed final topography at a maximum of two (2) foot contour intervals;
  - e. Location of any structure or natural feature on the site;
  - f. Location of any structure or natural feature on the land adjacent to the site and within fifty (50) feet of the site boundary lines;
  - g. Location of any proposed additional structures or development on the site;
  - h. Elevations, dimensions, location, extent, and the slope of all proposed grading (including building and driveway grades);
  - i. Plans of all drainage provisions, dewatering facilities, retaining walls, ribbing, planting and all temporary and permanent soil erosion and sedimentation control measures to be constructed in connection with, or as a part of, the proposed work together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any streams;
  - j. Existing soil types based on the Unified Soil Classification System or Natural Resources Conservation Service soil classification;
  - k. A program proposal for the continued maintenance of all permanent Soil Erosion and Sedimentation Control measures that remain after project completion, including the designation of the person responsible for the maintenance. Maintenance responsibilities shall become a part of any sales

or exchange agreement for the land on which the permanent Soil Erosion Control measure are located.

1. Other information or data as may be required by the Township Zoning Department, such as a soil investigation report which shall include, but not be limited to, data regarding the nature, distribution and supporting ability of existing soils and/or rock on the site.
  8. The Department may waive or partially waive data submission requirements for earth changes for residential parcels for single- or two-family residences or projects involving earth disturbance of less than two hundred twenty-five (225) square feet.
- F. Fees. At the time of filing an application for a Permit, fees shall be paid the Township in accordance with the fee schedule adopted and as may be amended from time to time by Resolution of the Charter Township of Garfield Board of Trustees.

#### **Section 6. Financial Guarantee**

A Permit shall not be issued unless the permittee shall first post with the Township a bond executed by the landowner and a corporate surety with authority to do business in the State of Michigan as a surety or other security as may be required by this section.

The bond shall be in a form approved by the Township, payable to the Township and in the amount of the estimated total cost of all temporary and permanent soil erosion and sedimentation control measures, and an amount sufficient to assure installation and completion of corrective measures. The total cost shall be estimated by the Applicant and reviewed by the Township Zoning Department. The bond shall include provisions for failure to complete the work on schedule as specified on the Permit. In lieu of a surety bond, the applicant may file with the Township an Irrevocable Letter of Credit in a form approved by the Township's attorney or cash deposit in the amount equal to that which would be required for the surety bond.

Every bond and instrument of credit shall include and every cash deposit shall be made conditioned upon the permittee's compliance with all of the provisions of this Ordinance and all of the terms and conditions of the Permit, and completion of all work contemplated under the Permit within the time limit specified in the Permit or Temporary Certificate of Occupancy, or, if no time limit is specified, within one hundred eighty (180) days after the date of the issuance of the Permit.

For Minor Projects and the construction of new single family residential homes, the Zoning Administrator or other designated person within the Department may waive financial guarantees that would otherwise be required by this section.

#### **Section 7. Extension of Time**

If the permittee is unable to complete the work within the specified time, the permittee may, at least ten (10) days prior to the expiration of the permit, present in writing to the Department a request for an extension of time setting forth the reasons for the requested extension. If an extension is warranted, the Department may grant a permit extension with a new expiration date

for the completion of the work, but no such extension shall release the owner or surety on the bond or the person furnishing the instrument of credit or cash bond.

#### **Section 8. Failure to Complete Work**

In the event of failure to complete the work or failure to comply with all the requirements, conditions and terms of the permit, the Department may proceed with corrective actions as described in Section 18, Enforcement.

#### **Section 9. Denial of Permit**

Permits shall not be issued where:

- A. The proposed work would cause hazards to the public safety and welfare; or
- B. The work as proposed by the applicant will permanently or unreasonable damage any public or private property or interfere with any existing drainage course in such a manner as to cause damage to any adjacent property or result in the deposit of debris or sediment on any public way or into any waterway to create an unreasonable hazard to persons or property; or
- C. The land area for which earth change is proposed is subject to geological hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce settlement, slope instability, or any other such hazard to persons or property; or
- D. The land area for which the work is proposed may lie within the flood plain of any stream or watercourse (not specifically designated and delineated by the Township as an area subject to flood hazard), unless a hydrologic report, prepared by a professional engineer, is submitted to certify that the proposed grading will have no detrimental influence on the public welfare or upon the total development of the watershed.

#### **Section 10. Work and Plans Approved Prior to Adoption of this Ordinance**

Work pursuant to plans and permits issued by an approving agency prior to adoption of this Ordinance may proceed to completion pursuant to said previously approved plans and permits. However, any modification of said plans or work shall comply with the terms and requirements of this Ordinance, as well as those of the prior approving agency.

#### **Section 11. Modification of Approved Soil Erosion and Sedimentation Control Plans**

- A. All modifications of the approved soil erosion and sedimentation control plans must be submitted and approved by the Department. All necessary sustaining reports shall be submitted with any proposal to modify the approved soil erosion and sedimentation control plan.
- B. No earth change in connection with any proposed modifications shall be permitted without the approval of the Department.

- C. If an earth change in connection with any proposed modification commences or is completed prior to approval of the proposed change by the Department, the Department will issue a notice of violation and the existing permit for the site may, at the sole discretion of the Department, be revoked if it is judged necessary in order to ensure that the purpose of this Ordinance is achieved. If the permit is revoked, no further work on the site will be allowed until a new permit has been issued by the Department and all applicable permit fees paid.

## **Section 12. Responsibility of Permittee and Owner**

During earth change operations and until completion, the permittee and the owner of the property to which the Permit pertains shall be responsible for:

- A. The prevention of damage to any public utilities or services within the limits of the permitted work along any routes of travel of the equipment;
- B. The prevention of damage and/or repair damage caused to adjacent property. No person shall engage in grading or earth change on land so close to the property line as to endanger any adjoining public street, sidewalk, alley or any public or private property without supporting and protecting such property from settling, cracking or other damage which might result.
- C. Carrying out the proposed work in accordance with all the requirements of the Permit, the approved soil erosion and sedimentation control plans, and this Ordinance.
- D. The prompt removal of all soil, miscellaneous debris, or other materials applied, dumped, or otherwise deposited on streets, highways, sidewalks, or other thoroughfares, either public or private, during transit to and from the construction site.

## **Section 13. General Requirements**

- A. Any earth changes shall be conducted in such manner so as to effectively reduce accelerated soil erosion and resulting off-site sedimentation.
- B. All earth changes shall be designed, constructed, and completed such that the time which an area of disturbed land is exposed shall be as limited as possible.
- C. Sediment caused by accelerated soil erosion shall be removed from runoff water before it leaves the site of the earth change. Any sediment caused by accelerated soil erosion which is deposited on any lands not specifically covered by an authorized Permit or deposited in the waters of the State shall be promptly removed in accordance with all necessary State, County, and local regulations at the sole expense of the permittee. Any restoration and/or stabilization measures required due to said sediment removal shall also be installed by and at the sole expense of the permittee.
- D. Any temporary or permanent facility designed and constructed for the conveyance of water around, through or from the earth change area shall be designed to limit the water flow to a non-erosive velocity.



- E. Temporary soil erosion and sedimentation control measures shall be installed before or upon commencement of the earth change activity and said measures shall be daily maintained. Temporary soil erosion and sediment control measures shall be removed after permanent soil erosion measures are in place and the area is stabilized. The area shall be stabilized with permanent soil erosion control measures under approved standards and specifications as described by the Permit, this Ordinance and Part 91.
- F. Permanent soil erosion control measures for all slopes, channels, ditches or any disturbed land area shall be implemented within five (5) calendar days after final grading of the final earth change has been completed. Where significant earth change ceases, temporary soil erosion control measures shall be implemented within five (5) calendar days. All temporary soil erosion control measures shall be maintained until permanent soil erosion control measures are implemented.
- G. Prior to the release of the required Bond, Irrevocable Letter of Credit or cash deposit, temporary soil erosion and sedimentation control measures shall be removed and earth change areas stabilized with permanent soil erosion control measures.
- H. The requirements of the Permit shall run with the land and no transfer of the land prior to completion of the work and termination of the Permit shall relieve the permittee and property owner of the obligations enumerated in this Ordinance.

#### **Section 14. Incorporation of Part 91 and Rules Promulgated Thereunder**

Except where the requirements of this Ordinance are more restrictive, this Ordinance incorporates by reference Part 91 of the Act and the rules promulgated thereunder. All persons engaged in earth changes shall design, implement, and maintain acceptable soil erosion and sedimentation control measures, in conformance with Part 91, Soil Erosion and Sedimentation Control, Natural Resource and Environmental Protection Act, Act 451 of Public Acts of 1994, and all administrative rules promulgated pursuant thereto

#### **Section 15. Maintenance Requirements**

Persons implementing soil erosion and sediment control measures under this Ordinance and all subsequent owners of property on which such measures have been taken shall maintain all permanent erosion control measures, retaining walls, structures, plantings and/or other protective measures. If a maintenance agreement is deemed necessary by the Zoning Department, the property owner shall be required to execute said agreement and such deed restrictions as may be appropriate to guarantee maintenance of permanent sedimentation and erosion control measures and facilities.

#### **Section 16. Variance and Exceptions**

- A. In addition to exemptions provided elsewhere in this Ordinance, no permits shall be required for the following:
  - 1. Those activities exempted from permitted by Sections 9115 and 9115a of Part 91 of the Act and the rules promulgated under Part 91;

2. Notwithstanding exemption for permit issuance, those operations and constructions which are exempted shall comply with the rules and regulations concerning grading and erosion specified in this Ordinance.

### **Section 17. Inspection**

The requirements of this Ordinance shall be enforced by the Department. The Department shall inspect the work and may require inspection or testing by a soil engineer or by a soil testing agency approved by said Department, unless it is determined by that Department that such inspection requirements may be waived due to the non-hazardous nature of the earth change.

Upon completion of all work specified in approved soil erosion and sedimentation control plans and other requirements, the Applicant shall file with the Department a final inspection request. The Department shall inspect the completed work and, upon determination of satisfactory completion, issue a Notice of Final Completion. If the Department finds any existing conditions not in accordance with any application, Permit, approved plan or subsequent requirements, further work shall not be allowed until approval of a revised soil erosion and sedimentation control plan has been granted by the Department.

### **Section 18. Enforcement**

- A. If the Permittee fails to complete the work or fails to comply with the requirements, conditions, and terms of the permit and/or subsequent requirements, including a Temporary Occupancy Permit, the Department shall issue a Notice of Deficiency. The issued notice shall provide a description of any deficiencies as well as the required corrective action(s). The permittee shall complete the required corrective actions within the time frame indicated on the issued notice. If permittee fails to comply with all requirements of the Notice of Deficiency, the Department will issue a Notice of Violation and/or a Stop Work Order.
- B. If a Notice of Violation is issued, the Department may order such work as is necessary to stabilize the site and eliminate any danger to persons, property, or natural resources. Such work will be completed by an assigned agent of the Department. The Permittee and the surety executing the bond or person issuing the instrument of credit or making the cash deposit as required in Section 6 shall be firmly bound under a continuing obligation for the payment of all costs and expenses that may be incurred by the Township in causing any and all such work to be performed. In the case of a cash deposit, any unused portion thereof will be refunded to the permittee. If the financial guarantee is insufficient, the permittee shall deposit an amount equal to the deficiency.
- C. If the Department finds it necessary to issue a Notice of Violation to permittee, the Department may require a One Thousand Dollars (\$1,000) cash performance deposit for each subsequent single residential Permit issued to that applicant. The amount of the performance deposit required for any other type of activity shall be determined by the Department at the time of application.



- D. Notwithstanding the existence or pursuit of any other remedy, the Township may maintain an action in its own name in any court of competent jurisdiction for an injunction or other process against any person to restrain or prevent violations of this ordinance.
- E. Acceptance of the Permit by Permittee shall constitute Permittee's consent that the Department may enter at all reasonable times in, or upon, any private or public property for the purpose of inspecting and investigation of conditions and practices which may be a violation of the Permit and/or this Ordinance.
- F. Civil Infractions.
  - 1. In addition to remedies for a violation provided in this Ordinance, a person who violates this Ordinance, Part 91 or the rules promulgated thereunder as incorporated herein, shall be liable for payment of a municipal civil infraction and may be ordered to pay a civil fine of not more than Two Thousand Five Hundred Dollars (\$2,500).
  - 2. A person who knowingly violates this Ordinance, Part 91 or said rules, or who knowingly makes a false statement in an application for a Permit or in the Soil Erosion and Sedimentation Control Plan shall be responsible for payment of a civil fine or not more than Ten Thousand Dollars (\$10,000) for each day of violation.
  - 3. A person who knowingly violates this Ordinance, Part 91, or the rules promulgated under Part 91, after receiving a Notice of Deficiency is responsible for payment of a civil fine of not less than Two Thousand Five Hundred Dollars (\$2,500) or more than Twenty-Five Thousand Dollars (\$25,000) for each day of violation.
  - 4. Civil fines collected pursuant to this section shall be deposited with the Township.
  - 5. A default in payment of a civil fine or a cost ordered under this section or installment of a fine or cost may be remedied by any means authorized under the Revised Judicature Act of 1961 (1961 PA 236; MCL 600.101 et seq).
  - 6. In addition to the other remedies provided in this Ordinance, Part 91 or the rules promulgated under Part 91, a person in violation of Part 91 may be liable for damages for injury to or destruction of or loss of natural resources resulting from said violation and may be subject to such injunctive orders as may be appropriate, including orders to cease and desist all such activities and/or to restore the area or the areas affected by the violation to their condition as said condition existed prior to the violation.
  - 7. Persons authorized by the Township Board to enforce municipal civil infractions within the Township are authorized to enforce the provisions of this Ordinance.

**Section 19. Designation of Municipal Enforcing Agency**

Upon adoption of this Ordinance by the Charter Township of Garfield Township Board, the Zoning Department will be designated as the municipal enforcing agency and is responsible for the administration and enforcement of this Ordinance.

#### **Section 20. Severability**

It is the legislative intent of the Township Board adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety, and general welfare of the inhabitants of the Township and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance, it being the intent of the Charter Township of Garfield Township Board that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

#### **Section 21. Effective Date**

This Ordinance shall become effective after its adoption and publication as provided by laws and approval by the Michigan Department of Environmental Quality.

Moved: Chuck Korn

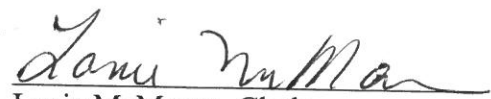
Supported: Denise Schmuckal

Ayes: Korn, Schmuckal, Agostinelli, Lapp, L. McManus, Macomber, J. McManus

Nays: None

Absent and Excused: None

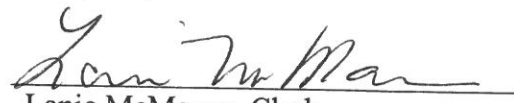
The Chairman, Joe McManus, declared the motion carried and Resolution 2025-02-T adopted this 14th day of January 2025.

  
Lanie McManus, Clerk

#### **CERTIFICATE**

I, Lanie McManus, the Clerk of Charter Township of Garfield, do hereby certify that the above is a true and correct copy of Resolution 2025-02-T, Ordinance No. 78, which was adopted by the Township Board of the Charter Township of Garfield on the 14th day of January, 2025. Garfield Township Ordinance No. 78 shall take effect after its adoption and publication as provided by laws and approval by the Michigan Department of Environmental Quality

1/15/2025  
Dated:

  
Lanie McManus, Clerk

01/23/2025 09:37 AM  
User: BETTY  
DB: Garfield

CHECK DISBURSEMENT REPORT FOR CHARTER TOWNSHIP OF GARFIELD  
CHECK DATE FROM 01/10/2025 - 01/23/2025  
Banks: GEN

Page: 1/2

Check Date	Bank	Check #	Payee	Description	GL #	Amount
01/13/2025	GEN	43038	LARK LAWN & GARDEN, INC.	SNOWBLOWER	208-000-970.000	1,449.99
01/16/2025	GEN	43039	GMOSER'S SEPTIC SERVICE, INC	TOILET RENTAL 12.2024	208-000-805.000	270.00
01/16/2025	GEN	43040	GOURDIE-FRASER, INC.	RAQUET CLUB DRIVE	204-000-955.000	712.50
01/16/2025	GEN	43041	GRAND TRAVERSE COUNTY	YARD WASTE FALL 2024	101-720-880.007	2,975.00
01/16/2025	GEN	43042	GRAND TRAVERSE COUNTY MTA	DUES	101-101-965.101	261.46
01/16/2025	GEN	43043	GRANITE TELECOMMUNICATIONS	PHONES	101-265-850.000	7.30
01/16/2025	GEN	43044	INTEGRITY BUSINESS SOLUTIONS	POST-IT FLAGS / ENVELOPES / DIVIDERS / BINDE	101-101-726.000	102.23
		43044		POST-IT FLAGS / ENVELOPES / DIVIDERS / BINDE	101-172-726.000	62.45
						164.68
01/16/2025	GEN	43045	KRAFT BUSINESS SYSTEMS	COPIER CONTRACT	101-101-726.002	402.53
01/16/2025	GEN	43046	SPECTRUM ENTERPRISE	INTERNET	101-228-955.001	159.98
01/16/2025	GEN	43047	TRAVERSE CITY RECORD EAGLE	ADVERTISING	101-101-901.000	471.90
		43047		ADVERTISING	101-707-901.000	165.20
						637.10
01/16/2025	GEN	43048	GOURDIE-FRASER, INC.	SA & BARLOW TRAIL EXTENSIONS	208-000-970.000	16,790.00
01/23/2025	GEN	43049	AFLAC	AFLAC	101-000-231.001	436.82
01/23/2025	GEN	43050	AMY DEHAAN	MILEAGE	101-257-860.201	406.36
01/23/2025	GEN	43051	BLUE CROSS BLUE SHIELD OF MICHIGAN	BC/BS	101-101-711.030	3,429.78
		43051		BC/BS	101-172-711.030	2,093.74
		43051		BC/BS	101-215-711.030	3,147.91
		43051		BC/BS	101-253-711.030	4,050.23
		43051		BC/BS	101-257-711.030	4,184.96
		43051		BC/BS	101-371-711.030	4,940.57
		43051		BC/BS	101-701-711.030	1,408.15
		43051		BC/BS	101-702-711.030	4,056.93
						27,312.27
01/23/2025	GEN	43052	GARFIELD CHARTER TOWNSHIP	HSA	101-000-237.000	712.42
01/23/2025	GEN	43053	HI-TECH SYSTEM SERVICE, INC	REMOTE MONITORING/INTERCEPT/EMAIL FILTERING	101-228-955.000	2,958.00
01/23/2025	GEN	43054	PITNEY BOWES INC	LEASE	101-101-726.001	426.84
01/23/2025	GEN	43055	PRINCIPAL LIFE INSURANCE COMPANY	DENTAL/LIFE	101-101-711.030	274.45
		43055		DENTAL/LIFE	101-172-711.030	(401.84)
		43055		DENTAL/LIFE	101-215-711.030	155.47

3.b.(i)

01/23/2025 09:37 AM  
User: BETTY  
DB: Garfield

CHECK DISBURSEMENT REPORT FOR CHARTER TOWNSHIP OF GARFIELD  
CHECK DATE FROM 01/10/2025 - 01/23/2025  
Banks: GEN

Page: 2/2

Check Date	Bank	Check #	Payee	Description	GL #	Amount
		43055		DENTAL/LIFE	101-253-711.030	330.04
		43055		DENTAL/LIFE	101-257-711.030	345.10
		43055		DENTAL/LIFE	101-371-711.030	327.47
		43055		DENTAL/LIFE	101-701-711.030	162.45
		43055		DENTAL/LIFE	101-702-711.030	303.60
						<hr/> 1,496.74
01/23/2025	GEN	43056	SUPERFLEET	GAS	101-321-862.000	62.28
01/23/2025	GEN	43057	TRAVERSE CITY LIGHT & POWER	00104659-5	101-448-920.005	10.61
01/23/2025	GEN	43058	UNITED WAY	UNITED WAY	101-000-238.000	90.00
01/23/2025	GEN	43059	VOYA INSTITUTIONAL TRUST COMPANY	DEFERRED COMP VF3202	101-000-231.000	1,510.00
TOTAL - ALL FUNDS				TOTAL OF 22 CHECKS		59,252.88

--- GL TOTALS ---

101-000-231.000	DEFERRED COMP	1,510.00
101-000-231.001	AFLAC	436.82
101-000-237.000	HSA (FORMERLY FLEX)	712.42
101-000-238.000	UNITED WAY	90.00
101-101-711.030	BENEFITS	3,704.23
101-101-726.000	SUPPLIES	102.23
101-101-726.001	POSTAGE	426.84
101-101-726.002	SUPPLIES - COPIER MAINTENANCE	402.53
101-101-901.000	ADVERTISING	471.90
101-101-965.101	DUES & PUBLICATIONS -TOWNBOAR	261.46
101-172-711.030	BENEFITS	1,691.90
101-172-726.000	SUPPLIES	62.45
101-215-711.030	BENEFITS	3,303.38
101-228-955.000	COMPUTER SUPPORT SYSTEMS	2,958.00
101-228-955.001	COMPUTER NETWORK	159.98
101-253-711.030	BENEFITS	4,380.27
101-257-711.030	BENEFITS	4,530.06
101-257-860.201	MILEAGE - ASSESSOR	406.36
101-265-850.000	TELEPHONE	7.30
101-321-862.000	GAS & CAR WASHES	62.28
101-371-711.030	BENEFITS	5,268.04
101-448-920.005	STREET LIGHTS TOWNSHIP	10.61
101-701-711.030	BENEFITS	1,570.60
101-702-711.030	BENEFITS	4,360.53
101-707-901.000	ADVERTISING	165.20
101-720-880.007	COM. PROM. - COMMUNITY AWAREN	2,975.00
204-000-955.000	LOCAL ROAD CONSTRUCTION	712.50
208-000-805.000	CONTRACTED AND OTHER SERVICES	270.00
208-000-970.000	CAPITAL OUTLAY	18,239.99
TOTAL		59,252.88



Engineering  
Surveying  
Testing &  
Operations

123 West Front Street  
Traverse City, Michigan 49684  
231.946.5874   
231.946.3703

December 18, 2024

### SUMMARY OF BILLINGS FOR APPROVAL FROM GARFIELD TOWNSHIP

#### I. Developer's Escrow Fund

##### A. Storm Water Reviews

1. Engineering consulting services for storm water plan review.		
<b>HIC #32, Car Detailing &amp; Long Term Parking, Escrow No. 214.825</b>		
Project# 24297 2429702		280.00
2. Engineering consulting services for storm water plan review.		
<b>Renew It Group, TC Showroom/Warehouse, Escrow No. 214.821</b>		
Project# 24300 2430002		327.50
3. Engineering consulting services for storm water plan review.		
<b>Two Brother Dog Park Café and Taphouse, Escrow No. 214.840</b>		
Project# 24340 2434001		947.50
4. Engineering consulting services for storm water plan review.		
<b>W. Senior High School &amp; Long lake Elementary Site Improvements, Escrow No. 214.819</b>		
Project# 24346 2434601		1,615.00
	Total A	<u>3,170.00</u>

##### B. Side Walk Assessment

1. Engineering consulting services for storm water plan review.		
<b>Crossfit Due North, Side Walk Review, Escrow No. 214.820</b>		
Project# 24349 2494901		500.00
	Total B	<u>500.00</u>

##### B. Utility Plan Review, Oversight & Closeout

1. Construction services, project turnover.		
<b>The Flats at Carriage Commons (BATA/TCHC Transit Orientated Mixed Use) Escrow No. 214.816</b>		
Project# 24202 Invoice No. 2420204		1,525.00
	Total B	<u>1,525.00</u>
	<b>Total Developer's Escrow Fund</b>	<u>5,195.00</u>

#### II. General Utilities

1. Engineering consulting services.		
<b>NW Service District Water System Improvements (Water Storage Tank)</b>		
Project# 16037 Invoice No. 1603725		8,983.00
2. Engineering services for research and compilation/water reliability study, update, hydraulic analysis		
<b>EGLE DWRF Project Plan, Capital Improvement Projects</b>		
Project# 22280 Invoice No. 2228006		2,650.00
	<b>Total Utility Receiving Fund</b>	<u>11,633.00</u>

#### III. General

1. Engineering services for water contract review and data compilation and analysis		
<b>Water Contract</b>		
Project# 24029C Invoice No. 24029315		3,012.50
2. Engineering services for meeting, plan review, evaluation of flow demands and capacity impact		
<b>Grand Traverse Commons Water connection</b>		
Project# 24029C Invoice No. 24029314		2,720.00
	<b>Total Park Funds / DNR Trust Fund</b>	<u>5,732.50</u>

#### IV. Park Funds / DNR Trust Fund

2. Engineering design, survey, permitting, bidding, and construction services.		
<b>South Airport and Barlow Road, Trail Extensions</b>		
Project# 24070 Invoice No. 2407004		5,110.00
1. Engineering final design layout, cost estimated for parking improvements.		
<b>Copper Ridge Trailhead</b>		
Project# 24236 Invoice No. 2423603		1,920.00
	<b>Total Park Funds / DNR Trust Fund</b>	<u>7,030.00</u>

**GRAND TOTAL** \$29,590.50

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24297  
Invoice No: 2429702

Re: HIC #32, Car Detailing & Long Term Parking, Storm Water Review, Escrow No. 214.825

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services include review, communication with applicant / engineer, correspondence letter and final review letter with minor corrections and changed identified.

Project Location: 1407 Industry Drive, Traverse City, MI 49696

**Professional Services from December 14, 2024 to January 18, 2025**

**Professional Personnel**

	Hours	Rate	Amount	
Project Engineer	2.00	140.00	280.00	
Totals	2.00		280.00	
<b>Total Labor</b>				<b>280.00</b>
		<b>Total this Invoice</b>		<b>\$280.00</b>

**Billings to Date**

	Current	Prior	Total
Labor	280.00	491.25	771.25
<b>Totals</b>	<b>280.00</b>	<b>491.25</b>	<b>771.25</b>



**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24300  
Invoice No: 2430002

Re: Renew It Group, TC Showroom/Warehouse, Storm Water Review, Escrow No. 214.821

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services includes review, communication with applicant / engineer and correspondence letter of approval with only permits and maintenance agreement needed.

Project Location: 302 N. US 31 South, Grawn, MI 49685

**Professional Services from December 14, 2024 to January 18, 2025**

**Professional Personnel**

	Hours	Rate	Amount	
Project Engineer II	1.00	135.00	135.00	
Design Engineer	1.75	110.00	192.50	
Totals	2.75		327.50	
<b>Total Labor</b>				<b>327.50</b>
		<b>Total this Invoice</b>		<b>\$327.50</b>

**Billings to Date**

	Current	Prior	Total
Labor	327.50	1,128.75	1,456.25
<b>Totals</b>	<b>327.50</b>	<b>1,128.75</b>	<b>1,456.25</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24340  
Invoice No: 2434001

Re: Two Brothers Dog Park Cafe and Taphouse, Storm Water Review, Escrow No. 214.840

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services includes review, communication with applicant / engineer and correspondence letter of final review with some outstanding items noted to be provided.

Project Location: 1776 S. Garfield, Traverse City

**Professional Services from December 14, 2024 to January 18, 2025**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Project Engineer II	1.50	135.00	202.50	
Project Specialist	1.50	130.00	195.00	
Design Engineer	5.00	110.00	550.00	
Totals	8.00		947.50	
<b>Total Labor</b>				<b>947.50</b>
		<b>Total this Invoice</b>		<b>\$947.50</b>

**Billings to Date**

	<b>Current</b>	<b>Prior</b>	<b>Total</b>
Labor	947.50	0.00	947.50
<b>Totals</b>	<b>947.50</b>	<b>0.00</b>	<b>947.50</b>



**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24346  
Invoice No: 2434601

Re: West Senior High School and Long Lake Elementary Site Improvements, Storm Water Review, Escrow No. 214.819

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services includes review, communication with applicant / engineer, site visit to evaluate conditions and initial review letter and response.

Project Location: 5476 N. Long Lake Road and 7600 N. Long Lake Road., Traverse City

<b>Professional Services from December 14, 2024 to January 18, 2025</b>		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
<b>Professional Personnel</b>				
Project Engineer II	2.25	135.00	318.75	
Project Engineer	2.50	140.00	350.00	
Project Specialist	2.50	130.00	328.75	
Design CAD Technician I	6.50	95.00	617.50	
Totals	13.75		1,615.00	
<b>Total Labor</b>				<b>1,615.00</b>
			<b>Total this Invoice</b>	<b>\$1,615.00</b>

**Billings to Date**

	<b>Current</b>	<b>Prior</b>	<b>Total</b>
Labor	1,615.00	0.00	1,615.00
<b>Totals</b>	<b>1,615.00</b>	<b>0.00</b>	<b>1,615.00</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24349  
Invoice No: 2434901

Re: Crossfit Due North, Side Walk Review, Escrow No. 214.820

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services includes review, communication with applicant / engineer and correspondence letter of review to townhsip.

Project Location: 1420 Barlow Street, Traverse City

**Professional Services from January 12, 2025 to January 18, 2025**

**Professional Personnel**

	Hours	Rate	Amount	
Project Engineer	2.50	140.00	350.00	
Senior Testing/Inspection Tech.	1.00	125.00	125.00	
Construction/Testing Tech. II	2.00	100.00	200.00	
Totals	5.50		675.00	
<b>Total Labor</b>				<b>675.00</b>

<b>Billing Limits</b>	<b>Current</b>	<b>Prior</b>	<b>To-Date</b>	
Total Billings	675.00	0.00	675.00	
Limit			500.00	
<b>Adjustment</b>				<b>-175.00</b>
			<b>Total this Invoice</b>	<b>\$500.00</b>

**Billings to Date**

	<b>Current</b>	<b>Prior</b>	<b>Total</b>
Labor	500.00	0.00	500.00
<b>Totals</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874, Fax: 231-946-9634  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

LANIE MCMANUS  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24202  
Invoice No: 2420204

Re: The Flats at Carriage Commons (BATA/TCHC Transit Orientated Mixed Use Development) , Water / Sewer Extension, Escrow# 214.816

Services Performed: Engineering and construction services for, construction oversight and project close out for the installation of approximately 2400 LF of 8' water main and 1750 LF of 8' sanitary sewer to service a mixed use planned unit development.

Project Location: Corner of Hammond Road and Lafranier Road, Traverse City.

**Professional Services from November 02, 2024 to January 18, 2025**  
**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Observation & Testing	25,000.00	66.50	16,625.00	15,375.00	1,250.00
Project Closeout & Turnover	2,500.00	15.00	375.00	100.00	275.00
Total Fee	27,500.00		17,000.00	15,475.00	1,525.00
		<b>Total Fee</b>			<b>1,525.00</b>
				<b>Total this Invoice</b>	<b>\$1,525.00</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874, Fax: 231-946-9634  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 16037  
Invoice No: 1603725

Re: NW Service District Water System Improvements

Services Performed: Engineering and construction services for final design, bidding, construction staking, observation and administration, close out and record drawings for water main extension.

Additional Services:

1. 01/17/18 Heritage Estates entrance reconstruction.

Project Location: Harris Road and Cedar Run Road, Garfield Township, Grand Traverse County, Michigan.

**Professional Services from December 15, 2024 to January 18, 2025**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
WATER STORAGE TANK	0.00	0.00	0.00	0.00	0.00
Research	15,000.00	100.00	15,000.00	15,000.00	0.00
Engineering Design	25,000.00	100.00	25,000.00	25,000.00	0.00
Topographic Survey	5,000.00	100.00	5,000.00	5,000.00	0.00
Bidding	5,000.00	100.00	5,000.00	5,000.00	0.00
Construction Staking	5,000.00	100.00	5,000.00	5,000.00	0.00
Construction Administration	10,000.00	100.00	10,000.00	10,000.00	0.00
Construction Inspection	25,000.00	100.00	25,000.00	25,000.00	0.00
Record Drawings/Close Out	3,500.00	100.00	3,500.00	3,500.00	0.00
	0.00	0.00	0.00	0.00	0.00
WATERMAIN EXTENSIONS	0.00	0.00	0.00	0.00	0.00
Prop. Acquisition/Utility Research	10,000.00	100.00	10,000.00	10,000.00	0.00
Final Design/Permitting	50,000.00	100.00	50,000.00	50,000.00	0.00
Topographic Survey	15,000.00	100.00	15,000.00	15,000.00	0.00
Bidding	6,500.00	100.00	6,500.00	6,500.00	0.00
Construction Staking	20,000.00	100.00	20,000.00	20,000.00	0.00
Construction Administration	25,000.00	100.00	25,000.00	25,000.00	0.00
Construction Inspection	120,000.00	100.00	120,000.00	120,000.00	0.00

Project	16037	GARFIELD/FD,BID,STK,CA,CM/HARRIS-CEDAR R				Invoice	1603725
Record Drawings/Close Out	9,500.00	100.00	9,500.00	9,500.00	0.00		
	0.00	0.00	0.00	0.00	0.00		
INFRASTRUCTURE UPGRADE/BOOSTER STATION	0.00	0.00	0.00	0.00	0.00		
Research	25,000.00	100.00	25,000.00	25,000.00	0.00		
Final Design/Permitting	69,100.00	63.00	43,533.00	34,550.00	8,983.00		
Topographic Survey	15,000.00	100.00	15,000.00	15,000.00	0.00		
Bidding	6,850.00	0.00	0.00	0.00	0.00		
Construction Staking	5,000.00	0.00	0.00	0.00	0.00		
Construction Administration	30,000.00	0.00	0.00	0.00	0.00		
Construction Inspection	20,350.00	0.00	0.00	0.00	0.00		
Record Drawings/Close Out	6,500.00	0.00	0.00	0.00	0.00		
	0.00	0.00	0.00	0.00	0.00		
HERITAGE EST. ENTRANCE RECONSTRUCTION SAD	0.00	0.00	0.00	0.00	0.00		
Preliminary Design	500.00	100.00	500.00	500.00	0.00		
Final Design	500.00	100.00	500.00	500.00	0.00		
Bidding	250.00	100.00	250.00	250.00	0.00		
Construction Inspection	3,700.00	100.00	3,700.00	3,700.00	0.00		
Construction Staking	1,800.00	100.00	1,800.00	1,800.00	0.00		
Construction Administration	750.00	100.00	750.00	750.00	0.00		
Closeout Services	500.00	100.00	500.00	500.00	0.00		
Total Fee	535,300.00		441,033.00	432,050.00	8,983.00		
		<b>Total Fee</b>				<b>8,983.00</b>	
		<b>Total this Invoice</b>				<b>\$8,983.00</b>	

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874, Fax: 231-946-9634  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 22280  
Invoice No: 2228006

Re: EGLE DWRF Project Plan, Capital Improvement Projects.

Services Performed: Civil engineering services for research and compilation/water reliability study update, water system hydraulic analysis/computer modeling, revenue system development, DWRF project plan and loan application as detailed in proposal letter dated August 17, 2022.

**Professional Services from September 15, 2024 to January 18, 2025**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Water Reliability Study Update	26,500.00	50.00	13,250.00	10,600.00	2,650.00
Water System Hydraulic Analysis/Modeling	22,500.00	0.00	0.00	0.00	0.00
Revenue System Development	15,000.00	100.00	15,000.00	15,000.00	0.00
DWRF Project Plan & Loan Application	48,500.00	100.00	48,500.00	48,500.00	0.00
Total Fee	112,500.00		76,750.00	74,100.00	2,650.00
		<b>Total Fee</b>			<b>2,650.00</b>
				<b>Total this Invoice</b>	<b>\$2,650.00</b>



**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24029C  
Invoice No: 24029314

Re: City / Township Bulk Water Contract

Services Performed: Engineering services for continual review of contract language, research and submission of past and current pending permit applications to the City of Traverse City per their request. Generation of flow data projections for water supply needs for 5, 10 and 20 years. Meetings with township staff, attorney and Garfield Township Board related to the issues. Review of the City of Traverse City and Long Lake Township proposed contract and other related matters.

**Professional Services from January 12, 2025 to January 18, 2025**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Director of Engineering	12.00	205.00	2,460.00	
Design Engineer	5.00	110.00	552.50	
Totals	17.00		3,012.50	
<b>Total Labor</b>				<b>3,012.50</b>
		<b>Total this Invoice</b>		<b>\$3,012.50</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874 Ext. 310  
melanie@gfa.tc      Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24029C  
Invoice No: 24029315

Re: Grand Traverse Commons Water Connection

Services Performed: Engineering services for meeting attendance with stakeholder group on behalf of the township, communication with city staff and engineer for the project. Engineer plan review of proposed project as submitted by the city and evaluation of flow demands of development and impact analysis on existing township infrastructure.

**Professional Services from January 12, 2025 to January 18, 2025**

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Director of Engineering	14.00	180.00	2,720.00	
Totals	14.00		2,720.00	
<b>Total Labor</b>				<b>2,720.00</b>
		<b>Total this Invoice</b>		<b>\$2,720.00</b>

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874, Fax: 231-946-9634  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24070  
Invoice No: 2407004

Re: South Airport and Barlow Road, Trail Extensions

Services Performed: Civil engineering, survey and construction services to complete a boundary and topographic survey, utility research, engineering plan development, permitting support, meetings, final plan set, bidding, construction administration, staking and layout, inspection and oversight and close out as detailed in in proposal letter dated April 9, 2024.

**Professional Services from December 14, 2024 to January 18, 2025**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Survey Services	12,500.00	100.00	12,500.00	12,500.00	0.00
Final Design & Permitting	36,500.00	80.00	29,200.00	24,090.00	5,110.00
Bidding	2,500.00	0.00	0.00	0.00	0.00
Construction Administration	6,250.00	0.00	0.00	0.00	0.00
Construction Staking/Layout	5,000.00	0.00	0.00	0.00	0.00
Construction Inspection & Oversight	27,500.00	0.00	0.00	0.00	0.00
Close Out	5,000.00	0.00	0.00	0.00	0.00
Total Fee	95,250.00		41,700.00	36,590.00	5,110.00
Total Fee					5,110.00
Total this Invoice					\$5,110.00

**Invoice**

Gourdie-Fraser, Inc.  
123 West Front Street, Suite A  
Traverse City, MI 49684  
Phone: 231-946-5874, Fax: 231-946-9634  
melanie@gfa.tc Pay By Credit Card:  
Traverse City, MI 49684

CHRIS BARSHEFF, TOWNSHIP MANAGER  
CHARTER TWP OF GARFIELD  
3848 VETERANS DR  
TRAVERSE CITY, MI 49684

January 21, 2025  
Project No: 24236  
Invoice No: 2423603

Re Copper Ridge Trailhead

Services Performed: Civil engineering services for site design, permitting and bidding documents to facility construction of a trailhead and trail spur to connect to the existing Copper Ridge Trail located off Park Forest Drive. Scope is consistent with the conceptual drawing and cost estimate approved by the Township Board in August 2024.

Project Location:

**Professional Services from November 03, 2024 to January 18, 2025**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Topographic Survey	3,000.00	100.00	3,000.00	2,130.00	870.00
Engineering Site Design	7,450.00	100.00	7,450.00	7,450.00	0.00
RFP and Bidding	3,500.00	50.00	1,750.00	700.00	1,050.00
Total Fee	13,950.00		12,200.00	10,280.00	1,920.00
		<b>Total Fee</b>			<b>1,920.00</b>
				<b>Total this Invoice</b>	<b>\$1,920.00</b>



Engineering  
Surveying  
Testing &  
Operations

123 West Front Street  
Traverse City, Michigan 49684  
231.946.5874 (p)  
231.946.3703 (m)

January 4, 2025

Charter Township of Garfield  
Attn: Chris Barsheff, Township Manager  
2848 Veterans Drive  
Traverse City, MI 49684

RE: Birmley Meadows – Sanitary Sewer and Water Main Extension  
GFA #23120  
Close-out & Turnover

Dear Mr. Barsheff:

The project for the Birmley Meadows Sanitary Sewer and Water main extension has been completed. Enclosed please find copies of the following items submitted by the contractor in compliance with the contract documents:

1. One-Year Maintenance Bond
2. Letter of Guarantee
3. Affidavit of Completion/Consent of Surety
4. Bill of Sale
5. Recorded Grant of Easement

The Record Drawings and reports are completed and both paper and USB copies will be delivered to the Grand Traverse County Department of Public Works.

GFA has provided construction oversight for this project and hereby verifies to the best of our knowledge, the contractor has installed the facilities according to the approved plans and specifications. Based on this information, we recommend that the Township accept the facilities.

If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,  
Gourdie-Fraser, Inc.

Jennifer Graham, P.E.  
Director of Engineering

Enclosures

cc: Grand Traverse County DPW  
Carrie May, Boyne Engineering

## **BILL OF SALE**

T&R Investments, whose address is whose address is 841 Ashland Dr, Traverse City, MI 49696 (herein referred to as "Seller") for and in consideration of One (\$1.00) Dollar, the adequacy and receipt of which is acknowledged, does hereby grant, dedicate, transfer and deliver to Garfield Township, whose address is 3848 Veterans Drive, MI 49684 (herein referred to as the "Township"), all water main and sewer and appurtenances as shown on the attached drawings that are in, over, upon and under the real estate more fully described as:

Land situated in the Township of Garfield, County of Grand Traverse and State of Michigan, described as follows:

### **20' WIDE SANITARY SEWER EASEMENT**

1,757 L.F. 8" SANITARY SEWER MAIN LOCATED IN A PUBLIC UTILITY EASEMENT FROM AN EXISTING MANHOLE (MH-567) LOCATED IN THE RIGHT-OF-WAY OF BIRMLEY ESTATES DRIVE, RUNNING WEST THEN EXTENDING SOUTH ALONG BIRMLEY ESTATES DRIVE, THEN RUNNING SOUTH ALONG SPRINGFIELD COURT AND CONNECTING TO EXISTING SANITARY CLEAN NEAR MANHOLE (MH-571).

A 20' wide easement for the installation and maintenance of a sanitary sewer and appurtenance in part of the Southwest 1/4 of Section 26, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, said Easement being part of Tax Parcel #05-026-020-30, which is more fully described as;

Legal Description: See Exhibit B, attached and incorporated hereto.

### **20' WIDE WATER MAIN EASEMENT**

2,420 LF 8" WATER MAIN LOCATED IN A PUBLIC UTILITY EASEMENT FROM AN EXISTING 8" WATER MAIN VALVE (#273) LOCATED IN THE RIGHT-OF-WAY OF BIRMLEY ESTATES DRIVE, RUNNING WEST THEN EXTENDING SOUTH ALONG BIRMLEY ESTATES DRIVE CONNECTING TO EXISTING WATER MAIN STUB (NEAR HYD #245), AND EXSTENDING SOUTH ALONG SPRINGFIELD DRIVE AND CONNECTING TO EXISTING WATER MAIN STUB (NEAR VALVE #275).

A 20' wide easement for the installation and maintenance of a water main line and appurtenance in part of the Southeast 1/4 of Section 26, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, said Easement being part of Tax Parcel 05-026-020-33, which is more fully described as;

Legal Description: See Exhibit B, attached and incorporated hereto.



Seller hereby warrants and certifies to the Township that the Improvement has been acquired, constructed and completed in accordance with the Plans and Specifications developed by Grand Traverse County for the improvement previously approved by the Township, and that no claim, action, or liability exists with respect to the improvement and its construction and installation.

Seller further warrants and represents to the Township that it is the lawful owner of the improvement, and that the improvement is free of all liens and encumbrances of any kind. Seller further represents that it has the authority to transfer the improvement. All warranties and guarantees pertaining to the improvement are hereby assigned and transferred to the Township.

*[Signatures on the Next Page.]*

Dated this 3rd day of December, 2024

**Seller:**

**T&R Investments,**

By:

  
Steve Zakrajsek, President

### CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner:	Garfield Township	Owner's Contract No.:	
Contractor:	Elmer's Crane and Dozer, Inc.	Contractor's Project No.:	530168
Engineer:	Gourdie-Fraser, Inc. (GFA)	Engineer's Project No.:	23120
Project:	Sanitary Sewer and Water Main Extension	Contract Name:	Birmley Meadows water/sani

This ~~preliminary~~ [final] Certificate of Substantial Completion applies to:

☒ All Work ☐ The following specified portions of the Work:

February 16, 2024

#### Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows: *[Note: Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.]*

Amendments to Owner's  
responsibilities:

☒ None  
☐ As follows

Amendments to  
Contractor's responsibilities:

☒ None  
☐ As follows:

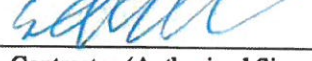
The following documents are attached to and made a part of this Certificate: *[punch list; others]*

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract.

#### EXECUTED BY ENGINEER:

#### ACCEPTED:

#### ACCEPTED:

By: _____ (Authorized signature)	By: _____ Owner (Authorized Signature)	By:  Contractor (Authorized Signature)
Title: _____	Title: _____	Title: Steve Folkersma, PM
Date: _____	Date: _____	Date: 02/21/2024

## LETTER OF GUARANTEE

DATE: February 21, 2024

23120

GFA PROJECT NO.

OWNER: Garfield Township

PROJECT: Birmley Meadows

Water main and sanitary sewer extension

Gentlemen:

As the Contractor for this Project, I hereby guarantee all materials and equipment furnished and all work performed on this Project including any restoration Work necessary to be repaired or replaced.

With respect to this Project, to our personal knowledge, all payments have been made and there are no Liens on said system.

This guarantee will remain in effect for a period of one (1) year from the date of acceptance by the Municipality.

Signature:



(Contractor)

Title: Steve Folkersma, PM

(Please Print or Type)

Company Name:

Elmer's Crane and Dozer, Inc.

(Please Print or Type)

Address:

3600 Rennie School Rd

Traverse City, MI 49685

## MAINTENANCE BOND

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

CONTRACTOR (Name and Address):

Elmer's Crane and Dozer, Inc  
3600 Rennie School Road  
Traverse City, MI 49685

**SURETY (Name and Address of Principal Place of Business):**

The Cincinnati Insurance Company  
6200 S Gilmore Road  
Fairfield, OH 45014

**OWNER (Name and Address):**

Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49684

## CONTRACT

Date:

**Amount: \$287,965.00**

**Project Description (Name and Location):** Birmley Meadows -Water main and Sanitary Sewer Extension-Water and Sewer Only

## BOND

Date (1 year from date of Acceptance by the Municipality): February 16, 2024

Amount: \$143,982.50

**Bond Number:** B3297262

Surety and Contractor, intending to be legally bound hereby, subject to the following terms, to each cause this Maintenance Bond to be duly executed on its behalf by its authorized officer, agent or representative.

KNOW ALL MEN BY THESE PRESENTS,

That we, Elmer's Crane and Dozer, Inc.

entered into a Contract with said Obligee for

**Birmley Meadows-Water Main and Sanitary Sewer Extension**

in accordance with the General Conditions, the Drawings and Specifications, which Contract is by reference incorporated herein, and made a part hereof, and is referred to as the Contract..

NOW, THEREFORE, the condition of this obligation is such that, if said Principal shall maintain and remedy any defects due to faulty materials or workmanship, and pay for any damage to other Work resulting therefrom, and additional expense which shall appear within a period of one year(s) from the date of acceptance by the municipality of the Work provided for in the Contract, then this obligation

as Principal, (hereinafter called **Principal**), and  
 ti Insurance Company

\_\_\_\_\_ as Surety (hereinafter called

**Surety**), are held and firmly bound into

Charter Township of Garfield

as Obligee (hereinafter called **Obligee**), in the  
One Hundred Forty Three Thousand Nine Hundred

penal sum of One Hundred Forty Three Thousand Nine Hundred Eighty Two and 50/100--

**Dollars \$ 143,982.50** for the

payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents

WHEREAS, said Principal has by written Agreement, dated

to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that said Obligee shall give Principal and Surety notice of observed defects with reasonable promptness.

Signed and sealed this 22nd day of February, 2024

CONTRACTOR AS PRINCIPAL

Company: (Corp. Seal)

Elmer's Crane and Dozer, Inc

SURETY

Company:

(Corp. Seal)

The Cincinnati Insurance Company

Signature:

Name and Title: Steve Bollasone, PM

Signature:

Name and Title: Marcia J Miller, attorney-in-fact  
(Attach Power of Attorney)

(Space is provided below for signatures of additional parties, if required).

CONTRACTOR AS PRINCIPAL

Company: (Corp. Seal)

SURETY

Company:

(Corp. Seal)

Signature:

Name and Title:

Signature:

Name and Title:

NOTE: Date of Bond must not be prior to date of Substantial Completion. If Contractor is a Partnership, all partners should execute Bond.

IMPORTANT: Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the Project is located.



THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

Robert G. Chapman; David G. Chapman; Nathan G. Chapman; Marcia J. Miller;  
Cloyd W. Barnes; Curtis M. Peterson; Ryan Peterson and/or Nicole Andries

of Lansing, Michigan

their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to  
Fifty Million and No/100 Dollars (\$50,000,000.00).

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO )SS:  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Stephen A. Ventre

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



Keith Collett, Attorney at Law  
Notary Public - State of Ohio

My commission has no expiration date.  
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 22nd day of February, 2024



Ed H

## THREE YEAR WARRANTY

February 1, 2024

Grand Traverse County DPW

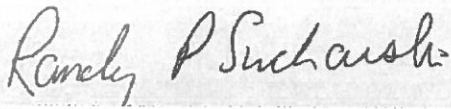
Project: Birmley Hills / Birmley Meadows

Michigan Pipe and Valve will replace or repair any defect in material or workmanship provided and/or installed by us in connection with the project named above.

This warranty is valid one year from the date of substantial completion. The substantial completion date is February 1, 2024, making this warranty in effect until February 1, 2027

We will not warranty workmanship defects caused by improper installation of materials provided by us and installed by others. However, if such materials are found to be faulty we will repair or replace the materials themselves.

Michigan Pipe and Valve will not be responsible for damage caused by any other type of natural disaster.



Randy Sucharski

Michigan Pipe and Valve

2/1/2024



DOCID:8425506  
Tx:4269244

2024R-14851  
STATE OF MICHIGAN  
GRAND TRAVERSE COUNTY  
RECORDED 12/03/2024 10:32:32 AM  
PEGGY HAINES REGISTER OF DEEDS  
PAGE 1 OF 6

### GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: that T&R Investments, (Grantor), whose address is 841 Ashland Drive, Traverse City, MI 49696 for and in consideration of One Dollar and 00/100 cents (\$1.00) grants and conveys to the Township of Garfield, a Michigan municipal corporation, (Grantee), whose address is 3848 Veterans Drive, Traverse City, MI 49684, and the successors and assigns of Grantee, a non-exclusive easement for the purposes of laying constructing, maintaining, operating, repairing, substituting, removing, enlarging, inspecting and replacing public and private utilities, through, along and across the following described property:

Situated in the Township of Garfield, County of Grand Traverse, State of Michigan, to wit:

#### 20' WIDE PUBLIC UTILITY EASEMENT

A 20 foot wide easement for the installation and maintenance of PUBLIC WATER and/or SEWER and appurtenance in part of Section 26, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan, said Easement being part of the Tax Parcel # 05-026-020-33, which is more fully described as;

Legal Description: See Exhibit B, attached and incorporated hereto.

Subject of other easements or restrictions, if any.

Together with the right of ingress and egress to, from and over said lands, and subject to other easements or restrictions, if any.

The Grantee shall replace and restore the property to the condition in which it is found whenever any construction or maintenance occurs within the easement area. Grantee shall not be responsible for replacing any trees or vegetation in the easement area that are disturbed as a result of construction or maintenance. Grantors agree that no buildings or other structures will be placed within the boundaries of said easement, and Grantor shall not plant any trees or vegetation in the easement that interfere with Grantees rights under this easement. Grantee shall have the right to remove any buildings, fences, structures, trees or vegetation placed within the easement and Grantor shall be responsible for the cost of such removal.

This easement and associated rights and restriction are granted in perpetuity.

Grantor and Grantee, as used herein, shall be deemed to be plural, when required to be so, and shall include the heirs, successors and assigns of the parties hereto.

The word "easement", as used herein, shall be deemed to be plural when required to be so.

The rights, obligations and restrictions under this Grant of Easement shall run with the land of Grantors and shall be binding on the successors and assigns of Grantors.

Dated this 3<sup>rd</sup> day of December, 2024  
T & R Investments

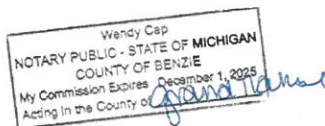
Grantor Steve ZAKRATSEK, President of T & R Investments  
Grantor

STATE OF MICHIGAN  
COUNTY OF Grand Traverse

Acknowledged before me in on the 3 day of December, 2024  
by Steve Zakratssek, President of Grantors  
T & R Investments

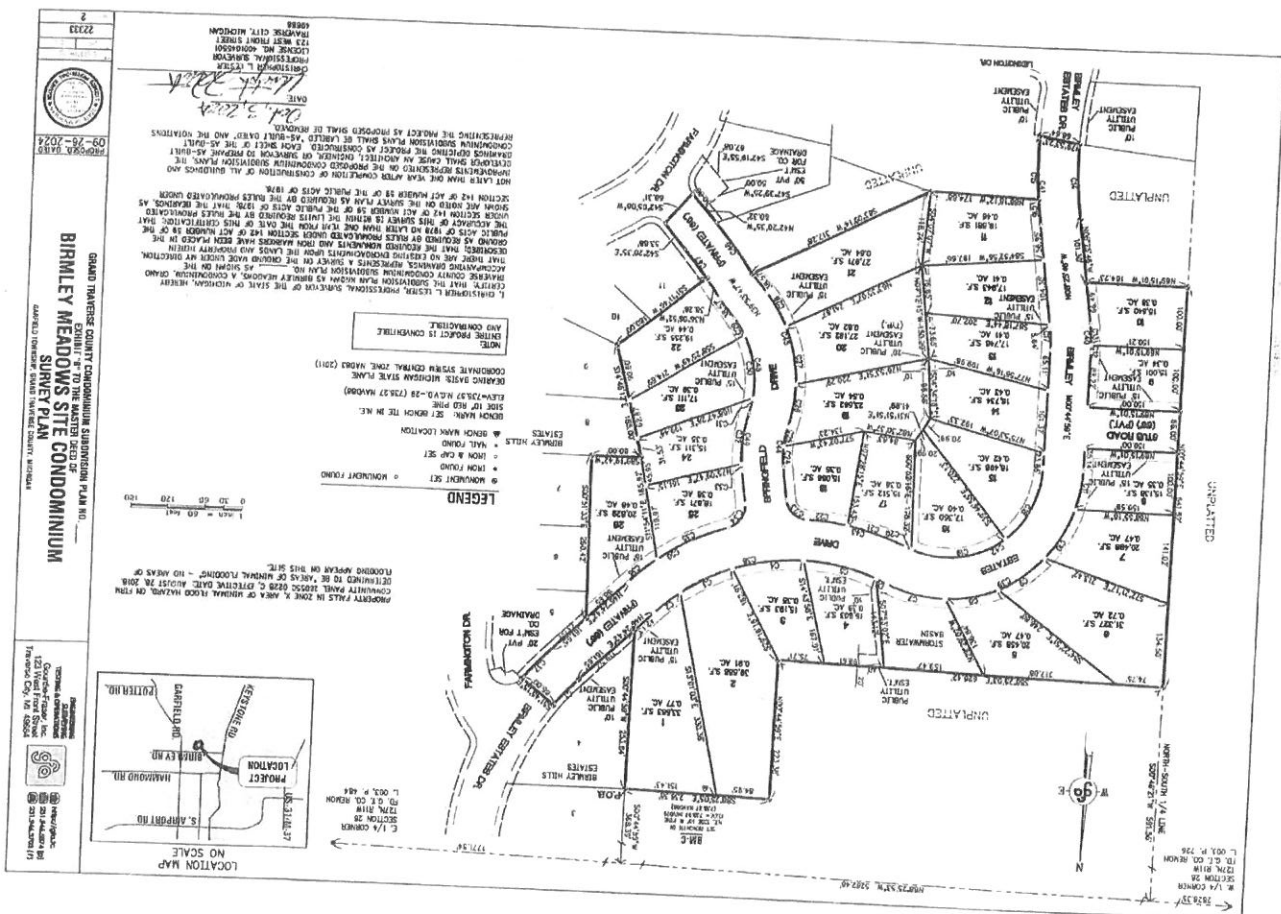
Notary Public: [Signature]  
Benzie, Michigan

My Commission Expires: 12-1-25



Drafted by and when recorded return to:

\* Steve ZAKRATSEK  
Name  
T & R  
Company  
841 ASHLAND DR  
Address  
TRAVERSE CITY, MI 49696  
Address



GRAND TRAVERSE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. \_\_\_\_\_  
EXHIBIT "B" TO THE MASTER DEED OF  
**BIRMLEY MEADOWS SITE CONDOMINIUM**  
SURREY PLANNING





GRAND TRAVELER COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 1  
EXHIBIT 5 TO THE MASTER DEED  
BIRMLEY MEADOWS SITE CONDOMINIUM  
SITE PLAN  
SANDY TRAVELER, GRAND TRAVELER COUNTY, TEXAS

PREPARED BY  
TERRILL & ASSOCIATES  
CONDOMINIUMS, INC.  
1313 West Loop Street  
Houston, Texas 77027  
TELEPHONE 771-1000

ALL THE IMPROVEMENTS SHOWN HEREON  
NEED NOT BE BUILT  
ENTIRE PROJECT IS CONVEYABLE  
AND CONTRACTIBLE

LEGEND  
CONDOMINIUM NUMBER  
UNIT  
COMMON ELEMENT  
UNIT COMMON ELEMENT

CHORD BEARING CHORD DISTANCE

UNIT	CHORD BEARING	CHORD DISTANCE
C01	102.00	408.00
C02	102.00	408.00
C03	102.00	408.00
C04	102.00	408.00
C05	102.00	408.00
C06	102.00	408.00
C07	102.00	408.00
C08	102.00	408.00
C09	102.00	408.00
C10	102.00	408.00
C11	102.00	408.00
C12	102.00	408.00
C13	102.00	408.00
C14	102.00	408.00
C15	102.00	408.00
C16	102.00	408.00
C17	102.00	408.00
C18	102.00	408.00
C19	102.00	408.00
C20	102.00	408.00
C21	102.00	408.00
C22	102.00	408.00
C23	102.00	408.00
C24	102.00	408.00
C25	102.00	408.00
C26	102.00	408.00
C27	102.00	408.00
C28	102.00	408.00
C29	102.00	408.00
C30	102.00	408.00
C31	102.00	408.00
C32	102.00	408.00
C33	102.00	408.00
C34	102.00	408.00
C35	102.00	408.00
C36	102.00	408.00
C37	102.00	408.00
C38	102.00	408.00
C39	102.00	408.00
C40	102.00	408.00
C41	102.00	408.00
C42	102.00	408.00
C43	102.00	408.00
C44	102.00	408.00
C45	102.00	408.00
C46	102.00	408.00
C47	102.00	408.00
C48	102.00	408.00
C49	102.00	408.00
C50	102.00	408.00
C51	102.00	408.00
C52	102.00	408.00
C53	102.00	408.00
C54	102.00	408.00
C55	102.00	408.00
C56	102.00	408.00
C57	102.00	408.00
C58	102.00	408.00
C59	102.00	408.00
C60	102.00	408.00
C61	102.00	408.00
C62	102.00	408.00
C63	102.00	408.00
C64	102.00	408.00
C65	102.00	408.00
C66	102.00	408.00
C67	102.00	408.00
C68	102.00	408.00
C69	102.00	408.00
C70	102.00	408.00
C71	102.00	408.00
C72	102.00	408.00
C73	102.00	408.00
C74	102.00	408.00
C75	102.00	408.00
C76	102.00	408.00
C77	102.00	408.00
C78	102.00	408.00
C79	102.00	408.00
C80	102.00	408.00
C81	102.00	408.00
C82	102.00	408.00
C83	102.00	408.00
C84	102.00	408.00
C85	102.00	408.00
C86	102.00	408.00
C87	102.00	408.00
C88	102.00	408.00
C89	102.00	408.00
C90	102.00	408.00
C91	102.00	408.00
C92	102.00	408.00
C93	102.00	408.00
C94	102.00	408.00
C95	102.00	408.00
C96	102.00	408.00
C97	102.00	408.00
C98	102.00	408.00
C99	102.00	408.00
C100	102.00	408.00



CHORD BEARING CHORD DISTANCE

UNIT	CHORD BEARING	CHORD DISTANCE
C01	102.00	408.00
C02	102.00	408.00
C03	102.00	408.00
C04	102.00	408.00
C05	102.00	408.00
C06	102.00	408.00
C07	102.00	408.00
C08	102.00	408.00
C09	102.00	408.00
C10	102.00	408.00
C11	102.00	408.00
C12	102.00	408.00
C13	102.00	408.00
C14	102.00	408.00
C15	102.00	408.00
C16	102.00	408.00
C17	102.00	408.00
C18	102.00	408.00
C19	102.00	408.00
C20	102.00	408.00
C21	102.00	408.00
C22	102.00	408.00
C23	102.00	408.00
C24	102.00	408.00
C25	102.00	408.00
C26	102.00	408.00
C27	102.00	408.00
C28	102.00	408.00
C29	102.00	408.00
C30	102.00	408.00
C31	102.00	408.00
C32	102.00	408.00
C33	102.00	408.00
C34	102.00	408.00
C35	102.00	408.00
C36	102.00	408.00
C37	102.00	408.00
C38	102.00	408.00
C39	102.00	408.00
C40	102.00	408.00
C41	102.00	408.00
C42	102.00	408.00
C43	102.00	408.00
C44	102.00	408.00
C45	102.00	408.00
C46	102.00	408.00
C47	102.00	408.00
C48	102.00	408.00
C49	102.00	408.00
C50	102.00	408.00
C51	102.00	408.00
C52	102.00	408.00
C53	102.00	408.00
C54	102.00	408.00
C55	102.00	408.00
C56	102.00	408.00
C57	102.00	408.00
C58	102.00	408.00
C59	102.00	408.00
C60	102.00	408.00
C61	102.00	408.00
C62	102.00	408.00
C63	102.00	408.00
C64	102.00	408.00
C65	102.00	408.00
C66	102.00	408.00
C67	102.00	408.00
C68	102.00	408.00
C69	102.00	408.00
C70	102.00	408.00
C71	102.00	408.00
C72	102.00	408.00
C73	102.00	408.00
C74	102.00	408.00
C75	102.00	408.00
C76	102.00	408.00
C77	102.00	408.00
C78	102.00	408.00
C79	102.00	408.00
C80	102.00	408.00
C81	102.00	408.00
C82	102.00	408.00
C83	102.00	408.00
C84	102.00	408.00
C85	102.00	408.00
C86	102.00	408.00
C87	102.00	408.00
C88	102.00	408.00
C89	102.00	408.00
C90	102.00	408.00
C91	102.00	408.00
C92	102.00	408.00
C93	102.00	408.00
C94	102.00	408.00
C95	102.00	408.00
C96	102.00	408.00
C97	102.00	408.00
C98	102.00	408.00
C99	102.00	408.00
C100	102.00	408.00



## CHANGE ORDER NO.: 1

Owner: Charter Township of Garfield      Owner's Project No.:  
 Engineer: Gourdie Fraser, Inc.      Engineer's Project No.: 24236  
 Contractor: Molon Excavating, Inc.      Contractor's Project No.:  
 Project:  
 Contract Name: Copper Ridge Trailhead  
 Date Issued: January 20, 2024      Effective Date of Change Order: January 20, 2024

The Contract is modified as follows upon execution of this Change Order:

- **Replace Line Item #8: Aggregate Base, 22A change to Aggregate Base, 31A with dust mixture for binding. Cost addition = \$3300**
- **Modification to retaining wall and berm per field conditions and coordination with Mountain Bike Club. Cost addition = \$1700**
- **Time Extension – Winter Shutdown**

Attachments: Emails from Molon with cost estimates

Change in Contract Price	Change in Contract Times
Original Contract Price:	Original Contract Times:
\$ 66,595.48	Substantial Completion: 30 days
	Ready for final payment: 30 days
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. __:	[Increase] [Decrease] from previously approved Change Orders No.1 to No. [Number of previous Change Order]:
\$ N/A	Substantial Completion: May 30, 2025
	Ready for final payment: June 15, 2025
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$ 66,595.48	Substantial Completion:
	Ready for final payment:
[Increase] [Decrease] this Change Order:	[Increase] [Decrease] this Change Order:
\$ 5,000.00	Substantial Completion:
	Ready for final payment:
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
\$ 71,595.48	Substantial Completion: May 30, 2025
	Ready for final payment: June 15, 2025

Recommended by Engineer (if required)

By: 

Title: Director of Engineering

Date:

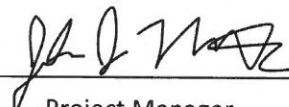
Authorized by Owner

By:

Title: Township Manager

Date:

Accepted by Contractor

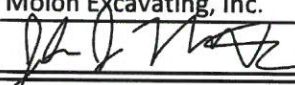


Project Manager

1/23/2025

Approved by Funding Agency (if applicable)

**Contractor's Application for Payment**

<b>Owner:</b> <u>Charter Township of Garfield</u> <b>Engineer:</b> <u>Gourdie Fraser, Inc.</u> <b>Contractor:</b> <u>Molon Excavating, Inc.</u> <b>Project:</b> <u>Copper Ridge Trail Head</u> <b>Contract:</b> _____	<b>Owner's Project No.:</b> _____ <b>Engineer's Project No.:</b> <u>24236</u> <b>Contractor's Project No.:</b> _____																								
<b>Application No.:</b> <u>1</u> <b>Application Date:</b> <u>1/21/2025</u> <b>Application Period:</b> From <u>11/1/2024</u> to <u>11/30/2024</u>																									
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">1. Original Contract Price</td> <td style="width: 30%; text-align: right;">\$ 66,595.48</td> </tr> <tr> <td>2. Net change by Change Orders</td> <td style="text-align: right;">\$ 5,000.00</td> </tr> <tr> <td>3. Current Contract Price (Line 1 + Line 2)</td> <td style="text-align: right;">\$ 71,595.48</td> </tr> <tr> <td>4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)</td> <td style="text-align: right;">\$ 45,607.57</td> </tr> <tr> <td>5. Retainage</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">a. <u>5%</u> X \$ 45,607.57 Work Completed</td> <td style="text-align: right;">\$ 2,280.38</td> </tr> <tr> <td style="padding-left: 20px;">b. <u>5%</u> X \$ - Stored Materials</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td style="padding-left: 20px;">c. Total Retainage (Line 5.a + Line 5.b)</td> <td style="text-align: right;">\$ 2,280.38</td> </tr> <tr> <td>6. Amount eligible to date (Line 4 - Line 5.c)</td> <td style="text-align: right;">\$ 43,327.19</td> </tr> <tr> <td>7. Less previous payments (Line 6 from prior application)</td> <td></td> </tr> <tr> <td>8. Amount due this application</td> <td style="text-align: right;">\$ 43,327.19</td> </tr> <tr> <td>9. Balance to finish, including retainage (Line 3 - Line 4)</td> <td style="text-align: right;">\$ 25,987.91</td> </tr> </table>		1. Original Contract Price	\$ 66,595.48	2. Net change by Change Orders	\$ 5,000.00	3. Current Contract Price (Line 1 + Line 2)	\$ 71,595.48	4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 45,607.57	5. Retainage		a. <u>5%</u> X \$ 45,607.57 Work Completed	\$ 2,280.38	b. <u>5%</u> X \$ - Stored Materials	\$ -	c. Total Retainage (Line 5.a + Line 5.b)	\$ 2,280.38	6. Amount eligible to date (Line 4 - Line 5.c)	\$ 43,327.19	7. Less previous payments (Line 6 from prior application)		8. Amount due this application	\$ 43,327.19	9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 25,987.91
1. Original Contract Price	\$ 66,595.48																								
2. Net change by Change Orders	\$ 5,000.00																								
3. Current Contract Price (Line 1 + Line 2)	\$ 71,595.48																								
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 45,607.57																								
5. Retainage																									
a. <u>5%</u> X \$ 45,607.57 Work Completed	\$ 2,280.38																								
b. <u>5%</u> X \$ - Stored Materials	\$ -																								
c. Total Retainage (Line 5.a + Line 5.b)	\$ 2,280.38																								
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 43,327.19																								
7. Less previous payments (Line 6 from prior application)																									
8. Amount due this application	\$ 43,327.19																								
9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 25,987.91																								
<b>Contractor's Certification</b> The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.																									
<b>Contractor:</b> <u>Molon Excavating, Inc.</u> <b>Signature:</b> <u></u> <b>Date:</b> <u>1/23/2025</u>																									
<b>Recommended by Engineer</b>  <b>By:</b> _____ <b>Title:</b> <u>Director of Engineering</u> <b>Date:</b> _____  <b>Approved by Funding Agency</b>  <b>By:</b> _____ <b>Title:</b> _____ <b>Date:</b> _____	<b>Approved by Owner</b>  <b>By:</b> _____ <b>Title:</b> <u>Township Manager</u> <b>Date:</b> _____  <b>By:</b> _____ <b>Title:</b> _____ <b>Date:</b> _____																								



# Progress Estimate - Unit Price Work

## Contractor's Application for Payment

Owner: Charter Township of Garfield		Owner's Project No.: _____	
Engineer: Gourdie Fraser, Inc.		Engineer's Project No.: 24236	
Contractor: Molon Excavating, Inc.		Contractor's Project No.: _____	
Project: Copper Ridge Trail Head			
Contract: _____			

Application No.: 1	Application Period: From 11/01/24 to 11/30/24	Application Date: 01/21/25
--------------------	---	----------------------------

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
						Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Original Contract											
1	Mobilization, Max 5%	1.00	LS	3,258.45	3,258.45	1.00	3,258.45		3,258.45	100%	-
2	Grading and Earthwork	1.00	LS	23,894.35	23,894.35	1.00	23,894.35		23,894.35	100%	-
3	SESC including inlet protection	1.00	LS	2,635.02	2,635.02	0.75	1,976.27		1,976.27	75%	658.75
4	Asphalt Removal - Parking Lot	1,500.00	SFT	1.35	2,025.00		-		-	0%	2,025.00
5	Proposed Parking Lot & Drives - 4EL, 220#/SYD	150.00	SYD	21.83	3,274.50		-		-	0%	3,274.50
6	Proposed Path - 6' Wide	250.00	SFT	9.68	2,420.00	240.00	2,323.20		2,323.20	96%	96.80
7	Proposed Path - 4' Wide	350.00	SFT	7.13	2,495.50	330.00	2,352.90		2,352.90	94%	142.60
8	Aggregate Base, 22A	180.00	SYD	21.63	3,893.40		-		-	0%	3,893.40
9	Curb and Gutter	150.00	LF	38.20	5,730.00		-		-	0%	5,730.00
10	Retaining Wall	80.00	LF	85.03	6,802.40	80.00	6,802.40		6,802.40	100%	-
11	Landscaping (Edger, weed fabric and woodchips)	1.00	LS	2,215.36	2,215.36		-		-	0%	2,215.36
12	Pavement Striping and Sign	1.00	LS	3,716.26	3,716.26		-		-	0%	3,716.26
13	Restoration	1.00	LS	4,235.24	4,235.24		-		-	0%	4,235.24
					-		-		-		-
Original Contract Totals					\$ 66,595.48		\$ 40,607.57	\$ -	\$ 40,607.57	61%	\$ 25,987.91

**Progress Estimate - Unit Price Work**

**Contractor's Application for Payment**

Owner:		Charter Township of Garfield						Owner's Project No.:			
Engineer:		Gourdie Fraser, Inc.						Engineer's Project No.:		24236	
Contractor:		Molon Excavating, Inc.						Contractor's Project No.:			
Project:		Copper Ridge Trail Head									
Contract:											


  

Application No.: 1		Application Period:		From	11/01/24	to	11/30/24	Application Date: 01/21/25			
--------------------	--	---------------------	--	------	----------	----	----------	----------------------------	--	--	--

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
						Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Change Orders											
1	Change Order #1	1.00	LS	5,000.00	5,000.00	1.00	5,000.00		5,000.00	100%	-
					-		-		-		-
Change Order Totals					\$ 5,000.00		\$ 5,000.00	\$ -	\$ 5,000.00	100%	\$ -
Original Contract and Change Orders											
Project Totals					\$ 71,595.48		\$ 45,607.57	\$ -	\$ 45,607.57	64%	\$ 25,987.91



 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2025-5</b>		
Prepared:	January 15, 2025	Pages: 9
Meeting:	January 22, 2025 Planning Commission	Attachments: <input type="checkbox"/>
Subject:	2024 Charter Township of Garfield Planning Commission Annual Report	

**INTRODUCTION:**

The 2024 Charter Township of Garfield Planning Commission Annual Report was prepared pursuant to the requirements of Section 19(2) of the Michigan Planning Enabling Act ("MPEA"), which states:

*A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.*

This report is intended to serve as the Planning Commission's report to the Township Board in accordance with the MPEA as quoted above. It will also outline the Planning Department's activities during 2024.

**BOARDS AND COMMISSIONS:**

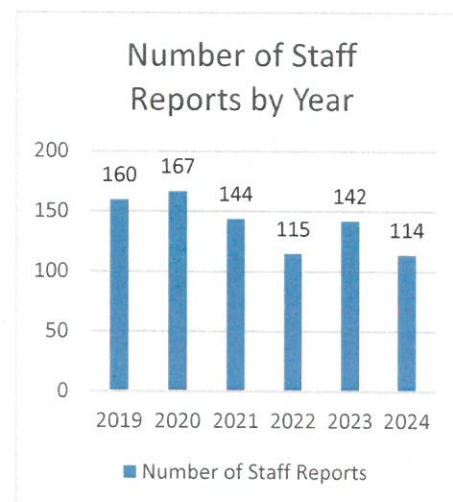
The Planning Director and Deputy Planning Director serve on various committees and provide support services to several boards and commissions, including but not limited to:

- Garfield Township Board of Trustees (Staff)
- Garfield Township Planning Commission (Staff)
- Garfield Township Parks and Recreation Commission (Staff)
- Garfield Township Zoning Board of Appeals (Liaison)
- Joint Traverse City and Garfield Township Planning Commission (Staff)
- Joint Traverse City and Garfield Township Recreation Authority (as needed)
- Traverse Transportation Coordinating Initiative (TTCI) (Technical Committee Member)
- Northwest Regional Airport Authority Zoning Board (Garfield Township Representative)
- Grand Traverse County Road Commission (Garfield Township Alternate Representative)

**ADMINISTRATION:**

The Planning Department was responsible for generating 114 staff reports in 2024 for the various boards and commissions listed above. Day-to-day tasks of the department also include:

- Answering questions and discussing planning-related issues with the Township residents, developers, partner organizations, and community stakeholders
- Reviewing new and ongoing development applications
- Monitoring development approvals through completion of the approval process
- Administering grants and parks and recreation projects
- Developing plans and related studies
- Preparing zoning analyses and drafting new text for the Zoning Ordinance
- Conducting site visits
- Managing GIS data





**PLANNING COMMISSION OVERVIEW:**

The Planning Commission meets the second and fourth Wednesdays of each month and is responsible for reviewing development applications, preparing plans, and making recommendations to the Township Board on development applications and zoning amendments. This meeting schedule allows the Planning Commission to hear, review, and decide on projects during the first meeting and to advance the interests of the community by holding a study session during the second meeting of the month. This schedule will continue throughout 2025.

**STRATEGIC PLAN:**

In February 2024, Planning Department staff provided a year-end report to the Township Board regarding its activity that supported the Strategic Plan in 2023. No changes were made to any Strategic Plan goals in 2024.

**MASTER PLAN:**

The previous Township Master Plan was adopted in September 2018 and was amended in June 2020 when the Barlow Garfield Neighborhood Plan was adopted and incorporated into the Master Plan. The Planning Commission began working on an updated Township Master Plan in 2023, using many of its study sessions to review draft sections of the updated Plan and to study different topic areas. The process of updating the Master Plan was completed in 2024, with the following key items:

January 24, 2024	Public Engagement Open House
January 24, 2024	Planning Commission Study Session: Review of Complete Draft
February 28, 2024	Planning Commission Study Session: Review of Final Draft
March 27, 2024	Joint Meeting of the Planning Commission and the Township Board: Review of Final Draft and Beginning of Public Review Period
June 12, 2024	Planning Commission Regular Meeting: Recommend Adoption of Master Plan to the Township Board
July 9, 2024	Adoption of Master Plan by Township Board

The Master Plan provides policy guidance for the Planning Department and the Planning Commission. The Planning Commission will review potential Master Plan implementation projects in 2025 including updates to the Zoning Ordinance.

**ANNUAL WORK PLAN:**

At the beginning of each year, the Planning Commission is scheduled to update its annual work priorities. For the past several years, they have used a Master Plan implementation matrix to help identify the priority projects for the upcoming year. The Planning Commission did not update the Master Plan implementation matrix in 2024 since the priority was to complete the update of the Master Plan itself.

The updated Master Plan includes an updated Implementation Matrix which the Planning Commission can use to guide future priority projects. The new Implementation Matrix has 12 goals, each with their own set of objectives, which can become the basis for priority actions. These 12 goals are as follows:

1. ***Natural Resources: Natural Environment*** – Goal: Promote natural environment protection in a planned and strategic manner.
2. ***Natural Resources: Water Quality*** – Goal: Make water system improvements and support environmental conservation efforts to protect water quality.

3. **Natural Resources: Energy** – Goal: Support energy efficiency and conservation, and sustainable building practices and products.
4. **Natural Resources: Agricultural Land** – Goal: Preserve prime and unique farmland and maintain agricultural character.
5. **Parks and Trails** – Goal: Foster a system of high-quality active and passive parks connected by trails.
6. **Housing** – Goal: Provide a balance of housing choices with a variety of housing types.
7. **Transportation and Infrastructure: Streets and Roads** – Goal: Support the improvement, maintenance, and connectivity of streets and roads.
8. **Transportation and Infrastructure: Parking and Sidewalks** – Goal: Establish a coordinated, efficient, and attractive system of pathways, sidewalks, and parking areas.
9. **Transportation and Infrastructure: Water and Sanitary Sewer** – Goal: Improve, expand, and maintain critical water and sewer infrastructure.
10. **Transportation and Infrastructure: Stormwater** – Goal: Establish requirements for stormwater management to reduce flooding, protect people and property, and support healthy streams and rivers.
11. **Economic Development** – Goal: Encourage a diverse and stable economic base.
12. **Public Safety** – Goal: Support collaborations which promote public safety.

**APPLICATION FEE REVENUE:**

The Township collects fees for different types of applications, include development applications reviewed by the Planning Department and Planning Commission. These fees generated **\$14,700** in revenue in 2024 as described by the breakdown in the following table:

Application Type	Number of Applications	Fee	Revenue
<b><i>Administrative Reviews (14)</i></b>			
Site Plan Review – Administrative	11	\$400	\$4,400
Planned Development – Administrative Amendment	1	\$400	\$400
Special Use Permit – Administrative Amendment	2	\$400	\$800
<b><i>Planning Commission Reviews (17)</i></b>			
Conceptual Review	3	\$100	\$300
Planned Development – Minor Amendment	1	\$600	\$600
Planned Development – Major Amendment	1	\$800	\$800
PC Sign Review – C-P and Planned Developments	3	\$400	\$1,200
Site Plan Review – Planning Commission (C-P / C-H)	4	\$400	\$1,600
Special Use Permit – Major Amendment	2	\$800	\$1,600
Special Use Permit – New Application	3	\$1,000	\$3,000
<b>TOTAL</b>	<b>31</b>		<b>\$14,700</b>

**ADMINISTRATIVE REVIEWS:**

In some specific cases, the Planning Director can administratively approve projects provided they meet all requirements of the Zoning Ordinance. This procedure significantly improves efficiency in the review of minor requests. The Planning Department requires any Administrative Amendment to be justified through written findings.

The Planning Department conducts reviews for all administrative amendments to Special Use Permits and Planned Unit Developments as well as (starting in 2024) administrative site plan reviews for by-right uses in commercial and industrial zoning districts. The following applications were administratively reviewed and approved in 2024:



***Administrative Site Plan Reviews***

File Number	Project Name	Project Description
SPR-2024-04	Soils & Structures Inc	Proposed building addition and parking lot expansion to existing office
SPR-2024-05	Northern Floor and Tile	Proposed building addition on existing industrial site
SPR-2024-06	Wash N Go Car Wash	Proposed accessory improvements to an existing car wash operation, including new vacuums and payment stations
SPR-2024-07	Kingsley Lumber	Proposed lumber processing and sawmill operation
SPR-2024-08	Precision Plumbing and Heating	Proposed contractor's establishment and operations headquarters
SPR-2024-09	Mobile Medical Response	Proposed headquarters and operational base for ambulance service provider
SPR-2024-10	Historic Barns Park	Proposed renovations of an existing barn and additional connector between barns
SPR-2024-11	Bay Meadows Golf Course	Proposed addition to an existing building at existing golf course
SPR-2024-13	Unit 32 Hammond Industrial Centre	Proposed car detailing (automobile service) shop
SPR-2024-15	Renew It Group	Proposed showroom and warehouse for deck supply / construction business
SPR-2024-17	Striker Supply	Proposed rental and retail outlet for concrete product supplier business

***Administrative Amendment Reviews***

- SUP-1994-1-FF – Resurrection Life Church Addition (PUD Administrative Amendment)**  
 The 3.62-acre subject site is located at 2586 Crossing Circle in the Grand Traverse Crossing PUD, in the back (east) portion of the development. This application is for an 8,835 ft<sup>2</sup> addition to the existing 7,251 ft<sup>2</sup> church building.
- SUP-2023-04-A – Creekside Community Church (SUP Administrative Amendment)**  
 The 21.63-acre subject parcel is located at 3686 West South Airport Road, along the north side of the road west of US 31. The application is for a Special Use Permit amendment to accommodate a completely redesigned parking lot area.
- SUP-2023-05-A – Ridge45 Multi-Family Housing (SUP Administrative Amendment)**  
 The 59.65-acre subject site is located at 1532 West Hammond Road, west of LaFranier Road. The request is to amend the Special Use Permit to replace a previously approved 4,000 ft<sup>2</sup> maintenance building with two pickleball courts and a 400 ft<sup>2</sup> pavilion, relocate a previously approved dumpster enclosure for two dumpsters, and relocate a previously approved dog park.

## **PLANNING COMMISSION REVIEWS:**

### ***Conceptual Reviews***

Conceptual reviews allow for applicants to appear before the Planning Commission with little more than a concept for development. This process is intended to provide an applicant with valuable feedback from the Planning Commission on a potential project before a full application is submitted. Several applicants have used this process to take advantage of discussing a potential project and gathering feedback without having to first enlist surveying, planning, and/or engineering services to complete an application. The following projects were conceptually reviewed by the Planning Commission in 2024:

- **Gauthier Site (April 10 meeting)** – The applicants presented a potential multi-family development project at 2105 N US 31 South, on the west side of US 31 at McRae Hill Road, across from Hartman Road. The applicants also presented a project concept to the Township Board including discussion about the potential of using Brownfield Tax Increment Financing (TIF) as a funding tool.
- **Two Brothers Dog Park Café and Taphouse (June 12 meeting)** – The applicants presented their proposed bar / restaurant and dog park at 1776 South Garfield Avenue in Cherryland Mall.
- **Cherryland Center Comprehensive Development Plan (October 9 meeting)** – The Planning Commission reviewed a draft Comprehensive Development Plan of the Cherryland Center property which was prepared by one of the owners: Cherryland Center LLC. The last time the Cherryland Center Comprehensive Development Plan was prepared was in 1998 with the conversion of the site to a strip retail center from the original enclosed shopping mall.

### ***Development Reviews***

The Planning Commission reviewed several projects in 2024 including Site Plan Reviews, Planned Unit Developments, Special Use Permits, and amendments. These reviews are summarized by the following, with a note as to whether the application was approved (which includes those approved with conditions), denied, or if the application expired or was withdrawn by the applicant.

- **SUP-2023-08 – 3066 N Garfield Commercial District Housing (Approved)**  
This application, originally submitted in 2023, requested a Special Use Permit for a commercial district housing development of 18 apartment units at 3066 N Garfield Road. During introduction of the application, it was found that although the proposal was generally suitable for the location, the site plan did not meet all requirements of Section 725 of the Zoning Ordinance for commercial district housing developments. The application was tabled to allow the Planning Commission to review and recommend a text amendment to Section 725, which was ultimately approved by the Township Board. The application was then un-tabled, reviewed, and approved by the Planning Commission.
- **PUD-2020-02-C – BATA/TCHC PUD Minor Amendment (Approved)**  
This PUD application was approved in March 2022 for a transit-oriented, mixed-use development including apartments; single-family residential; BATA administration building, bus maintenance facility, and bus storage garage; transfer station; café; and childcare center. The project is on 53.2 acres of an existing 77.1-acre site at the northeast corner of LaFranier and Hammond Roads. An application for minor amendment was approved in May 2024 for a modification to the phasing plan which would allow the previously approved playground in Phase 1 to be delayed until the conflict with its proximity to the gas lines is resolved.

- **SUP-2024-01 – Potter’s Home Retreat Bed and Breakfast (Denied)**  
This application requested a Special Use Permit for the use of an existing single-family residence as a bed and breakfast establishment at 492 West Potter Road. The application was denied based on findings that the use of the property as described in the application did not meet the definition of a bed and breakfast, and other reasons identified by the Planning Commission.
- **SUP-2024-02 – TowerNorth Wireless Communication Facility (Under Review)**  
This application requests a special use permit for a wireless communication facility (cell tower) at 2767 Zimmerman Road, with a 155-foot-tall monopole tower with associated antenna equipment and fenced area. In July 2024, the Planning Commission tabled the application and requested the applicant move the location of the proposed tower to meet all setback requirements before moving the application forward. The applicants submitted an updated site plan with a new proposed tower location in December 2024. The updated application is currently under review.
- **SUP-2001-02-D – Bison Hollow TJ Maxx Sign Review (Denied)**  
This application was for a wall sign of 128.6 square feet sign on the front (east) building elevation, exceeding the permitted sign size by 28.6 square feet and requiring Planning Commission review of the criteria of Section 630.G.(3)(b) of the Zoning Ordinance. The application was denied based on findings that these criteria were not met.
- **SUP-1990-07-A – French Manor LaFranier Major Amendment (Approved)**  
A Special Use Permit major amendment was approved for expansion of French Manor LaFranier, an existing adult foster care facility at 3090 LaFranier Road. The facility expansion consists of a 1,472-square-foot building addition and a 2,176-square-foot building addition for a total of 3,648 added square feet.
- **SUP-2000-08-N – Copper Ridge PUD Building Sign Review (Approved)**  
An internal directional sign was approved for Thirlby Clinic, which moved into an existing office building (Building 5) at 4110 Copper Ridge Drive in the Copper Ridge PUD.
- **SPR 2022-21-A – K1 Indoor Kart Racing Center / High Tops (Withdrawn)**  
The application proposed a bar, restaurant, and nightclub in a portion of the K1 Speed Indoor Kart Racing facility within the Cherryland Center. The application was withdrawn before any action on it was taken by the Planning Commission.
- **SUP-2024-03 – Angel Care Child Care Center (Approved)**  
A Special Use Permit was approved for a child care center as an additional use in an existing church building at 1514 Birmley Road.
- **PUD-2020-01-E – Oakleaf Village PUD Directional Sign Review (Approved)**  
A minor amendment was approved for the Oakleaf Village PUD at 5143 North Long Lake Road, west of Zimmerman Road, for four internal directional signs.
- **SPR 2024-14 – Cherryland Center Comprehensive Development Plan (Approved)**  
The Planning Commission approved a comprehensive development plan for the Cherryland Center site in accordance with Section 322.D(1) of the Zoning Ordinance which indicates a comprehensive development plan may be required to establish an approved development pattern for a site within the C-P Planned Shopping Center zoning district. The 1998 conversion of the mall to a strip center was the most recent previous time the comprehensive development plan was updated and approved for Cherryland Center.

- **SPR 2024-12 – Cherryland Center 24/7 Golf (Approved)**  
A site plan was approved to construct an indoor entertainment center within a portion of the existing Traverse City Curling Center building (formerly the Kmart store) in the Cherryland Center.
- **SUP-2000-08-O – Copper Ridge PUD Major Amendment (Under Review)**  
This application requests a major amendment to the Copper Ridge PUD, originally approved in 2000, located northwest of Silver Lake Road near Barnes Road. The amendment would incorporate and allow different land uses in different locations than requested in the original application and the potential to increase the number of residential dwelling units.
- **SUP-2001-05-A – Cherryland Humane Society Major Amendment (Approved)**  
A Special Use Permit major amendment was approved for the Cherryland Humane Society, located at 1750 Ahlberg Drive southeast of the intersection of Hammond Road and Keystone Road, for the expansion of the existing 14,168 ft<sup>2</sup> building with two (2) building additions totaling 9,006 ft<sup>2</sup>.
- **SPR 2024-16 – Two Brothers Dog Park Cafe and Taphouse (Approved)**  
A site plan was approved for a proposed café, taphouse, and dog park using about 7,000 ft<sup>2</sup> of the 47,900 ft<sup>2</sup> (15%) former Younkers building, and about 6,000 ft<sup>2</sup> of what is currently a parking area with maneuvering lanes.

**ZONING ORDINANCE MAP AMENDMENTS (REZONING):**

One zoning ordinance map amendment application, originally submitted in 2023, was considered in 2024:

- **Amendment No. 39 – Z-2023-03 – Lederer R-1 Rezoning (Approved)**  
This application requested the rezoning of one parcel of roughly 3.8 acres at 4220 Eastward Drive from the Agricultural (A) to the One-Family Residential (R-1) zoning district.

**ZONING ORDINANCE CONDITIONAL REZONING AMENDMENTS:**

One conditional rezoning amendment application, originally submitted in 2023, was considered in 2024:

- **Amendment No. 40 – Z-2023-04 – Culver Meadows Conditional Rezoning (Approved)**  
This application encompassed two parcels on N. West Silver Lake Road of about 5.14 total acres and requested the conditional rezoning of these parcels from the R-1 – One-Family Residential to the A – Agricultural zoning district for use as an adult foster care, large group home, and child care center. This request includes utilizing an existing large group home and building a new large group home and new child care center.

**ZONING ORDINANCE TEXT AMENDMENTS:**

Two proposed zoning ordinance text amendments were considered in 2024:

- **Amendment No. 38 – Section 725 Commercial District Housing Development (Adopted)**  
This amendment covered two portions of Section 725 (Commercial District Housing Development) of the Zoning Ordinance, specifically to alter the requirements for parking and open space to allow for greater design flexibility.



- **Amendment No. 41 – Dwelling, Three Family and Dwelling, Four-Family (Adopted)**

This amendment altered several sections of the Zoning Ordinance to add definitions for Dwelling, Three Family (triplex) and Dwelling, Four Family (quadplex); allow triplexes and quadplexes as uses permitted by right in the R-3 zoning district; and adjust minimum lot area, minimum lot width, and minimum yard setbacks in the R-3 district to account for triplexes and quadplexes.

**PLANNING COMMISSION STUDY SESSIONS:**

The Planning Commission held nine (9) study sessions in 2024, on the fourth Wednesday of each month excluding September, November, and December. The March study session was also conducted as a joint meeting with the Township Board. Commissioners discussed the following topics at these study sessions:

- ***Master Plan Update*** – The Township Board adopted an updated Master Plan on July 9, 2024. In advance of the Township Board's adoption of the Master Plan, the Planning Commission finished their review of the Master Plan. Commissioners reviewed a complete draft in January, a final draft in February, and finalized the draft Master Plan with the Township Board at the joint meeting in March. Planning Commissioners next discussed potential Master Plan implementation projects at the April and May study sessions.
- ***Zoning Ordinance: R-3 Updates*** – In June and July, Commissioners reviewed potential changes to the R-3 district to allow triplexes and quadplexes by right. These changes were proposed to help implement the housing goal of the Master Plan and to provide flexibility for smaller multi-family housing. These changes were ultimately recommended to and adopted by the Township Board.
- ***Zoning Ordinance: Signs*** – Commissioners reviewed potential updates to the sign regulations of Section 630 at the June, July, August, and October study sessions. Part of the impetus for a review of these regulations included several cases from the past 5-10 years reviewed by the United States Supreme Court which may impact how signs can be regulated. Commissioners recommended that the Township Attorney review Section 630. The Attorney's review is expected by early 2025.
- ***Monitoring Proposed State Legislation on Vacation Home Rentals*** – Throughout 2024, Planning Commissioners monitored proposed State legislation on short-term rentals including creation of a statewide database, local regulation without outright banning of short-term rentals, and creation of an excise tax. Commissioners discussed how the Township could regulate short-term rentals and reviewed draft language at their June, July, and August study sessions. Ultimately, none of these proposed bills were adopted and each would need to be re-introduced in the new State Legislature session. The Planning Commission will monitor any newly proposed legislation in 2025.
- ***City of Traverse City Master Plan*** – The City of Traverse City updated their Master Plan in 2024 and sent a draft to neighboring communities for review. The Township Planning Commissioners reviewed this draft in June and July and offered comments to the City of Traverse City, especially regarding items that impact both communities including non-motorized transportation.
- ***Zoning Ordinance: Definition of "Substantial Construction"*** – The Planning Commission began discussions in October about the definition of "Substantial Construction" and potentially adding it to the Zoning Ordinance. This was in response to the Township Board's discussions regarding the "start of construction" as a term applied to a condition of approval for the BATA / Traverse City Housing Commission PUD. The Planning Commission's discussions will continue into 2025.



**JOINT TRAVERSE CITY AND GARFIELD TOWNSHIP PLANNING COMMISSION:**

The six-member Joint Planning Commission is comprised of two Traverse City Planning Commissioners and one Traverse City resident appointed by the Traverse City Commission, and two Garfield Township Planning Commissioners and one Garfield Township resident appointed by the Garfield Township Board.

The Commission meets at least four times per year roughly once every three months, typically at 5:15 PM on the third Wednesday of the month. The Commission met four times in 2024 on January 31, April 17, July 17, and October 16. Items covered at the meetings in 2024 have included the following:

- Updates regarding Grand Traverse Commons Natural Area. Garfield Township was recommended for and ultimately received \$300,000 in grant funding from the Michigan Natural Resources Trust Fund for a 1.25-mile accessible loop trail.
- Commons Infrastructure Study. The first phase of the study was originally completed in 2023 with the second phase under consideration in 2024. The funding was provided by the Grand Traverse County Brownfield Redevelopment Authority.
- Proposal for the construction of a new shed to serve the Community Garden at Historic Barns Park. Ultimately, the Garden found other ways to have storage other than a new shed.
- Historic Barns Park renovation of Barn 206 and the construction of a proposed connector building between Barn 206 and Barn 204. This project was under administrative site plan review.
- Proposed improvements to the watermain serving the Historic Barns Park. The project is needed to ensure sufficient water flow and pressure. The project is funded by the Grand Traverse County Brownfield Redevelopment Authority and is based on an approved proposal from Hubbell, Roth, and Clark, an engineering consulting firm for the City of Traverse City.

**RECOMMENDATION / ACTION REQUESTED:**

Following review, if Commissioners are prepared to accept the 2024 Annual Report in accordance with the Michigan Planning Enabling Act, the following motion is suggested:

THAT the 2024 Planning Commission Annual Report, as provided in Planning Department Report 2025-5, BE APPROVED and FORWARDED to the Township Board.

## City of Traverse City

Department of Municipal Utilities

WATER/SEWER MAINTENANCE  
604 Hannah Avenue  
Traverse City, MI 49686  
(231) 922-4923



January 10, 2025 (Revised Cc's January 17, 2025)

Jennifer Graham, P.E.  
Engineering Director  
Gourdie Fraser Associates 123  
West Front Street Traverse City,  
MI 49684

SUBJECT: Review of Fox Run Water System Extension, Garfield Township  
ACT 399 Permit No: W-187018; **Project Not Constructed as of 1/10/25**

Dear Jennifer:

The City of Traverse City has completed its review of the proposed Fox Run Water System Extension, Garfield Township. Per your email on December 20, 2024, I understand that to date, this project has not been constructed. There are a total of 84 two-bedroom units proposed. I am prepared to approve this application, pending the resolution of the outstanding issues with Garfield Township.

Please refer to the letter from the City Attorney dated April 30, 2024, which outlines the context and concerns related to this matter. As you may recall, the City requested that Garfield Township curb its irrigation in the summer of 2024 due to capacity concerns. Despite these efforts, whatever measures Garfield Township attempted to curb water usage were ineffective, and they exceeded their bulk water capacity in August. Additionally, several of the issues that were outlined in the above referenced communication need to be addressed or resolved.

The matter currently lies with Garfield Township, and any concerns or questions should be directed to their Township Board for resolution.

Sincerely,  
City of Traverse City

Art Krueger, P.E.  
Director of Municipal Utilities

Attachment

Cc:  
Elizabeth Vogel, City Manager  
Lauren Tribble-Laucht, City Attorney  
Heidi Scheppe, City Finance Director  
Anne Pagano, City Engineer  
Chris Barsheff, Garfield Township Manager

Joe McManus, Garfield Township Supervisor  
Lanie McManus, Garfield Township Clerk  
Chloe Macomber, Garfield Township Treasurer  
Molly Agostinelli, Garfield Township Trustee  
Laurie Lapp, Garfield Township Trustee  
Denise Schmuckal, Garfield Township Trustee  
Chuck Korn, Garfield Township Trustee  
John Sych, Garfield Township Planning Director  
Jeff Shaw, Chariman – GT County Board of Public Works  
Kent Nothstine, GT County Interim BPW Director  
Donal Brady, EGLE District Engineer  
Emily Wright, EGLE Environmental Engineer  
Jamie Wade, EGLE District Engineer

# City of Traverse City

Department of Municipal Utilities

WATER/SEWER MAINTENANCE  
604 Hannah Avenue  
Traverse City, MI 49686  
(231) 922-4923



January 10, 2025

Jennifer Graham, P.E.  
Engineering Director  
Gourdie Fraser Associates 123  
West Front Street Traverse City,  
MI 49684

SUBJECT: Review of Fox Run Water System Extension, Garfield Township  
ACT 399 Permit No: W-187018; **Project Not Constructed as of 1/10/25**

Dear Jennifer:

The City of Traverse City has completed its review of the proposed Fox Run Water System Extension, Garfield Township. Per your email on December 20, 2024, I understand that to date, this project has not been constructed. There are a total of 84 two-bedroom units proposed. I am prepared to approve this application, pending the resolution of the outstanding issues with Garfield Township.

Please refer to the letter from the City Attorney dated April 30, 2024, which outlines the context and concerns related to this matter. As you may recall, the City requested that Garfield Township curb its irrigation in the summer of 2024 due to capacity concerns. Despite these efforts, whatever measures Garfield Township attempted to curb water usage were ineffective, and they exceeded their bulk water capacity in August. Additionally, several of the issues that were outlined in the above referenced communication need to be addressed or resolved.

The matter currently lies with Garfield Township, and any concerns or questions should be directed to their Township Board for resolution.

Sincerely,  
City of Traverse City

Art Krueger, P.E.  
Director of Municipal Utilities

Attachment

Cc:  
Elizabeth Vogel, City Manager  
Lauren Tribble-Laucht, City Attorney  
Heidi Scheppe, City Finance Director  
Anne Pagano, City Engineer  
Chris Barsheff, Garfield Township Supervisor

January 10, 2025

Jennifer Graham, P.E.

Page 2 of 2

Chloe Macomber, Garfield Township Treasurer

Lanie McManus, Garfield Township Clerk

Molly Agostinelli, Garfield Township Trustee

Steve Duell, Garfield Township Trustee

Denise Schmuckal, Garfield Township Trustee

Chuck Korn, Garfield Township Trustee

John Sych, Garfield Township Planning Director

Jeff Shaw, Chariman – GT County Board of Public Works

Kent Nothstine, GT County Interim BPW Director

Donal Brady, EGLE District Engineer

Emily Wright, EGLE Environmental Engineer

Jamie Wade, EGLE District Engineer

---

# The City of Traverse City

Office of the City Attorney

GOVERNMENTAL CENTER

400 Boardman Avenue  
Traverse City, MI 49684  
(231) 922-4404  
(231) 922-4476 Fax



April 30, 2024

Chuck Korn, Supervisor  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49684

via email: [ckorn@garfield-twp.com](mailto:ckorn@garfield-twp.com)

RE: *Bulk Water Agreement*

Dear Mr. Korn,

I am in receipt of your request dated April 15, 2024 to enter into negotiations for a new bulk water agreement to replace the current Bulk Water Agreement dated January 23, 2003 (the "Agreement"), and increase the water reserved to Garfield Township thereunder. The Agreement provides an amount of 5 million gallons of water per day (reserve capacity) to Garfield Township. This capacity is measured by the highest maximum daily consumption. The Agreement provides that when the Township has reached 80% (i.e. 4 million gallons per day) of its reserve capacity, then discussion regarding modifications shall begin. The calculations recently provided by BPW (attached) indicate that Garfield Township has exceeded its reserve capacity on three separate occasions since 2017. It appears that the 4 million gallon trigger was met some time ago.

There are several outstanding items that will need to be addressed before the City is able to enter into negotiations to discuss a new bulk water agreement.

1. It is my understanding that the master meters between the Township and the City are not functioning properly and have needed to be replaced for some time. I also understand that the master meters have been ordered and may have even been delivered but installation has been delayed. The meter project must be completed as soon as possible so that we have accurate readings of the water flowing between the City and the Township. This meter replacement project must be prioritized.
2. It is my understanding that last summer the Township extended a water main along Cedar Run Road and into Long Lake Township. Additionally, the Township entered into a "water franchise agreement" with Long Lake Township and the private owners of "Black Bear Farms" subdivision. Because the Bulk Water Agreement between the City and Garfield Township does not allow for the water main extension or the "water franchise agreement" we will need to address how to properly account for and document the infrastructure that

has been constructed by way of terminating the unauthorized "water franchise agreement" and entering in to a bulk water agreement between the City and Long Lake Township.

3. In the short term, the City will need to verify how much additional water capacity Garfield Township has committed by way of building permits within the Township in the imminent future. This is necessary because the Township is reaching/has reached its reserve capacity.
4. In the short term, Garfield Township must provide the City with a plan regarding how the Township plans to stay within its 5 million gallon reserve capacity until a long term solution can be identified and implemented.

Once the above issues have been addressed, we will be in a position to discuss the Agreement and any possibility of increasing the 5 million gallon reserve capacity. Thank you for your attention to this matter.

Sincerely,



Lauren Tribble-Laucht

CC (via email): E. Vogel, City Manager  
City Commission  
A. Krueger  
H. Scheppe  
J. Divozzo  
J. Wade  
J. Shaw  
R. Lemcool  
I. Wunsch

Encl.



April 29, 2024

To: Lauren T. Tole-Laucht

From: John DiCenzo

CC: Elizabeth Vogel, Art Krueger, Chuck Korn, Jeff Shaw, Isaiah Wunsch, Jennifer Graham

Re: City Water Purchase Volumes (2017-2023)

Lauren,

The tables below are summaries of annual water volumes purchased from the city for each township that has a purchase agreement with the city from 2017 to 2023. The totals are taken directly from invoices submitted to the DPW each month by the city. The volumes are calculated using master meter reads and subtracting flow back to the city (where applicable) at 115%.

We calculate the max daily flow by using the average flow of the maximum month and multiplying by a factor of 1.5. This calculation of max day is required by EGLE.

I have updated the 2023 average to account for actual days within a meter reading cycle. For the most part, each cycle consists of 28-33 days.

City Water Purchase (2023)			
Calendar Year		2023	
Month	Garfield	Elmwood	Peninsula
January	29,901,499	491,459	2,132,148
February	24,755,676	458,126	1,622,445
March	26,302,836	500,550	1,820,848
April	28,503,575	546,664	1,710,876
May	59,223,534	1,370,873	6,061,648
June	95,775,724	2,455,894	<b>12,243,536</b>
July	98,762,638	3,215,751	11,796,734
August	<b>99,969,229</b>	<b>3,520,511</b>	10,770,550
September	71,024,026	2,251,945	7,432,158
October	43,547,448	1,097,295	3,285,452
November	28,239,576	433,355	2,010,559
December	26,364,856	446,289	1,693,819
TOTAL	632,370,617	16,788,712	62,580,773
Ave/day	1.733	0.046	0.171
Peak Month (31	99,969,229	3,520,511	12,243,536
Peak Day	4.544	0.160	0.633

City Water Purchase (2022)				
Calendar Year		2022		
Month	Garfield		Elmwood	Peninsula
January				
February	22,937,822		495,248	1,953,562
March	25,056,761		497,066	1,798,047
April	25,969,358		534,467	1,827,954
May	55,134,671		1,802,712	6,884,676
June	83,585,897		2,274,651	10,677,977
July	102,634,104		2,887,116	13,237,219
August	101,486,273		3,416,396	13,005,183
September	73,129,298		2,470,164	9,219,035
October	34,092,500		829,767	2,734,966
November	27,211,572		495,533	1,976,815
December	24,175,648		437,788	1,833,514
<b>TOTAL</b>	<b>575,413,904</b>		<b>16,140,908</b>	<b>65,148,948</b>
Ave/day		1.576	0.044	0.178
Peak Month (31)	102,634,104		3,416,396	13,237,219
Peak Day	5.309		0.155	0.685

City Water Purchase (2021)				
Calendar Year		2021		
Month	Garfield		Elmwood	Peninsula
January	24,389,198		376,093	2,184,742
February	23,891,254		427,835	1,989,313
March	27,755,754		565,159	2,020,871
April	27,184,896		555,292	2,099,812
May	53,166,414		1,604,368	5,285,346
June	101,309,321		2,426,479	14,394,260
July	99,280,253		2,830,462	10,815,306
August	97,559,632		3,204,335	11,118,335
September	69,927,930		2,936,314	7,014,348
October	37,457,388		1,146,177	3,046,538
November	29,579,852		490,697	2,184,548
December	25,082,197		468,834	1,956,180
<b>TOTAL</b>	<b>616,584,089</b>		<b>17,032,045</b>	<b>64,109,599</b>
Ave/day		1.689	0.047	0.176
Peak Month (31)	101,309,321		3,204,335	14,394,260
Peak Day	4.605		0.150	0.654

City Water Purchase (2020)			
Calendar Year		2020	
Month	Garfield	Elmwood	Peninsula
January	29,551,925	380,212	2,015,211
February	27,354,756	328,116	1,777,331
March	26,424,959	332,912	1,908,101
April	21,656,044	241,025	2,048,643
May	31,833,521	637,787	3,753,616
June	77,462,538	1,737,012	12,830,243
July	107,491,573	2,814,388	<b>15,134,375</b>
August	<b>109,594,830</b>	<b>2,943,220</b>	14,092,134
September	73,736,290	2,277,022	7,406,390
October	35,939,654	793,111	2,849,412
November	31,733,209	489,640	2,247,766
December	24,648,206	368,638	2,021,913
<b>TOTAL</b>	<b>597,427,505</b>	<b>13,343,083</b>	<b>68,085,135</b>
Ave/day	1.637	0.037	0.187
Peak Month (31)	109,594,830	2,943,220	15,134,375
Peak Day	5.137	0.138	0.732

City Water Purchase (2019)			
Calendar Year		2019	
Month	Garfield	Elmwood	Peninsula
January	31,102,680	413,960	2,131,727
February	24,949,090	365,360	2,046,649
March	28,729,057	377,372	1,721,132
April	30,388,544	421,635	2,229,543
May	43,185,990	547,837	4,723,255
June	76,765,061	1,630,313	8,218,805
July	88,801,437	1,616,082	10,714,131
August	<b>97,567,859</b>	<b>1,939,186</b>	<b>12,383,838</b>
September	73,300,899	1,421,698	7,462,224
October	39,045,605	776,123	2,918,244
November	27,511,128	421,409	2,034,905
December	28,645,060	373,867	2,143,253
<b>TOTAL</b>	<b>589,992,410</b>	<b>10,304,842</b>	<b>58,727,706</b>
Ave/day	1.616	0.028	0.161
Peak Month (30)	97,567,859	1,939,186	12,383,838
Peak Day	4.878	0.097	0.619

City Water Purchase (2018)			
Calendar Year		2018	
Month	Garfield	Elmwood	Peninsula
January	29,212,723	423,733	2,151,274
February	25,177,032	335,086	1,768,289
March	25,936,033	324,871	1,738,186
April	27,938,152	410,632	2,020,813
May	47,692,751	1,103,605	5,963,192
June	81,305,466	1,885,983	10,845,563
July	<b>112,871,040</b>	<b>2,171,333</b>	<b>14,252,532</b>
August	111,565,794	1,418,981	12,091,639
September	79,881,029	2,170,210	6,929,055
October	38,068,974	653,448	2,330,778
November	28,008,827	397,951	1,946,862
December	26,235,908	313,058	1,678,850
<b>TOTAL</b>	<b>633,893,729</b>	<b>11,608,891</b>	<b>63,717,033</b>
Ave/day	1.737	0.032	0.175
Peak Month (32)	112,871,040	2,171,333	14,252,532
Peak Day	5.291	0.102	0.668

City Water Purchase (2017)			
Calendar Year		2017	
Month	Garfield	Elmwood	Peninsula
January	29,197,980	365,945	2,367,873
February	29,034,618	291,914	1,807,720
March	26,819,942	306,445	1,755,123
April	27,926,679	410,000	1,938,538
May	59,333,003	1,318,183	6,241,380
June	79,419,611	1,886,431	8,427,249
July	<b>93,325,650</b>	1,761,841	<b>11,005,006</b>
August	89,775,198	<b>1,968,050</b>	9,714,315
September	75,293,395	1,477,410	7,924,936
October	48,654,612	1,031,211	4,025,103
November	26,143,782	325,767	2,053,607
December	26,503,424	361,027	2,013,085
<b>TOTAL</b>	<b>611,427,894</b>	<b>11,504,224</b>	<b>59,273,935</b>
Ave/day	1.675	0.032	0.162
Peak Month (31)	93,325,650	1,968,050	11,005,006
Peak Day	4.516	0.095	0.533

The information can be verified with actual city invoices.

Thank you.

**Charter Township of Garfield**  
**Engineering Report / Construction Update**  
**January 2025**

**I. Water Projects**

**Northwest Service District – Water System Improvements**

Status below:

Division I: Tank was officially placed online in September 2019 and project is closed out

Division II: Project was completed and accepted (utilities turned over) by Township.

Division III: Booster Station / Mechanical Upgrade design is 75% complete and expected to be finalized in 2023 for permitting and bids. Project has been on hold due to high bid prices / volatile market. Upon completion, the abandonment of three (3) booster station will occur, area overall will experience 5-10 psi increase in pressure and west side of town will be serviced from the new tank rather than directly from the city.

Township board approved GFA contract to provide design, permitting and construction / installation of PRV. Project was recently bid and based upon pricing the Board approved to pursue only Cedar Run PRV replacement / booster station abandonment at this time. PRV has been delivered and installed along with abandonment of 2 booster stations. Water fed to Munson area along Cedar Run is provided by the Cedar Run tank without disruption and more consistent flows observed (less spikes). Project is done and closed out

**McCrae PRV: US31 / 37 Water Pressure Issues**

This area historically experiences low pressure and fire suppression difficulties, specifically Cracker Barrel / Sam's Club. Water that services this area is from McCrae groundwater tank which services the US31/ 37 corridor by gravity and controlled by Pressure Control Valves to maintain pressures less than 80 psi. McCrae PRV has been proposed to be relocated to address this pocket of low pressure in past water studies and capital improvement plans. Project is on hold due to high bid price received and review of alternate sites that are more ideal.

**Stone Ridge PRV Replacement**

The PRV located on Silverlake Road that services the Stoneridge Subdivision is one of the oldest and subject to frequent flooding / maintenance. The station is at its life expectancy and in need of replacement as identified both by the DPW and Township Capitol Improvement Plans. It was the original intent to include this project construction with the McCrae PRV replacement to optimize cost with a single contractor however project was placed on hold last year due to high prices. Recently DPW noted priority of this station with additional maintenance needed and safety concerns. Project was recently rebid and Elmers awarded the contract. Station has been installed and operational as of October. Project had been closed out and turned over to Township.

\*Recent update the existing watermain north of the Stoneridge PRV along Silverlake by YMCA has been leaking. Excavation and repairs indicated signs of pipe failure because of heavy / wet soils and concerns with future leaks are possible. Recommendation for watermain replacement (Plastic C900) in the future.

### **Tank Inspection**

GFA is assisting the DPW with required maintenance of the water storage tanks located on McCrae, Cedar Run, Birmley and Heritage. Routine inspection is required every 5 years as mandated by EGLE. GFA will be responsible for coordinating with the inspection company, monitoring operations during the inspection and providing a report to the Township and DPW related to findings. McCrae / Cedar Tanks inspections have been completed with no major issues noted. Final report received and on file. Copy also sent to EGLE for their files

### **Birmley Tank Mixer**

GFA assisted with review and implementation of some operation improvements to the existing elevated tank in Birmley Hills Estate Subdivision to improve pressures. These changes required raising the operating range of water levels in the tank which by doing so reducing proper mixing of the water. The board and DPW approved moving forward with the install and unit has been ordered.

### **Ridgeview Ct Water Main Extension**

GFA was requested by the Township Board to coordinate with the GTCRC to install public watermain as part of the Road improvement SAD. Design was completed earlier this year and provided to the GTCRC.

### **Sewer Projects**

#### **SAW Grant – US 31 Siphon Flow Monitoring**

Township board approved recommendations in report at September 26<sup>th</sup> 2017 meeting. GFA coordinated with the DPW to initiate operations change. Siphon continues to be monitored with increase in growth and permits on west side of town as a capacity restriction exists based upon study results. In March 2019, flows were rerouted to Pump Stations #2 at logans landing from Pump Station #6 at Applebees to alleviate the capacity at the siphon. DPW has been monitoring and discharge has been going well without incident. A need for a pump station may be more imminent to bypass siphon as it continues to present both a maintenance issue and capacity restriction but for the time being, the bypass of flows is working well and EGLE has accepted and permitting new development on west side of town.

#### **Garfield Pump Station #1**

Coordinating with East Bay and their engineering firm on upgrades to the shared forcemain that discharges into the City. GFA is reviewing design and project and overall existing and future flows and attending meetings on the Townships' behalf.

### **Blair Township Sewer Agreement**

Recently received updated existing and future flow projections from Blair Township as they discharge into PS#6 through a multi user agreement. GFA and the GTC DPW have been coordinating with them on needs with intent to modify agreement in the near future subject to Garfield and Blair Township Board approvals. In addition PS#6 is 20 years old and nearing age and capacity and upgrades needed in the foreseeable future. GFA is working on cost estimates to present to board at a future meeting.

### **Birmley Estates**

GFA completed flow monitoring in this area and submitted results to Twp and EGLE. There is a limited pipe section from Northern Star Drive to Garfield that based upon flow monitored demonstrated is has adequate capacity to meet existing some future growth in the area. No improvements needed at this time.

### **General Utilities**

#### **Water City Contracts**

GFA, DPW, Township staff and legal counsel continue to monitor flows and contractual terms with the City which is currently set at 5 MGD. We have been actively coordinating and responding to the City to address requests they have made dating back to April 2024. There remains several outstanding water permits for proposed developments that need approval, service to Grand Traverse Commons via Garfield infrastructure is being discussed and ability to obtain future capacity from the City are all outstanding to date.

#### **Water Reliability Study**

GFA completed the last study in 2012 and are to be completed every 5 years. GFA had requested a time extension from DEQ awaiting completion of work on Northwest side of town. With growth and interest to extend system to Olesons / Meadowlane and need for tank to service Traditions, EGLE has requested GFA complete a mini study for each service area (there are 5). This would include flow data and capacity assessment of existing infrastructure. The Township approved the EGLE DWRF Engineering report which will include completing the water study and was submitted to EGLE for funding consideration on June 1, 2023. The Township received a score of 45 out of 100 and was not funded. The application was resubmitted on June 1, 2024 for FY2025 funding. We are awaiting the results from the State.

#### **GIS Mapping**

GFA has been working with the DPW to create an asset management program for the Township with respect to the Water and sewer Infrastructure. The 1<sup>st</sup> step of this process which includes creation of a GIS map that includes all record drawing information has been completed. GFA / DPW are now pursuing forward to inventory major and minor assets and GPS the locations of each.

The BPW was awarded the CGAP grant as offered by the Michigan Dept of Treasury. This grant promotes collaboration of communities and efficiency in government. The funds covered 75% of the expenses including equipment (GPS handheld).



### **Water Service Expansion**

Southwest Part of Township: Oleson's Development have initiated and expressed an interest to partner to facilitate the extension of municipal watermain to service the respective developments. GFA has prepared budgetary cost estimates for various options to provide access to water service to the southwest side of the township which currently does not exist (terminates at McCrae / US-37). GFA and Township staff have been working on cost sharing options and has been meeting with developers on ability to collaborate on project to extend Garfield infrastructure to provide both domestic and fire. Based upon recent meetings with developer and Township, there is a verbal commitment from Developer to fund the extension of the watermain whereas the Township will fund the booster station as a CIP project since it is deemed a public benefit to the entire water system. Formal commitment was approved in November 2023 by the Township Board and the GFA contract was approved in May 2024. Oleson's Foundation is actively working on design but have been made aware of the Township / City Water Contract challenges and awaiting the outcome.

### **Grand Traverse Commons Water Service Area Expansion**

The City is proposing connection to Garfield Township at the Munson Booster Station (abandoned) to provide high pressure water to address low pressure at the Barns and Commons Buildings. GFA has been attending stakeholder meetings on behalf of the Township and has wrapped up the technical review. GFA's letter was in the board packet last month. The City has been advised they will need to request Township Board approval to proceed with project which will also include amendments to the water contract, cost sharing and O&M discussions.

### **Capital Improvement Projects**

GFA continues working on capital improvement list and submitted an updated CIP for both utilities and park projects to the Planning Department last month. The list will be utilized to assist the Planning Commission and Township Board with prioritizing projects and for soliciting infrastructure funding that is upcoming, as applicable. Township submitted to EGLE for DWSRF grant for water infrastructure but due to number of applicants was not funded last year. GFA plans to resubmit on June 1, 2025 for 2026 funding. In addition, GFA is working with the Planning Dept to update the CIP.

## **II. Parks & Recreation**

### **East River Park – Capital Improvements**

GFA worked Township staff on preparing a conceptual plan and budgetary cost estimates for discussion purposes at upcoming Park and Rec Meeting. Amenities proposed include trail, dog parks, parking lot, pavilion, signage and seating areas. GFA recently had an onsite meeting to review project scope and costs based upon the adopted 2023 budget providing some funds to implement some improvements. A proposal was submitted to the Township and was approved to proceed with the phase 3 of this project including sidewalk and bathroom. Phase I and II have been completed and GFA has been approved to proceed with Phase III. Phase III is complete however based upon feedback from Park / Rec and Township Board additional amenities including water fountains are to be added. GFA updated overall cost estimate and conceptual drawing to show existing and future phases. Project bids were solicited

early march and the board approved AJs as the low bidder. The board also approved to purchase the bathroom directly to expedite delivery. Bathroom has been ordered and GFA is currently working with AJS on contracts, schedules, permits and preconstruction meeting.

#### **Copper Ridge – Trailhead Parking**

GFA had been working with Township staff on some conceptual layouts to provide additional overflow parking. Work includes locations, impacts to storm and accessibility and budgetary cost estimates. The Township Board approved GFA to proceed with an RFP to implement. Project bids were received in October and contract awarded to Molon. The trail and grading has been completed and pay application is in the packet. Project completion to begin in spring with paving and completion May 1<sup>st</sup>.

#### **GT Commons – North Trail**

The Township was awarded a Trust Fund Grant recently and requested GFA to assist with the design, permitting and construction of the project. Our contract was approved in May and GFA has been working on final design of the project. We are awaiting DNR agreements and once received will finalize with plans to solicit for bids in the Spring of 2025.

#### **Barlow / South Airport Trail – Township ARPA Funded**

Garfield Township Board approved GFA to complete a segment of trail at their meeting in April. The project would include about 0.3 miles along South Airport Road and about 0.4 miles along Barlow Road to Gladewood. The scope of the trail was modified to include only the commercial business as we were unable to acquire easements from the residential. Open houses were conducted to educate with negligible interest. Therefore, the design has been completed and includes South Airport and Barlow ending at Floresta.

Project is awaiting permit applications and once received will solicit for bids anticipating spring construction

#### **Utility Plan Reviews**

##### **Windy Hills (60 Acre Herkner Parcel) – Phase II**

Sewer permit has been issued and awaiting water permit. Project is currently under construction and GFA is providing fulltime inspection.

**Ashland Park - Phase 2 & 3** Plan review has been completed by GFA and in receipt of all EGLE permits. GFA will be providing as needed construction oversight. Watermain to storage units have been installed and inspected by GFA. We are awaiting closeout documents for this portion before recommending approval to accept.

##### **BATA Facility / TCHC**

Project construction is complete and BATA portion was accepted / turned over to the Township in August. Infrastructure install for TCHC (The Flats) Phase I is complete and GFA provided full time onsite inspection and currently working with contractor / engineer on closeout paperwork.

### **Marengo 31**

Stormwater and EGLE permits have been issued. The EGLE Water permit is on hold and awaiting issuance. A preconstruction meeting was held and GFA will provide full time inspection once permit is issued.

### **Britten, New Buildings (Cass Road)**

Project is complete with GFA providing fulltime construction oversight. Project is complete and closeout / turnover is in your packet for approval.

### **Villages at Garfield**

GFA has approved the plans and submitted to EGLE for permitting. Waiting on Water permit

### **TCAPS Watermain Relocation**

Project is complete with GFA providing fulltime construction oversight. Currently waiting on closeout paperwork

### **TC Evergreen (Long Lake Township – WM Extension)**

GFA has approved the plans and submitted to EGLE for permitting.

### **Brook Valley (Long Lake – WM Extension)**

GFA has approved the plans and submitted to EGLE for permitting.

## 2024 - 2025 Storm Water & Private Road Plan Reviews

\*list represents those still outstanding / not approved

Boon	
1661 Lake Drive Driveway	Plans received on 7/26, initial review sent 8/2
Village at Garfield: Findings of Fact and Utility/SW Plan Review Set	Initial review by AB on 8/4 for MM QA. Sent out 8/14. Done
Ridge 45	Waiting on calcs from SJ. Calcs received: Done
Atomic Properties (Paving Review)	Conditional approval per letter 11/22/2023.
K1 Speed	AB initial review not sent to client, Req for info on 11/15, final letter 11/29
1353 Lake Rd	Initial review completed 11/13, Final letter out 11/15
TBD - TC Symphan	
TBD - BATA Housing minor amendment, ESCROW Q. from JENT	
Marango	
3167 Cass Rd	
3066 N Garfield SUP	Initial review was good, Internal draft on 3/20 w/ return QAQC comments and check calc on 4/1. Updated plans on 3/29. Letter on 4/4/24 sent out.
Cherryland Humane Society	Initial review sent by DL 4/4/24, 4/11 response, Evaluated on 5/15, Final letter draft on 5/16.
Hickory Forest trailhead parking Lot	Sent quick evaluation to JG>> No review required. 0.75hrs spent
TJ Maxx nonmotorized path	Fielded 4/2/24, Drafted 4/18, sent 5/2
5243 Highland Drive	Initial review on 5/7, site visit and finalize letter 5/8
Culver Meadows II	site visit 5/8, Initial Review to RC on 5/15. Receive Calcs and clarifications except for trench drains. 5/16
1448 N West Silverlake Rd	site visit 5/8, Initial review by DL on 6/4, Info received from applicant 6/7 to 6/10, letter out on 6/12.
Hickory Forest trailhead	Initial review questions sent 5/3 to clarify outlet.
Traverse Symphony Orchestra	Initial review started/ Like TC Curling, JK to review parking lot, requested letter of the storm water system.
670 Eta Lane	Initial review complete for MWM QA
1414 Trade Center	Initial completed on 5/30, sent initial on 6/13, Final on 6/24, Agreements, and storm sewer calcs required.
Kingsley Lumber	Initial review sent 7/3/24
820 N West Silver Lake Rd	Sent Email, No review required as no earth change or cover change.
French Manor	Letter sent. Expecting verifications from Applicant
Midwest Airproducts	Initial review sent 11/15. Call BC 1/15, waiting on response
Precision Plumbing	JA Draft review 10/15, Letter sent 10/29- need info on existing storm basins, confirmed on 11/26
Historic Barns	Add info provided re storm water impacts on 11/1. Letter sent 11/6
Resurrection Life Church	Looking for additional info from application to verify impervious area are within original basis and letter to validate existing system is functioning.
Renew It	Add info provided 12/4
Two Brothers	Completed with conditions 1/17/2025
W Senior HS	Initial review complete and intend to finalize 1/24/2025
CRM Inc Building Welch Ct	Logged in and initial review complete
HIC #32 Industry Drive	Completed 1/202/2025 - waiting on outstanding items from Engineer
1420 Barlow Sidewalk	Completed 1/20/2025
Creekside Community Church	Just received and logged in

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

**RESOLUTION 2025-03-T**

**RESOLUTION ADOPTING A SOIL, EROSION & SEDIMENTATION CONTROL  
FEE SCHEDULE**

**WHEREAS**, the Charter Township of Garfield Township Board approved Resolution 2025-02-T adopting Ordinance 78, Control of Soil, Erosion and Sedimentation on January 14, 2025; and

**WHEREAS**, Ordinance 78 has designated the Garfield Township Zoning Department as the municipal enforcing agency and is responsible for the administration and enforcement of this Ordinance; and;

**WHEREAS**, the Board has reviewed the attached Soil, Erosion & Sedimentation Control 2025 Fee Schedule and has determined that this Fee Schedule is necessary and appropriate for the administration and enforcement of Ordinance 78.

**NOW, THEREFORE, BE IT RESOLVED:**

**THAT** the Soil Erosion & Sedimentation Control 2025 Fee Schedule, attached hereto as Exhibit "A" and made a part of this Resolution, is hereby adopted and authorized for implementation by the Charter Township of Garfield; and

**THAT** the Township may amend the Fee Schedule from time to time by adopting a Resolution of the Charter Township of Garfield Township Board.

Moved:

Supported:

Ayes:

Nays:

Absent and Excused:

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 Resolution 2025-03-T which was adopted by the Township Board of the Charter Township of Garfield on the 28th day of January, 2025.

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

\_\_\_\_\_  
Lanie McManus, Clerk  
Charter Township of Garfield



# CHARTER TOWNSHIP OF GARFIELD

## SOIL EROSION & SEDIMENTATION CONTROL FEE SCHEDULE

### Site Priority Matrix

Project Priority	Inspection Frequency	Description
<b>High Priority(4)</b>	Twice per Month	Earth change over 5 acres <b>AND</b> has direct connection (immediately adjacent to or point source discharge to) surface water, wetlands or adjacent property <b>OR</b> earth change <5 acres with direct connection to surface waters, wetland, or adjacent properties with Slopes of 20%.
<b>Moderate Priority(3)</b>	Once per Month	Earth Change over 5 acres with no direct connection to surface water or adjacent property <b>OR</b> site under 5 acres with direct connection to surface water or adjacent property <b>OR</b> Slopes of 20% or more.
<b>Low Priority(2)</b>	Once every two months	Earth change <5 acres <b>AND</b> no direct connection to surface water or adjacent property
<b>Very Low Priority(1)</b>	After control measures in place and at time of project closure and stabilization	Earth change <0.5 acre. Flat site, soils not highly erodible, and no direct connection to surface water, wetlands, or adjacent property

### RESIDENTIAL Priority Fee Schedule - Permit Fee Assessed After Site Review

Permit duration of 18 months, Scaled Site Plan Required (all fees include a \$50 non-refundable application fee)

Project Type	High Priority(4)	Moderate Priority(3)	Low Priority(2)	Very Low Priority(1)
Residential New Construction	\$650	\$450	\$250	\$200
Existing Residential >1000 ft <sup>2</sup> earth change (Garage, Addition, Outbuilding, Driveway, etc.)	\$550	\$350	\$200	\$175
Existing Residential <1000 ft <sup>2</sup> earth change	\$450	\$300	\$175	\$150
Minor Residential <500 ft <sup>2</sup> earth change	\$300	\$200	\$150	\$100
Septic Systems Replacement (greater than 24 hrs. to stabilize)	\$100	\$100	\$100	\$100

### COMMERCIAL Priority Fee Schedule - Permit Fee Assessed After Site Review

Permit duration of 9 months, 2 sets of Sealed Plans & Surety Required

(all fees include a \$200 non-refundable application fee)

Project Type	High Priority(4)	Moderate Priority(3)	Low Priority(2)	Very Low Priority(1)
Commercial Base Fee (up to 1 acre) -includes agricultural sites; extraction sites	\$1200 (Base Fee) \$90/acre (over 1 acre) \$150/mo. > 9 months	\$1000 (Base Fee) \$70/acre (>1acre) \$100/mo. > 9 months	\$700 (Base Fee) \$60/acre(>1acre) \$75/mo. > 9 months	\$600 (Base Fee) \$50/mo. >9 months
Minor Commercial <1000 ft <sup>2</sup> earth change	\$600 (Base Fee) \$110/mo. > 9 months	\$450 (Base Fee) \$75/mo. > 9 months	\$350 (Base Fee) \$60/mo. > 9 months	\$250 (Base Fee) \$40/mo. > 9 months

## Other Commercial Fees Permit Fee Assessed After Site Review

Permit duration of 9 months, 2 sets of Sealed Plans & Surety Required

(all fees include a \$200 non-refundable application fee)

Farm with NRCS Plan, MEAP verification, or DEQ CAFO. Also includes Public Parks and Trails	\$300 Base fee; \$25/mo >9 months Inspection frequency set by Township based on Site Sensitivity
Utility Installation Projects	\$500 Base fee includes 1 mile (9mo.) \$40 each additional 0.5 mile; \$50/mo >9 months Inspection frequency set by Township based on Site Sensitivity
Extraction Sites	\$200/year

## Other Fees

Adjacent Permits – Residential	First permit at full price, up to two additional permits at 50% cost. Parcels must be adjacent with the same contractor and/or owner. Projects must run concurrently and have same start/completion schedule. Eligibility will be determined by Township.
Residential Preliminary Review	\$150, half of fee may be applied to permit application within 1 year
Commercial Preliminary Review	\$350, half of fee may be applied to permit application within 1 year
Permit Amendments	\$40 – administrative only \$100 – requires additional fieldwork
Permit Transfer Fee	\$50, copy of Recorded Warranty Deed Required and Permit Transfer Form required
Special Site Inspections	\$60 (additional inspections required due to compliance violations, certificate of occupancy requests, final inspection requests, etc.)
Residential Permit Extension	½ of the original permit fee for up to 9 months.
After the Fact Permit -earth change prior to receiving permit	Residential - Double permit fee or \$250, whichever is less Commercial – Double permit fee or \$500, whichever is less
Surety	Amount of Surety required to be determined based on the scope of project
Refunds/Cancellations	If a permit is cancelled before issuance, the application fee as stated above is still due to the Township (\$50 for residential, \$200 for commercial). Please note that there are <b><u>NO REFUNDS</u></b> once a permit has been issued.





# Charter Township of Garfield

## Grand Traverse County

8b.

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

JOE McMANUS  
SUPERVISOR

LANIE McMANUS  
CLERK

CHLOE MACOMBER  
TREASURER

MOLLY AGOSTINELLI, TRUSTEE  
DENISE SCHMUCKAL, TRUSTEE

LAURIE LAPP, TRUSTEE  
CHUCK KORN, TRUSTEE

To: Garfield Township Board  
From: Chris Barsheff, Manager  
RE: Digital Devices/Tablets  
Date: January 23, 2025

The purpose of this communication is to provide information about the costs for purchasing digital devices/tablets that may be used by board members to conduct township business.

Digital devices are typically available in many different makes, models and with various wireless capabilities. For example, I have found that Samsung and Apple are the leaders in the industry, and each provides model options for wireless connectivity through WIFI only or WIFI + Cellular. WIFI only devices can only connect to the internet via a WIFI connection and the WIFI + Cellular models can connect to the internet through a WIFI connection or through a Cellular connect when WIFI is unavailable.

I researched devices and costs which are reflected in the below table:

Brand	Model	Screen Size	Connectivity Type	Cost
Apple	iPad 10 <sup>th</sup> Gen 64 GB	10.9"	WIFI	\$349.00
Apple	iPad 10 <sup>th</sup> Gen 64 GB	10.9"	WIFI + Cellular	\$499.00
Samsung	Galaxy A9+ 64 GB	12.4"	WIFI	\$219.00
Samsung	Galaxy A9+ 64 GB	12.4"	WIFI + Cellular	\$269.00

We currently utilize T-Mobile for township cellular communication services. Adding a device to the plan for cellular connectivity costs \$20.00 monthly. T-Mobile additionally offers a two-year term purchase option for each device with WIFI + Cellular, which includes a monthly \$19.98 cellular data fee and the following device (similar to above) one time cost: Apple iPad \$149.99 and Samsung Galaxy \$0.00.

Due to the fragile nature of the devices, it is best to purchase a case for protection. Cases range in design and price. Upon request I can research options within a specified price range.

I look forward to further discussion on this topic.

Respectfully,

Chris Barsheff